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**CITY COUNCIL AGENDA
WEDNESDAY, MARCH 20, 2013
250 NORTH 5TH 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
A Moment of Silence

***** Proclamation**

Proclaiming the Week of February 24 through March 2, 2013 as “Peace Corps Week Honoring their 52nd Anniversary” in the City of Grand Junction

Council Comments

Citizen Comments

Financial Report

Financial Report by Jodi Romero, Financial Operations Director

***** CONSENT CALENDAR ***®**

Revised March 20, 2013

*** Indicates Changed Item*

**** Indicates New Item*

® Requires Roll Call Vote

REVISED

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

Action: Approve the Minutes of the March 4, 2013 Special Meeting, and the March 6, 2013 Regular Meeting

2. **Setting a Hearing to Amend the Sales and Use Tax Code Exempting Subscription Magazines Produced and Distributed from Colorado Sales and Use Tax** [Attach 2](#)

This is an amendment to the Grand Junction Municipal Code concerning the exemption of the sale, storage and use of magazines sold by subscription, produced and distributed in Colorado from sales and use tax.

Proposed Ordinance Amending Title 3, Section 3.12, Sales and Use Tax, of the Grand Junction Municipal Code Concerning Sales and Use Tax Exemptions for the Sale and Use of Magazines Sold by Subscription Produced and Distributed in Colorado

Action: Introduce a Proposed Ordinance and Set a Hearing for April 3, 2013

Staff presentation: Jodi Romero, Financial Operations Director
Elizabeth Tice-Janda, Revenue Supervisor

3. **Setting a Hearing to Amend the Sales and Use Tax Code Exempting Manufacturing Equipment from Sales Tax** [Attach 3](#)

This is an amendment to the Grand Junction Municipal Code concerning the exemption of the sale of manufacturing equipment from sales tax.

Proposed Ordinance Amending Title 3, Section 3.12, Sales and Use Tax, of the Grand Junction Municipal Code Concerning Sales Tax Exemptions for the Sale of Manufacturing Equipment

Action: Introduce a Proposed Ordinance and Set a Hearing for April 3, 2013

Staff presentation: Jodi Romero, Financial Operations Director
Elizabeth Tice-Janda, Revenue Supervisor

4. **Setting a Hearing to Amend the Sales and Use Tax Code Exempting Sales Made by Schools, School Activity Booster Organizations, and Student Classes or Organizations from Sales Tax** [Attach 4](#)

This is an amendment to the Grand Junction Municipal Code concerning the exemption of sales made by schools, school activity booster organizations, and student classes or organizations from sales tax.

Proposed Ordinance Amending Title 3, Section 3.12, Sales and Use Tax, of the Grand Junction Municipal Code Concerning Sales Tax Exemptions for Sales Made by Schools, School Activity Booster Organizations, and Student Classes or Organizations

Action: Introduce a Proposed Ordinance and Set a Hearing for April 3, 2013

Staff presentation: Jodi Romero, Financial Operations Director
Elizabeth Tice-Janda, Revenue Supervisor

5. **Setting a Hearing for the Mesa County Workforce Annexation Comprehensive Plan Future Land Use Designation Amendment and Zoning, Located at 512 29 1/2 Road** [File #ANX-2013-10] [Attach 5](#)

Recommend to City Council a Comprehensive Plan future land use designation amendment from Residential Medium to Village Center and a zoning of C-1 (Light Commercial) for property located at 512 29 1/2 Road.

Proposed Ordinance Amending the Comprehensive Plan from Residential Medium (4 – 8 DU/AC) to Village Center and Zoning the Mesa County Workforce Annexation to C-1 (Light Commercial) Located at 512 29 1/2 Road

Action: Introduce a Proposed Ordinance and Set a Hearing for April 3, 2013

Staff presentation: Senta Costello, Senior Planner

6. **Setting a Hearing on Rezoning a Portion of Heritage Estates, Located at the Southeast Corner of Property Located near 24 3/4 Road and North of the Future F 1/2 Road Alignment, the 2.78 Acres Directly West of and Abutting 651, 653 1/2, 653, and 655 25 Road** [File #RZN-2012-578] [Attach 6](#)

Request to rezone 2.78 acres, located at the southeast corner of property located near 24 3/4 Road and north of the future F 1/2 Road alignment, directly west of and abutting 651, 653 1/2, 653, and 655 25 Road referred to herein as a

portion of Heritage Estates Subdivision, from R-8 (Residential – 8 du/ac) zone district to R-12 (Residential – 12 du/ac) zone district.

Proposed Ordinance Rezoning a Portion of Lot 100 of the Heritage Estates Subdivision, Filing 1 from R-8 (Residential – 8 Units Per Acre) to R-12 (Residential – 12 Units Per Acre) Located at the Southeast Corner of Property Near 24 3/4 Road and North of the Future F 1/2 Road Alignment, Specifically the 2.78 Acres Immediately West of and Abutting 651, 653 1/2, 653, and 655 25 Road

Action: Introduce a Proposed Ordinance and Set a Hearing for April 3, 2013

Staff presentation: Lori V. Bowers, Senior Planner

7. **Setting a Hearing Zoning the Rock Shop Enclave Annexation, Located South of D Road, East of S. 15th Street and South of the Riverside Parkway on both sides of 27 1/2 Road, North of Las Colonias Park** [File #ANX-2012-574]

[Attach 7](#)

A request to zone the Rock Shop Enclave Annexation, located south of D Road, east of S. 15th Street and south of the Riverside Parkway on both sides of 27 1/2 Road, north of Las Colonias Park, which consists of 68 parcels, to an I-1 (Light Industrial) zone district.

Proposed Ordinance Zoning the Rock Shop Enclave Annexation to I-1 (Light Industrial) South of D Road, East of S. 15th Street and South of the Riverside Parkway on Both Sides of 27 1/2 Road, North of Las Colonias Park

Action: Introduce a Proposed Ordinance and Set a Hearing for April 3, 2013

Staff presentation: Brian Rusche, Senior Planner

8. **Pear Park Fire Station Grant Request**

[Attach 8](#)

This is a request to authorize the City Manager to submit a request to the Colorado Department of Local Affairs for a \$200,000 grant to partially fund the design and engineering of a proposed Pear Park Fire Station.

Action: Authorize the City Manager to Submit a Grant Request to the Colorado Department of Local Affairs' Energy and Mineral Impact Assistance Program for the Design and Engineering of a Proposed Pear Park Fire Station

Staff presentation: Jim Bright, Deputy Fire Chief
Tim Moore, Deputy City Manager

9. **Purchase Crack-fill Material** [Attach 9](#)

This request is to ratify a second year contract renewal to purchase 180,000 pounds of NUVO 500 crack-fill material in the amount of \$.53 per pound. This is the second and final contract renewal period for this contract award. Since this is a petroleum based product, prices are escalating daily. In an effort to secure prices, the Purchasing Division negotiated a price, which now reflects savings compared to the current market. The NUVO 500 crack-fill material was competitively bid in 2011 and found to be a superior material compared with other products previously tested.

Action: Ratify a Second Year Contract Renewal with Maxwell Products, Inc. to Provide 180,000 Pounds of NUVO 500 Crack-Fill Material, for an Amount of \$.53 per Pound for a Total of \$95,400

Staff presentation: Greg Trainor, Public Works, Utilities, and Planning Director
Darren Starr, Street, Storm Water, and Solid Waste Manager
Jay Valentine, Internal Services Manager

10. **Outdoor Dining Lease for Loree, LLC dba Loree's Seafood and Steakhouse, Located at 336 Main Street** [Attach 10](#)

Loree, LLC, located at 336 Main Street, is a new tenant occupying the former location of Dolce Vita restaurant. As a new business entity, Loree, LLC, is requesting a first-time Outdoor Dining Lease for an area measuring 275 square feet directly in front of their building. The Outdoor Dining Lease would permit the business to have a revocable license from the City of Grand Junction to expand their licensed premise and allow alcohol sales in this area. The outdoor dining area comprises the same enclosed raised deck area that was occupied by Dolce Vita.

Resolution No. 18-13—A Resolution Authorizing the Lease of Sidewalk Right-of-Way to Loree, LLC, Located at 336 Main Street

®Action: Adopt Resolution No. 18-13

Staff presentation: Harry M. Weiss, Executive Director, Downtown Development Authority

11. **Funding of \$80,000 for the Regional Public Safety Training Facility** [Attach 11](#)

Due to a funding shortfall, the City is being asked to contribute 1/3 of the \$240,000 difference between current funding level and the construction bid amount for the Regional Public Safety Training Facility. Colorado Mesa University and Mesa County will provide the remaining 2/3 of the shortfall.

Resolution No. 19-13—A Resolution Authorizing and Ratifying an Expenditure of Funds in Support of the Construction of the Regional Law Enforcement Training Center Emergency Driving Track and Other Improvements to the Campus

®Action: *Adopt Resolution No. 19-13*

Staff presentation: Rich Englehart, City Manager

12. **Purchase of Real Property at 755 Struthers from Struth LLC** [Attach 12](#)

The City has negotiated a purchase of property at 755 Struthers for \$189,125.20. The City Council is being asked to authorize the purchase and ratify actions taken.

Resolution No. 20-13—A Resolution Authorizing the Purchase by the City of Real Property Located at 755 Struthers Avenue from Struth LLC and Ratifying Actions Heretofore Taken in Connection Therewith

®Action: *Adopt Resolution No. 20-13*

Staff presentation: John Shaver, City Attorney

*** 13. **Ratify an Appointment to the At Large Seat on the Grand Junction Regional Airport Authority** [Attach 13](#)

The Grand Junction Regional Airport Authority bylaws provide that the seventh seat on the board of directors is filled by the other board members with the concurrence of the City and the County. The resolution proposed ratifies the recommendation put forward by the board of directors.

Resolution No. 21-13—A Resolution Ratifying the Appointment of Thomas T. Frishe to the Grand Junction Regional Airport Authority Board

®Action: *Adopt Resolution No. 21-13*

Staff presentation: John Shaver, City Attorney

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

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

14. **Public Hearing—Library Alley Right-of-Way Vacation** [File #VAC-2012-419] [Attach 14](#)

Request to vacate all remaining alleys within Block 73, City of Grand Junction, located between Grand Avenue and Ouray Avenue and N. 5th Street and N. 6th Street as part of the expansion of the Library.

Ordinance No. 4570—An Ordinance Vacating Right-of-Way for Mesa County Public Library Alley Located at 530/550 Grand Avenue and 443 N. 6th Street

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication in Pamphlet Form of Ordinance No. 4570

Staff presentation: Senta Costello, Senior Planner

15. **Warehouse Special Permit, Located at 461 Glenwood Avenue** [File #SPT-2013-66] [Attach 15](#)

Application for a special permit to allow interim use of the property for an indoor storage and operations warehouse in a C-2 (General Commercial) zone district with a contradicting Comprehensive Plan Future Land Use designation of Neighborhood Center, in accordance with Section 21.02.120 of the Grand Junction Municipal Code.

Permit No. 2013-01—A Special Permit Pursuant to Section 21.02.120 of the Grand Junction Municipal Code (Zoning And Development Code) for an Interim Use of Warehouse with Indoor Storage and Indoor Operation on Property Located at 461 Glenwood Avenue in Grand Junction, Colorado

Action: Approve of Special Permit No. 2013-01 to Allow the Interim Use of the Property for a Warehouse

Staff presentation: Senta Costello, Senior Planner

16. **Construction Contract for the 22 Road Realignment at Highway 6 Project**

[Attach 16](#)

The 22 Road realignment at Highway 6 project will reconstruct the intersection of 22 Road with Highway 6 along with a one-third mile long section of 22 Road. The resulting increase in traffic capacity will accommodate projected traffic volumes through the year 2035, including traffic from two proposed truck stops in the area. These improvements work in harmony with an upcoming CDOT traffic capacity and safety improvement project at the I-70 Exit 26 Interchange. Together they set the stage for long term future development in the northwest part of the City.

Action: Authorize the City Purchasing Division to Enter into a Construction Contract with M.A. Concrete Construction, Inc., of Grand Junction, for the 22 Road Realignment at Highway 6 Project in the Amount of \$3,882,457.55

Staff presentation: Trent Prall, Engineering Manager
Jay Valentine, Internal Services Manager

17. **Public Hearing—Adopting the Greater Downtown Plan** [File #CPA-2011-1067, CPA-2012-216, RZN-2012-217, ZCA-2012-363]

[Attach 17](#)

The Greater Downtown area generally encompasses the original square mile of the City and the area between the Riverside Neighborhood to 28 Road and South Avenue to the Colorado River. The Greater Downtown Plan includes the following components:

- 1) Comprehensive Plan amendments to Future Land Use Map
- 2) Comprehensive Plan text amendment to add RO (Residential Office) as a zone district that can implement the Downtown Mixed Use Land Use Designation
- 3) Rezoning properties within the Greater Downtown Plan
- 4) Text amendment to the Zoning and Development Code to include RO (Residential Office) as a zone district that can implement the Downtown Mixed Use Land Use Designation
- 5) Adoption of zoning overlays for Corridors and the Downtown District

Ordinance No. 4571—An Ordinance Adopting the Grand Junction Greater Downtown Plan and Amending the Future Land Use Map and Text of the Comprehensive Plan as an Element of the Comprehensive Plan for the Area Generally Including the Original Square Mile, South Avenue to the Colorado River and Riverside Neighborhood to 28 Road

Ordinance No. 4572—An Ordinance Amending the Zoning and Development Code to Add Section 21.07.080 to be known as the Greater Downtown Plan Overlay District and Amending Section 21.03.020(d) to Include the RO Zone in the Downtown District in the Downtown Mixed Use Land Use Designation

Ordinance No. 4573—An Ordinance Rezoning Properties within the Greater Downtown Plan Area

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication in Pamphlet Form of Ordinance Nos. 4571, 4572, and 4573

Staff presentation: Kathy Portner, Economic Development and Sustainability
Harry Weiss, Executive Director, Downtown Development Authority
Kristen Ashbeck, Economic Development and Sustainability

18. **Non-Scheduled Citizens & Visitors**
19. **Other Business**
20. **Adjournment**

**Attach 1
Minutes**

GRAND JUNCTION CITY COUNCIL

SPECIAL SESSION MINUTES

MARCH 4, 2013

The City Council of the City of Grand Junction, Colorado met in Special Session on Monday, March 4, 2013 at 12:56 p.m. in the Administration Conference Room, 2nd Floor, City Hall, 250 N. 5th Street. Those present were Councilmembers Bennett Boeschenstein, Teresa Coons, Jim Doody, Tom Kenyon, Laura Luke, Sam Susuras, and President of the Council Bill Pitts. Also present were City Attorney John Shaver and City Manager Rich Englehart.

Council President Pitts called the meeting to order.

Council President Pitts moved to go into Executive Session for Personnel Matters under Section 402 (4)(f)(l) of the Open Meetings Law regarding City Council Employees Specifically the City Manager and will not be returning to open session. Councilmember Susuras seconded the motion. Motion carried.

The City Council convened into executive session at 12:56 p.m.

Stephanie Tuin, MMC
City Clerk

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

March 6, 2013

The City Council of the City of Grand Junction convened into regular session on the 6th day of March, 2013 at 7:01 p.m. in the City Auditorium. Those present were Councilmembers Bennett Boeschstein, Teresa Coons, Jim Doody, Tom Kenyon, Laura Luke, Sam Susuras, and Council President Bill Pitts. 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 Luke led the Pledge of Allegiance followed by a moment of silence.

Proclamation

Proclaiming the Week of March 3 through March 9, 2013 as “Women in Construction Week” in the City of Grand Junction

Councilmember Kenyon read the proclamation.

Melissa Kenyon thanked the Council for the proclamation. She said their industry is starting to pick up a little bit. She encouraged anyone interested in the organization to get in touch with them.

Appointments

Councilmember Kenyon moved to ratify the appointment of Derek Wagner to the Riverview Technology Corporation Board of Directors for a three year term expiring February 2016. Councilmember Susuras seconded the motion. Motion carried.

Certificate of Appointment

Jon Schler was present to receive his Certificate of Appointment to the Historic Preservation Board.

Council Comments

Councilmember Boeschstein said he attended the Rocky Mountain Urban Leadership Symposium in Denver, Colorado, along with Downtown Development Authority Director, Harry Weiss, and Kevin Reimer, and Clark Atkinson of Grand Junction. He then announced that the Walking and Biking Summit is this Friday, March 8, 2013 at Two Rivers Convention Center.

Council President Pitts welcomed the Colorado Mesa University students in attendance.

Citizen Comments

There were none.

CONSENT CALENDAR

Councilmember Coons moved to approve and then read Consent Calendar items #1-9.
Councilmember Susuras seconded the motion. Motion carried.

1. **Minutes of Previous Meetings**

Action: Approve the Minutes of the February 20, 2013 Regular Meeting and the February 22, 2013 Special Meeting Executive Session

2. **Setting a Hearing for the Library Alley Right-of-Way Vacation** [File #VAC-2012-419]

Request to vacate all remaining alleys within Block 73, City of Grand Junction, located between Grand Avenue and Ouray Avenue and N. 5th Street and N. 6th Street as part of the expansion of the Library.

Proposed Ordinance Vacating Right-of-Way for Mesa County Public Library Alley Located at 530/550 Grand Avenue and 443 N. 6th Street

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

3. **Setting a Hearing Adopting the Greater Downtown Plan** [File #CPA-2011-1067, CPA-2012-216, RZN-2012-217, ZCA-2012-363]

The Greater Downtown area generally encompasses the original square mile of the City and the area between the Riverside Neighborhood to 28 Road and South Avenue to the Colorado River. The Greater Downtown Plan includes the following components:

- 1) Comprehensive Plan amendments to Future Land Use Map
- 2) Comprehensive Plan text amendment to add RO (Residential Office) as a zone district that can implement the Downtown Mixed Use Land Use Category
- 3) Rezoning properties within the Greater Downtown Plan
- 4) Text amendment to the Zoning and Development Code to include RO (Residential Office) as a zone district that can implement the Downtown Mixed Use Land Use Category
- 5) Adoption of zoning overlays for Corridors and the Downtown District

Proposed Ordinance Adopting the Grand Junction Greater Downtown Plan as an Element of the Comprehensive Plan for the Area Generally Including the Original Square Mile, South Avenue to the Colorado River and Riverside Neighborhood to 28 Road

Proposed Ordinance Amending the Zoning and Development Code to Add Section 21.07.080 Greater Downtown Plan Zoning Overlay

Proposed Ordinance Adopting a New Zoning Map for Properties within the Greater Downtown Plan and Zoning Overlay Generally Including the Original Square Mile, the

Area between South Avenue and the Colorado River and the Riverside Neighborhood to 28 Road

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

4. **Purchase One Pickup 1-Ton Flat Bed Standard Cab w/Scissor Type Platform Lift**

This purchase will provide a Pickup 1-Ton Flat Bed Standard Cab w/Scissor Type Platform Lift for the Transportation Engineering Division. This vehicle is a replacement to the fleet. There will also be a reduction to the fleet size as the division will be trading in the existing 1-ton truck and a Ford Explorer. This action will replace two units with one multiple purpose unit.

Action: Authorize the City Purchasing Division to Purchase Pickup 1-Ton Flat Bed Standard Cab w/Scissor Type Platform Lift from Macdonald Equipment Co. of Commerce City, CO in the Amount of \$91,491

5. **Purchase Four Large 4 Door 2x4 Sport Utility Police Special Services Vehicles**

This purchase of four large 2x4 sport utility vehicles will replace three police sedan patrol vehicles and one 4x4 patrol vehicle. As part of the Fleet Replacement Program, these new units will continue to be used as patrol vehicles in the Police Department.

Action: Authorize the City Purchasing Division to Purchase Four Large 2x4 Sport Utility Police Special Services Vehicles from John Elway Chevrolet of Colorado Springs, CO in the Amount of \$146,248

6. **Contract for the 2013 Asphalt Overlay Project**

This request is to award a construction contract for the asphalt resurfacing project at various locations throughout the City of Grand Junction with the most notable locations being: B ½ Road from Sherman Drive to 29 Road, 1st Street from Hall Avenue to Patterson Road, 15th Street from North Avenue to Patterson Road and 28 ¼ Road from Hall Avenue to Patterson Road. In all, a total of 15 locations were selected.

Action: Authorize the City Purchasing Division to Enter into a Contract with Oldcastle SW Group Inc., dba United Companies of Mesa County of Grand Junction, CO for the 2013 Asphalt Overlay Project in the Amount of \$1,917,676

7. **Affirming the City Manager's Actions to Convey Real Estate Interests to Realign the Frontage Road at West Independent Avenue**

The City has been working with the State and the owner of the property at 1274 West Independent to correct title problems and to create a safer connection between West Independent Avenue and the highway frontage road.

Resolution No. 13-13—A Resolution Ratifying the City Managers Conveyance of Land/Interests in Land to the State of Colorado for the West Independent Avenue Frontage Road Alignment

Action: Adopt Resolution No. 13-13

8. **Agreement with Strive (formerly Mesa Development Services) for Operation of Botanical Gardens**

The City entered into a contract with the Western Colorado Rose Society (now known as the Western Colorado Botanical Society) in 1994 for the lease and operation of the City land between the River and Struthers Avenue. The proposed agreement by and between Strive, the Western Colorado Botanical Society and the City terminates the 1994 lease and assigns the management and operational functions to Strive.

Resolution No. 16-13—A Resolution Authorizing the City Manager to Sign the Agreement by and between Strive/MDS, the Western Colorado Botanical Society and the City of Grand Junction Concerning the Botanical Gardens and Ratifying Actions Heretofore taken in Connection Therewith

Action: Adopt Resolution No. 16-13

9. **Support of the 2nd Amendment to the U.S. Constitution**

The City Council recognizes supports and believes that the first and most meaningful means to oppose gun violence is the consistent enforcement of existing laws and the imposition of the maximum available punishment of those who commit crimes.

Resolution No. 17-13—A Resolution in Support of the Second Amendment to the United States Constitution

Action: Adopt Resolution No. 17-13

Staff presentation: John Shaver, City Attorney

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing—Amending the Policy Concerning Transportation Capacity Payments (TCP) and Amendments to Section 21.06.010(b)(2) of the Grand Junction Municipal Code to Eliminate the TCP for a Change of Use

Council will consider the following: 1) a resolution to increase the base rate of the Transportation Capacity Payment (TCP) for non-residential uses to equal the base rate for residential uses from \$1,589 to \$2,554 incrementally over three years: 2) a resolution that adopts a new Redevelopment Boundary Map as part of the Infill and Redevelopment Implementation Program and reduces the TCP requirements for new development within the Redevelopment Area: and 3) an ordinance amending Section 21.06.010(b)(2) eliminating the TCP for a change of use.

The public hearing was opened at 7:15 p.m.

Tim Moore, Deputy City Manager, introduced this item. He explained there are three independent actions on the agenda. Mr. Moore reviewed the discussions that have occurred on this topic since June 2012. On February 4, 2013, the implemental increase was discussed over a three year period and adopting Colorado Department of Transportation (CDOT) construction cost index. The actual costs were discussed and some specific locations were reviewed. The first area was the Pear Park area and the amount likely to be collected is at the higher rate and the cost of infrastructure required, the development pays between 45% and 71% for residential development. A similar calculation was done for commercial development. The next area was 24 Road corridor and he did the same calculations, the cost that would likely be collected, first at the current rate and the cost at the proposed new rate. At the current rate, the development would only pay 25% and under the new rate they would pay 37% of the cost to build the needed infrastructure.

Deputy City Manager Moore stated the Duncan Study was commissioned in 2001 by all agencies in the valley to study transportation needs. That study was adopted valley- wide in 2002.

Councilmember Susuras asked if the Duncan Study is still valid ten years later. He questioned the validity. Deputy City Manager Moore said they are not using the Study to justify the numbers, they are using it as a historical benchmark.

Councilmember Boeschenstein said the Duncan Study is nationally recognized and with the local Staff continuing to look at the scientific basis that the Duncan Study has, he is comfortable with using the Study.

Deputy City Manager Moore continued showing that the Duncan Study recommended that the developer should be paying 56% of the construction costs of infrastructure and currently developers are only paying 25% and the City is paying 75%. The City pays the remainder of the costs from the General Fund.

Councilmember Luke wanted clarification, that 75% is paid upfront by the City, and the additional cost above and beyond comes out of the General Fund for maintaining the project. Deputy City Manager Moore said yes.

Councilmember Susuras asked if the Duncan Study took into consideration the revenues that come to the City after the development has been completed. Deputy City Manager Moore said the Study does recognize the benefit of the development. They discount the residential amount to account for the residential property tax and other benefits of the development. That is part of why they only recommend the development should pay 56% of the costs.

Deputy City Manager Moore said the proposed stepped implementation of the rate increase increases the developer contribution to 29% the first year, 33% the second year, and 37% the third year.

The purpose of the next resolution is to incentivize development. A redevelopment boundary was developed and development will be encouraged within that boundary. Within that boundary, for any reuse of an existing building, there would be no TCP assessed. Any development within that area, the TCP would be only assessed at one-half, and if the development was multi storied, it would only be half, based on the first floor.

Deputy City Manager Moore then provided specific examples of how that would apply.

The last action under this item is to eliminate the TCP fee for re-use and change of use of an existing building. This would be effective everywhere in the community. The TCP fee would be eliminated for reasons of reuse or change in use.

Councilmember Susuras asked if the map is showing specific properties. Deputy City Manager Moore answered no, the map is just showing examples both in and out of the boundary.

Councilmember Coons asked for clarification on the reuse. Deputy City Manager Moore said for the reuse, they would get credit for what the previous use was. If within the boundary, that fee would be cut in half.

Councilmember Kenyon asked if there are pending applications that would be affected by this action, and is there any lead in period for those caught in the middle of this change? Deputy City Manager Moore said once a decision is made, then all the applications in process are reviewed, and if they have been quoted fees, those fees are honored.

Councilmember Boeschstein thanked the Staff for the work on this proposal. With things as they are, the existing businesses are paying for new development. This proposal will make new development pay more of their own way. Councilmember Boeschstein then asked why Orchard Mesa and I-70 areas were not included in the redevelopment boundary. Deputy City Manager Moore said the areas in the boundary already have existing transportation systems in place that don't need a lot of improvement. Orchard Mesa has some deficiencies they would like to see corrected.

Councilmember Luke noted the number of fees that have been waived for a number of projects. Many residential developments also had fees waived that were not shown on the list.

Duncan McArthur, 2073 Kelso Mesa Drive, said consumers ultimately pay for it all, either up front or through the businesses. He said the slide should show what is generated from residential properties and how much is generated from non-residential taxpayers, along with use tax, which also comes from non-residential taxpayers. Mr. McArthur thought that would be a better representation. He said he agreed with Councilmember Boeschstein about including Orchard Mesa and incentivizing the development in that area.

Michael Burke, 2190 Canyon View Drive, member of Chamber Board of Directors and also an attorney that works with small businesses, said he believes that business owners are tentatively optimistic, and the question of whether "to go or not go" rests on the very slimmest of margins. He cautioned against a raise in TCP fees. He did not think the rate should be the same because the formula makes the impact on businesses much greater. Businesses are also taxpayers generating revenue. He said on the Duncan Study website, it was recommended that the study be updated every three to four years. He noted all the changes in the community for the transportation corridors. He disagreed with using the Duncan Study from 2002. He asked the City Council to not increase the fees until better information is had. He agreed with the redevelopment area, but felt the boundaries still need discussion.

Greg Motz, representing SunKing as a commercial developer, said he agreed with the previous two speakers. He added that he has never seen such a slow down of commercial building since 1980; there are very few privately funded commercial buildings being built. Businesses are scared. These businesses need incentive to expand. Increasing TCP fees gives them one more reason not to expand. Commercial construction is paying their fair share and provided an example; a 3,500 square foot bank would currently pay \$13,856 in TCP fees; with the TCP rate increase, by the end of 2015 it would pay \$22,256 in TCP fees. He gave other examples. Mr. Motz then broke it down by square feet and compared it to the residential rate. He suggested the TCP rate be increased on residential, especially high end residential.

Jerry Derby, asked about the Del Taco building (reduction in TCP fee), and why he did not get the same consideration on a building he built on Orchard Mesa. He asked why there should even be a TCP fee. He said the City should encourage people to come here to start businesses, and asked why the developers are being discouraged with the TCP fee.

Don Pettygrew, DGB Engineering, echoed what was said by Mr. McArthur. The business will just pass any tax right onto the consumer. He thought commercial development should be incentivized to get things going again. He suggested the whole City should be incentivized. The City should not be picking and choosing who gets the incentive. He cautioned about raising fees in a currently down economy.

Bob Weiffenbach, 2074 Pannier Court, suggested a thirty year bond to underwrite the whole thing, and then spread it out over the taxpayers for a long period of time. The TCP increase would be a deal breaker for developments in the City.

Diane Schwenke, 528 Greenbelt Court, Chamber Director, said one of the City's main revenue streams is being a regional hub. It brings people from outside the community to spend their dollars. It is not all just taxpayers that are paying the General Fund component. The City has to compete with other entities to get development into the community. It would be prudent to see what the fee structures are in the other communities Grand Junction competes with. She argued against the Duncan Study as it did not take into consideration the competition for attracting businesses.

There were no additional public comments.

The public hearing was closed at 8:08 p.m.

Councilmember Doody asked for a recap of the history of transportation improvements.

Deputy City Manager Tim Moore said the City has had some form of transportation improvements participation by development for many years. At the beginning, the City required half street improvements. A transportation engineer would make a recommendation and the developer had to pay for improvements that many times were unknown until they were well into the process. That process did not seem fair, and so the City made a policy change where the fee was set and known from the beginning, and the City then built the improvements. He noted that the other communities have adjusted their fees, some are higher, some are lower, and they have also changed their policies.

Councilmember Coons asked about the point made by Ms. Schwenke and how the City compares to others as far as competition. Deputy City Manager Moore said the City looked at the City of Fort Collins and other areas on the front range, and the rates were the same or higher. Councilmember Coons then asked about Western Slope communities. Deputy City Manager Moore said that has not been studied.

Councilmember Kenyon asked about the applicability of the Duncan Study. Deputy City Manager Moore said the framework is still valid, the math still works, and the science is still there. The Regional Transportation Office has modeling that makes the rate adjustment based on the current road system.

Councilmember Kenyon noted that a lot of jobs were lost due to the downturn in the economy, and the amount of people unemployed might change the assumptions in the study. He asked if traffic counts are done today and if they are compared to those traffic counts when the Duncan Study was completed. Deputy City Manager Moore said he does not think the traffic counts have decreased since the Duncan Study was completed. Deputy City Manager Moore agreed there is a question of balance and timing.

Councilmember Boeschstein mentioned the Institute of Transportation Engineering (ITE) manual that is a nationwide standard, that predicts the number of trips for each use in a day. That is the basis of the calculation. The City fee is pretty comparable to other entities in the valley; a chart showing as much was displayed.

- 1) Resolution No. 14-13—A Resolution Adopting an Amended Redevelopment Fee Schedule Modifying the Transportation Capacity Payment Schedule
- 2) Resolution No. 15-13—A Resolution Adopting an Amended Redevelopment Boundary Map and Creating a Formula Reducing the TCP Requirements within the Redevelopment Area
- 3) Ordinance No. 4569—An Ordinance Amending Section 21.06.010(b)(2) of the Grand Junction Municipal Code Concerning Transportation Capacity Payments

Councilmember Doody moved to adopt Resolution Nos. 14-13, 15-13, and to adopt Ordinance No. 4569 and ordered it published in pamphlet form. Councilmember Boeschstein seconded the motion.

Councilmember Susuras said he respected the work done by City Staff. He recalled the consideration being put off last year due to the objections raised by the business and development community. The City Staff was directed to form a Task Force to consist of representatives from the business community to figure out the best way to go forward with an increase, and he encouraged City Staff to go forward with this Task Force. He agreed there needs to be an increase in the TCP rate. He also said, Staff could then update the Duncan Study. He does not feel this is the time to raise the fees.

Councilmember Luke asked about the logic in charging one business \$24,000 and waiving the fee for another business. Deputy City Manager Moore said requests came forward, they came before Council who considered the use, the benefits, and the value as an economic driver. Some requests were granted and some were not.

Councilmember Luke asked if that policy is still in place. Deputy City Manager Moore said yes.

Councilmember Coons offered an amendment to separate the two resolutions and the ordinance. She has the least concern about the ordinance. She thought arguing the issues separately would be better.

City Attorney Shaver said the motion to accomplish that would be to bifurcate.

Councilmember Coons move for making an amendment to the motion on the table. Councilmember Kenyon seconded. Motion failed with Councilmembers Doody, Luke, Boecheinstein, and Council President Pitts voting NO.

Councilmember Doody said he liked what the City Staff has proposed. He thinks the ordinance is business friendly as is the second resolution. He noted there is also a big gap in the amount needed for infrastructure.

Council President Pitts asked about the effective dates.

City Attorney Shaver said the resolution says April 1, 2013 and an amendment would be required to change that.

Councilmember Kenyon made a motion to add three amendments to the motion: 1) make the effective date be the first of the next year. 2) form a Task Force, and update the Duncan Study and, 3) do not raise the fee beyond one year, just raise it \$322 until further study has taken place. He realized during the budget process, the cost and the amount of the budget that has to be directed to transportation, which dominates the ability to do other projects. He said a fee increase is very difficult. He said the City Council wants to be business friendly. Councilmember Coons seconded the proposed amendment.

Councilmember Luke asked for clarification regarding the amendments to the motion. Councilmember Kenyon clarified the amendments he proposed. She felt the rest of those affected need to be heard. The average everyday citizens are being impacted by these costs.

Council President Pitts said he wondered if a new Duncan Study would show an even greater amount needed.

Councilmember Doody said he would not accept the amendments, he would like to see the original motion voted on.

Motion carried by roll call vote on the original motion 4 to 3 with Councilmembers Coons, Kenyon, and Susuras voting NO.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting was adjourned at 8:37 p.m.

Stephanie Tuin, MMC
City Clerk



Date: March 12, 2013
 Author: Elizabeth Tice-Janda
 Title/ Phone Ext: Revenue
Supervisor, 1598
 Proposed Schedule: _____

 First Reading, 3/20/13
 2nd Reading
 (if applicable): 4/3/13

Attach 2
CITY COUNCIL AGENDA ITEM

Subject: Amendment to the Sales and Use Tax Code Exempting Subscription Magazines Produced and Distributed in Colorado from Sales and Use Tax
Action Requested/Recommendation: Introduce a Proposed Ordinance and Set a Public Hearing for April 3, 2013
Presenter(s) Name & Title: Jodi Romero, Financial Operations Director Elizabeth Tice-Janda, Revenue Supervisor

Executive Summary:

This is an amendment to the Grand Junction Municipal Code concerning the exemption of the sale, storage and use of magazines sold by subscription, produced and distributed in Colorado, from sales and use tax.

Background, Analysis and Options:

Grand Valley Magazine is a local business who publishes a magazine 10 times per year highlighting Western Colorado. The magazine covers culture, outdoors, living, and entrepreneur profiles and is described by its publisher as an “ambassador media for tourism marketing and economic development recruitment efforts.”

The publisher recently petitioned the City to consider exempting magazine subscriptions from sales tax. Currently the sale of magazines is subject to City, State, and County sales tax. Other magazines that are produced and published in Colorado include 5280 Magazine, Colorado Homes & Lifestyles and the Colorado Biz Magazine.

The City Council is committed to a fair and responsible tax code. The City Council is also committed to the principles of economic development and local prosperity. Part of that commitment is the recognition that tax policy is an effective way to sustain and grow our local economy and that from time to time that adjustments must be made to it for the betterment of the community.

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

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

This exemption encourages the sale and distribution of locally produced magazines that provide important communications and literature about the community, and correspondingly supports local business.

Board or Committee Recommendation:

N/A

Financial Impact/Budget:

The annual loss of City tax revenue from the sales of magazines produced and distributed in Colorado is estimated to be less than \$5,000.

Legal issues:

N/A

Other issues:

N/A

Previously presented or discussed:

N/A

Attachments:

Letter from Grand Valley Magazine
Proposed Ordinance

Date: March 11, 2013
Subject: **Sales Tax Exemption Request for Colorado-Based Magazines**
To: **Rich Englehart**, City Manager City of Grand Junction
From: **Krystyn Hartman**, Publisher Grand Valley Magazine Inc.
CC: Diane Schwenke and Betsy Blair, Governmental Affairs Committee
Grand Junction Chamber of Commerce:
Attachment: Colorado C.R.S. 1973, 24-70-102 Tax Payer Service Division circular "Special Regulation: Newspapers, Magazines and Other Publications"



Thank you for your proactive interest in and timely attention to this sales tax issue that continues to have a negative impact on our business. I'm glad your office was represented at the Grand Junction Chamber of Commerce Governmental Affairs Committee meeting last week to learn about our issue; thank you for giving it a level of consideration to warrant immediate support locally.

I understand that City Council will consider granting the same sales tax exemption for Grand Junction-based magazines that newspapers have per Colorado C.R.S. 1973, 24-70-102 (attached). The City exemption provides a strong starting point toward obtaining the full exemption all the way through the State level. The following addresses the specifics you requested on the issue. Please let me know if you need more information.

GOAL:SALES TAX EXEMPTION

Our goal is to obtain the same sales tax exemption in the State of Colorado for Colorado-based magazines that Colorado-based newspapers have in both print and digital editions.

Colorado-based magazines are required to collect and pay sales taxes based on Colorado **C.R.S. 1973, 24-70-102** (see Tax Payer Service Division circular "**Special Regulation: Newspapers, Magazines and Other publications**" attached), which specifies that magazine subscriptions sold to customers with Colorado addresses are subject to State, County, and City sales tax. Newspaper subscriptions, however, are exempt from collecting and paying these taxes.

According to the Colorado Dept. of Revenue, online/digital magazine subscriptions are also subject to the sales taxes in Colorado whereas online/digital newspaper subscriptions, again, are not.

Today's publishing environment is very different than it was in 1973. For starters, there was no such thing as digital publishing in 1973.

Both magazines and newspapers are dependent upon subscription, newsstand, and advertising revenue. However, the cost to magazines in time, technology, and manpower to collect and administer the City, County, and State sales taxes in Colorado exceeds the amount of the taxes—a burden not shared by our regional print and digital competitors.

ABOUT GV MAGAZINE

Grand Valley Magazine is the award-winning showcase publication celebrating the dynamic life, landscape and people of Western Colorado.



Published 10 times per year in glossy print, as well as iPad, Kindle, Android, Nook, iPhone, iPod, and Smartphone editions, GV Magazine is available for sale by subscription or retail outlets.

The magazine also serves as a valuable economic development tool for our greater community—from corporate and private jets, to out-of-area subscribers with financial interests in our area, to local soldiers away who feel the comfort of home with every issue of GV they receive.

GV Magazine launched with a print-only edition beginning with the October 2008 issue. The market crash followed immediately but we persevered —despite the sales taxes, Apple's iPad introduction in 2010 that locked up all access to the technology, clobberings by the national distributor (local newspapers don't have the same system restrictions by the distributors that magazines do as a result of their tax exempt status), and rising postage costs—until we finally had to suspend publication with the May 2011 issue.

In the meantime, the technology and legal battles between the big publishers and Apple finally settled out; there were and are growing signs of movement in the local economy relative to our business; and we used that time to analyze our business piece by piece.

We re-launched GV Magazine with the November 2012 issue in our traditional glossy print but we added iPad, Kindle, Android, Nook, iPod, Smartphone, and iPhone editions —all of which required a tremendous investment in technology.

We chose a phase-in comeback strategy for the magazine to allow us the opportunity to work through the bugs in beta and make adjustments in the digital systems. This is why the sales tax issue is such a pressing and immediate challenge to our ability to grow.

We are apprehensive about launching our big subscription drive locally until we can adequately handle processing the sales taxes on the incoming orders.

Furthermore, we are launching a weekly GV digital edition later this year; the release date directly dependent on if and when we are able to get the full State sales tax exemption.

GV Magazine is proud to be the showcase publication by, for, and about our greater Grand Valley. And we are ready and eager to grow.

COSTS TO ADMINISTER THE SALES TAXES

The cost to us in dollars, time, and labor relative to the amount of sales tax owed/paid is staggering —burdens not shared by our competitors (newspapers) per Colorado statute.

After a significant investment in time, money and manpower to develop a sophisticated digital infrastructure that allows for the addition of new features, technologies, and avenues for expansion as our business grows, we are immediately hampered by the cost and logistics of the programming, additional time and manpower needed to accommodate the Colorado sales taxes.

Our digital systems – from subscriber passwords to start dates and end dates to iPad and Kindle Apps to giftor and giftee subscriber addresses – are all layered and linked together. We're not selling screw drivers or computer chips; we can't use standard shopping cart packages.



The cost of software and programmers to incorporate the specific sales tax requirements into our digital systems is far beyond our financial reach.

We're also under stricter rules with the credit card processors and authorizing payment gateways than a business selling gift baskets or blankets via the internet.

The direct cost to us to administer the City, County, and State sales taxes (not including employee taxes, benefits, lunch breaks, and the sales taxes themselves) is more than \$2,500 per 1,000 subscribers or \$2.50 per subscriber no matter the subscription price – and we do it again every time the customers renew their subscriptions (and we most certainly do want them to renew their subscriptions.)

An annual print subscription to GV from a subscriber who lives in Grand Junction, Mesa County, Colorado then looks something like this to us:

40.00 Subscription
(30.00) Postage and packaging
(2.50) Tax administration
(2.00) Sales Tax [average]
5.50

As you can see, we haven't even gotten to the costs to actually produce and print the magazine, (which is why advertising and newsstand sales are so critical to support the subscriptions). We are already at the limit of what this market will pay for a subscription and advertisers want to see larger number of subscribers in order to increase their ad buys.

Or we can just eat the tax and guess. But that too is against the law. We have to collect the taxes from the subscribers.

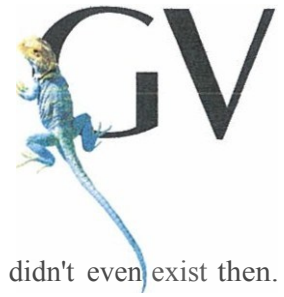
So do we back the tax out of the subscription price? No, because to do that would mean one subscription price for Grand Junction addresses, one subscription price for Mesa County addresses, and another price for Colorado addresses, and another for out-of-state so that they all end up as the same price at the end of the transaction. Now multiply that times four subscription package prices.

At this time, a government-type entity in some form (post office, city, county, state) gets or causes that we pay out nearly 86 % of our subscription price. (The postage and delivery are costs of doing business; postage and delivery cost per unit will decrease some as we reach certain volume mileposts. This is why advertising revenue is so important to a magazine's ability to produce and deliver its stories and features to its subscribers.)

As you can see, all of this hand entry negates a major part of the efficiency gains we should have benefited by investing in and incorporating all the new technology into a fully integrated system.

1973 STATUTE IS OUTMODED

The publishing landscape today would likely be unrecognizable to publishers in 1973 when the Colorado State legislature determined the sales tax status for newspapers and magazines.



And, there was no such thing as digital in the 1970s. Denver's *5280* magazine didn't even exist then.

As a result of the 1973 statute, newspapers still enjoy two government-backed competitive advantages over magazines in the state of Colorado even though both are directly dependent upon advertising, subscription and newsstand sales revenue in order to exist –and profit.

1. Legal notices – direct revenue
2. Exemption from City, County, and State tax–no cost, no impact

We can only assume that newspapers pressed for the exemptions in 1973 because they recognized the logistical and financial burden to administer those taxes. Even without digital, the logistics were then and are now horrendous.

Why magazines were not granted the same exemption is a mystery in that we have not been able to find anyone so far from 40 years ago who has any memory of the ruling much less the whys and wherefores of it. In any case, as everyone knows, the world, Colorado, and Grand Junction have all changed –a lot –since 1973.

STRATEGY FOR FULL STATE EXEMPTION

As *5280* publisher/founder Dan Brogan and I began digging into the C.R.S., we were astonished at how inapplicable it is when considered in a modern publishing environment. Magazines, especially regional magazines, have gone from fledgling blips in the 1970's to a huge category when viewed collectively today. Those 1973 definitions and bases no longer apply. I am eager to let Dan know about Grand Junction's consideration of this issue as I'm sure he'll want to approach Denver with your precedent.

Anchoring Grand Junction and Denver with the magazine exemptions should provide the proactive and real-time momentum needed to get the full State exemption for Colorado-based magazines. And I'm proud that Grand Junction is taking the lead on this.

If the Cities and Counties –in a domino effect–can set that precedent as it makes its way to the State, there is also less risk to the newspaper industry of the State legislators revoking their exemption rather than granting ours. (Therefore, we can only assume that the Colorado newspaper lobby would see tremendous value in championing our request for the exemptions as part of their lobbying effort.)

Also, should the Grand Junction City Council grant this exemption, can you offer any recommendations on how best to proceed with the County in this matter? We are eager to get this resolved.

Thank you again for taking a proactive interest in our cause through consideration of this sales tax exemption for magazines based in Grand Junction-and for encouraging the County to do the same as we press onward for the full State exemption.

Please let me know if you have any additional questions or wish to discuss further. Again, thank you so very much for your consideration and support of this timely and pressing matter.

A handwritten signature in black ink, appearing to read "Kryota".

970.241.3310

gvpublisher@gmail.com



FYI – For Your Information

Special Regulation: Newspapers, Magazines and Other Publications

The sale of newspapers as defined in C.R.S. 1973, 24-70-102, is exempt from sales and use tax. The referenced section reads as follows:

"Every newspaper printed and published daily, or daily except Sundays and legal holidays, or which shall be printed and published on each of any five days in every week excepting legal holidays and including or excluding Sundays, shall be considered and held to be a daily newspaper; every newspaper printed and published at regular intervals three times each week shall be considered and held to be a tri-weekly newspaper; every newspaper printed and published at regular intervals twice weekly shall be considered and held to be a semi-weekly newspaper; and every newspaper printed and published at regular intervals once a week shall be considered and held to be a weekly newspaper."

This exemption on sale of newspapers may not be extended to include: magazines, trade publications or journals, credit bulletins, advertising pamphlets, circulars, directories, maps, racing programs, reprints, newspaper clipping and mailing service or listings, publications that include an updating or revision service, book or pocket editions of books or other newspapers not otherwise qualifying under the above paragraph.

A publisher who only makes sales of newspapers is not required to obtain a store license or a sales tax license. The publisher shall pay sales or use tax upon all purchases of tangible personal property, except newsprint, printers ink, and electricity or gas used in the production of the newspaper product. If the newspaper publisher makes retail sales of other articles delivered in Colorado, he shall obtain a store license or a sales tax license and collect sales tax, and may purchase such articles tax-free for resale.

Magazines, periodicals, trade journals, etc., are tangible personal property whose retail sale is taxable.

Subscriptions to such publications taken within this state and sent to a publishing house outside the state, where the publication is mailed directly to the subscriber, are subject to the retailer's use tax. Where such publications are printed and sold within this state, the selling price (subscription price) is taxable. If the publication is printed in Colorado and delivery is made out of Colorado, the sale is not taxable.

Trade journals, advertising pamphlets, circulars, etc., which are to be distributed free of charge and are distributed by means of house to house delivery are not exempt from sales tax. Sales tax must be paid to the printer by the advertiser at



Colorado Department
of Revenue
Taxpayer Service Division
1375 Sherman St.
Denver, Colorado 80261

Forms and other services:
(303) 238-FAST (3278)
Assistance:
(303) 238SERV (7378)
Fuel Tax: (303) 205-5602
www.taxcolorado.com

PAGE 1 OF 2
SALES 44 (07/93)

the time that these are prepared by the printer. If these items are purchased out of state and no sales tax has been paid in that state, the advertiser must pay a Colorado use tax. Preprinted newspaper supplements which become attached to or inserted in and distributed with newspapers are exempt.

Organizations which produce and distribute free trade publications, etc. are deemed to be purchasers for their use or consumption and are subjected to tax based on the purchase price of the tangible personal property used.

Citation:

Newspapers, Magazines and Other Publications, Special Regulations for Specific Businesses, 1 CCR 201-5.

page 29.

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 3, SECTION 3.12, SALES AND USE TAX, OF THE GRAND JUNCTION MUNICIPAL CODE CONCERNING SALES AND USE TAX EXEMPTIONS FOR THE SALE AND USE OF MAGAZINES SOLD BY SUBSCRIPTION PRODUCED AND DISTRIBUTED IN COLORADO

RECITALS:

This ordinance creates an exemption from the application of sales and use tax to magazines produced and distributed in Colorado.

The City Council is committed to a fair and responsible tax code. The City Council is also committed to the principles of economic development and local prosperity. Part of that commitment is the recognition that tax policy is an effective way to sustain and grow our local economy and that from time to time that adjustments must be made to it for the betterment of the community. The City Council finds that this ordinance is consistent with those purposes and is protective of the City's health and general welfare.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION: (Additions are shown in ALL CAPS)

That Section 3.12.070 of the Grand Junction Municipal Code is amended by adding the as following to 3.12.070 Exemptions from sales tax:

(OO) THE SALE, STORAGE AND USE OF MAGAZINES SOLD BY SUBSCRIPTION AND PRODUCED AND DISTRIBUTED IN COLORADO.

That Section 3.12.080 of the Grand Junction Municipal Code is amended by adding the following to 3.12.080 Exemptions from use tax

(I) THE SALE, STORAGE AND USE OF MAGAZINES PRODUCED AND DISTRIBUTED IN COLORADO.

That Section 3.12.020 of the Grand Junction Municipal Code is amended by adding the following to 3.12.020 Definitions.

MAGAZINE INCLUDES PRINT AND ELECTRONIC VERSIONS OF PUBLICATIONS THAT APPEAR AT STATED INTERVALS AT LEAST FOUR TIMES PER YEAR, AND CONTAINS NEWS OR INFORMATION OF GENERAL INTEREST TO THE PUBLIC OR TO SOME PARTICULAR ORGANIZATION OR GROUP OF PEOPLE.

MAGAZINE DOES NOT INCLUDE BOOKS PUBLISHED OR ISSUED AT STATED INTERVALS, ADVERTIZING PAMPHLETS, CIRCULARS, FLIERS, GUIDES OR HANDBOOKS, CATALOGS, PROGRAMS, SCORECARDS, MAPS, REAL ESTATE BROKERS' LISTINGS, PRICE OR ORDER BOOKS, PRINTED SALES MESSAGES, SHOPPING GUIDES, CORPORATE REPORTS ISSUED TO STOCKHOLDERS, MEDIA ADVERTIZING OR DIRECT MAIL ADVERTIZING SERVICES.

MAGAZINES THAT SELL FOR MORE THAN THE ORIGINAL SELLING PRICE ARE CONSIDERED COLLECTIBLE ITEMS AND ARE SUBJECT TO SALES TAX. FOR EXAMPLE, A FIRST EDITION OF A COMIC BOOK, SOLD FOR MORE THAN THE ORIGINAL PRICE, WOULD BE SUBJECT TO SALES TAX AS A COLLECTIBLE.

Introduced on first reading this _____ day of _____ 2013 and ordered published in pamphlet form.

Passed and adopted on second reading this _____ day of _____ 2013 and ordered published in pamphlet form.

President of the Council

ATTEST:

City Clerk



**Attach 3
CITY COUNCIL AGENDA ITEM**

Date: March 12, 2013
Author: Elizabeth Tice-Janda
Title/ Phone Ext: Revenue
Supervisor, 1598
Proposed Schedule: First Reading,
3/20/13
2nd Reading
(if applicable): 4/3/13

Subject: Amendment to the Sales and Use Tax Code Exempting Manufacturing Equipment from Sales Tax
Action Requested/Recommendation: Introduce a Proposed Ordinance and Set a Public Hearing for April 3, 2013
Presenter(s) Name & Title: Jodi Romero, Financial Operations Director Elizabeth Tice-Janda, Revenue Supervisor

Executive Summary:

This is an amendment to the Grand Junction Municipal Code concerning the exemption of the sale of manufacturing equipment from sales tax.

Background, Analysis and Options:

The City’s tax code has numerous manufacturing exemptions including but not limited to the exemption of raw and consumable materials used in manufacturing, and energy sold to businesses engaged in manufacturing. Currently the use of manufacturing equipment is exempt from City tax. It has been the intent of the City’s tax policy to exempt manufacturing equipment from all sales, storage, and use. This ordinance clarifies this tax policy within the code.

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

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

This exemption continues to support and foster manufacturing industry.

Board or Committee Recommendation:

N/A

Financial Impact/Budget:

The annual loss of City tax revenue from the sales of manufacturing equipment is estimated at less than \$5,000 per year.

Legal issues:

N/A

Other issues:

N/A

Previously presented or discussed:

N/A

Attachments:

Proposed Ordinance

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 3, SECTION 3.12, SALES AND USE TAX, OF
THE GRAND JUNCTION MUNICIPAL CODE CONCERNING SALES TAX
EXEMPTIONS FOR THE SALE OF MANUFACTURING EQUIPMENT**

RECITALS:

This ordinance creates an exemption from the application of sales tax to manufacturing equipment.

The City Council is committed to a fair and responsible tax code. The City Council is also committed to the principles of economic development and local prosperity. Part of that commitment is the recognition that tax policy is an effective way to sustain and grow our local economy and that from time to time that adjustments must be made to it for the betterment of the community. The City Council finds that this ordinance is consistent with those purposes and is protective of the City's health and general welfare.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION: (Additions are shown in ALL CAPS)

That Section 3.12.070 of the Grand Junction Municipal Code is amended by adding the following under 3.12.070 Exemptions from sales tax:

(PP) THE SALE OF MANUFACTURING EQUIPMENT.

Introduced on first reading this _____ day of _____ 2013 and ordered published in pamphlet form.

Passed and adopted on second reading this _____ day of _____ 2013 and ordered published in pamphlet form.

President of the Council

ATTEST:

City Clerk



**Attach 4
CITY COUNCIL AGENDA ITEM**

Date: March 12, 2013
Author: Elizabeth Tice-Janda
Title/ Phone Ext: Revenue
Supervisor, 1598
Proposed Schedule: _____
First Reading, 3/20/13
2nd Reading
(if applicable): 4/3/13

Subject: Amendment to the Sales and Use Tax Code Exempting Sales Made by Schools, School Activity Booster Organizations, and Student Classes or Organizations from Sales Tax
Action Requested/Recommendation: Introduce a Proposed Ordinance and Set a Public Hearing for April 3, 2013
Presenter(s) Name & Title: Jodi Romero, Financial Operations Director Elizabeth Tice-Janda, Revenue Supervisor

Executive Summary:

This is an amendment to the Grand Junction Municipal Code concerning the exemption of sales made by schools, school activity booster organizations, and student classes or organizations from sales tax.

Background, Analysis and Options:

In 2008, the State adopted a sales tax exemption for sales made by schools, school activity booster organizations, and student classes or organizations if all proceeds of the sale are for the benefit of a school or school-approved student organization. A “school” includes both public and private school for students in kindergarten through twelfth grade or any portion of those school grades.

Currently the City’s tax code allows for the exemption of occasional sales made by charitable organizations for fund raising activities as long as the sales occur for no more than 12 days and gross sales do not exceed \$25,000. Most of the School District's sales already fall under this exemption. However, the Career Center, which conducts ongoing sales throughout the year, does not qualify for the exemption. The Career Center has culinary and floral shop that makes retail sales. The City received a request by School District #51 to consider adopting the State’s exemption.

The City Council is committed to a fair and responsible tax code. The City Council is also committed to the principles of economic development and local prosperity. Part of that commitment is the recognition that tax policy is an effective way to sustain and grow our local economy and that from time to time that adjustments must be made to it for the betterment of the community, including in certain circumstances conforming the City tax code with that of the State to meet specific demands.

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

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

This exemption would promote consistency between the State and City's sales tax ordinances.

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

This exemption also supports the community's education system in furthering its goals of developing knowledge and job skills of the youth in the community.

Board or Committee Recommendation:

N/A

Financial Impact/Budget:

The annual loss of City tax revenue from the sales made by schools is estimated to be less than \$5,000.

Legal issues:

N/A

Other issues:

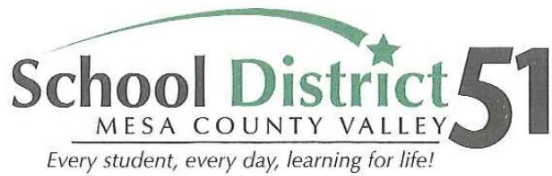
N/A

Previously presented or discussed:

N/A

Attachments:

Letter from School District #51
Proposed Ordinance



RECEIVED

FEB 25 2013

February 21, 2013

City of Grand Junction
Attn: Mr. Rich Englehart, City Manager
250 North 5th Street
Grand Junction, CO 81501

Dear Mr. Englehart:

Please consider our request for the City Council to adjust the City of Grand Junction's Sales and Use Tax Ordinances to exempt sales made by schools, for the benefit of the schools, from sales tax. At this point in time, such sales have been exempted by both the State of Colorado (2008) and Mesa County (2012).

Most fundraising sales of the District schools are already exempt from sales taxes, as they meet the criteria of "occasional sales", less than 12 days and less than \$25,000. At this time, there is only one school, the Career Center, which conducts ongoing sales that are non-exempt. These sales are made from this school's culinary and floral operations. During calendar year 2012, the school collected and remitted a total of \$1,752 sales taxes to the City of Grand Junction.

The District has previously requested the City pass an exemption to align with sales tax rules of the State of Colorado. In her letter dated August 11, 2009, Jodi Romero stated the City of Grand Junction would not adopt an exemption for the School District based on two factors:

1. "...the end user or consumer in these instances does not have an exempt status, and while the proceeds benefit the School District, the consumer still has an obligation to pay sales tax."
2. "...if adopted, the ordinances would establish a different treatment for only one type of non-profit organization."

We ask you to reconsider based on the following:

1. While it is true the end user or consumer is the one paying the taxes, it is still the District that is responsible to collect the tax, file the returns, and remit the tax. The City is the only remaining entity

- that requires this effort. The secretary at the Career Center estimates she spends 40 hours per year managing the sales tax collections, reporting and remittances. Based on her hourly rate, the District spends approximately \$800 in staff time for the City to receive \$1,700 in sales tax revenue.
2. While many non-profits conduct ongoing sales to raise funds to support their mission (for example, Habitat Re-Store and Heirlooms for Hospice), the sales from the culinary and floral shop of the Career Center are integral to the mission of the District, in that the primary purpose is educational experience for vocational and special ed high school students. One visit to these small, student run operations at the school site would convincingly show they are not storefronts that draw in a large public of consumers.

Thank you once again for your kind consideration of this request to align the City of Grand Junction's Sales and Use Tax Ordinances with the State of Colorado and Mesa County. While this is a very small issue in the scope of the City's issues, it is a burdensome issue for the staff of the Career Center High School. If you have any questions regarding this request, please don't hesitate to contact me.

Steven D. Schultz
Superintendent

Attachments
Schools • 970.254.5193

Steven D. Schultz, Superintendent of

Administrative Services • 2115 Grand Avenue • Grand junction, Colorado 81501 • Fax: 970.254.5282 •
www.d51schools.org

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 3, SECTION 3.12, SALES AND USE TAX, OF THE GRAND JUNCTION MUNICIPAL CODE CONCERNING SALES TAX EXEMPTION FOR SALES MADE BY SCHOOLS, SCHOOL ACTIVITY BOOSTER ORGANIZATIONS, AND STUDENT CLASSES OR ORGANIZATIONS

RECITALS:

This ordinance creates an exemption from the application of sales tax to sales made by schools, school activity booster organizations, and student classes or organizations from sales tax.

The City Council is committed to a fair and responsible tax code. The City Council is also committed to the principles of economic development and local prosperity. Part of that commitment is the recognition that tax policy is an effective way to sustain and grow our local economy and that from time to time that adjustments must be made to it for the betterment of the community, including in certain circumstances conforming the City tax code with that of the State to meet specific demands. The City Council finds that this ordinance is consistent with those purposes and is protective of the City's health and general welfare.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION: (Additions are shown in ALL CAPS)

That Section 3.12.070 of the Grand Junction Municipal Code is amended by adding the following to 3.12.070 Exemptions from sales tax:

(QQ) SALES MADE BY SCHOOLS, SCHOOL ACTIVITY BOOSTER ORGANIZATIONS, AND STUDENT CLASSES OR ORGANIZATIONS IF ALL PROCEEDS OF THE SALE ARE FOR THE BENEFIT OF A SCHOOL OR SCHOOL-APPROVED STUDENT ORGANIZATION.

That Section 3.12.020 of the Grand Junction Municipal Code is amended by adding the following to 3.12.020 Definitions.

SCHOOL FOR THE PURPOSES OF 3.12.030 (QQ) INCLUDES BOTH PUBLIC AND PRIVATE SCHOOLS FOR STUDENTS IN KINDERGARTEN THROUGH TWELFTH GRADE OR ANY PORTION OF THOSE SCHOOL GRADES. PRESCHOOLS, TRADE SCHOOLS, AND POST-SECONDARY SCHOOLS ARE NOT ELIGIBLE FOR THIS EXEMPTION.

Introduced on first reading this _____ day of _____ 2013 and ordered published in pamphlet form.

Passed and adopted on second reading this _____ day of _____ 2013 and ordered published in pamphlet form.

President of the Council

ATTEST:

City Clerk



**Attach 5
CITY COUNCIL AGENDA ITEM**

Date: March 1, 2013
Author: Senta Costello
Title/ Phone Ext: Senior Planner / x1442

Proposed Schedule: Referral / Land Use
February 20, 2013; 1st Reading of Zoning
March 20, 2013
2nd Reading (if applicable): April 3, 2013
File # (if applicable): ANX-2013-10

Subject: Mesa County Workforce Annexation Comprehensive Plan Future Land Use Designation Amendment and Zoning, Located at 512 29 1/2 Road
Action Requested/Recommendation: Introduce a Proposed Ordinance and Set a Public Hearing for April 3, 2013
Presenter(s) Name & Title: Senta Costello, Senior Planner

Executive Summary:

Recommend to City Council a Comprehensive Plan future land use designation amendment from Residential Medium to Village Center and a zoning of C-1 (Light Commercial) for property located at 512 29 1/2 Road.

Background, Analysis and Options:

The property requesting annexation into the City is located at 512 29 1/2 Road. Mesa County plans to build the new Mesa County Workforce Center on the property in the near future. The property owners have requested annexation into the City, a Comprehensive Plan Future Land Use designation amendment via an adjacency review from Residential Medium to Village Center and a zoning of C-1 (Light Commercial).

Under the 1998 Persigo Agreement with Mesa County all proposed development within the Persigo Wastewater Treatment Facility boundary requires annexation and processing in the City, and The City shall zone newly annexed areas with a zone that is either identical to current County zoning or conforms to the Comprehensive Plan Future Land Use Map.

The requested zone (C-1) does not implement the current future land use designation of Residential Medium. The adjacency review, however, allows an amendment to a Village Center designation in this case because the property is adjacent to land that is designated Village Center. Therefore the applicant seeks to amend the Comprehensive Plan from Residential Medium to Village Center, which allows a C-1 zone district.

The existing County zoning is RSF-R (Residential Single Family – Rural 5-25 ac/du). Section 21.02.160(f) of the Grand Junction Municipal 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. The request is consistent with the Comprehensive Plan with use of an adjacency review to amend the Comprehensive Plan Future Land Use designation.

Municipal Code Section 21.02.130(d) (Zoning and Development Code) allows for the processing of a zone of annexation application without a plan amendment when the proposed zoning is inconsistent with the Comprehensive Plan and the property is adjacent to the land use designation that would support the requested zone district. The property to the south of the Mesa County Workforce Annexation had a designation of Village Center and a zoning of C-1.

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

The request furthers the following goals and policies of the Comprehensive Plan:

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

Policy A: City and County land use decisions will be consistent with the Comprehensive Plan Future Land Use Map.

Policy C: The City and Mesa County will make land use and infrastructure decisions consistent with the goal of supporting and encouraging the development of centers.

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

Policy A: To create large and small “centers” throughout the community that provides services and commercial areas.

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

The proposed Comprehensive Plan Future Land Use Map amendment and zone of annexation meets Goals 1 and 3 of the Comprehensive Plan by implementing land use decisions that are consistent with the Comprehensive Plan and by the creation of “centers” throughout the community that provide services and commercial areas. Mesa County has found that many of their customers at the Workforce Center are also customers at the Human Services Division as well. Combining the two in a campus like setting would eliminate the need for multiple destinations, creating a “one-stop shopping” experience for the customer.

Board or Committee Recommendation:

Planning Commission forwarded a recommendation of approval at its February 26, 2013 meeting.

Financial Impact/Budget:

N/A

Legal issues:

N/A

Other issues:

N/A

Previously presented or discussed:

A Resolution Referring the Petition for Annexation was adopted on February 20, 2013.

Attachments:

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

STAFF REPORT / BACKGROUND INFORMATION			
Location:		512 29 1/2 Road	
Applicants:		Mesa County	
Existing Land Use:		Vacant	
Proposed Land Use:		Construct new Workforce Center	
Surrounding Land Use:	North	Residential	
	South	Mesa County Health Dept & Human Services	
	East	Cemetery	
	West	Residential	
Existing Zoning:		County – RSF-R (Residential Single Family – Rural)	
Proposed Zoning:		C-1 (Light Commercial)	
Surrounding Zoning:	North	County RMF-5 (Residential Multi-Family 5 du/ac)	
	South	C-1 (Light Commercial)	
	East	County – RSF-R (Residential Single Family – Rural)	
	West	County RMF-8 (Residential Multi-Family 8 du/ac)	
Future Land Use Designation:		Residential Medium	
Requested Land Use Designation:		Village Center	
Zoning within density range?		<input checked="" type="checkbox"/> Yes, if amendment approved	<input type="checkbox"/> No

Approval criteria – Zone of Annexation (Section 21.02.140 GJMC); Comprehensive Plan Future Land Use Map Amendment (Section 21.02.130 GJMC):

In order to zone the property and amend the Comprehensive Plan Future Land Use map, the following questions must be answered and one or more of the criteria found to be met:

(1) *Subsequent events have invalidated the original premises and findings.*

The current zoning of RSF-R is a Mesa County designation used for rural large, acre residential properties. This neighborhood has been developing with urban type development. The construction of the Mesa County Human Services building to the south and higher residential densities averaging 10+ du/ac to the west make the original premises for the RSF-R zone district invalid.

When the Comprehensive Plan Future Land Use designations were determined, many areas were not considered on a lot by lot basis, instead a broad brush

analysis was used. The lines defining the boundaries between designations were not intended to be exact but to have some flexibility to allow a natural development of the area, consistent with the broad strokes of the Plan, to occur.

The property was acquired by Mesa County with the intent of developing future office facilities that are complementary to the neighboring Human Services and Health Department facility and to other uses in the general area. This is the kind of organic progress that the Comprehensive Plan intends, and an adjacency review allows that to occur, given that it was not really possible to draw a “blurry” line on the future land use map. Subsequent events that have invalidated the premises behind the Residential Medium designation include the recent commercial/office development in the immediate area, such as the Human Services facility.

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

The area has developed in a more urban and commercial manner in the recent years, changing the character from a suburban or rural residential area to a more commercial / village center area. This has brought more people, businesses and traffic to the neighborhood.

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

The public and community facilities are adequate to provide services to the site for Village Center and C-1 type uses. There is an 8” Ute Water line and an 8” sanitary sewer line within the 29 ½ Road right-of-way. Storm sewer is available at the southwest corner of the property and trash service is available in the neighborhood. The property is also located on a Grand Valley Transit bus route with a stop located at the northern part of the Human Services site on 29 ½ Road.

(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.

There is a suitable supply of land currently designated Village Center and zoned C-1 in the community that could support the proposed development; however, this property is directly north of the existing Mesa County Human Services and Health Department Building and the proposed development will be complementary and supportive of the existing Mesa County use to the south.

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

Response: The community will benefit from the proposed Comprehensive Plan Future Land Use Map designation amendment and zone of annexation as these changes will allow for development of the property in a manner that will aid citizens by consolidating similar uses in one location, eliminating additional vehicle trips. The site is on a major transportation corridor and a GVT bus route making access to and from the site convenient. Consolidating similar uses benefits the community as a whole by eliminating the need for multiple vehicle trips.

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

If the Comprehensive Plan Future Land Use Map is amended to Village Center:

- a. R-8
- b. R-12
- c. R-16
- d. R-24
- e. R-O
- f. B-1
- g. C-1
- h. MXR – 3, 5
- i. MXG – 3, 5
- j. MXS – 3, 5

If the Comprehensive Plan Future Land Use Map remains Residential Medium:

- a. R-4
- b. R-5
- c. R-8
- d. R-12
- e. R-16
- f. R-O

If the City Council chooses to recommend an alternative zone designation, specific alternative findings must be made supporting the alternative zone designation.

FINDINGS OF FACT/CONCLUSIONS:

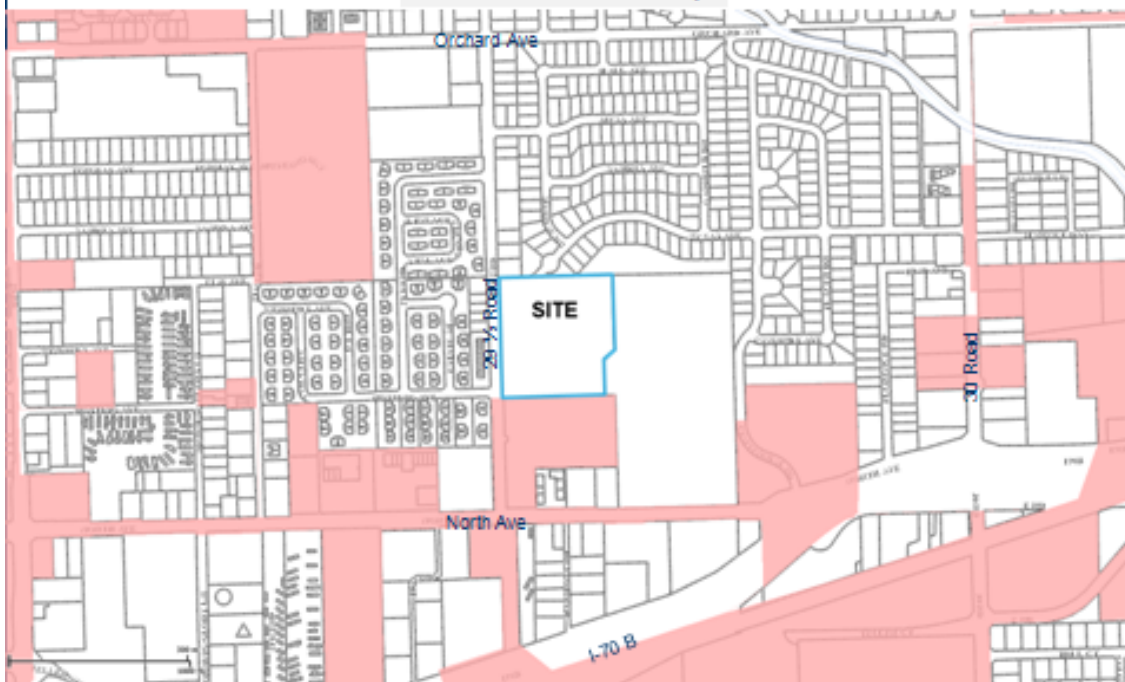
After reviewing the Mesa County Workforce Annexation, ANX-2013-10, a request to amend the comprehensive plan future land use designation from Residential Medium to Village Center and a zone of annexation for the property from RSF-R (Residential Single Family – Rural 5-25 ac/du) to C-1 (Light Commercial), the Planning Commission made the following findings of fact and conclusions:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan as stated in the staff report.
2. The review criteria in Sections 21.02.140 and 21.02.130 of the Grand Junction Municipal Code have been met; specifically criteria 1, 2, 3 and 5 have been met.

Attachments:

Annexation - Site Location Map / Aerial Photo Map
Comprehensive Plan Map / Existing City and County Zoning Map
Zoning Ordinance

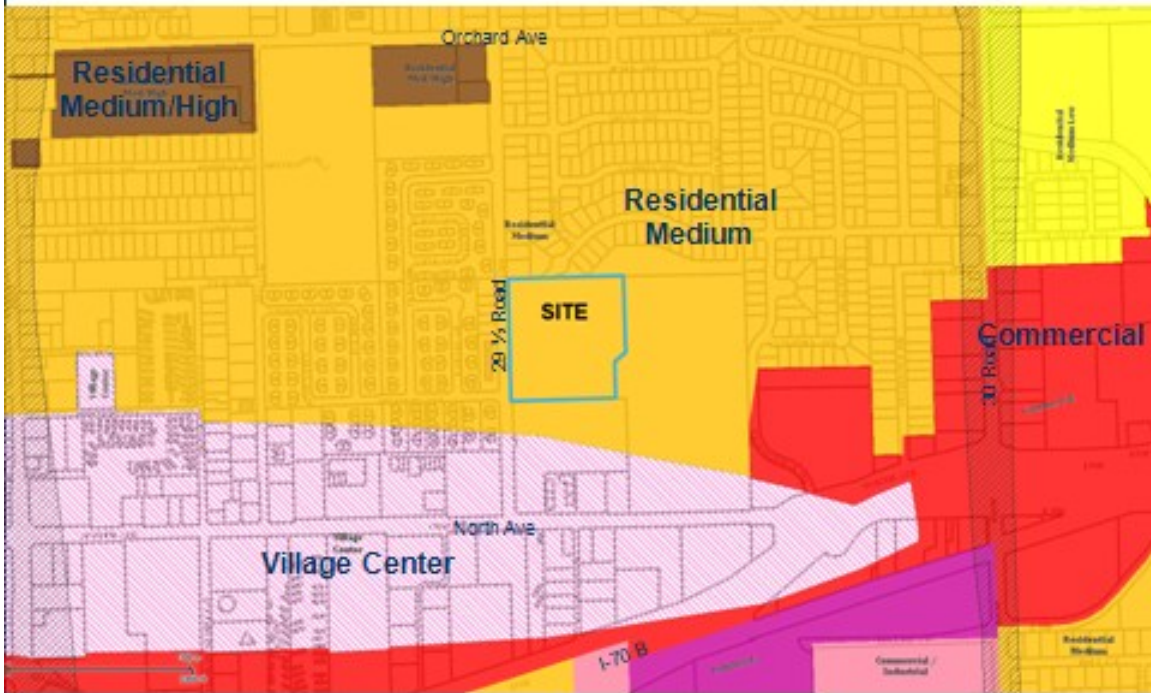
Site Location Map



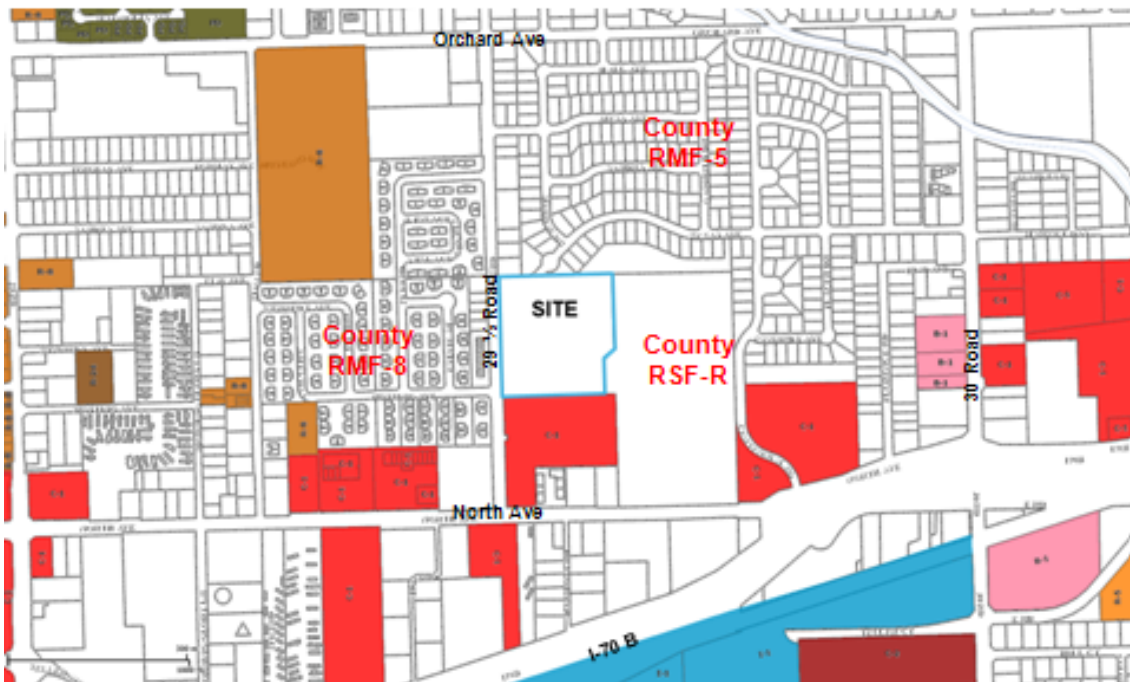
Aerial Photo Map



Comprehensive Plan Future Land Use Map



Existing Zoning Map



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FROM RESIDENTIAL
MEDIUM (4 – 8 DU/AC) TO VILLAGE CENTER AND ZONING
THE MESA COUNTY WORKFORCE ANNEXATION
TO C-1 (LIGHT COMMERCIAL)**

LOCATED AT 512 29 1/2 ROAD

Recitals

The property requesting annexation into the City is located at 512 29 1/2 Road. The property is anticipated to be developed as the new Mesa County Workforce Center in the near future. The property owners have requested annexation into the City, a Comprehensive Plan Future Land Use designation amendment via an adjacency review from Residential Medium to Village Center and a zoning of C-1, (Light Commercial). Under the 1998 Persigo Agreement with Mesa County all proposed development within the Persigo Wastewater Treatment Facility boundary requires annexation and processing in the City.

Under the 1998 Persigo Agreement with Mesa County, the City shall zone newly annexed areas with a zone that is either identical to current County zoning or to a zone district that implements the City's Comprehensive Plan Future Land Use Map.

Although C-1 is not one of the zones that implements the current future land use designation, the adjacency review allows an amendment to a Village Center designation in this case because the property is adjacent to land that is designated Village Center. Therefore the applicant seeks to amend the Comprehensive Plan from Residential Medium to Village Center, which allows a C-1 zone district.

Municipal Code Section 21.02.130(d) (Zoning and Development Code) allows for the processing of a zone of annexation application without a Future Land Use Map amendment when the proposed zoning is inconsistent with the Comprehensive Plan and the property is adjacent to the land use designation that would support the requested zone district. The property to the south of the Mesa County Workforce Annexation had a designation of Village Center and a zoning of C-1.

With the amendment of the Future Land Use designation of the Comprehensive Plan to Village Park via an adjacency review, the C-1 (Light Commercial) zone district meets the recommended land use category, and the Comprehensive Plan's goals and policies and/or is generally compatible with appropriate land uses located in the surrounding area.

After public notice and public hearing as required by the Grand Junction Municipal Code, the Grand Junction Planning Commission recommended approval of amending the Comprehensive Plan Future Land Use designation from Residential Medium to Village Center and zoning the Mesa County Workforce Annexation to the C-1 (Light Commercial) zone district.

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):

MESA COUNTY WORKFORCE ANNEXATION

Lot 2 Memorial Gardens Minor Subdivision Sec 8 T1S R1E, County of Mesa, State of Colorado

and amending the Future Land Use Map to Village Center.

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: March 13, 2013
 Author: Lori V. Bowers
 Title/ Phone Ext: Senior Planner /
x 4033
 Proposed Schedule: _____^{1st}
reading March 20, 2013
 2nd Reading: April 3, 2013

Attach 6
CITY COUNCIL AGENDA ITEM

Subject: Rezoning a portion of Heritage Estates, Located at the Southeast Corner of Property Located near 24 ¾ Road and North of the future F 1/2 Road Alignment, the 2.78 acres Directly West of and Abutting 651, 653 1/2 653, and 655 25 Road
Action Requested/Recommendation: Introduce a Proposed Ordinance and Set a Public Hearing for April 3, 2013
Presenter(s) Name & Title: Lori V. Bowers, Senior Planner

Executive Summary:

Request to rezone 2.78 acres, located at the southeast corner of property located near 24 ¾ Road and north of the future F 1/2 Road alignment, directly west of and abutting 651, 653 1/2, 653, and 655 25 Road referred to herein as a portion of Heritage Estates Subdivision, from R-8 (Residential – 8 du/ac) zone district to R-12 (Residential – 12 du/ac) zone district.

Background, Analysis and Options:

The subject property was annexed into the City in 1995 as part of the Northwest Enclave Annexation which included over 1,000 acres. In 2008 the applicants submitted for review Heritage Estates Preliminary Plan, a multi-family development that showed clustered apartment complexes and groupings of row- and townhouses, courtyards, garages and a commercial area. Staff suggested at that time that the applicants apply to rezone the multifamily area to R-12 as that zoning designation would allow all of the proposed density and unit types. For an unknown reason, that plan never moved forward.

In May, 2012 a Preliminary Plan for Heritage Estates was approved to develop 23.03 acres in an R-8 (Residential 8 du/ac) zone district. The approved Preliminary Plan consists of eight (8) filings with 127 units. Ninety-nine units are planned as single family detached and 28 units are planned for multifamily. The Preliminary Plan is not specific as to where the final lot lines will be placed but a depiction of the roadway system and the availability of utilities is included. The Preliminary Plan includes an overall density requirement and allowed product types.

In an R-8 zoning district the maximum density is 8 dwelling units per acre and the minimum density is 5.5 dwelling units per acre. The overall density approved for Heritage Estates is 5.5 dwelling units per acre. Because single family units have been

platted in Filing 1 and are proposed to be platted for Filings 2 and 3, the only way to achieve the overall density in the Preliminary Plan is to include multifamily housing. The amount of multifamily dwelling units needed to achieve the overall density however, will exceed the maximum density allowed in an R-8 zone. If the developer completed the subdivision at R-8 density levels, there will not be enough land remaining in the Preliminary Plan area to attain the required overall minimum density; therefore a rezone to R-12 has been requested for the subject area.

The R-12 zone district minimum density is 8 units per acre; the maximum is 12 units per acre. R-12 implements the Residential Medium High land use designation of the Comprehensive Plan for the subject property. The anticipated housing type for the area of the rezone will result in a density of 10.07 units per acre. The proposed rezone will allow the housing type and density levels necessary to achieve the overall density of the Heritage Estates Preliminary Plan.

The community will benefit from an alternative housing type other than single family detached units in this desirable area that is close to many amenities such as shopping, employment and Canyon View Park.

R-12 zoning implements the Residential Medium High land use designation and is intended to encourage a mix of residential types including duplexes, townhomes and low intensity multi-family development. Other zoning districts that implement the Residential Medium High land use designation include, but are not limited to, R-8, R-16, R-O (Residential Office) and B-1 (Neighborhood Business). It is my opinion that R-12 is the best fit for this area because there are no offices or businesses contemplated for this subdivision, and this is a solidly residential area completely surrounded by residentially zoned land with residential uses. The RO and B-1 allow multifamily development but are not as good a fit for this area because they also allow nonresidential development. The R-16 minimum density is 12 units per acre which would require more density than is approved for the Heritage Estates Preliminary Plan and therefore would not be an appropriate choice for the subject property.

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

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

The rezone of this area to R-12 will reduce the travel time and distance for trips generated for shopping and commuting because this area is located near existing commercial and public spaces. By decreasing the vehicle miles traveled this will help increase air quality.

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

Rezoning the property to R-12 will increase the opportunity for housing to meet the differing housing demands of the community and enable a mix of housing types for different levels of incomes, family types and life stages.

Board or Committee Recommendation:

The Planning Commission recommended approval of the requested rezone at their February 26, 2013 meeting.

Financial Impact/Budget:

N/A

Legal issues:

None.

Other issues:

None.

Previously presented or discussed:

This item has not been presented or discussed at another meeting or at a workshop.

Attachments:

Site Location Map / Aerial Photo Map
Comprehensive Plan Map / Existing City Zoning Map
Blended Residential Map
Rezone Exhibit
Ordinance

BACKGROUND INFORMATION			
Location:	Southeast corner of property located near 24 ¾ Road and north of the future F ½ Road alignment, to wit the 2.78 acres directly west of and abutting 651, 653 ½ 653, and 655 25 Road		
Applicants:	Robert Jones, representative Vortex Engineering & Architecture; Kim Kerk, applicant for Blue Star Industries; Heritage Estates LLC, owner		
Existing Land Use:	Vacant residential		
Proposed Land Use:	Multi-family residential		
Surrounding Land Use:	North	Large lot residential	
	South	Large lot residential	
	East	Large lot residential	
	West	Large lot residential	
Existing Zoning:	R-8 (Residential – 8 du/ac)		
Proposed Zoning:	R-12 (Residential - 12 du/ac)		
Surrounding Zoning:	North	R-8 (Residential – 8 du/ac)	
	South	R-8 (Residential – 8 du/ac)	
	East	R-8 (Residential – 8 du/ac)	
	West	R-8 (Residential – 8 du/ac)	
Future Land Use Designation:	Residential Medium High (8 to 16 du/ac)		
Zoning within density range?	X	Yes	No

Section 21.02.140(a) of the Grand Junction Municipal Code

Zone requests must meet at least one of the following criteria for approval:

(1) *Subsequent events have invalidated the original premise and findings.*

The original premises and findings are still valid. This criterion has not been met.

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

The subject parcel is in an area where growth is occurring. The up-zone will provide an opportunity for a mix in housing types and more concentrated density close to shopping and employment areas of the City. The Comprehensive Plan encourages a higher density range for this area of the community. The future land use designation allows a density range of 8 to 16 dwelling units per acre. The Comprehensive Plan supports the requested increase in density. This criterion has been met.

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

There are adequate facilities in this area to serve the proposed residential development. The ability to extend sewer, water and power through the subdivision currently exists. Utilities may be extended from Brookwillow Village, located directly west of the proposed subdivision and 25 Road located 300 feet to the east of the property. 25 Road contains a 12 inch Ute Water line; Brookwillow Village has a 10 inch water line. Excel Energy has an existing gas line in the right-of-way. As Heritage Estates subdivision develops from the north, in a southerly progression, utilities will become closer to the subject area of the requested rezone. Sanitary sewer easements have been obtained to serve this area of the subdivision. All utility extensions will be provided by the developer. This criterion has been met.

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

The “community” for purposes of this criterion, is a 4 ½ mile radius around the subject property. There is no property zoned R-12 within this area, the majority of property is zoned R-8. Overall, the City has limited areas of R-12 zoning. The Comprehensive Plan Future Land Use Map provides direction for redevelopment and growth of the City. With the designation of Residential Medium High, the applicant may request a rezone from R-8 to R-12. The applicant could also request a rezone to R-16, R-O or B-1, but R-16’s minimum density requirement exceeds the developer’s proposed multifamily density. R-O and B-1 allow limited office and non-retail uses, which are not a part of the approved preliminary plan. The R-12 zoning will serve as a transition to future commercial development on the south side of the future F ½ Road Parkway and is therefore the most appropriate zone district for the subject area. This criterion has been met.

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

The community will derive the benefit of more density in a highly desirable area with the opportunity for varied housing types. R-12 zoning is intended to serve as a transitional district between single-family and trade zone districts. This zone district allows a mix of residential unit types and densities to provide a balance of housing opportunities in the neighborhood. Considering the location of the subject rezone area, near the future F ½ Road Parkway, this density and housing type will be desirable. South of the subject parcel there are plans for the future F ½ Road Parkway. The future parkway will bring the opportunity and ability to serve more multifamily uses or trade/commercial uses; therefore the R-12 zoning will serve as a transition between the single-family and future trade districts supporting the Comprehensive Plan. This criterion has been met.

Alternatives: In addition to the zoning that the petitioner has requested and the planning division recommends, the following zone districts would also implement the Comprehensive Plan Residential Medium High land use designation for the subject property.

- a) R-8 (Residential -8 units per acre)
- b) R-16 (Residential – 16 du/ac)
- c) R-O (Residential Office)
- d) B-1 (Neighborhood Business)

If the City Council chooses to approve one of the alternative zone designations, specific alternative findings must be made as to why the City Council is approving an alternative zone designation.

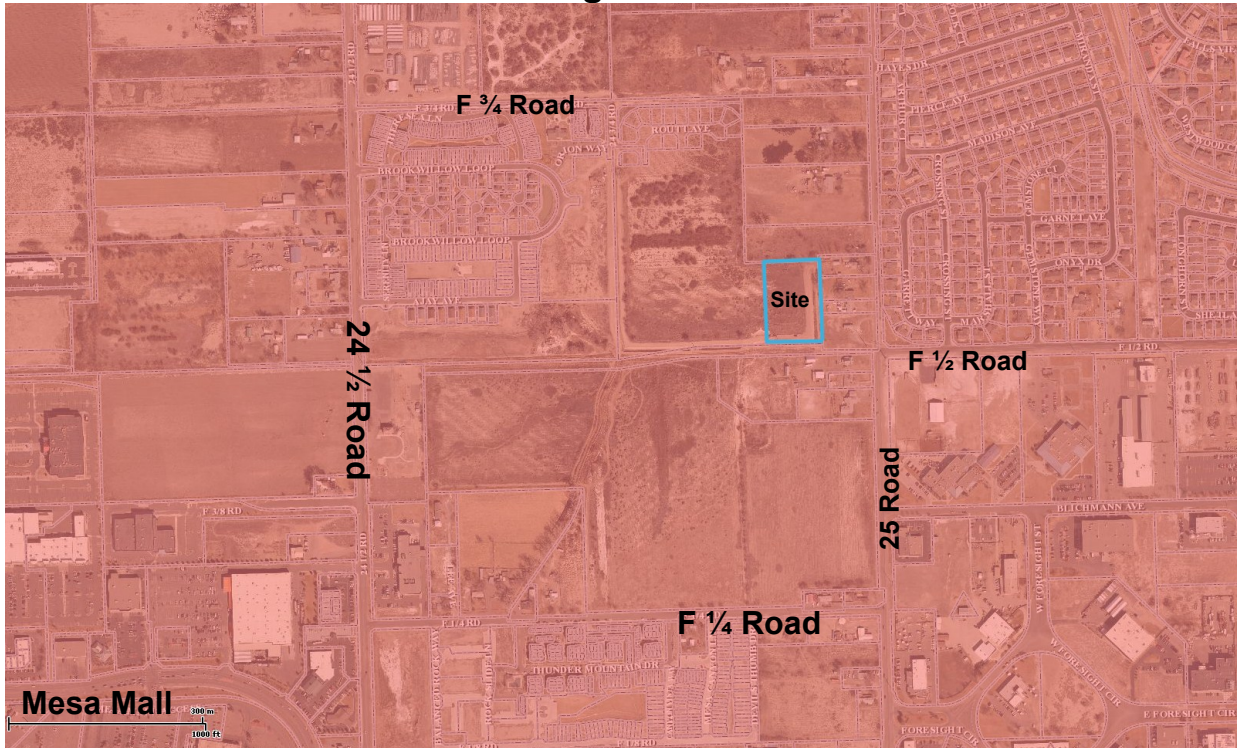
FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Heritage Estates Subdivision, Filing 8 Rezone, RZN-2012-578, a request to rezone property from R-8 (Residential – 8 units) to R-12 (Residential – 12 units), the following findings of fact and conclusions have been determined:

1. The requested zone is consistent with the goals and policies of the Comprehensive Plan and the Residential Medium High land use designation.
2. The review criteria in Section 21.02.140(a), specifically criteria 2, 3, 4 and 5 of the Grand Junction Municipal Code have been met.

Site Location Map

Figure 1



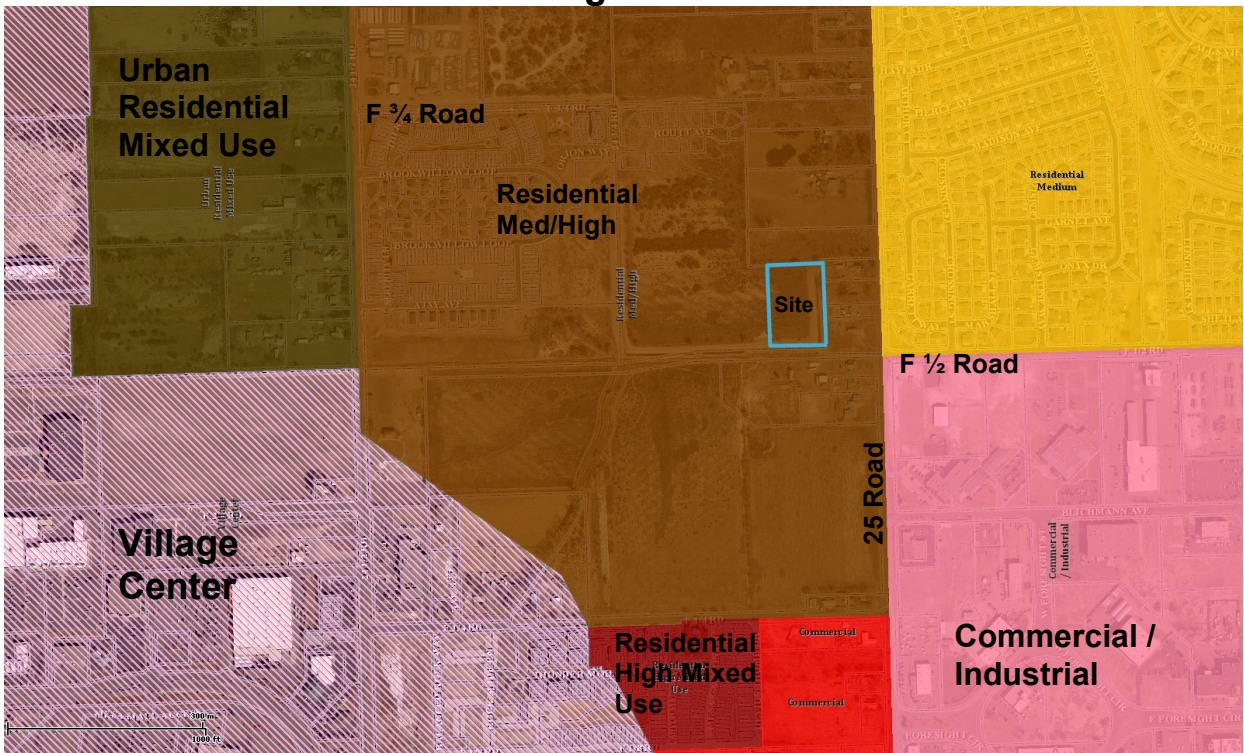
Aerial Photo Map

Figure 2



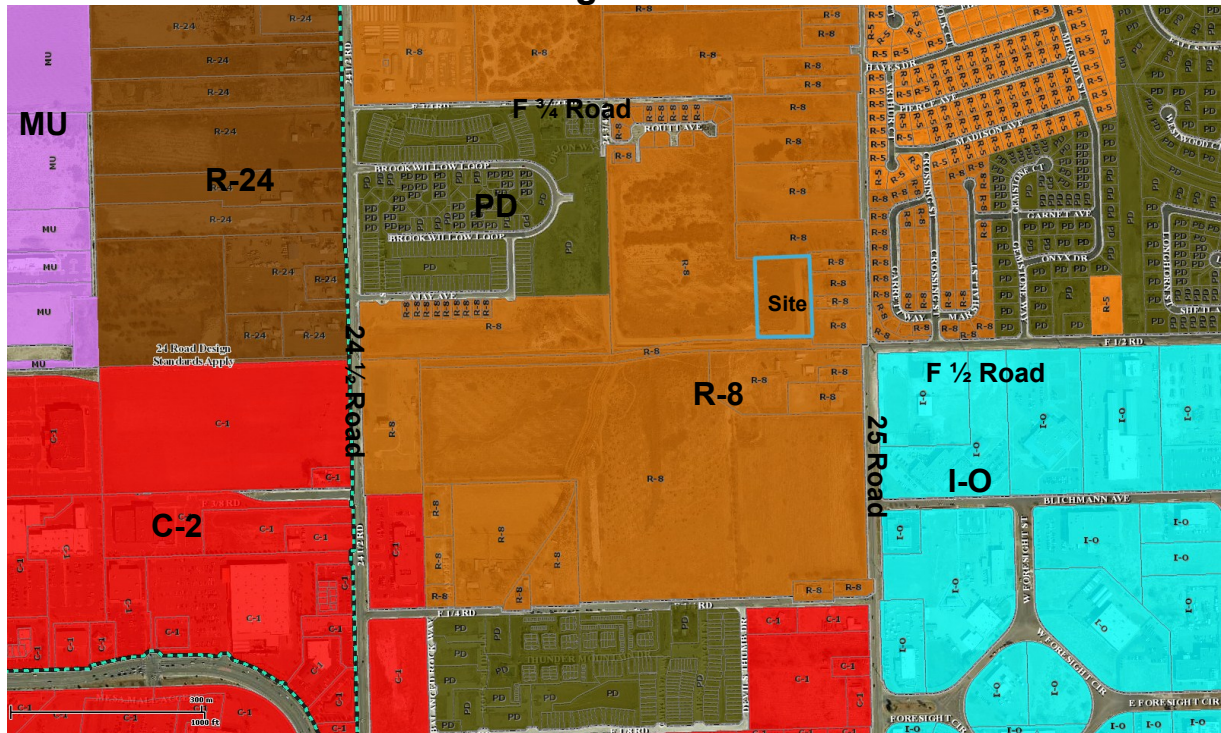
Comprehensive Plan Map

Figure 3



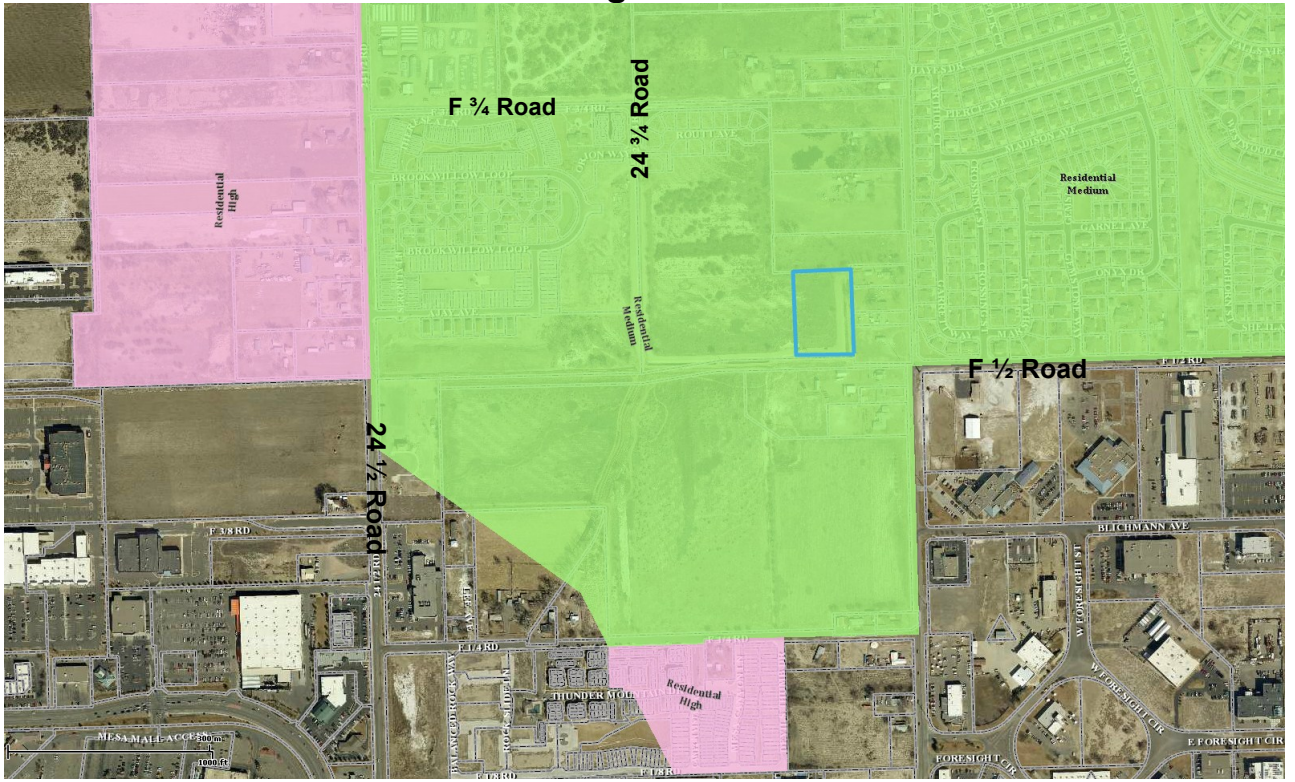
Existing City Zoning Map

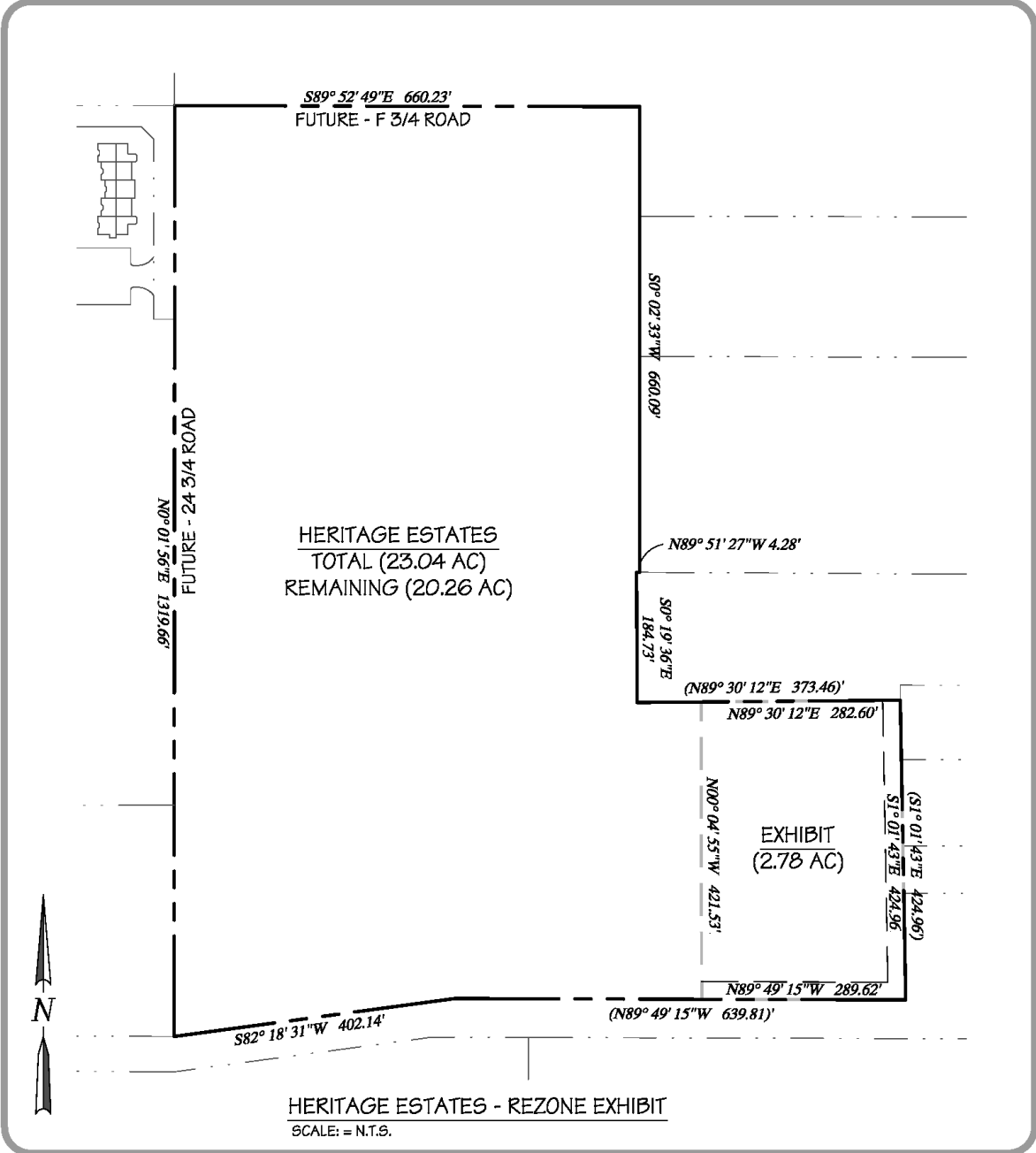
Figure 4



Blended Map

Figure 5





Rezone Exhibit

Heritage Estates

Grand Junction, Colorado

PROJECT NO:
F12-050
DATE:
03/13/13
DRAWN BY:
DLS/JB
CHECKED BY:
RWJII

Prepared By
VORTEX
ENGINEERING & ARCHITECTURE, INC.
2394 Patterson Rd., Ste. 201
Grand Junction, CO 81505
(970) 245-9051

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING A PORTION OF LOT 100 OF THE
HERITAGE ESTATES SUBDIVISION, FILING 1
FROM R-8 (RESIDENTIAL – 8 UNITS PER ACRE) TO
R-12 (RESIDENTIAL – 12 UNITS PER ACRE)**

**LOCATED AT THE SOUTHEAST CORNER OF PROPERTY NEAR 24 3/4 ROAD AND
NORTH OF THE FUTURE F 1/2 ROAD ALIGNMENT, SPECIFICALLY THE 2.78
ACRES IMMEDIATELY WEST OF AND ABUTTING 651, 653 1/2, 653, AND 655 25
ROAD**

Recitals:

In May, 2012, a Preliminary Plan was approved to develop 23.03 acres in an R-8 (Residential 8 du/ac) zone district for Heritage Estates Subdivision. The approved Preliminary Plan consists of eight (8) filings with 127 units. Ninety-nine units are planned as single family detached and 28 units are planned for multifamily. The proposed multifamily area requires a rezone to R-12 to allow for more density and unit types to be developed per the approved density for the Heritage Estates Preliminary Plan. The community will benefit from more opportunity for alternative housing types other than single-family detached units in this desirable area close to many amenities such as shopping, employment and Canyon View Park.

The property owner requests a rezone from R-8 to R-12. After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended rezoning the property described below from R-8 (Residential – 8 units per acre) to the R-12 (Residential – 12 units per acre) zone district for the following reasons:

The zone district implements the Residential Medium High (8 to 16 du/ac) land use designation as shown on the Future Land Use map of the Comprehensive Plan, the Comprehensive Plan's goals and policies, and is generally compatible with appropriate land uses located in the surrounding area.

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the R-12 zone district be established.

The Planning Commission and City Council find that the R-12 zoning 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 shall be rezoned R-12 (Residential – 12 units per acre).

A parcel of land situate in Lot 100, Heritage Estates, Filing 1, as same is recorded in Book 5397, Page 316, Public Records of Mesa County, Colorado, being a part of the SE 1/4 NE 1/4 of Section 4, Township 1 South, Range 1 West of the Ute Principal Meridian, Mesa County, Colorado, being described as follows:

Beginning at the southeast corner of said Lot 100;
thence N89°49'15"W a distance of 289.62 feet along the south line of said Lot 100;
thence N00°04'55"W a distance of 421.53 feet to the north line of said Lot 100;
thence N89°30'12"E a distance of 282.60 feet to a northeast corner of said Lot 100;
thence S01°01'43"E a distance of 424.96 feet to the point of beginning.

Said parcel contains 2.78 acres more or less, as described.

Introduced on first reading this ___ day of _____, 2013 and ordered published.

Adopted on second reading this _____ day of _____, 2013.

ATTEST:

City Clerk

Mayor



**Attach 7
CITY COUNCIL AGENDA ITEM**

Date: March 5, 2013
Author: Brian Rusche
Title/ Phone Ext:
Senior Planner x. 4058
Proposed Schedule: 1st Reading;
Wednesday, March 20, 2013
2nd Reading
(if applicable): Wednesday, April 3, 2013
File #: ANX-2012-574

Subject: Zoning the Rock Shop Enclave Annexation, Located South of D Road, East of S. 15 th Street and South of the Riverside Parkway on both sides of 27 1/2 Road, North of Las Colonias Park
Action Requested/Recommendation: Introduce a Proposed Ordinance and Set a Public Hearing for April 3, 2013
Presenters Name & Title: Brian Rusche, Senior Planner

Executive Summary: A request to zone the Rock Shop Enclave Annexation, located south of D Road, east of S. 15th Street and south of the Riverside Parkway on both sides of 27 1/2 Road north of Las Colonias Park, which consists of 68 parcels, to an I-1 (Light Industrial) zone district.

Background, Analysis and Options:

The 53.66 acre Rock Shop Enclave Annexation consists of 68 parcels and 3.84 acres of public right-of-way. The annexation has been initiated by the City pursuant to the 1998 Persigo Agreement with Mesa County (“Agreement”). With the annexation of the property included in the Brady Trucking Annexation on May 20, 2007, the area is enclaved. The terms of the Agreement state that an “enclaved” area shall be annexed into the City. (“Enclaved” means that an unincorporated area is completely surrounded by the City.)

The City has also agreed to zone newly annexed areas using either the current County zoning or a zone district that implements the Comprehensive Plan. The proposed zoning of I-1 (Light Industrial) implements the Comprehensive Plan Future Land Use Map, which has designated the enclaved area as Industrial, and Commercial/Industrial south of Ruby/Winters Avenue.

The draft Greater Downtown Plan (CPA-2011-1067) proposes no changes to these land use designations and, in fact, points out the opportunity for increasing heavy commercial and industrial uses within the enclaved area, as it relates to the remainder of the planning area.

Review criteria # 1, 2, and 5 in Section 21.02.140 of the Grand Junction Municipal Code have been met.

See attached Staff Report/Background Information for additional detail.

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

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

The proposed I-1 (Light Industrial) zone district conforms to the Comprehensive Plan Future Land Use Map, which has designated the enclaved area as Industrial and, south of Ruby/Winters Avenue, Commercial/Industrial.

The draft Greater Downtown Plan (CPA-2011-1067) proposes no changes to these land use designations and, in fact, points out the opportunity for increasing heavy commercial and industrial uses within the enclaved area, as it relates to the remainder of the planning area.

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

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

The proposed I-1 zone district will provide the opportunity for future (re)development within a transitional industrial neighborhood with access to the Riverside Parkway.

Board or Committee Recommendation: On February 26, 2013 the Planning Commission forwarded a unanimous recommendation of approval of the I-1 (Light Industrial) zone district.

Financial Impact/Budget: None.

Legal issues: None.

Other issues: None.

Previously presented or discussed: A Resolution of Intent to Annex was adopted on January 16, 2013.

Attachments:

1. Staff report/Background information
2. Annexation Map
3. Aerial Photo
4. Comprehensive Plan - Future Land Use Map
5. Existing City and County Zoning Map
6. Existing Land Use table
7. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION

Location:		see annexation map		
Applicant:		City of Grand Junction		
Existing Land Use:		Commercial / Industrial / Residential		
Proposed Land Use:		Industrial		
Surrounding Land Use:	North	Union Pacific Railroad		
	South	Las Colonias Park Industrial		
	East	Industrial		
	West	Las Colonias Park Industrial		
Existing Zoning:		County RSF-R (Residential Single-Family Rural) County I-2 (General Industrial)		
Proposed Zoning:		I-1 (Light Industrial)		
Surrounding Zoning:	North	I-1 (Light Industrial)		
	South	CSR (Community Services and Recreation) I-1 (Light Industrial)		
	East	I-1 (Light Industrial) / I-2 (General Industrial)		
	West	I-2 (General Industrial) CSR (Community Services and Recreation)		
Future Land Use Designation:		Industrial Commercial/Industrial (south of Ruby/Winters Ave)		
Zoning within density range?		X	Yes	No

ANALYSIS:

Enclave:

The 53.66 acre Rock Shop Enclave Annexation consists of 68 parcels and 3.84 acres of public right-of-way. The annexation has been initiated by the City pursuant to the 1998 Persigo Agreement with Mesa County (“Agreement”). With the annexation of the property included in the Brady Trucking Annexation on May 20, 2007, the area is enclaved. The terms of the Agreement state that an “enclaved” area shall be annexed into the City. (“Enclaved” means that an unincorporated area is completely surrounded by the City.)

The City has also agreed to zone newly annexed areas using either the current County zoning or a zone district that implements the Comprehensive Plan. The proposed zoning of I-1 (Light Industrial) implements the Comprehensive Plan Future Land Use Map, which has designated the enclaved area as Industrial, and Commercial/Industrial south of Ruby/Winters Avenue.

Development pattern and existing conditions:

A summary of existing land uses within the enclave is attached to this report.

The earliest known development in this area began with homes built between 1900 and 1910, some of which are still present. The majority of the residential structures along 27 ½ Road and Bonny Lane were built in the late 1930s and 1940s. The enclaved area includes 33 dwelling units, about 2/3 of which appear to be owner occupied. The proposed zoning will render all existing dwelling units nonconforming. The residences can remain and would be permitted limited expansion as well as rebuilding if destroyed, pursuant to the standards for nonconforming residential uses found in GJMC Section 21.08.020(c), as may be amended.



The right-of-way (ROW) for Bonny Lane (incorrectly labeled as Bonny Street), was platted by the Amelang Subdivision in 1963 but has not been engineered or constructed and is considered “unimproved”. Its condition has led four (4) property owners to create their own unimproved, dirt-surface access across one another’s’ properties via rear yard driveways. There are several encroachments into Bonny Lane as well, including fences and personal property. If it became necessary to improve this roadway, encroachments would need to be removed.

In 1955 the Pleasant View Subdivision, along 27 ½ Road and Bonny Street south of the residential area, was platted. However, industrial development did not occur until the late 1970s and early 1980s. The existing land uses in this subdivision include auto repair, cabinet shops, warehousing and personal storage, along with light manufacturing. These properties vary in condition and improvements, but once annexed would be considered nonconforming sites due to the lack of landscaping and, in some cases, paved parking lots. Nonconforming sites may be used for any purposes permitted in the zone, with provisions for incremental site improvements triggered by building expansions and/or significant changes of use, as discussed in GJMC Section 21.080.040, as may be amended.



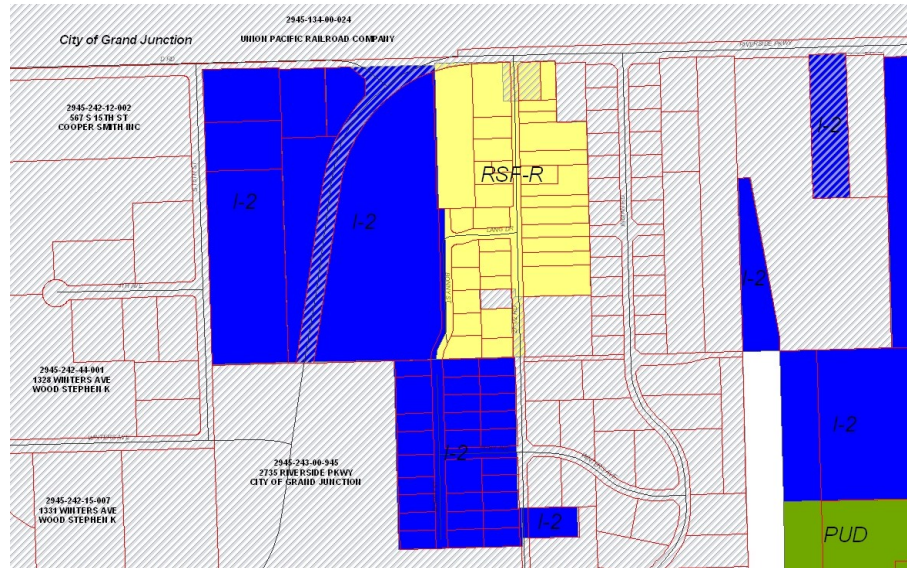
Nonconforming sites may be used for any purposes permitted in the zone, with provisions for incremental site improvements triggered by building expansions and/or significant changes of use, as discussed in GJMC Section 21.080.040, as may be amended.

Between S. 15th Street and Bonny Lane lies approximately 24 acres of property now bisected by the Riverside Parkway and identified as The Rock Shop. The primary building at 710 S. 15th Street was built in 1986. The adjacent properties to the east, except for the building at 2733 D Road, were rezoned in 1982 to be developed as the Garlitz Industrial Park, but the development plan lapsed in 1987. The bulk of these properties are utilized for outdoor storage. While permitted in the proposed zone district, the existing outdoor storage yards do not have the required street frontage landscaping and/or fencing setback that the zoning code now requires. As these properties are redeveloped, the standards in place at the time of new development will be applied.

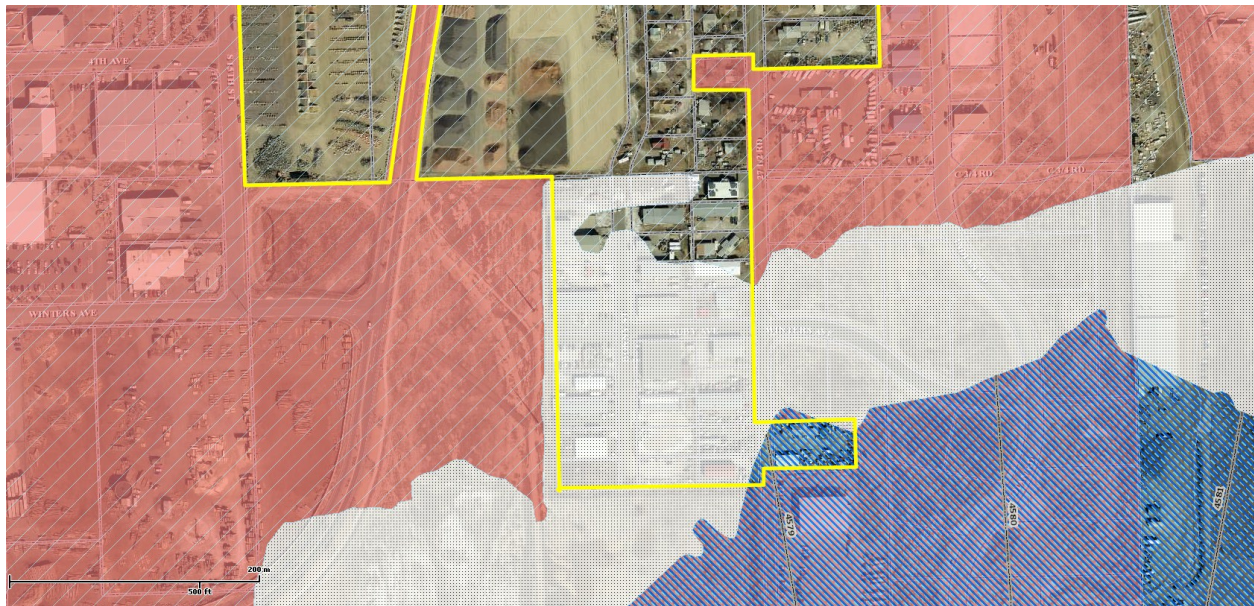


While permitted in the proposed zone district, the existing outdoor storage yards do not have the required street frontage landscaping and/or fencing setback that the zoning code now requires. As these properties are redeveloped, the standards in place at the time of new development will be applied.

Portions of the enclave along 27 ½ Road and Bonny Lane are zoned County RSF-R (Residential Single-Family Rural). Some of these properties are already utilized for commercial purposes, despite their zoning. As these properties redevelop or otherwise transition to other non-residential uses, the City will utilize the development review process to determine upgrades that may be necessary to each site. The remainder of the enclave is zoned County I-2 (General Industrial).



Three (3) parcels within the enclaved area appear to be impacted by the 100 year floodplain, as shown on the incorporated map. These parcels can still be developed in accordance with floodplain regulations, outlined in GJMC Section 21.07.010.



Consistency with the Comprehensive Plan

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

The proposed I-1 (Light Industrial) zone district conforms to the Comprehensive Plan Future Land Use Map, which has designated the enclaved area as Industrial and, south of Ruby/Winters Avenue, Commercial/Industrial.

The draft Greater Downtown Plan (CPA-2011-1067) proposes no changes to these land use designations and, in fact, points out the opportunity for increasing heavy commercial and industrial uses within the enclaved area, as it relates to the remainder of the planning area.

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

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

The proposed I-1 zone district will provide the opportunity for future (re)development within a transitional industrial neighborhood with access to the Riverside Parkway.

2. Grand Junction Municipal Code – Chapter 21.02 – Administration and Procedures:

Section 21.02.160(f) of the Grand Junction Municipal Code (GJMC) states: Land annexed to the City shall be zoned in accordance with GJMC Section 21.02.140 to a district that is consistent with the adopted Comprehensive Plan and the criteria set forth.

The requested zone of annexation to the I-1 (Light Industrial) zone district is consistent with the Comprehensive Plan Future Land Use Map, which has designated the enclaved area as Industrial and, south of Ruby/Winters Avenue, Commercial/Industrial.

Section 21.02.140(a) states: *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*

In 1998, Mesa County and the City of Grand Junction adopted the Persigo Agreement. Under this agreement, the City is required to annex all enclaved areas within five (5) years. The enclave was created by the Brady Trucking Annexation on May 20, 2007.

The proposed zoning of I-1 (Light Industrial) implements the Comprehensive Plan Future Land Use Map, adopted in 2010, which has designated the enclaved area as Industrial and, south of Ruby/Winters Avenue, Commercial/Industrial.

The Comprehensive Plan and the annexation of the property into the City of Grand Junction invalidate the original premises of the existing unincorporated Mesa County zoning. Therefore, this criterion has been met.

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

Some homes built between 1900 and 1910 are still present within the enclaved area, with the majority of residences along 27 ½ Road and Bonny Lane built in the late 1930s and 1940s. The enclaved area includes 33 dwelling units.

In 1955 the Pleasant View Subdivision, along 27 ½ Road and Bonny Street south of the residential area, was platted. However, industrial development did not occur until the late 1970s and early 1980s. Some additional development has occurred in the mid-1990s.

The remainder of the enclave is zoned County I-2 (General Industrial). Refer to the County Zoning Map and Detail included in this report.

Recent changes to the character of the area include the completion of the Riverside Parkway in 2008, which bisects the enclave.

The adoption of the Comprehensive Plan Future Land Use Map in 2010 designated the enclaved area as Industrial and Commercial/Industrial south of Ruby/Winters Ave.

New industrial development has occurred to the south of the enclave with the Brady Trucking building at 356 27 ½ Road built in 2007. Also, new industrial construction has occurred within the Indian Road Industrial Park to the east of the enclave.

Recently a business has been established on a property within the enclave that, although previously used for a contractor, was still zoned County RSF-R. This owner would need to be zoned industrial in order to expand the business.

The proposed I-1 zone district allows a variety of industrial and heavy commercial uses, including personal storage, outdoor storage, manufacturing, auto repair, and contractor and trade shops. This zoning fits with many of the existing businesses within the enclaved area. As discussed above, existing residential uses would still be permitted as nonconformities and provisions are in place for incremental upgrades to property depending on the scale/scope of the use.

It is apparent that the area is transitioning into a centrally located industrial area, consistent with the goals of the Comprehensive Plan.

This criterion has been met.

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

The enclave area is bisected by the Riverside Parkway, designated as a minor arterial from S. 7th Street to 29 Road. Completed in 2008, the Parkway connects the east and west sides of the City. The enclaved properties already benefit from this access.

The right-of-way (ROW) for Bonny Lane (incorrectly labeled as Bonny Street), was platted by the Amelang Subdivision in 1963 but has not been engineered or constructed and is considered “unimproved”. Its condition has led four (4) property owners to create their own unimproved, dirt-surface access across one another’s properties via rear yard driveways. There are several encroachments into Bonny Lane as well, including fences and personal property. If it became necessary to improve this roadway, encroachments would need to be removed. Roadway improvements not required as part of future property development would require participation of the benefitting properties in a street improvement district.

Adequate utility infrastructure, including water and sanitary sewer, exists to accommodate, with upgrades as necessary, future industrial (re)development within the enclaved area. These upgrades would be completed and paid for in

accordance with City and/or the appropriate utility provider(s) policies at the time of development.

This criterion has not been met but can be met with incremental upgrades paid for by new development.

- 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*

Approximately 41 acres within the enclaved area are already utilized for commercial or industrial purposes, representing 77% of the total annexation area. Therefore, the proposed I-1 (Light Industrial) zoning is consistent with the majority of the existing land uses.

This criterion has not been met.

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

The annexation of enclaved unincorporated areas adjacent to the City is critical to providing efficient urban services and infrastructure, minimizing costs to the City and therefore the community.

The proposed I-1 (Light Industrial) zone district will provide the opportunity for future (re)development within a transitional industrial neighborhood with access to the Riverside Parkway. Additional industrial development opportunities are consistent with Goal 12 of the Comprehensive Plan, which states: "Being a regional provider of goods and services the City and County will sustain, develop and enhance a health, diverse economy".

This criterion has been met.

Alternatives: The following zone districts would also implement the Comprehensive Plan Future Land Use Map designation of Industrial:

1. M-U (Mixed Use)
2. I-O (Industrial / Office Park)
3. I-2 (General Industrial)

The following zone districts would also implement the Comprehensive Plan Future Land Use Map designation of Commercial/Industrial (south of Ruby and Winters Ave):

1. C-2 (General Commercial)
2. M-U (Mixed Use)
3. BP (Business Park Mixed Use)
4. I-O (Industrial / Office Park)

If the City Council chooses an alternative zone designation, specific alternative findings must be made.

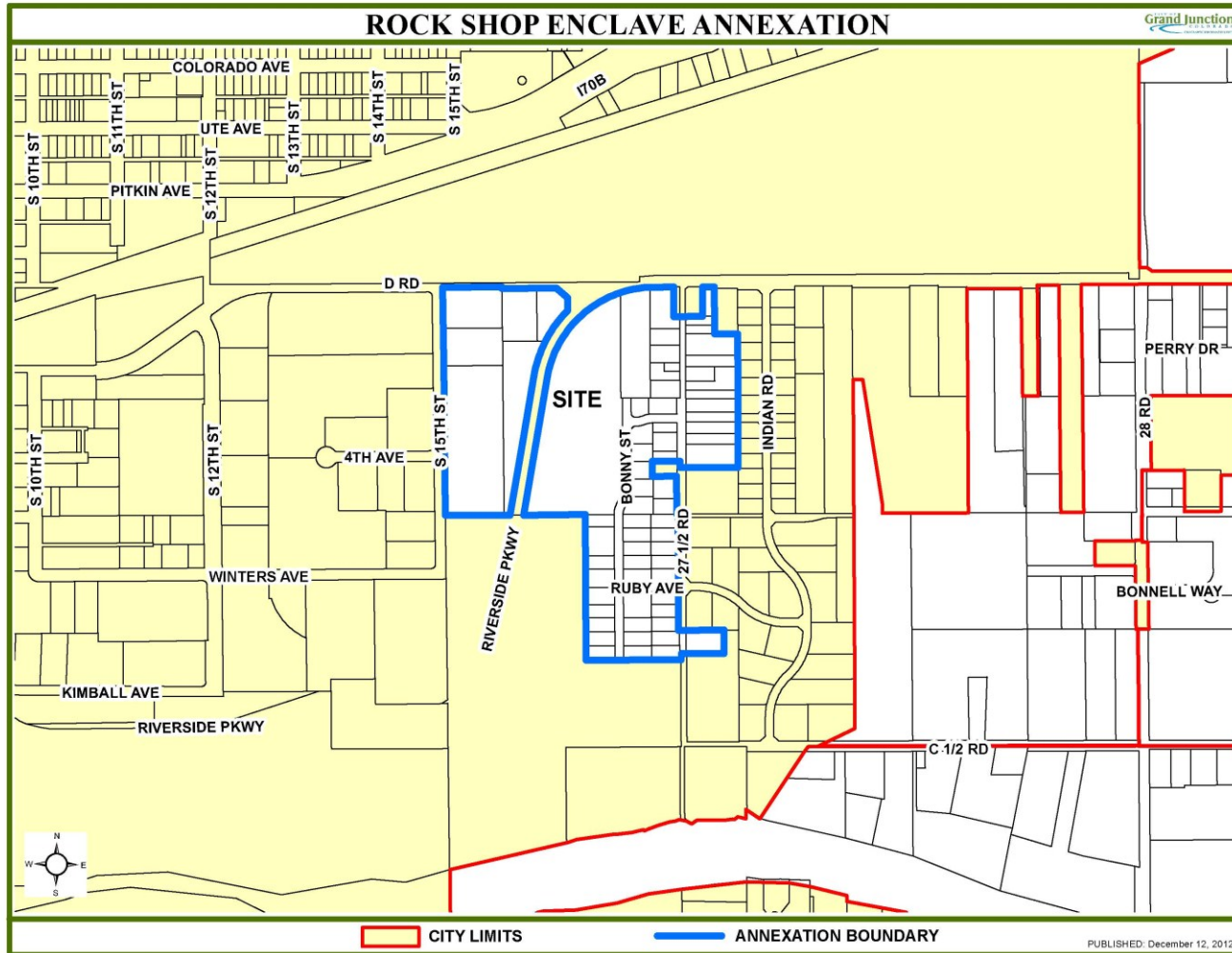
PLANNING COMMISSION RECOMMENDATION:

After reviewing the Rock Shop Enclave Zone of Annexation, ANX-2012-574, the Planning Commission made the following Findings of Fact and Conclusions:

1. The proposed I-1 (Light Industrial) zone district is consistent with the goals and policies of the Comprehensive Plan.
2. Review criteria # 1, 2, and 5 in Section 21.02.140 of the Grand Junction Municipal Code have been met.

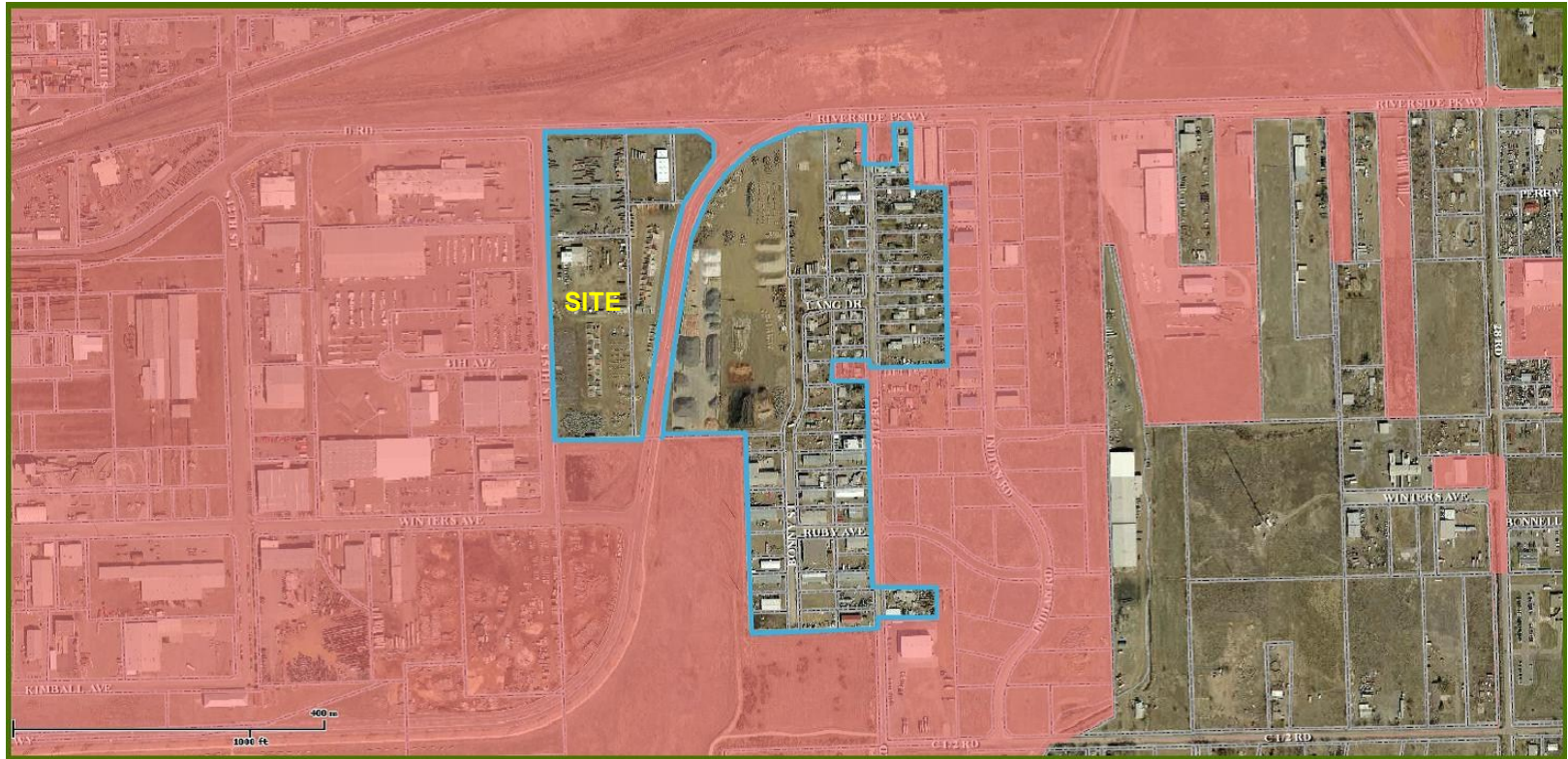
Annexation Map

Figure 1



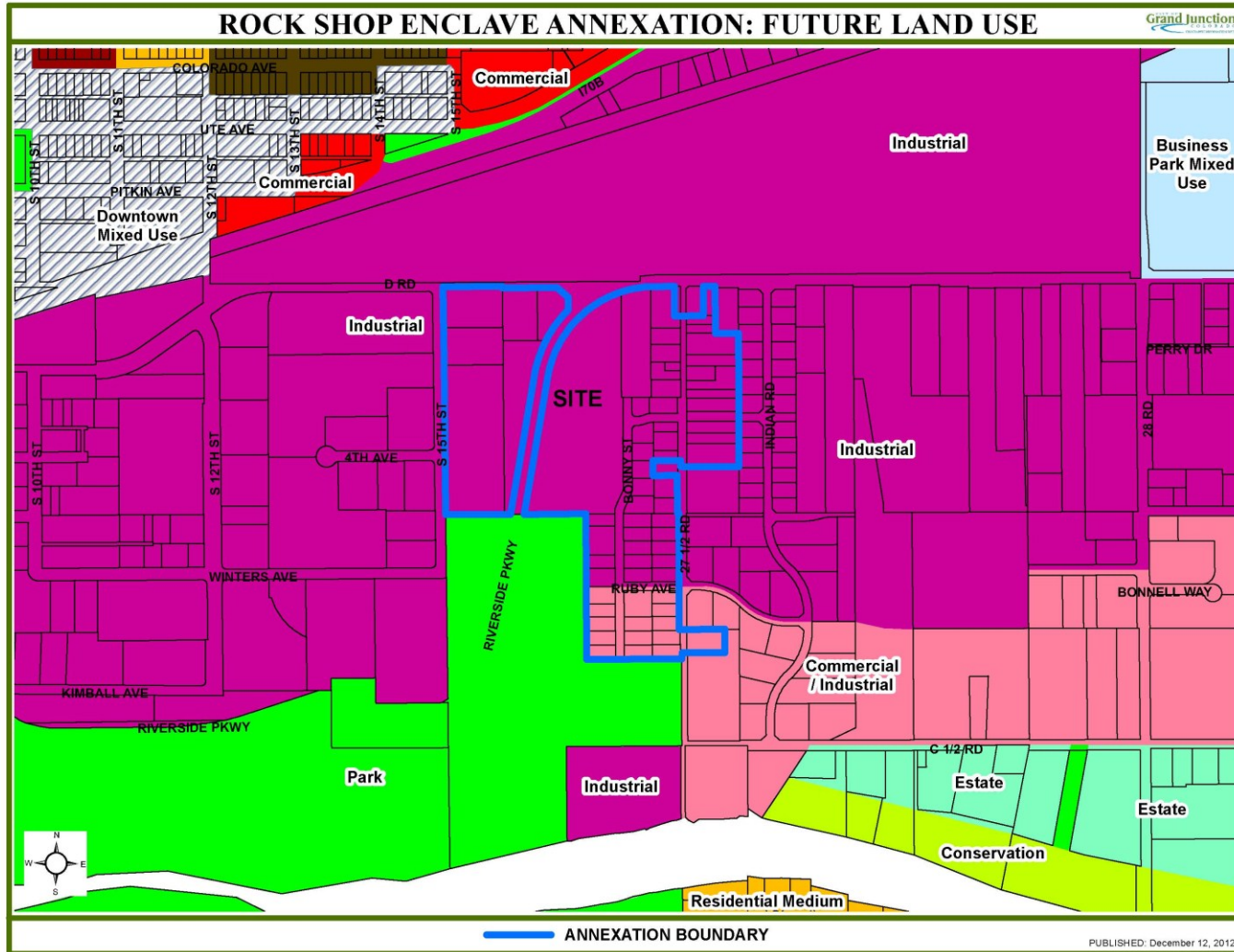
Aerial Photo Map

Figure 2



Comprehensive Plan – Future Land Use Map

Figure 3



Parcel Number	Location	Land Use?	Parcel Number	Location	Land Use?
2945-242-00-042	393 27 1/2 RD	accessory garage	2945-241-00-025	398 27 1/2 RD	SFD
2945-242-01-060	357 27 1/2 RD	boat repair	2945-241-00-026	398 1/2 27 1/2 RD	SFD
2945-242-01-039	361 27 1/2 RD	cabinet shop	2945-241-00-027	394 1/2 27 1/2 RD	SFD
2945-242-00-233	710 S 15TH ST	construction and material sales	2945-241-00-028	394 27 1/2 RD	SFD
2945-242-01-046	369 1/2 27 1/2 RD	contractor shop	2945-241-00-029	392 27 1/2 RD	SFD
2945-242-01-061	373 27 1/2 RD	contractor shop	2945-241-00-032	390 27 1/2 RD	SFD
2945-242-01-064	356 BONNY ST	contractor shop	2945-241-00-037	384 1/2 27 1/2 RD	SFD
2945-242-01-068	353 27 1/2 RD	contractor shop	2945-241-00-176	2753 RIVERSIDE PKWY	SFD
2945-242-02-018	359 BONNY ST	contractor shop	2945-241-00-244	390 1/2 27 1/2 RD	SFD
2945-242-02-019	357 BONNY ST	contractor shop	2945-241-00-264	388 1/2 27 1/2 RD	SFD
2945-242-00-230	2733 D RD	industrial service	2945-242-00-040	391 27 1/2 RD	SFD
2945-242-01-041	364 BONNY ST	industrial service	2945-242-00-041	393 1/2 27 1/2 RD	SFD
2945-242-01-057	368 BONNY ST	industrial service	2945-242-00-046	399 27 1/2 RD	SFD
2945-242-01-058	366 BONNY ST	industrial service	2945-242-00-259	397 27 1/2 RD	SFD
2945-242-00-047	2745 RIVERSIDE PKWY	outdoor storage	2945-242-00-260	395 27 1/2 RD	SFD
2945-242-00-229	2727 D RD	outdoor storage	2945-242-01-002	388 BONNY LN	SFD
2945-242-00-234	Null	outdoor storage	2945-242-01-003	385 1/2 27 1/2 RD	SFD
2945-242-00-262	Null	outdoor storage	2945-242-01-004	384 BONNY ST	SFD
2945-242-00-263	2741 RIVERSIDE PKWY	outdoor storage	2945-242-01-006	382 BONNY ST	SFD
2945-242-01-059	Null	outdoor storage	2945-242-01-008	380 BONNY ST	SFD
2945-242-01-063	BONNY ST	outdoor storage	2945-242-01-010	378 BONNY ST	SFD
2945-242-01-065	354 BONNY ST	outdoor storage	2945-242-01-011	379 27 1/2 RD	SFD
2945-242-01-067	Null	outdoor storage	2945-242-01-012	376 BONNY LN	SFD
2945-242-02-020	361 BONNY ST	outdoor storage	2945-242-01-013	377 27 1/2 RD	SFD
2945-242-02-025	Null	outdoor storage	2945-242-01-035	385 27 1/2 RD	SFD
2945-242-01-051	360 BONNY ST	plastics shop	2945-242-01-045	369 27 1/2 RD	SFD
2945-242-01-044	371 27 1/2 RD	retail	2945-242-01-066	383 27 1/2 RD	SFD
2945-241-00-058	360 27 1/2 RD	SFD / auto repair	2945-241-00-036	386 27 1/2 RD	two SFD
2945-241-00-038	384 27 1/2 RD	SFD / construction	2945-242-01-001	389 27 1/2 RD	two SFD
2945-242-01-037	365 27 1/2 RD	warehouse	2945-241-00-035	Null	vacant
2945-242-01-056	370 BONNY ST	warehouse	2945-242-00-267	Null	vacant
2945-242-02-015	355 BONNY ST	warehouse	2945-242-01-062	374 BONNY ST	vacant
2945-242-02-024	365 BONNY ST	warehouse	2945-242-02-014	373 BONNY ST	vacant
2945-242-02-026	369 BONNY ST	warehouse	2945-242-02-016	353 BONNY ST	vacant

Existing Land Use inventory

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE ROCK SHOP ENCLAVE ANNEXATION
TO I-1 (LIGHT INDUSTRIAL)**

**SOUTH OF D ROAD, EAST OF S. 15TH STREET AND
SOUTH OF THE RIVERSIDE PARKWAY ON BOTH SIDES OF 27 1/2 ROAD,
NORTH OF LAS COLONIAS PARK**

Recitals

The Rock Shop Enclave Annexation has been initiated by the City of Grand Junction ("City") pursuant to the 1998 Persigo Agreement with Mesa County ("Agreement"). With the annexation of the property included in the Brady Trucking Annexation on May 20, 2007, the area is enclaved. The terms of the Agreement state that an "enclaved" area shall be annexed into the City. ("Enclaved" means that an unincorporated area is completely surrounded by the City.)

The City has also agreed to zone newly annexed areas using a zone district that implements the Comprehensive Plan. The proposed zoning of I-1 (Light Industrial) implements the Comprehensive Plan Future Land Use Map, which has designated the enclaved area as Industrial, and Commercial/Industrial south of Ruby/Winters Avenue.

After public notice and public hearing as required by the Grand Junction Municipal Code, the Grand Junction Planning Commission recommended approval of zoning the Rock Shop Enclave Annexation to the I-1 (Light Industrial) zone district, finding conformance 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 and is compatible with land uses located in the surrounding area. The zone district meets 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 I-1 (Light Industrial) zone district is in conformance with criteria found in 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 I-1 (Light Industrial):

ROCK SHOP ENCLAVE ANNEXATION

A certain enclaved parcel of land lying in the West One-half (W 1/2) of the Northeast Quarter (NE 1/4) and the East One-half (E 1/2) of the Northwest Quarter (NW 1/4) of Section 24, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

ALL the lands contiguous with and bounded on all sides by the following City of Grand Junction Annexations recorded in the Public Records of Mesa County, Colorado:

1. Riverside Parkway Annexation No. 1, City of Grand Junction Ordinance No. 4319, as same is recorded in Book 4782, Page 921
2. Reimer Annexation, City of Grand Junction Ordinance No. 4341, as same is recorded in Book 4831, Page 495
3. D Road Annexation, City of Grand Junction Ordinance No. 3683, as same is recorded in Book 3766, Page 536
4. Indian Road Industrial Subdivision Annexation No. 2, City of Grand Junction Ordinance No. 3677, as same is recorded in Book 3763, Page 740
5. Foster Industrial Annexation, City of Grand Junction Ordinance No. 4175, as same is recorded in Book 4598, Page 556
6. Indian Wash Rentals Annexation, City of Grand Junction Ordinance No. 4147, as same is recorded in Book 4562, Page 641
7. South Fifteenth Street Annexation, City of Grand Junction Ordinance No. 2312, as same is recorded in Book 1615, Page 949
8. Brady Trucking Annexation, City of Grand Junction Ordinance No. 4067, as same is recorded in Book 4407, Page 413

CONTAINING 2,337,457 Square Feet or 53.66 Acres, more or less, as described.

LESS 3.84 acres (167,402 square feet) of Public Right-of-Way

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



Date: March 6, 2013
 Author: Kathy Portner

 Title/ Phone Ext: Econ Dev & Sustainability, ext. 1420

 Proposed Schedule: March 20, 2013
 2nd Reading
 (if applicable): N/A

**Attach 8
 CITY COUNCIL AGENDA ITEM**

Subject: Pear Park Fire Station Grant Request
Action Requested/Recommendation: Authorize the City Manager to Submit a Grant Request to the Colorado Department of Local Affairs Energy and Mineral Impact Assistance Program for the Design and Engineering of a Proposed Pear Park Fire Station
Presenter(s) Name & Title: Jim Bright, Deputy Fire Chief Tim Moore, Deputy City Manager

Executive Summary:

This is a request to authorize the City Manager to submit a request to the Colorado Department of Local Affairs for a \$200,000 grant to partially fund the design and engineering of a proposed Pear Park Fire Station.

Background, Analysis and Options:

The Fire Services Study completed by Matrix Consulting Group identifies the need for an additional fire station in the Pear Park area. The study notes that the growth in the Pear Park area has increased emergency response demand and that there is a service gap in the area necessitating the construction of another station. Possible sites for the fire station are under consideration.

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

The Pear Park Fire Station project supports the following Goal from the Comprehensive Plan:

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

Construction of a fire station in the Pear Park area will meet the emergency response needs of existing and future growth in the area.

Board or Committee Recommendation:

N/A

Financial Impact/Budget:

The 2013 budget for the proposed Pear Park Fire Station includes \$300,000 for land acquisition. Successful award of this grant would bring the total project budget to \$500,000 to include the design and engineering of the station.

Legal issues:

N/A

Other issues:

N/A

Previously presented or discussed:

N/A

Attachments:

N/A



Date: 2-21-2013
Author: Darren Starr
Title/ Phone Ext: Manager/ #1493
Proposed Schedule: 3-20-2013

**Attach 9
CITY COUNCIL AGENDA ITEM**

2nd Reading
(if applicable): _____

Subject: Purchase of Crack-fill Material
Action Requested/Recommendation: Authorize a Second Year Contract Renewal with Maxwell Products, Inc. to Provide 180,000 Pounds of NUVO 500 Crack-Fill Material, for an Amount of \$.53 per Pound for a Total of \$95,400
Presenter(s) Name & Title: Greg Trainor, Public Works, Utilities, and Planning Director Darren Starr, Streets, Storm Water, and Solid Waste Manager Jay Valentine, Internal Services Manager

Executive Summary:

This request is to ratify a second year contract renewal to purchase 180,000 pounds of NUVO 500 crack-fill material in the amount of \$.53 per pound. This is the second and final contract renewal period for this contract award. Since this is a petroleum based product, prices are escalating daily. In an effort to secure prices, the Purchasing Division negotiated a price, which now reflects savings compared to the current market. The NUVO 500 crack-fill material was competitively bid in 2011 and found to be a superior material compared with other products previously tested.

Background, Analysis and Options:

Each year the City’s Streets Division conducts street maintenance for its scheduled service area. For 2013 this is service area #3. As part of the maintenance program crack-filling the streets is one of the most important parts, helping keep water out of the sub surface. This material will help finish area #3 prior to chip-seal, and provide a head start on next year’s area #4.

This product was formally solicited by the Purchasing Division in 2011, and Maxwell Products, Inc. was determined to be the lowest responsive and responsible bidder. As previously stated, due to the increase costs in petroleum products, current pricing for crack-fill materials has been, negotiated with Maxwell Products, Inc. at \$0.53 per pound (this is less than last year’s \$0.55 per pound).

Over years past, the City Streets Division has tested numerous types of crack-fill material and has found the NUVO 500 product to be superior in not only application, durability and longevity, but also in its unique “green friendly” packaging and ease of use. This particular product is packaged in a styrofoam type material that, when heated with the rest of the material, melts and combines with the crack-fill creating zero waste in packaging.

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

N/A

Board or Committee Recommendation:

N/A

Financial Impact/Budget:

Funds are budgeted in the General Fund-Streets Division for this expenditure. The exact amount of material that will be used is unknown depending on the number, and size of the street cracks.

Legal issues:

N/A

Other issues:

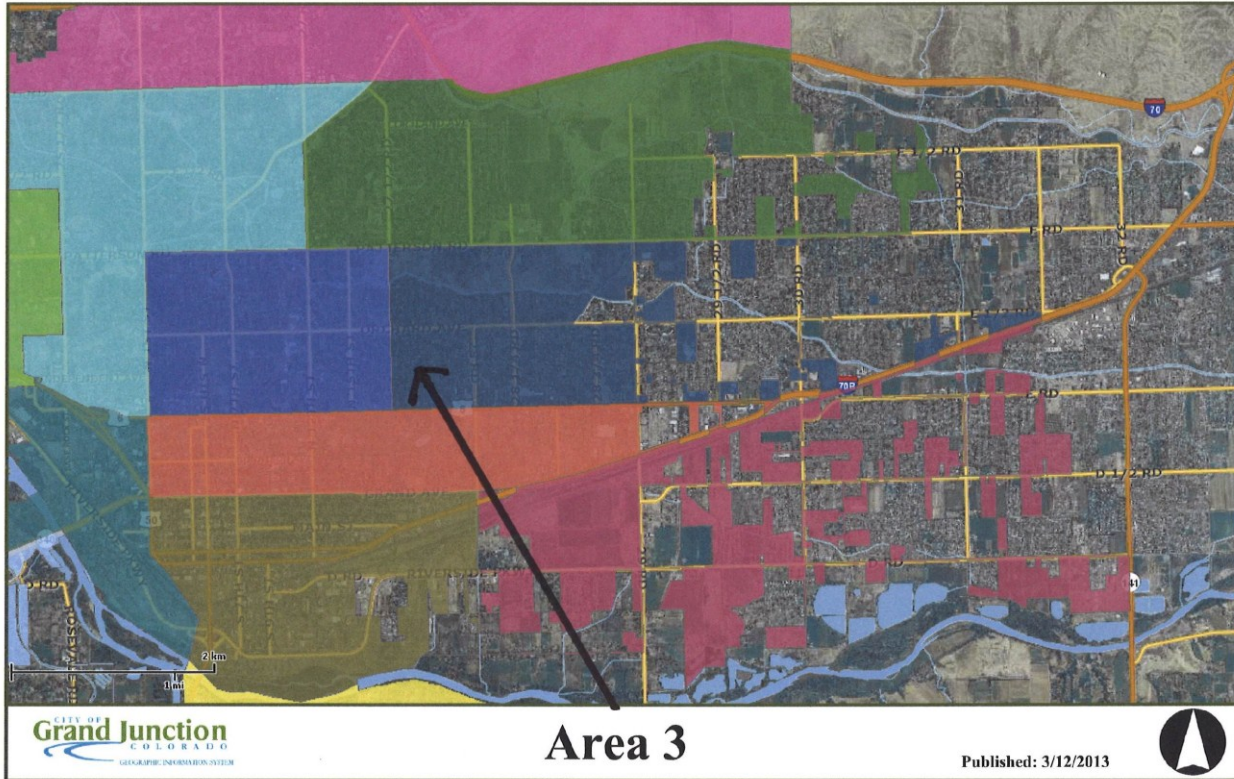
N/A

Previously presented or discussed:

N/A

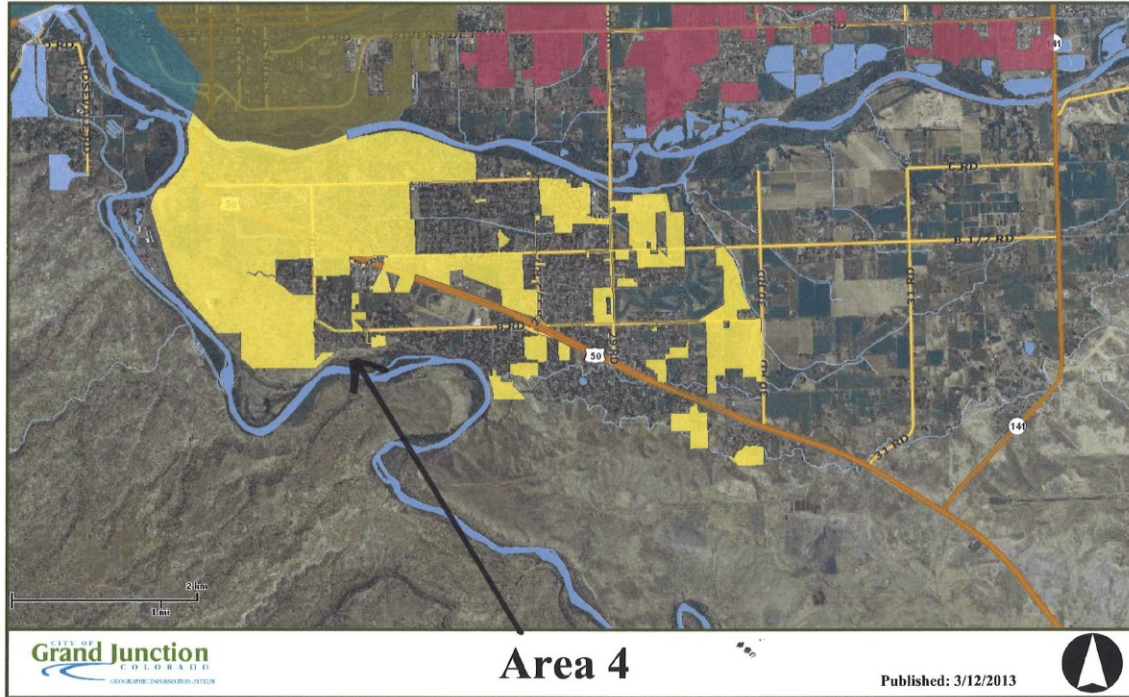
Attachments:

Maps of Areas



Area 3

Published: 3/12/2013





Date: March 11, 2013
 Author: Harry M. Weiss
 Title/ Phone Ext: DDA Exec
Director / 256-4134
 Proposed Schedule: Mar 20, 2013
 2nd Reading: _____
 File # _____

**Attach 10
 CITY COUNCIL AGENDA ITEM**

Subject: Outdoor Dining Lease for Loree, LLC, dba Loree’s Seafood & Steak House Located at 336 Main Street
Action Requested/Recommendation: Adopt Proposed Resolution
Presenter(s) Name & Title: Harry M. Weiss, Executive Director, Downtown Development Authority

Executive Summary:

Loree, LLC, located at 336 Main Street, is a new tenant occupying the former location of Dolce Vita restaurant. As a new business entity, Loree, LLC, is requesting a first-time Outdoor Dining Lease for an area measuring 275 square feet directly in front of their building. The Outdoor Dining Lease would permit the business to have a revocable license from the City of Grand Junction to expand their licensed premise and allow alcohol sales in this area. The outdoor dining area comprises the same enclosed raised deck area that was occupied by Dolce Vita.

Background, Analysis and Options:

Council approved the expansion of sidewalk dining with liquor service in July 2004. However, at that time, it was made clear that permission to serve alcohol on the sidewalk would require a specific lease of the public right-of-way in order to expand the licensed premise under the business’s individual liquor license. In Spring 2012 Council approved a newly revised standard Lease Agreement that is being used in this instance. Approval of this lease will allow the applicant to apply for expansion of its premises through the proper State and City agencies.

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

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

The addition of outdoor dining areas continues to support the vibrant atmosphere of the downtown area, and offers a significant business opportunity for increased sales and greater customer satisfaction.

Board or Committee Recommendation:

N/A

Financial Impact/Budget:

There is no financial impact to the City.

Legal issues:

N/A

Other issues:

N/A

Previously presented or discussed:

N/A

Attachments:

Resolution Authorizing the Lease of Sidewalk Right-of-Way to Loree, LLC, with supporting documents

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE LEASE OF SIDEWALK
RIGHT-OF-WAY TO LOREE, LLC, LOCATED AT 336 MAIN STREET**

Recitals:

The City has negotiated an agreement for Loree, LLC, to lease a portion of the sidewalk right-of-way located in front of 336 Main Street from the City for use as outdoor dining; and

The City Council deems it necessary and appropriate that the City lease said property to Loree, LLC.

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

The City Manager is hereby authorized and directed to sign the Lease Agreement leasing the city-owned sidewalk right-of-way for an initial term commencing _____, and terminating _____, for the rental sum of \$275.00, to Loree, LLC.

PASSED and ADOPTED this _____ day of _____, 2013.

President of the Council

Attest:

City Clerk

DOWNTOWN OUTDOOR DINING LEASE AGREEMENT

THIS LEASE AGREEMENT ("Agreement") is made and entered into as of this ____ day of _____ 20____, by and between THE CITY OF GRAND JUNCTION, COLORADO, a municipal corporation, as Lessor, (hereinafter "City") and, LOREE, LLC, dba Loree's Seafood & Steak House, as Lessee, (hereinafter "Lessee"), and the Grand Junction Downtown Development Authority as Lessor's Administrative Agent, (hereinafter "DDA").

RECITALS:

The City by Ordinance No. 3650 and subsequently amended by Ordinance No. 4120 established a Sidewalk Restaurant commercial activity permit for restaurants in the Downtown Shopping Park (DSP) on Main Street, Seventh Street and Colorado Avenue.

In accordance with that authority, the City Council and the DDA desire to make certain areas of the sidewalk in the DSP and at other locations as authorized available by lease to proximate land owners and/or lessees that want to make use of a portion of the public way for outdoor dining with or without alcohol service.

NOW THEREFORE, in consideration of the mutual covenants, terms and conditions contained herein, it is agreed as follows:

1. Demise of Premises.

Option B: The City does hereby lease to Lessee the Premises (hereinafter "Premises") comprising approximately 275 square feet of the public way located in front of and immediately abutting the Lessee's business. The Premises and the location of Lessee's primary business facility are more particularly described in the attached Exhibit A.

A brief description of the Lessee's business is attached as Exhibit B.

2. Term.

The initial term of this Agreement shall be for the period commencing on _____ Upon signature by all parties this Agreement supersedes all prior leases, and terminates on _____.

3. Rental.

Lessee shall pay rent to Lessor at the rate of \$1.00 per square foot per year pro rated for the initial term, and in the total sum of \$275.00, which sum shall be payable in advance at the offices of the City Clerk, Grand Junction City Hall, 250 North 5th Street, Grand Junction, Colorado 81501. If the rent payment is not paid in full when due, a Lease shall not issue.

4. Permitted Uses and Hours of Operation.

Lessee agrees to use the Premises for the purpose of selling and dispensing food and/or beverages to the public. The Premises may be open to the public during Lessee's normal business hours, but in no event shall food and/or beverage service extend beyond 1:00 A.M. Service of alcoholic beverages shall be permitted provided Lessee holds a valid State and City liquor license. Tableside preparation of food shall be permitted pursuant to applicable health and safety regulations; however, fuel-based cooking or food preparation is expressly prohibited in the Premises. Live acoustic music performance is permitted on the Premises, provided any

amplification utilized shall not result in a sound level exceeding 55 decibels measured at a distance of 20 feet from any of the Premises boundaries.

5. Assignment or Subletting Prohibited.

Lessee shall not have the right to assign the lease or to sublet the Premises in whole or in part without the prior written consent of the City.

6. Compliance with Legal Requirements.

Lessee shall comply with all applicable requirements of any governmental or quasi-governmental body including City, County, State or Federal agencies, boards, councils and commissions having jurisdiction respecting any operation conducted on the Premises by Lessee or any equipment, installations or other property placed upon, in or about the Premises by Lessee.

Lessee further agrees to comply with all rules of the DDA relating to the use of the Premises. Prior to commencing alcohol service in the Premises, Lessee shall include the Premises in the licensed service area as required by the liquor laws of the State and City.

Lessee shall not discriminate against any worker, employee or job applicant, or any member of the public because of race, color, creed, religion, ancestry, national origin, sex, age, marital status, physical handicap, status or sexual orientation, family responsibility or political affiliation, or otherwise commit an unfair employment practice.

7. Taxes.

Lessee shall timely list for taxes and pay all tax assessments of whatever kind or nature assessed against or on Lessee's possessory interest, improvements, furnishings, fixtures, inventory, equipment and other property situated or placed upon, in or about the Premises. All such amounts shall be paid prior to delinquency.

8. Utilities.

Lessee shall make arrangements for all utilities, if any, needed at the Premises and is responsible for payment of the fees and charges arising out of the provision and/or use of the utility service(s).

9. Improvements and Personal Property.

All construction, improvements, installations, furniture, fixtures and/or equipment on the Premises shall comply with the following:

a. Lessee may place furniture, fixtures and equipment in the Premises so long as the same do not endanger any passersby or patrons, and are secured to resist wind. No portion of the Lessee's furniture, fixtures or equipment shall extend beyond the boundaries of the Premises nor impede pedestrian traffic on the sidewalk adjoining the Premises. The terms of this paragraph shall be construed to include but not be limited to perimeter enclosures, planters, signs, tables, chairs, shade structures, umbrellas while closed or open and any other fixtures, furniture or equipment placed or utilized by the Lessee. The Lessee may store its fixtures on the Premises at its own discretion and shall accept and retain full responsibility and liability for any damage to or theft of such fixtures. Required perimeter fencing shall be continuously maintained during the term of this Agreement.

b. Lessee shall provide a physical demarcation of the perimeter of the Premises, such as planters or stanchions, subject to DDA approval of the form and location of the same, to facilitate



monitoring of potential encroachments beyond the Premises. If alcohol service is permitted in the Premises, the perimeter of the Premises shall be enclosed by a fixed perimeter enclosure no less than thirty (30) inches in height, the material, design and installation of which shall be approved by the DDA. Openings in the enclosure shall not be less than 44 inches wide. If there is a gate it must swing inward to prevent obstruction of the sidewalk.

c. No gas lighting shall be permitted in the Premises. Battery powered lights, candles in wind-protected enclosures, and low wattage electric lights, such as Christmas lights, shall be allowed. Under no circumstances shall electrical wires, extension cords or similar wiring, cables or conduit extend beyond the Premises into the public way, (easement area or otherwise) nor cross pedestrian paths, nor be placed so as to create a tripping hazard. Any suspended lighting must be securely installed to prevent dislodgement, sagging, or other hazard.

d. Signs are expressly prohibited on the Premises, except for the following: i) menu signs in compliance with the City sign code, and ii) umbrellas that display the Lessees business logo, and/or the logo of only one business product that is featured and representative of the theme of the business. Signs shall be subject to approval by the DDA and City. Third party business signs and/or identification are expressly prohibited on the Premises.

e. Lessee shall not utilize sidewalk trash and/or recycling receptacles for refuse generated within the Premises. Lessee may provide a private trash and/or recycling receptacle within the Premises provided that it is emptied and maintained on a regular basis.

f. Lessee shall remove any personal property, including but not limited to improvements, enclosures, furniture, fixtures, equipment or structures installed by it or at its direction on the Premises promptly upon expiration without renewal of this Agreement. Failure to remove said property within ten (10) days of expiration shall be deemed an abandonment of said property, and result in ownership thereof transferring to the DDA which shall have the right to dispose of said property as its own.

10. Safe and Sanitary Condition.

Lessee shall at all time keep the Premises in good repair and free from all litter, dirt, debris, snow, and ice, and in a clean and sanitary condition. Lessee shall not permit nor suffer any disorderly conduct or nuisance whatsoever, which would annoy or damage other persons or property by any alteration to the Premises or by any injury or accident occurring thereon. Lessee shall be responsible, subject to applicable law regulating the discharge of contaminants to the sewer for power-washing or steam cleaning the sidewalk surface of the Premises twice yearly.

11. Lessor and Agent not Liable for Damages or Injuries.

Lessor and its Administrative Agent shall not be responsible to Lessee or to any other person or entity for damages or injuries arising out of the Lessee's use of the Premises. Lessor and/or its Administrative Agent are not an insurer for Lessee's activities and Lessee shall obtain appropriate insurance against potential damages, injury, lost profit or advantage and any and all other claims as determined in the Lessees sole and absolute discretion. Lessee shall indemnify and hold harmless the City of Grand Junction and the DDA and its employees, elected and appointed officials, against any and all claims for damages or personal injuries arising from the use of the Premises.



12. Insurance.

Lessee agrees to furnish Certificate(s) of Insurance at least fifteen (15) days prior to the commencement of the term of this Agreement as proof that it has secured and paid for a policy of public liability insurance covering all public risks related to the leasing, use, occupancy, maintenance and operation of the Premises. Insurance shall be procured from a company authorized to do business in the State of Colorado and be satisfactory to the City. The amount of insurance, without co-insurance clauses, shall not be less than the maximum liability that can be imposed upon the City under the laws of the State, as amended. Lessee shall name the City and the DDA as named insureds on all insurance policies and such policies shall include a provision that written notice of any non-renewal, cancellation or material change in a policy by the insurer shall be delivered to the City no less than ten (10) days in advance of the effective date.

13. Inspection, Access and Improvements by City and/or DDA.

Lessee agrees to permit the City, its designated representatives, and/or the DDA to enter upon the Premises at any time to inspect the same and make any necessary repairs or alterations to the sidewalks, utilities, meters or other public facilities as the City may deem necessary or proper for the safety, improvement, maintenance or preservation thereof. Lessee further agrees that if the City shall determine to make changes or improvements affecting the Premises which may affect any improvements placed by the Lessee, that the Lessee, by execution of this Agreement, hereby waives any and all right to make any claim for damages to the improvements (or to its leasehold interest) and agrees to promptly remove any furniture, fixtures, equipment and structures as necessary during such construction periods. The City agrees to rebate all rents in the event it undertakes major structural changes that continue for a period in excess of 14 continuous days during a lease period.

14. Delivery and Condition of Premises upon Expiration or Termination.

Lessee agrees to surrender and deliver up the possession of the Premises in substantially the same condition as received, ordinary wear and tear and approved improvements excepted, promptly upon the expiration of this Lease or upon five (5) days' written notice in the case of the termination of this Lease by City by reason of a breach in any provisions hereof.

15. Limitation of Rights Demised.

The City by this demise hereby conveys no rights or interest in the public way except the right to the uses on such terms and conditions as are described herein and retains all title thereto.

16. Sale or Transfer of Lessee's Business Interest

Lessee hereby affirms that Lessee is the owner and/or lessee of the abutting or approximate property and agrees that on sale or other transfer of such interest, Lessee will so notify the City of the transfer in interest and all right and interest under this Lease shall terminate.

17. Attorney's Fees.

If legal action is taken by either party hereto to enforce any of the provisions of this Agreement, the prevailing party shall be entitled to recover from the other party all of its cost, including reasonable attorney's fees. If the City and/or DDA uses in-house counsel to prosecute or defend any action arising out of or under this Agreement the City and/or DDA shall be entitled to recover the value of those services at the prevailing rate of private litigation counsel in Grand Junction.



18. Waiver.

No failure by Lessor to exercise any rights hereunder to which Lessor may be entitled shall be deemed a waiver of Lessor's right to subsequently exercise same. Lessee shall gain no rights nor become vested with any power to remain in default under the terms hereof by virtue of Lessor's failure to timely assert his rights. It is further agreed that no assent, expressed or implied, to any breach of any one or more of the covenants or agreements herein shall be deemed or taken to be a waiver of any succeeding or any other breach.

19. Default.

a. Each and every one and all of the following events shall constitute an Event of Default:

- i) If Lessee files a petition in bankruptcy or insolvency or for reorganization under any bankruptcy act or voluntarily takes advantage of any such act or makes an assignment for the benefit of creditors;
- ii) if involuntary proceedings under any bankruptcy law, insolvency or receivership action shall be instituted against Lessee, or if a receiver or trustee shall be appointed for all or substantially all of the property of Lessee and such proceedings are not dismissed, or the receivership or trusteeship vacated, within ten (10) days after the institution or appointment;
- iii) if Lessee fails to pay any sum due from it in strict accordance with the provisions of this Lease, and/or fails to pay any tax or assessment of the State, City or DDA and does not make the payment within ten (10) days after written notice thereof. For the purposes hereof, all sums due from Lessee shall constitute rentals whether denominated as rentals or otherwise elsewhere herein and Lessee has absolutely no right of offset;
- iv) if Lessee fails to fully perform and comply with each and every condition and covenant of this Lease Agreement, and such failure or performance continues for a period of thirty (30) days after notice thereof;
- v) if Lessee vacates or abandons the Premises;
- vi) if the interest of Lessee is transferred, levied upon or assigned to any other person, firm or corporation whether voluntarily or involuntarily except as herein permitted;
- vii) if Lessor, in any four month period during the Term, or spanning consecutive Terms, gives any notice to Lessee pursuant to subparagraphs iii) or iv) above, notwithstanding Lessee's cure of default within the allowable period or periods.

b. Upon the occurrence of any Event of Default as set forth above, Lessor shall have the right, at its option, to utilize any one or more of the following rights:

- i) to cancel and terminate this Lease Agreement and all interests of the Lessee hereunder by giving notice of such cancellation and termination not less than ten (10) days prior to the effective date of such termination. Upon the expiration of said ten (10) day period, the Lessee shall have no further rights under this Lease Agreement (but such cancellation shall not serve to release or discharge the damages Lessee owes to Lessor); and/or
- ii) to make any payment required of Lessee herein or correct any condition required to be corrected by Lessee, and Lessor shall have the right to enter the Premises for the purpose of correcting any such condition and to remain on the Premises until the complete correction of such condition. However, no expenditure by Lessor on behalf of Lessee shall be deemed to waive or release Lessee's breach hereof and Lessor shall retain all rights to proceed against Lessee as set forth herein; and/or
- iii) to reenter the Premises immediately with or without order of court and without claim of trespass, remove the property of Lessee and store such property in a public warehouse or such other location selected by Lessor, all at the expense of Lessee. After such reentry, Lessor shall have the right to terminate this Lease Agreement by giving ten (10) days notice of termination to

Lessee, but without such notice, the reentry by Lessor shall not terminate this Lease Agreement. On termination, Lessor may recover from Lessee all damages resulting from Lessee's breach, including the cost of recovery of the Premises and placing them in satisfactory condition; and/or
vi) all other rights and remedies provided by law to a Lessor with a defaulting Lessee including all such money damages as Lessor shall be entitled pursuant to the law of damages.

c. In the event of any conflict between any of the provisions hereof regarding the amount of time that must elapse without cure after notice of breach before the same constitutes an Event of Default, then the provisions establishing the least amount of time to cure after notice shall prevail.

d. Upon any breach hereof, regardless of whether such breach is, or becomes, an Event of Default; Lessor shall be reimbursed by Lessee for any reasonable attorney's fees incurred by Lessor in connection with such breach.

20. Notices and Written Consents.

All notices and written consents required under this Agreement shall be in writing and either hand delivered or mailed by first class certified mail to the following parties:

To Lessor: City of Grand Junction c/o City Attorney
250 North 5th Street
Grand Junction, Colorado 81501

To Lessee: Loree, LLC
336 Main Street
Grand Junction, CO 81501

To Agent: Downtown Development Authority, c/o Executive Director
248 South 4th Street
Grand Junction, CO 81501

Notices shall be deemed served upon posting the same addressed above and sent as First Class . United States mail.

21. Binding Effect and Complete Terms.

The terms, covenants, conditions and agreements herein contained shall be binding upon and inure to the benefit of and shall be enforceable by Lessor and Lessee and by their respective heirs, successors and assigns. All negotiations and agreements of Lessor and Lessee are merged herein. No modification hereof or other purported agreement of the parties shall be enforceable unless the same is in writing and signed by the Lessor and Lessee. This Lease supersedes all prior leases between Lessor and Lessee.

22. Construction of Lease.

This Lease shall not be construed more strictly against either party regardless of which party is responsible for the preparation of the same.

23. Performance Standards.

It is the intention of all parties hereto that the obligations hereunder and actions related hereto will be performed in accordance with the highest standards of commercial reasonableness, common sense and good faith.



24. Authorization of Parties.

Each individual executing this Lease as director, officer, partner, member, or agent of a corporation, limited liability company, or partnership represents and warrants that he or she is duly authorized to execute and deliver this Lease on behalf of such corporation, limited liability company, or partnership and that reasonable evidence of such authorization will be provided to the other party upon request.

25. Administrative Agent.

In conformance with the City's delegation of management responsibilities and authority concerning the Downtown Shopping Park and others areas of the public way in downtown Grand Junction, the City designates the DDA to serve as its Agent for the administration and enforcement of this Agreement.

IN WITNESS WHEREOF, the parties have signed and sealed this Lease Agreement, this day and year first above written.

Lessor: City of Grand Junction

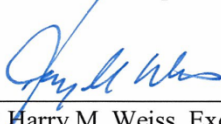
Lessee: Loree, LLC

By: Richard Englehart, City Manager



By: Susan Hamon, President

Agent: Downtown Development Authority



By: Harry M. Weiss, Executive Director

Exhibit A: Proposed Lease Area (include dimensions and a sketch)

The area of sidewalk immediately in front of and abutting
336 Main Street, Grand Junction, CO (Mesa County Parcel Number 2945-143-15-022)
more particularly described in the dimensioned sketch below:

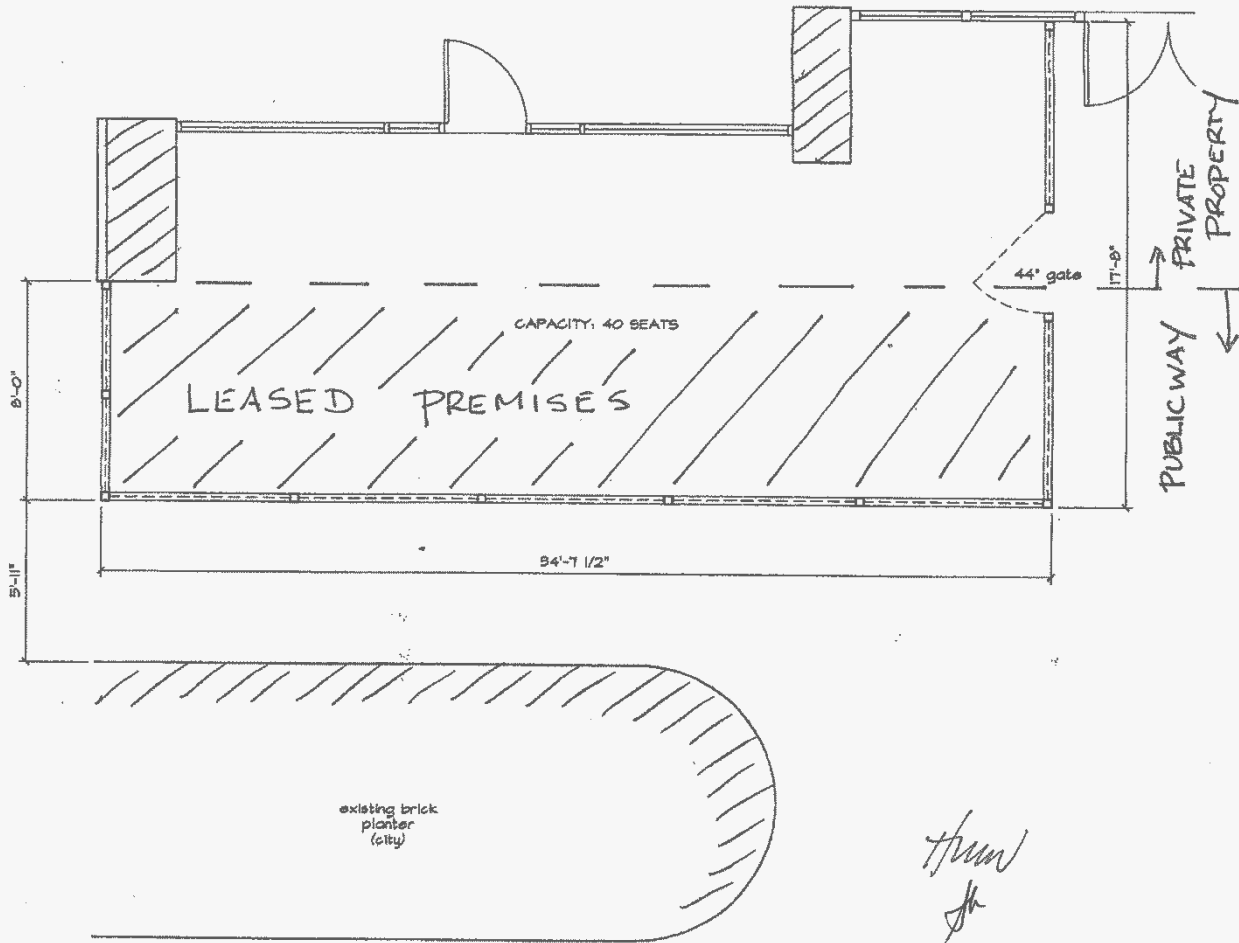


Exhibit B: Brief Description of Business / DDA Certification: include date, who prepared and lessee signature or initials

Business Name (name of insured): Loree, LLC

DBA (if needed): Loree's Seafood & Steak House

Applicant / Relationship to Business: Susan Hamon, President

Contact Phone and Email: (970) 986-9593 cell;

Type of Food/Beverage to be served in leased area: Food and Alcohol

Days of Operation / Operating Hours: m/t/w 10³⁰-10pm Th/F 10³⁰-2AM S/S 7am-10pm

How this operation will benefit Downtown Grand Junction:

Additional outdoor dining option for downtown patrons

Number of tables to be used in the leased area: 8-20

Number of chairs to be used in the leased area: 24-40

Semi-permanent or movable structures including carts, stands, signs, etc: NA

Describe any musical or vocal presentations or effects to be used in the leased area:

NA

Copies of Current

Permits & Licenses Obtained:	State Sales Tax	<u>30114983</u>
	City Sales Tax	<u>10220</u>
	Liquor License	_____
	Restaurant/Food Service	_____

Proof of Liability Insurance Coverage Provided? _____

DDA Certification: The Downtown Development Authority hereby finds that this application is proper, that all applicable permits have been obtained or will be obtained, that it is in compliance and will further the goals and objectives of the Plan of Development for Downtown Grand Junction, and that no current application exists for this location.

Signed: *[Signature]*

Date: 3/11/13

If denied, state reason:



Exhibit C: Assurances, Hold Harmless and Indemnity Agreement

The Applicant assures the Downtown Development Authority and the City of Grand Junction that if a lease is issued, s/he will comply with all of the requirements and provisions of Grand Junction City Ordinance 3609, all other applicable ordinances and laws, and the Plan of Development for Downtown Grand Junction. The applicant further assures that s/he has obtained or will obtain all of the necessary and required permits or licenses to engage in the business or activity proposed.

I, Loce, LLC / Susan Haman applicant for a Lease to conduct activities in the Downtown Shopping Park area, agree that I shall:

(a) Hold harmless the City of Grand Junction, its officers and employees, and the Downtown Development Authority of Grand Junction, its officers and employees, from any claims for damage to property or injury to persons which may arise from or be occasioned by any activity carried on by me within the Downtown Shopping Park, and

(b) Indemnify the City of Grand Junction, its officers and employees, and the Downtown Development Authority, its officers and employees, against any claim, loss, judgment, or action, or any nature whatsoever, including reasonable attorney fees, that may arise from or be occasioned by any activity carried on by me within the Downtown Shopping Park.

I realize that consideration for this release is the granting of a lease to me by the City of Grand Junction, and I realize and agree that this Hold Harmless/ Indemnity Agreement shall take effect whenever I begin to conduct the type of activities for which the lease has been applied or when the permit is issued, whichever is earlier. I also understand and agree that this agreement shall apply to any activities which I carry on which are done in violation of the terms of this lease.

Executed this 11 day of March, 2013.

Signed: Susan Haman





**Attach 11
CITY COUNCIL AGENDA ITEM**

Date: March 15, 2013
 Author: Jay Valentine

 Title/ Phone Ext: x1517
 Proposed Schedule: 3/20/2013
 2nd Reading
 (if applicable): _____

Subject: Authorize the Funding of \$80,000 for the Regional Public Safety Training Facility
Action Requested/Recommendation: Authorize the City Manager to Enter into a Funding Agreement with Mesa County to Fund \$80,000 toward the Regional Public Safety Training Facility
Presenter(s) Name & Title: Rich Englehart, City Manager

Executive Summary:

Due to a funding shortfall, the City is being asked to contribute 1/3 of the \$240,000 difference between current funding level and the construction bid amount for the Regional Public Safety Training Facility. Colorado Mesa University and Mesa County will provide the remaining 2/3 of the shortfall.

Background, Analysis and Options:

At a meeting of the 21st Judicial District Seizure Board on Monday, March 4th options were discussed for continued funding of the Regional Public Safety Training Facility construction. After "best and final offer negotiations" with the apparent low bidder, the funding shortfall was approximately \$240,000. The Board discussed multiple options for acquiring the additional funds necessary to hire the selected contractor in an effort to move the project forward. The most feasible option was to have the short fall funded equally between Colorado Mesa University, Mesa County and the City equating to \$80,000 for each entity.

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

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

The funding of this Regional Training Facility will enhance the training opportunities for both the Police and Fire Departments.

Board or Committee Recommendation:

None.

Financial Impact/Budget:

There is adequate budget appropriation in the City Council's Economic Development account to fund the \$80,000.

Legal issues:

None.

Other issues:

N/A

Previously presented or discussed:

This topic was discussed at a City Council Workshop on March 11th, 2013

Attachments:

Proposed Resolution

RESOLUTION NO. __-13

A RESOLUTION AUTHORIZING AND RATIFYING AN EXPENDITURE OF FUNDS IN SUPPORT OF THE CONSTRUCTION OF THE REGIONAL LAW ENFORCEMENT TRAINING CENTER EMERGENCY DRIVING TRACK AND OTHER IMPROVEMENTS TO THE CAMPUS

Recitals.

Colorado Mesa University (CMU) by and through its Western Colorado Peace Officer Training Academy owns a parcel of land located near 32 Road. CMU received the land as a donation from the United States, by and through the Bureau of Land Management.

CMU with the cooperation and assistance from the City, the Grand Junction Police Department, Mesa County and the Mesa County Sheriff's office has been planning for the development of the property as a public safety training facility.

The first phase of the development is creating access to the site and then the construction of an emergency driving track.

In order to utilize various grant opportunities that have heretofore been awarded for the project the construction needs to begin as soon as possible; however, a budget shortfall exists.

The City, CMU and the County have negotiated an agreement whereby each will contribute and additional \$80,000.00 to satisfy the shortfall. With those contributions the project can begin.

The Council having duly considered the benefits of the project it does hereby authorize the City Manager to expend the sum of \$80,000.00 to complete the terms of the construction agreement(s) for the public safety driving/training facility and to take action as necessary or required to ensure that the site is fully utilized for all needs of emergency responders including fire fighters by the future planning for a live fire training building on the site.

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

That the City Council finds and determines that the expenditure of \$80,000 for the purposes described herein are in the public interest and further the interests of the City and therefore the City Manager is hereby authorized and directed to act accordingly.

Furthermore, ratifies all actions of the City Manager and Deputy City Manager taken in furtherance of these purposes.

PASSED and ADOPTED this _____ day of _____, 2013.

President of the Council

Attest:

City Clerk



Date: March 15, 2013
 Author: Tuin
 Title/ Phone Ext: x1511

 Proposed Schedule:
3/20/2013
 2nd Reading
 (if applicable): _____

**Attach 12
 CITY COUNCIL AGENDA ITEM**

Subject: Authorize the Purchase of Real Property Located at 755 Struthers from Struth LLC
Action Requested/Recommendation: Adopt Resolution Authorizing the Purchase of Real Property
Presenter(s) Name & Title: John Shaver, City Attorney

Executive Summary:

The City has negotiated a purchase of property at 755 Struthers for \$189,125.20. The City Council is being asked to authorize the purchase and ratify actions taken.

Background, Analysis and Options:

The property at 755 Struthers is adjacent to the City owned Botanical Gardens. Acquisition of the property will allow future development of Las Colonias Park.

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

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

The purchase of the property will enhance the development of Las Colonias Park.

Board or Committee Recommendation:

None.

Financial Impact/Budget:

The cost of the property purchase is \$189,125.20. Since there is no current line item budget for this purchase it is recommended that the cost is funded through the appropriated City Council Contingency fund.

Legal issues:

The contract is legally sufficient to affect the purchase. An express condition of the contract is ratification by the City Council.

Other issues:

N/A

Previously presented or discussed:

Not previously presented.

Attachments:

Proposed Resolution

RESOLUTION NO. __-13

A RESOLUTION AUTHORIZING THE PURCHASE BY THE CITY OF REAL PROPERTY LOCATED AT 755 STRUTHERS AVENUE FROM STRUTH LLC AND RATIFYING ACTIONS HERETOFORE TAKEN IN CONNECTION THEREWITH

WHEREAS, the City of Grand Junction has entered into a contract with STRUTH LLC for the sale and the purchase by the City of that certain real property described as known as 755 Struthers Avenue, Grand Junction, Colorado; and

WHEREAS, the City Council deems it necessary and proper that the City purchase said property together with all improvements thereon and all rights and privileges appurtenant thereto.

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

1. That the City Council hereby authorizes the purchase of the above described property by the City for a purchase price of \$189,125.20. All actions heretofore taken by the officers, employees and agents of the City relating to the purchase of said property which are consistent with the provisions of the attached Contract to Buy and Sell Real Estate and this Resolution are hereby ratified, approved and confirmed.
2. That the City Council hereby authorizes the expenditure of \$189,125.20 for the purchase of said property to be paid at closing on April 30, 2013, or by mutual agreement at an earlier date.
3. That the officers, employees and agents of the City are hereby authorized and directed to take all actions necessary or appropriate to effectuate the provisions of this Resolution and the attached Contract to Buy and Sell Real Estate, including, without limitation, the execution and delivery of such certificates and documents as may be necessary or desirable.

PASSED and ADOPTED this _____ day of _____, 2013.

President of the Council

Attest:

City Clerk



Date: March 18, 2013

Author: Tuin

Title/ Phone Ext: x1511

Proposed Schedule:
3/20/2013

2nd Reading

**Attach 13
CITY COUNCIL AGENDA ITEM**

Subject: Ratify an Appointment to the At large Seat on the Grand Junction Regional Airport Authority
Action Requested/Recommendation: Adopt Resolution Ratifying the Appointment
Presenter(s) Name & Title: John Shaver, City Attorney

Executive Summary:

The Grand Junction Regional Airport Authority bylaws provide that the seventh seat on the board of directors is filled by the other board members with the concurrence of the City and the County. The resolution proposed ratifies the recommendation put forward by the board of directors.

Background, Analysis and Options:

Article III, Section 2 of the Grand Junction Regional Airport bylaws state:

“Section 2. SELECTION AND QUALIFICATION. The Mesa County Commissioners shall appoint three (3) Directors of the Authority Board, only one (1) of whom may but need not be, a County Commissioner. The Directors appointed by the County Commissioners shall be residents and tax paying electors of Mesa County as defined by Colorado law. The City Council of Grand Junction shall appoint three (3) Directors of the Authority Board, only one (1) of whom may but need not be, a member of the Grand Junction City Council. The Directors appointed by the Grand Junction City Council shall be residents and tax paying electors of the City of Grand Junction, also as defined by Colorado law. The seventh (7th) Director shall be appointed by the remaining six (6) Directors with the concurrence of the Mesa County Commissioners and the City Council of Grand Junction.”

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

NA

Board or Committee Recommendation:

The Airport Board of Directors have recommended Thomas T. Frishe be appointed to the at large position.

Financial Impact/Budget:

None.

Legal issues:

The City Attorney has advised that the resolution is legally sufficient in content and form.

Other issues:

N/A

Previously presented or discussed:

This was discussed at a Special Meeting held March 11, 2013

Attachments:

Proposed Resolution

RESOLUTION _____-13

A RESOLUTION RATIFYING THE APPOINTMENT OF THOMAS T. FRISHE TO THE GRAND JUNCTION REGIONAL AIRPORT AUTHORITY BOARD

RECITALS:

Pursuant to Article III §2 of the amended bylaws of the Grand Junction Regional Airport Authority (hereinafter "Authority Board") the Mesa County Commissioner appoints three members, the Grand Junction City Council appoints three members and those six shall appoint the seventh member to the board subject to consent and with the concurrence of the Council and the Commissioners.

On March 12, 2013 the Authority Board, at a noticed public meeting, voted unanimously to appoint Thomas T. Frishe to serve as the seventh member.

The Authority Board has determined that Thomas Frishe has demonstrated through his experience and training that that he possesses the requisite skills and abilities to capably serve the Authority Board and the community.

Mr. Frishe has been a commercial pilot and has extensive aviation experience including with the Federal Aeronautics Administration (FAA) as an aviation safety inspector regulator. Because of his experience and interest in serving the Authority Board has recommended to the City Council his appointment.

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

The City Council does ratify the recommendation and appointment of Thomas T. Frishe to the Grand Junction Regional Airport Authority Board for a four year term. That term shall commence upon adoption of this resolution *nunc pro tunc* to March 13, 2013.

Passed and adopted this _____ day of _____ 2013.

Bill Pitts
President of the Council

Attest:

Stephanie Tuin
City Clerk

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

The request implements the following goals and policies of the Comprehensive Plan:

- Goal 6: Land use decisions will encourage preservation and appropriate reuse.
- Goal 12: Being a regional provider of goods and services the City and County will sustain, develop and enhance a healthy, diverse economy.
 - Policy B – The City and County will provide appropriate commercial and industrial development opportunities.

The alleys the applicant is requesting to vacate are the only alleys remaining in this block. The entire block is used by one property owner and the alley has only been used for internal circulation. Vacation of the alley will allow for design of safe and pedestrian friendly internal site circulation. This facilitates the continued use of this property by the property owner for the main branch of public library, allowing the owner's proposed upgrades to the site, so that the owner will not need to relocate.

Board or Committee Recommendation:

Planning Commission forwarded a recommendation of approval at its February 12, 2013 hearing.

Financial Impact/Budget:

N/A

Legal issues:

Legal staff expressed a concern regarding future access should any historic lots be split off and sold separately. The Library has agreed to record a plat that will combine the entire block into one lot. A subdivision process would be required in the future in order to sell any portion of the property.

Other issues:

N/A

Previously presented or discussed:

N/A

Attachments:

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

BACKGROUND INFORMATION

Location:		502/530/550 Grand Ave		
Applicants:		Owner: Mesa County Public Library – Eve Tallman Representative: Dave Detwiler		
Existing Land Use:		Library		
Proposed Land Use:		Library		
Surrounding Land Use:	North	Vacant/Senior Center/Offices		
	South	Parking Lot/Offices		
	East	Vacant		
	West	Church		
Existing Zoning:		B-2 (Downtown Business)		
Proposed Zoning:		B-2 (Downtown Business)		
Surrounding Zoning:	North	B-1 (Neighborhood Business)		
	South	B-2 (Downtown Business)		
	East	B-1 (Neighborhood Business)/R-8 (Residential 8 du/ac)		
	West	B-1 (Neighborhood Business)/R-O (Residential Office)		
Future Land Use Designation:		Downtown Mixed Use		
Zoning within density range?		X	Yes	No

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

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

See above.

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

No parcels will be landlocked as a result of the vacation.

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

The Library intends to replat the block into one lot as the final step in creating one cohesive site. Because adequate access may not be possible for all the individual “lots” in Block 73, approval of the vacation should be conditioned upon recordation of a new plat for Block 73 making it a single lot.

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

The vacation of the alleys allows for a reconfiguration of the circulation for trash pickup, creating better access to/from the trash enclosure for the trash vehicles, improving the quality of public services to the site. Access points on Grand Avenue will be eliminated as a part of the project, increasing pedestrian and vehicular traffic safety both on and off-site by reducing the need for quick turns into the site.

The Library intends to replat the block into one lot as the final step in creating one cohesive site. Because adequate access may not be possible for all the individual "lots" in Block 73, approval of the vacation should be conditioned upon recordation of a new plat for Block 73 making it a single lot.

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

The vacation of the alleys allows for a reconfiguration of the circulation for trash pickup, creating better access to/from the trash enclosure for the trash vehicles, improving the ability for public services to be provided to the site.

The Library intends to replat the block into one lot as the final step in creating one cohesive site. Because adequate access may not be possible for all the individual "lots" in Block 73, approval of the vacation should be conditioned upon recordation of a new plat for Block 73 making it a single lot.

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

The vacation would eliminate maintenance requirements for the public alley and allow for design of safe and pedestrian friendly internal site circulation. The vacation of the alleys also allows for a reconfiguration of the circulation for trash pickup, creating better access to/from the trash enclosure for the trash vehicles.

After review of the project, all conditions for vacation of a public right-of-way have been met.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Library Alley Vacation application, VAC-2012-419 for the vacation of a public right-of-way, I make the following findings of fact, conclusions and conditions:

3. The requested right-of-way vacation is consistent with the Comprehensive Plan.
4. The review criteria in Section 21.02.100.c of the Zoning and Development Code have all been met.
5. Vacation of the alley is conditioned upon recordation of the plat combining Block 73, City of Grand Junction into one lot.

Site Location Map



Aerial Photo Map



Comprehensive Plan Future Land Use Map



Existing Zoning Map



CITY OF GRAND JUNCTION

ORDINANCE NO. _____

**AN ORDINANCE VACATING RIGHT-OF-WAY FOR
MESA COUNTY PUBLIC LIBRARY
ALLEY LOCATED AT 530/550 GRAND AVENUE AND 443 N 6TH STREET**

RECITALS:

The original Block 73, City of Grand Junction contained one alley stretching between N 5th Street and N 6th Street. A north/south alley was later added within the eastern 20' of Lot 29. This alley was vacated in 2000. Another north/south alley was added in 1973 which included a portion of Lot 11 and all of Lot 12.

The Mesa County Public Library (Library) currently owns all of Block 73 and is requesting to vacate the remaining north/south and east/west alleys in order to facilitate redesign of the site including circulation to improve safety for pedestrians and vehicles. The Library will be using all of Block 73 for its newly reconstructed building for its main branch. All the lots on Block 73 will be combined as one with a new plat being recorded by the Library.

The alley has in recent years functioned as a circulation aisle for the Library, accessing staff and auxiliary parking for the Library and staff offices, rather than used as a public alley for circulation.

The Library's new development allows for a reconfiguration of the circulation for trash pickup, creating better access to/from the trash enclosure for the trash vehicles. Access points on Grand Avenue will be eliminated as a part of the project, increasing pedestrian and vehicular traffic safety both on and off-site by reducing the need for quick turns into the site. Because adequate access may not be possible for all the individual "lots" in Block 73, vacation of the alley should be conditioned upon recordation of a replat of all of Block 73 into one lot.

The City Council finds that vacation of the alley is consistent with the Comprehensive Plan, the Grand Valley Circulation Plan and Section 21.02.100.c of the Zoning and Development Code, as long as Block 73 is combined into one lot by replat.

The Planning Commission, having heard and considered the request, found the applicable criteria of the Code to have been met, and recommends that the vacation be approved.

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

The following described dedicated right-of-way for is hereby vacated subject to the listed conditions:

Vacation of the alley is conditioned upon recordation of a plat combining Block 73 of Plat of Resurvey of Second Division of City of Grand Junction (Plat Book 2, Page 37 of the Mesa County records) into one lot.

The following right-of-way is shown on "Exhibit A" as part of this vacation of description.

Right-of-way to be vacated:

A parcel of land located in Section 14, Township 1 South, Range 1 West of the Ute Meridian, being more particularly described as follows:

The remainder of the East – West alley lying North of Lots 17 through 21, inclusive, and lying South of Lots 12 through 16, inclusive, in Block 73, Town of Grand Junction 2nd Resurvey, as recorded in Plat Book 2, Page 37, Mesa County records;

AND that North – South Alley Right-of-Way as shown in Book 1003, Page 162, Mesa County records, being described as all of Lot 12 and that portion of Lot 11, beginning at the Northeast corner of said Lot 11 and running South along the East boundary of Lot 11 a distance of 56.0 feet; thence Northwesterly to a point on the North boundary of said Lot 11, which is 11.00 feet West of the point of beginning; all of which lie within Block 73, Town of Grand Junction 2nd Resurvey, as recorded in Plat Book 2, Page 37, Mesa County records

Said parcel having an area of 5923.0 square feet, as described.

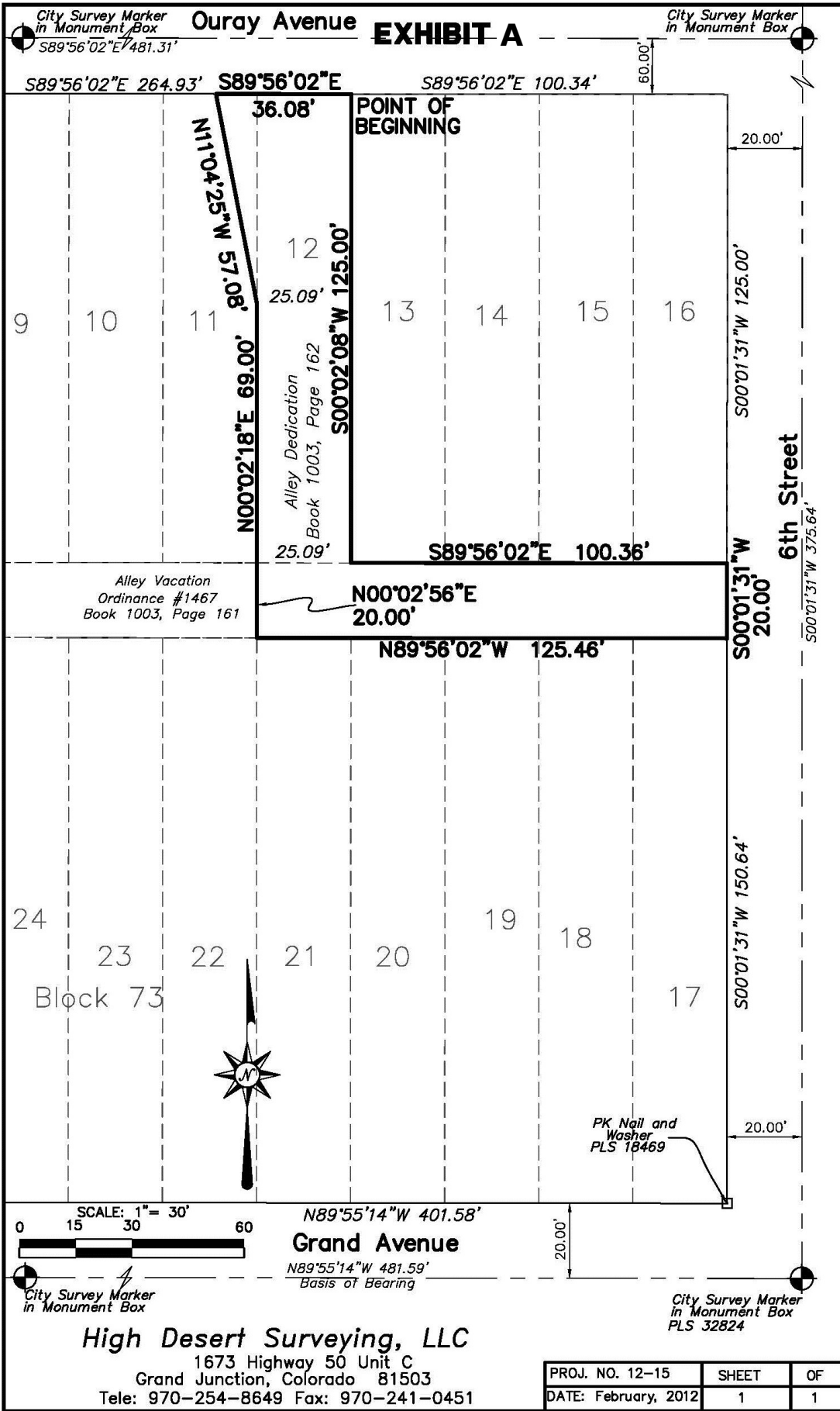
Introduced for first reading and ordered published in pamphlet form on this 6th day of March, 2013.

PASSED, ADOPTED, an ordered published in pamphlet form this _____ day of _____, 2013.

ATTEST:

President of City Council

City Clerk



Attach 15
CITY COUNCIL AGENDA ITEM

Date: March 4, 2013
Author: Senta Costello
Title/ Phone Ext: Senior Planner /
x1442
Proposed Schedule: March 20,
2013
2nd Reading (if applicable): N/A
File # (if applicable): SPT-2013-66

Subject: Warehouse Special Permit, Located at 461 Glenwood Avenue

Action Requested/Recommendation: Approve of Special Permit to Allow the Interim Use of the Property for a Warehouse

Presenter(s) Name & Title: Senta Costello, Senior Planner

Executive Summary:

Application for a special permit to allow interim use of the property for an indoor storage and operations warehouse in a C-2 (General Commercial) zone district with a contradicting Comprehensive Plan Future Land Use designation of Neighborhood Center, in accordance with Section 21.02.120 of the Grand Junction Municipal Code.

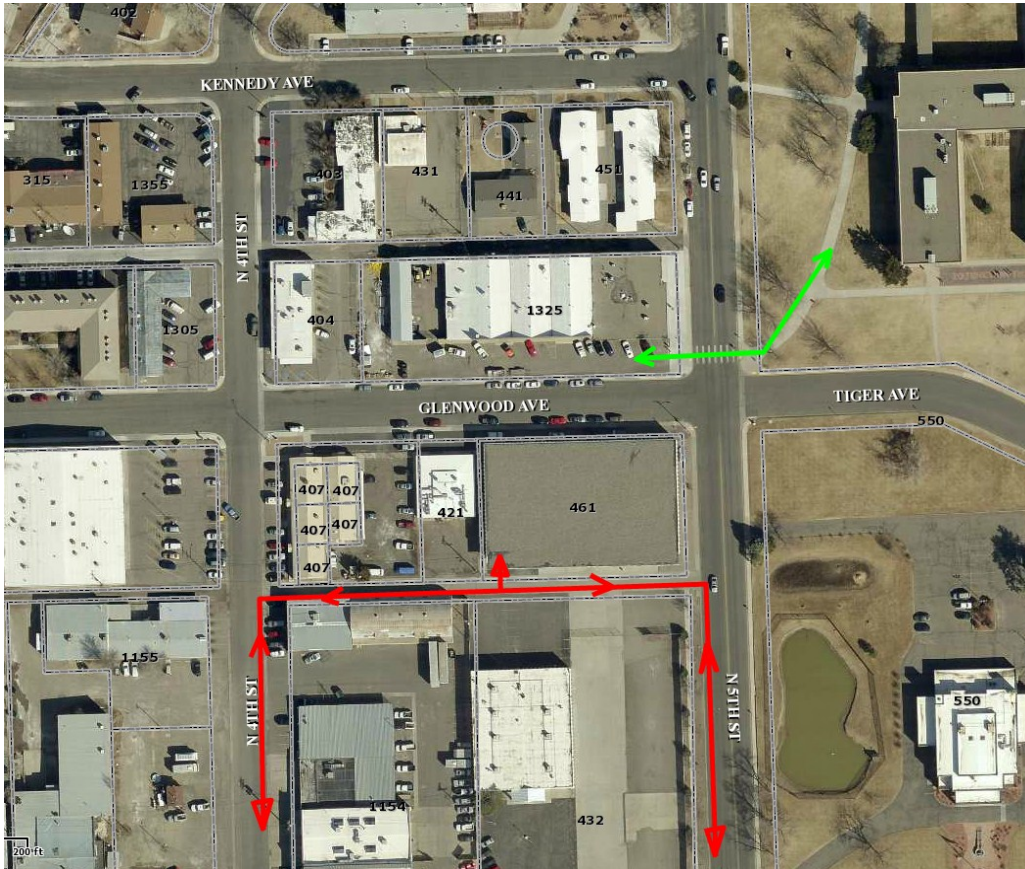
Background, Analysis and Options:

The subject property consists of one parcel, known as 461 Glenwood Avenue. Historically, the property has been used as a warehouse.

The applicant, Premier Tire, is proposing to use the warehouse as a storage facility for its tire distribution business, creating a distribution hub for its western slope and eastern Utah customers.

The business hours are 7:30 am – 5:30 pm and use three delivery trucks consisting of two pickup trucks and one box truck not to exceed 24', which leave the site between 8:00 am and 8:30 am Monday – Friday and return at approximately 5:00 pm the same day. The trucks will be loaded from the alley and parked in the parking spaces south of the building after returning in the evening. The business will use the alley access for ingress/egress from the property. The Glenwood Avenue door may be used as a secondary access with the exception of the hours of 10:30 am – 12:30 pm, during the time periods Grand Junction High School is in session (excluding summer school). When leaving the site, trucks shall turn south on 5th Street. The delivery vehicles will be traveling south from the site to access the main thoroughfare – North Avenue. The warehouse will also receive inventory deliveries Monday – Thursday at approximately

7:30 am that arrive on a 16'-24' box truck. The use of the alley for ingress/egress and the vehicles traveling south rather than toward the high school minimize any conflicts and/or interaction with the pedestrian traffic, which primarily consists of students crossing North 5th Street from the main high school campus to the classroom building located on the northwest corner of Glenwood Avenue and North 5th Street (see map below).



The site is currently zoned C-2 (General Commercial) with the Comprehensive Plan Future Land Use Map identifying this area as Neighborhood Center, which are in discrepancy with each other.

The Zoning and Development Code allows a special permit for interim uses. Staff determined that an indoor operations/storage with outside loading warehouse, as described on the site plan attached to this staff report is an appropriate interim use for the property. A special permit would be appropriate for this project under the conditions described in this report, allowing the building to be used for the time being, while still preserving the future vision for the area as a neighborhood center according to the Comprehensive Plan.

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

The site is currently zoned C-2 (General Commercial) with the Comprehensive Plan Future Land Use Map identifying this area as Neighborhood Center, which are in discrepancy with each other. The special permit review provides an opportunity for additional flexibility when considering a land use that may be less than permanent, yet still furthers the following goals of the Comprehensive Plan. With approval of a special permit, the proposed use meets the following goals of the Comprehensive Plan.

Goal 6: Land use decisions will encourage preservation and appropriate reuse.

The existing building was originally constructed as a warehouse, making the use of the structure for any other purpose infeasible. The building has been vacant for several years. City of Grand Junction Police Department and neighboring property owners report it has become a “hang-out” location for the students in the area, creating issues for the neighboring properties ranging from trash to vandalism. A special permit allowing the building to continue being used as a warehouse until the market supports redevelopment allows the building to become a more viable contribution to the community and a more positive part of the neighborhood.

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

The site is centrally located in the community and located near a major circulation route (North Avenue and the Business Loop) for the urban area of the valley as well as roads connecting to the larger region of the western slope and eastern Utah. An indoor operations/storage with outside loading warehouse in this central location would allow for city wide and regional distribution with minimal impacts to the neighborhood.

Board or Committee Recommendation:

The Grand Junction Planning Commission met on March 12, 2013 and forwarded a recommendation of approval to the City Council.

Financial Impact/Budget:

N/A

Legal issues:

None

Other issues:

None

Previously presented or discussed:

No

Attachments:

Staff Report
Site Location Map / Aerial Photo Map
Future Land Use Map / Existing Zoning Map
Site Plan
Applicant General Project Report
Proposed Special Permit

BACKGROUND INFORMATION					
Location:		461 Glenwood Avenue			
Applicants:		ATD Investments, LLC dba Premier Tire – John Perschbacher			
Existing Land Use:		Vacant warehouse			
Proposed Land Use:		Warehouse			
Surrounding Land Use:	North	Mesa County School Dist 51 vocational training			
	South	Beauty School			
	East	Martin Mortuary			
	West	Office			
Existing Zoning:		C-2 (General Commercial)			
Proposed Zoning:		C-2 (General Commercial)			
Surrounding Zoning:	North	B-1 (Neighborhood Business)			
	South	C-2 (General Commercial)			
	East	C-1 (Light Commercial)			
	West	C-2 (General Commercial)			
Future Land Use Designation:		Neighborhood Center			
Zoning implements the Comprehensive Plan?		<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

ANALYSIS:

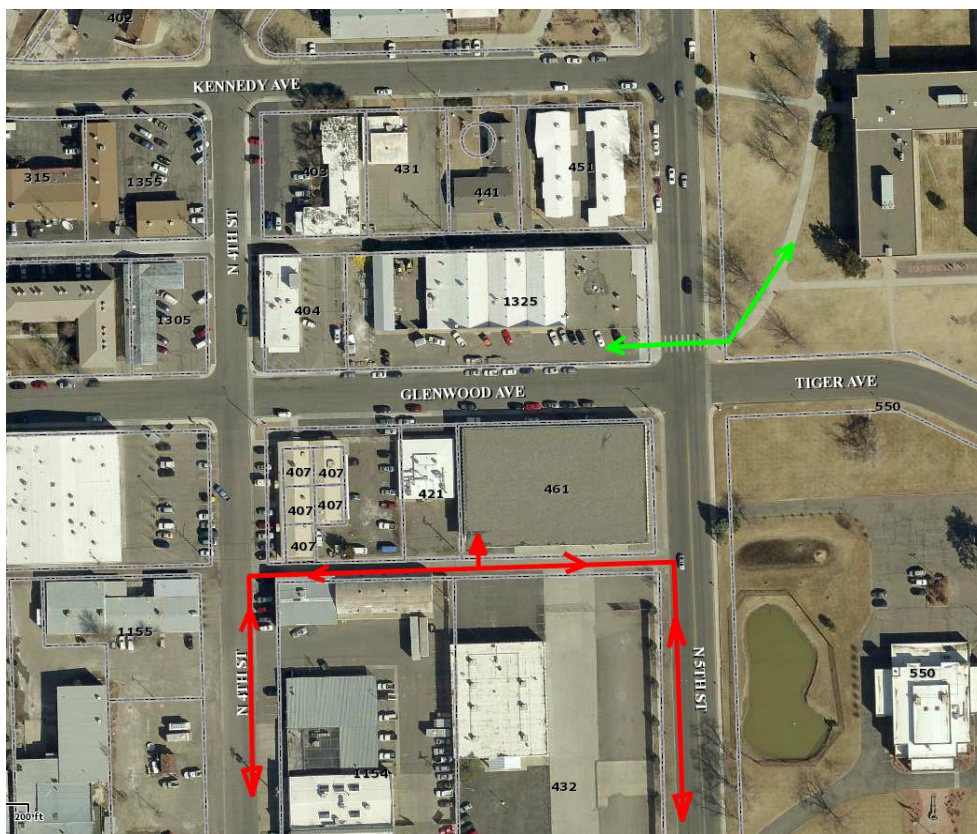
1. Background

The subject property consists of one parcel, known as 461 Glenwood Avenue. Historically, the property has been used as a warehouse.

The applicant, Premier Tire, is proposing to use the warehouse as a storage facility for its tire distribution business, creating a distribution hub for its western slope and eastern Utah customers.

The business hours are 7:30 am – 5:30 pm and use three delivery trucks consisting of two pickup trucks and one box truck not to exceed 24', which leave the site between 8:00 am and 8:30 am Monday – Friday and return at approximately 5:00 pm the same day. The trucks will be loaded from the alley and parked in the parking spaces south of the building after returning in the evening. The business will use the alley access for

ingress/egress from the property. The Glenwood Avenue door may be used as a secondary access with the exception of the hours of 10:30 am – 12:30 pm, during the time periods Grand Junction High School is in session (excluding summer school). When leaving the site, trucks shall turn south on 5th Street. The delivery vehicles will be traveling south from the site to access the main thoroughfare – North Avenue. The warehouse will also receive inventory deliveries Monday – Thursday at approximately 7:30 am that arrive on a 16'-24' box truck. The use of the alley for ingress/egress and the vehicles traveling south rather than toward the high school minimize any conflicts and/or interaction with the pedestrian traffic, which primarily consists of students crossing North 5th Street from the main high school campus to the classroom building located on the northwest corner of Glenwood Avenue and North 5th Street (see map below).



The site is currently zoned C-2 (General Commercial) with the Comprehensive Plan Future Land Use Map identifying this area as Neighborhood Center, which are in discrepancy with each other.

The Zoning and Development Code allows a special permit for interim uses. Staff determined that an indoor operations/storage with outside loading warehouse, as described on the site plan attached to this staff report is an appropriate interim use for the property. A special permit would be appropriate for this project under the conditions

described in this report, allowing the building to be used for the time being, while still preserving the future vision for the area as a neighborhood center according to the Comprehensive Plan.

Special Permit:

The special permit (GJMC Section 21.02.120) is a City Council discretionary review process that was added to the 2010 Zoning and Development Code to add flexibility when considering a land use that may be less than permanent or temporary in nature. A special permit may be permitted under circumstances particular to the proposed location and subject to conditions that provide protection to adjacent land uses. A special permit is a possibility when more flexibility is required beyond that afforded to the Director of Public Works and Planning through the administrative adjustment process. A special permit is allowed in all zone districts for a development that is proposed as an interim use established with a minimal investment and with a development design that can be easily redeveloped as envisioned by the Comprehensive Plan. (Section 21.02.120(b)(2)(ii).)

Staff considers the proposed use of the property as an appropriate interim use for the following reasons:

- The site has been vacant for some time, and to encourage use of the building and the site, the use of the property for an indoor operations warehouse is an appropriate interim use so long as the off-site impacts of a warehouse use can be controlled. The proposed warehouse use includes minimal daily delivery trips (7 round trips per day) and utilizes pickup trucks and small commercial trucks (no semitrailers) for its business. The minimal daily trips, use of the alley for ingress/egress, truck routes to and from the site and small commercial type vehicles being used will minimize potential negative impacts to the neighborhood north of the site.
- At some point we anticipate that the market will increase the value of the property such that it will be “ripe” for redevelopment into a lighter commercial use that will be in conformance with the Comprehensive Plan and vision of the North Avenue Corridor Plan. In this case, because the building is constructed as a warehouse, with no windows and large overhead doors, such “ripeness” would most likely include demolition of the building and/or consolidation of parcels. Because either of these would require a significant investment, the building could remain vacant for some time unless an interim use is authorized.
- If the type of items stored is changed from tires to another type of inventory, the permittee must submit the proposed change to the Director, who shall determine if the permit terms are still met by the proposal. If the Director determines there is no substantial change to the intensity of the warehouse use, the permit shall remain valid (until otherwise extinguished). Intensity of use shall be determined with reference to the following, without limitation: number of trips per day, size and number of trucks, change to traffic circulation pattern, scope of services offered. In the event of a non-substantial change, the Director may impose

additional permit conditions to ensure compliance with applicable fire, building code, Persigo/waste treatment, health department and/or environmental regulations. If the Director determines that the proposed change is substantial due to the increase in intensity of use, a new appropriate land use approval will be required. The special permit shall terminate upon approval of the new appropriate land use.

The proposed special permit is valid only for a warehouse with indoor operations/storage with outside loading is allowed as long as the alley is not blocked. No outdoor storage is authorized. Onsite parking is located on the south side of the building. The special permit will terminate if the warehouse use is abandoned (by non-use) for twelve months or longer or if the property is redeveloped into any other use.

2. Consistency with the Comprehensive Plan:

The site is currently zoned C-2 (General Commercial) with the Comprehensive Plan Future Land Use Map identifying this area as Neighborhood Center, which are in discrepancy with each other. The special permit review provides an opportunity for additional flexibility when considering a land use that may be less than permanent, yet still furthers the following goals of the Comprehensive Plan. With approval of a special permit, the proposed use meets the following goals of the Comprehensive Plan.

Goal 6: Land use decisions will encourage preservation and appropriate reuse.

The existing building was originally constructed as a warehouse, making the use of the structure for any other purpose infeasible. The building has been vacant for several years. City of Grand Junction Police Department and neighboring property owners report it has become a “hang-out” location for the students in the area, creating issues for the neighboring properties ranging from trash to vandalism. A special permit allowing the building to continue being used as a warehouse until the market supports redevelopment allows the building to become a more viable contribution to the community and a more positive part of the neighborhood.

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

The site is centrally located in the community and located near a major circulation route (North Avenue and the Business Loop) for the urban area of the valley as well as roads connecting to the larger region of the western slope and eastern Utah. An indoor operations/storage with outside loading warehouse in this central location would allow for city wide and regional distribution with minimal impacts to the neighborhood.

3. Section 21.02.120 of the Grand Junction Zoning and Development Code – Special Permit:

To obtain a special permit, the Applicant must demonstrate compliance with the following criteria:

(1) Comprehensive Plan. The Special Permit shall further the goals and policies of the Comprehensive Plan. The Special Permit shall serve to determine the location and character of site(s) in a Neighborhood Center, Village Center, City Center or Mixed Use Opportunity Corridors on the Future Land Use Map of the Comprehensive Plan;

The proposed special permit furthers Goals 6 and 12 of the Comprehensive Plan by allowing the interim use of the property for an indoor operations/storage with outside loading warehouse without substantial site improvements which leaves the land available to be redeveloped with full site upgrades when the market is ripe.

The Neighborhood Center in which the site is located extends from North 1st Street to North 12th Street]. The site is located 5 blocks east of the western end of the Neighborhood Center. The special permit authorizes indoor operations and indoor storage only, so the only effects of the use that are not consistent with the Neighborhood Center have to do with the pick up and delivery activities. The impacts from truck deliveries and pick up activities are mitigated by terms of the special permit that limit business hours, how and where the trucks move to and from the site, the types of trucks that can be used, and where they can park. No permanent changes to the building or site are proposed or authorized by the special permit, in order to preserve the long-term potential of the property to be used in a manner more consistent with a Neighborhood Center.

(2) Site Plan Review Standards. All applicable site plan review criteria in GJMC 21.02.070 (g) and Submittal Standards for Improvements and Development (GJMC Title 22), Transportation Engineering Design Standards (GJMC Title 24), and Stormwater Management Manuals(s) (GJMC Title 26);

If a conflict between the C-2 (General Commercial) zoning and the Neighborhood Center Future Land Use designation did not exist the proposed use would have been processed administratively with no required site improvements (Section 21.08.040(b)).

(3) District Standards. The underlying zoning district standards established in Chapter 21.03 GJMC, except as expressly modified by the proposed Special Permit;

The proposed use as a warehouse is an allowed land use in the C-2 (General Commercial) Zoning District with a site plan approval.

(4) *Specific Standards.* The use-specific standards established in Chapter 21.04 GJMC.

There are no use-specific standards established for a warehouse with indoor operations and storage.

FINDINGS OF FACT/CONCLUSIONS AND CONDITIONS:

After reviewing the Premier Tire Special Permit application, SPT-2013-66 for a special permit, I, as Project Manager make the following findings of fact and conclusions:

6. The requested indoor operations/storage with outside loading warehouse use as proposed on the attached site plan is consistent with the Comprehensive Plan as an interim use with the approval of the attached special permit with the conditions stated therein.
7. The review criteria in Section 21.02.120 of the Zoning and Development Code for a special permit have all been met.

Attachments:

Site Location Map / Aerial Photo Map
Comprehensive Plan Map / Existing Zoning Map
General Project Report
Site Plan
Pictometry Pictures
Proposed Special Permit

Site Location Map



Aerial Photo Map



Comprehensive Plan Future Land Use Map



Existing Zoning Map



**GENERAL PROJECT REPORT
641 GLENWOOD AVENUE
Special Use Permit Application**

A. Project Description.

1. Location. The project is located at the southwest corner of Glenwood Avenue and North 5th Street. The property lies immediately north of the former Valley Lumber property, for which the subject parcel was formerly used as warehouse storage. The easterly boundary of the property adjoins the west side of North 5th Street. The northerly boundary of the property adjoins the south side of Glenwood Avenue. The street address of the property is 641 Glenwood Avenue. The property is legally described as Lot 5, Block 11, Sherwood Addition and is identified as Mesa County Tax Parcel No. 2945-113-15-013.

2. Acreage. The property consists of approximately .655 acres according to the records of the Mesa County Assessor.

3. Proposed Use. The site is zoned C-2. This special use application seeks to authorize the use of the property as a warehouse and distribution facility, to be utilized by the applicant for a wholesale tire distribution center, with the possibility of some retail sales in the future, but with the possibility for use in the future for other warehouse and limited retail uses, and with no expiration date applicable to the special use permit.

The proposed improvements to the existing building in order to utilize it for the proposed purposes are very limited. Existing parking spaces, which are sufficient for the proposed use and are located on the property immediately south of the building, will be restriped. The existing office space in the building will be refreshed. Racks not exceeding ten 10 feet in height will be installed with aisles of not less than 8 feet in width separating them as shown by the floor plan accompanying this application. A new unisex bathroom will be constructed as shown on the floor plan with new domestic water and sewer connections. A sprinkler system approved by the Fire Department will be installed. A split glycol system is anticipated at this time.

B. Public Benefit.

The public will benefit from will be to repurpose and reuse a long vacant warehouse facility with minimal changes, providing jobs and sales tax revenue for the City and enhanced availability of tires for area retailers.

C. Neighborhood Meeting.

No neighborhood meeting is required for this application.

D. Project Compliance, Compatibility and Impact.

1. Adopted Plans and Policies. The future land use of the subject parcel is designated C-1, so a special use permit is required for the proposed use of the subject property.

2. Land Use and Surrounding Area. The vicinity of the subject property contains a variety of uses. The property to the north across Glenwood Avenue is zoned B-1. The property immediately to the east across 5th Street is zoned B-1 and is occupied by Martin's Mortuary. The property to the south and west is zoned C-2. The former Valley Lumber building, presently vacant, is located to the south.

3. Site Access and Traffic Patterns. The subject property has direct access to Glenwood Avenue to the north and to 5th Street by an east-west alley adjacent to and immediately south of the property. Existing doors in the existing building open on to both accesses.

4. Availability of Utilities. All utilities are available to the property. A water line is located in Glenwood Avenue and a fire hydrant is located at the northeast corner of the property. Domestic water and sewer

taps do not currently serve the property, both of which will be required for the bathroom to be added as part of the proposed improvement of the property.

5. Special or Unusual Demands on Utilities. A sprinkler system will be required for the proposed use of the property. Applicant is working with the Fire Department to confirm availability of sufficient pressure and an acceptable system. A split glycol system is anticipated at this time.

6. Effects on Public Facilities. No impacts on public facilities are anticipated.

7. Site Soils and Geology. No unusual conditions are known to or anticipated by Applicant.

8. Impact of Project on Site Geology and Geologic Hazards. None are known to or anticipated by Applicant.

9. Review Criteria.

(a) The special use permit is required because the proposed use does not comply with the Comprehensive Plan Future Land Use Designation of Neighborhood Center, although it does comply with the current C-2 zoning of the property.

(b) The project complies with the applicable provisions of the Building and Development Code.

(c) The project complies with the conditions of any prior approvals because no prior approvals are applicable.

(d) Public facilities and utilities are available presently for the development of the property.

(e) Applicant has received or will obtain as part of the development of the property all applicable local, state and federal permits related to the proposed development.

E. Development Schedule and Phasing.

Construction is anticipated to commence as soon as closing of the purchase of the property by applicant is completed. That closing is presently scheduled for March 4, 2013.

GLENWOOD AVENUE

-EXISTING 6" WATER

EXISTING 6" WATER

EXISTING 6" WATER

EXISTING CONCRETE WALK REMAINS

EXISTING ASPHALT PAVING REMAINS

EXISTING 8" SANITARY SEWER

PROPERTY BOUNDARY

EXISTING ONE STORY CONCRETE BUILDING
CONCRETE SLAB FLOOR and CONCRETE ROOF DECK/JOISTS
21,600 GROSS S.F. 21,448 NET S.F.

NEW TOILET ROOM

EXISTING OFFICE REMAINS

EXISTING ASPHALT PAVING REMAINS

EXISTING CONCRETE WALK REMAINS

NORTH 5th STREET

EXISTING ASPHALT PAVING REMAINS

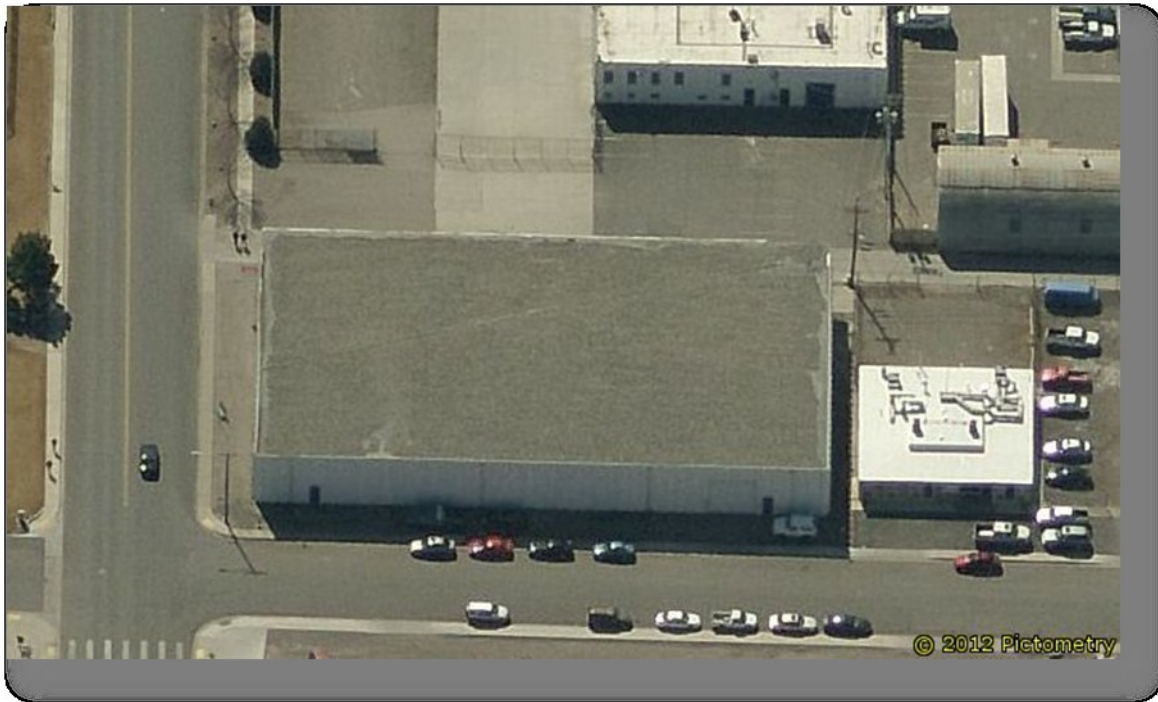
EXISTING CONCRETE ALLEY REMAINS

EXISTING 8" SANITARY SEWER

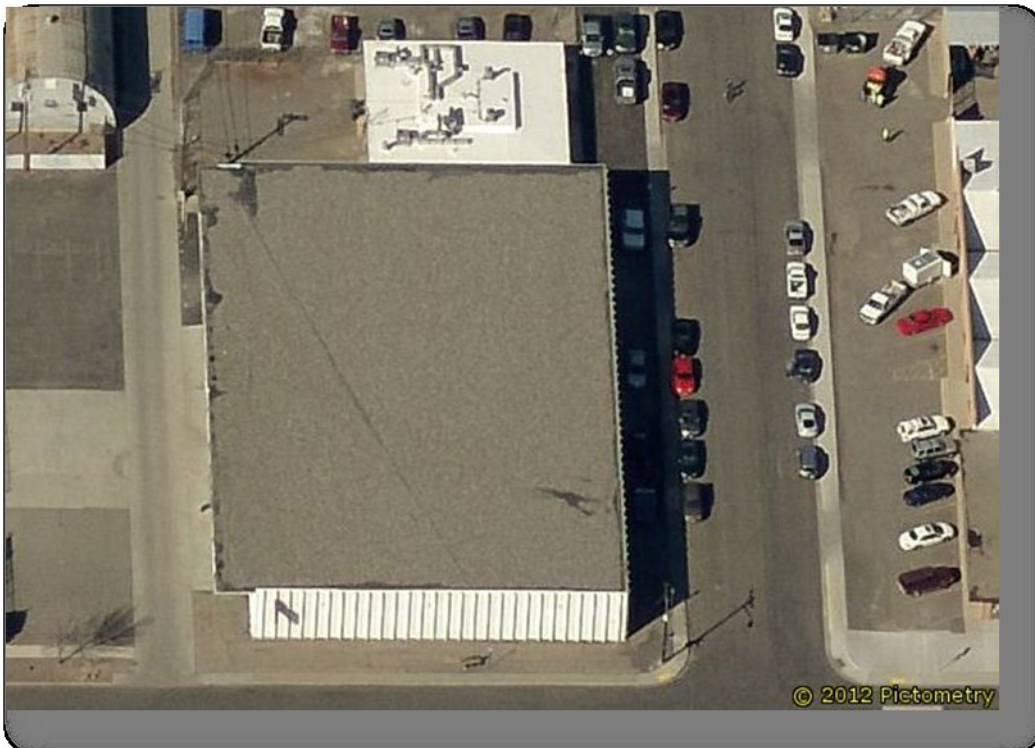
SITE PLAN
1/8" = 1'-0"



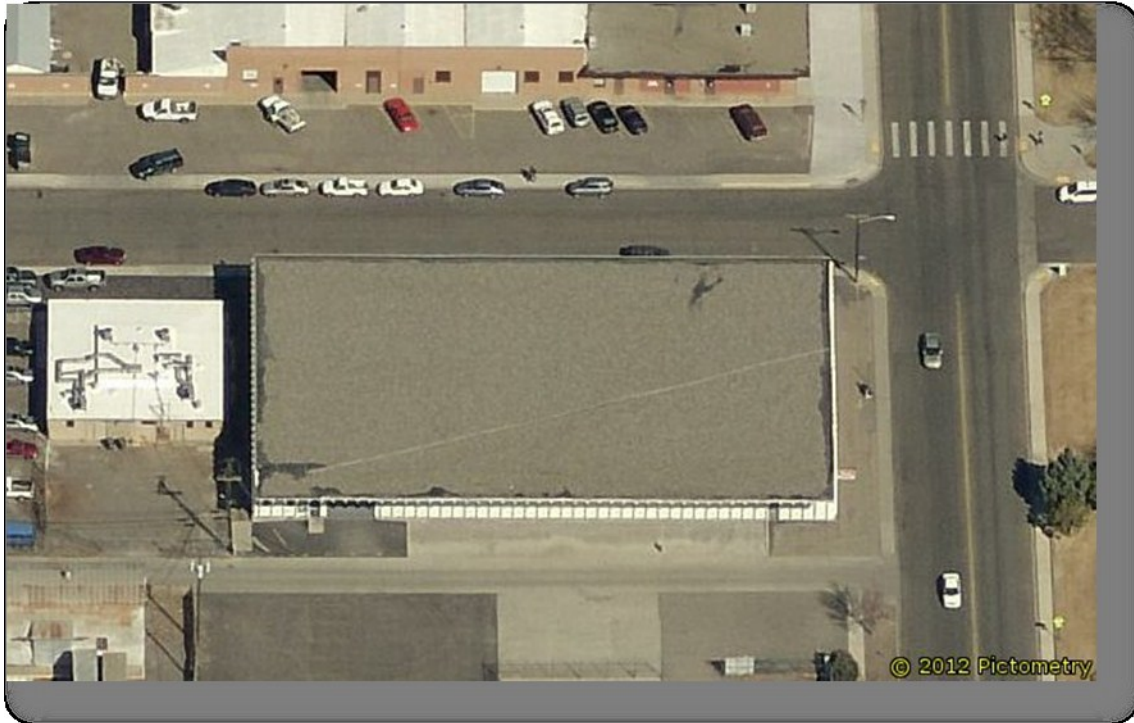
North View



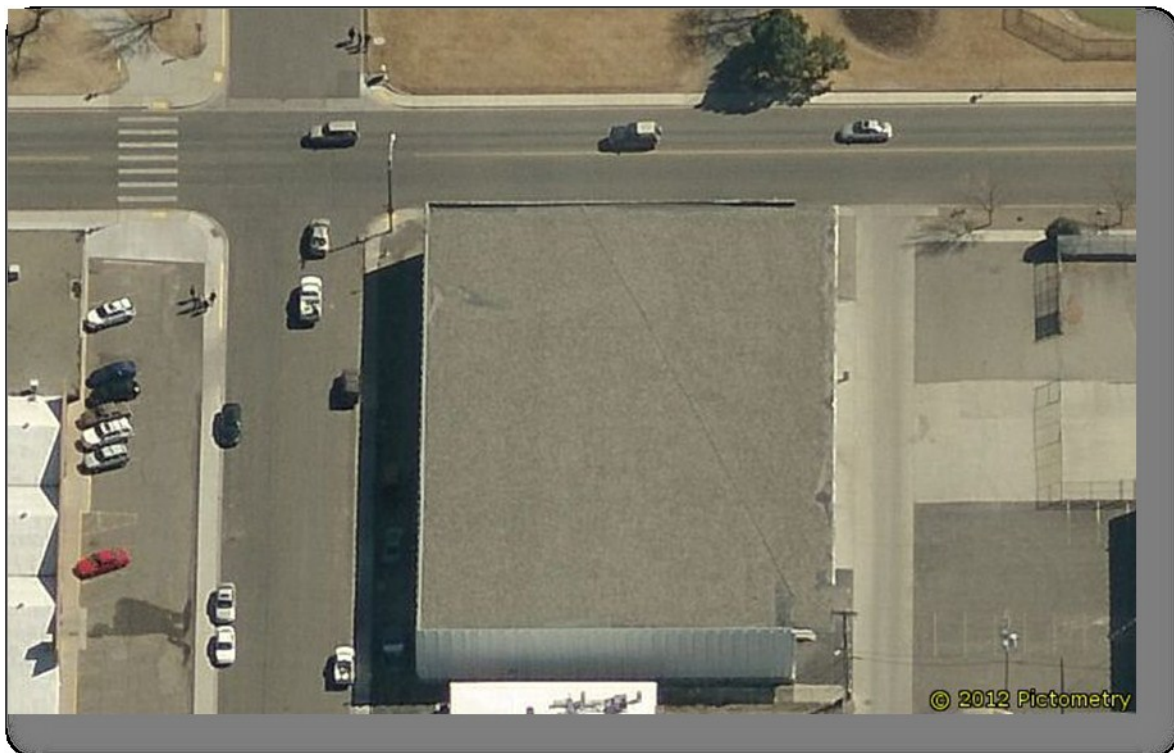
East View



South View



West View



CITY OF GRAND JUNCTION, COLORADO

PERMIT NO. _____

SPECIAL PERMIT PURSUANT TO SECTION 21.02.120 OF THE GRAND JUNCTION MUNICIPAL CODE (ZONING AND DEVELOPMENT CODE) FOR AN INTERIM USE OF WAREHOUSE WITH INDOOR STORAGE AND INDOOR OPERATION ON PROPERTY LOCATED AT 461 GLENWOOD AVENUE IN GRAND JUNCTION, COLORADO

Findings:

An application for a special permit has been reviewed by staff in accordance with the Zoning and Development Code (Code). K & N Investors LLC, is the owner of the property located at 461 Glenwood Avenue in Grand Junction Colorado, consisting of one lot and is under contract to sell the property to ATD Investments LLC, dba Premier Tire.

The applicant is requesting approval to use the property for indoor operations/storage with outside loading warehouse.

The property is zoned C-2, while the Comprehensive Plan's designation for the property is Neighborhood Center. To resolve the tension between the zoning and the community's vision for future uses that conflict with current zoning, the City Council provided for a Special Permit in the Code (Section 21.02.120).

The business hours are 7:30 am – 5:30 pm and use three delivery trucks consisting of two pickup trucks and one box truck not to exceed 24', which leave the site between 8:00 am and 8:30 am Monday – Friday and return at approximately 5:00 pm the same day. The trucks will be loaded from the alley and parked in the parking spaces south of the building after returning in the evening. The business will use the alley for primary access for ingress/egress from the property. The delivery vehicles will be traveling south from the site to access the main thoroughfare – North Avenue. The warehouse will also receive inventory deliveries Monday – Thursday at approximately 7:30 am that arrive on a 16'-24' box truck. The use of the alley for ingress/egress and the vehicles traveling south rather than toward the high school minimize any conflicts and/or interaction with the pedestrian traffic, which primarily consists of students crossing North 5th Street from the main high school campus to the classroom building located on the northwest corner of Glenwood Avenue and North 5th Street.

The C-2 zone district permits the proposed use of an indoor operations/storage with outside loading warehouse. The landowner has submitted a site plan. A special permit provides flexibility when considering a land use that may be less than permanent or temporary in nature, and may be permitted under circumstances particular to the proposed location and subject to conditions that provide protection to adjacent land uses. A special permit is a possibility when more flexibility is required beyond that

afforded to the Director of Public Works and Planning through the administrative adjustment process.

The Special Permit allows applicant's use as particularly described herein, subject to the stated conditions, while adequately providing for future redevelopment of the property in accordance with the applicable zoning and the Comprehensive Plan. In approving the Special Permit, the City Council has considered the approval criteria for a Special Permit as set forth in the Staff Report. The findings and conclusions in the Staff Report support the issuance of this Special Permit.

Approval of the Special Permit promotes the following goals of the Comprehensive Plan:

Goal 6: Land use decisions will encourage preservation and appropriate reuse.

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

The proposed Special Permit furthers Goals 6 and 12 of the Comprehensive Plan by allowing the interim use of the property for indoor operations/storage with outside loading warehouse, a necessary service, without substantial site improvements while keeping the potential for the land to be redeveloped for future commercial businesses with more permanent site features such as landscaping, irrigation, structures and screening, where required, when the market is ripe.

The Special Permit furthers the goals and policies of the Comprehensive Plan.

The Permit complies with the underlying zoning district standards for C-2 established in Chapter 21.03 of the Code. It satisfies the review criteria found in Section 21.02.120(c).

NOW THEREFORE, BE IT MOVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT A SPECIAL PERMIT IS APPROVED, PURSUANT TO SECTION 21.02.120 OF THE GRAND JUNCTION MUNICIPAL CODE (ZONING AND DEVELOPMENT CODE), ALLOWING THE FOLLOWING USES ON THE PROPERTY DESCRIBED BELOW WITH THE FOLLOWING CONDITIONS, WITH THE ABOVE FINDINGS BEING AN INTEGRAL PART HEREOF:

1) The site is described as follows:

LOT 5 BLK 11 SHERWOOD ADDITION SEC 11 1S 1W EXC S 10FT

Also known as 461 Glenwood Avenue. The area governed by this Special Permit includes the entire area of the one lot and shall be referred to herein as the Site.

2) Use of the Site is limited to indoor operations and indoor storage. Outdoor loading of the warehouse is allowed; no other outdoor operations are allowed. No outdoor storage is allowed.

3) Business hours shall be 7:30 am to 5:30 pm.

4) Operations include use of two pickup trucks and a box truck not to exceed 24' and inventory deliveries that arrive on a 16'-24' box truck. All such trucks shall use the alley for primary access to the site. The Glenwood Avenue door may be used as a secondary access with the exception of the hours of 10:30 am – 12:30 pm, during the time periods Grand Junction High School is in session (excluding summer school). When leaving the site, trucks shall use the alley and turn south on 5th Street. Trucks are not authorized to turn North on 5th Street, for the safety of high school students who must cross 5th Street at Glenwood in order to access classrooms.

5) Trucks shall be parked on the site along south side of building or inside the building when not in use. Parking of trucks on the streets around the site is not authorized. This condition is also imposed for the safety of high school students crossing 5th Street at Glenwood to access classrooms.

6) If the type of items stored is changed from tires to another type of inventory, the permittee must submit the proposed change to the Director, who shall determine if the permit terms are still met by the proposal. If the Director determines there is no substantial change to the intensity of the warehouse use, the permit shall remain valid (until otherwise extinguished). Intensity of use shall be determined with reference to the following, without limitation: number of trips per day, size and number of trucks, change to traffic circulation pattern, scope of services offered. In the event of a non-substantial change, the Director may impose additional permit conditions to ensure compliance with applicable fire, building code, Persigo/waste treatment, health department and/or environmental regulations. If the Director determines that the proposed change is substantial due to the increase in intensity of use, a new appropriate land use approval will be required. The Special Permit shall terminate upon approval of the new appropriate land use.

7) Uses not specifically described herein, regardless of type or classification and regardless of whether such uses appear as "allowed" uses in the zone/use table of the City's Zoning and Development Code, are prohibited on this site during the term of this Special Permit, unless the Director determines that such a use is accessory to and reasonably incidental and necessary for the specified uses, in which case the Director shall so specify in writing.

8) Historical drainage patterns shall be maintained on the Site.

9) The Site Plan is fully incorporated herein. No changes to the site or structure(s) thereon shall be made without prior approval by the Director, who shall determine whether such changes substantially comply with the terms of this permit.

10) No additional permanent or temporary, principle or accessory, buildings shall be constructed or installed on the Site.

11) Any proposed signage shall meet with the standards as set forth in the Zoning and Development Code Section 21.06.070.

12) This Special Permit runs with the land but is valid only for the specific use as described herein. The Special Permit shall terminate if indoor operations/storage with outside loading warehouse (by non-use) for twelve months or longer or if the property is redeveloped into any other use.

13) The failure of this permit to specify other applicable local, state or federal laws or regulations shall not be construed to affect the enforcement thereof. A violation of such applicable laws or regulations may constitute a basis for revocation of the Special Permit, in addition to and not in lieu of any other appropriate remedies or penalties.

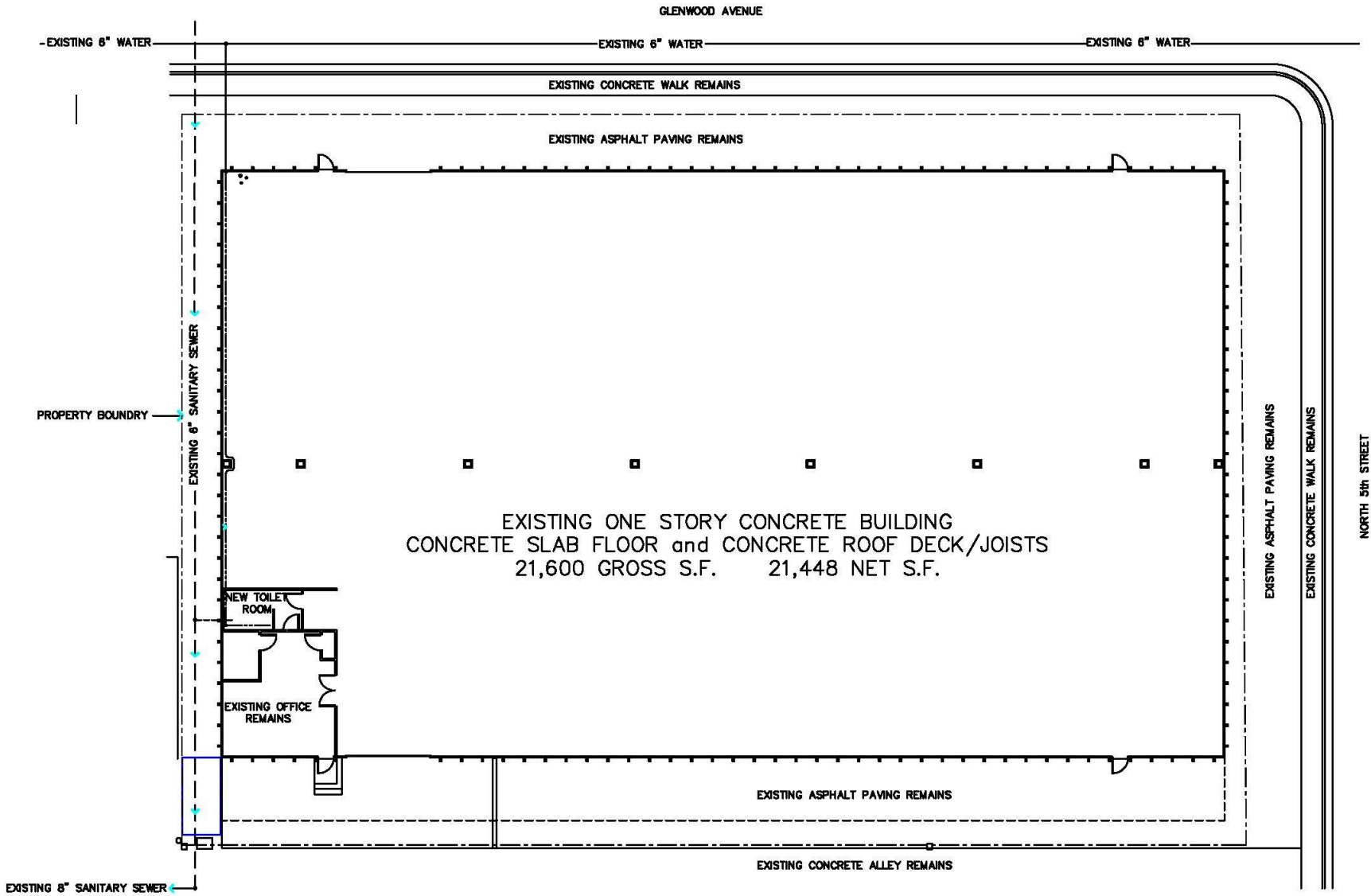
14) The Director may administratively approve minor changes to the Site Plan and this Permit, if he determines that the intent of this Special Permit is maintained, the operational needs of the applicant will be benefitted, and no injury to the public will ensue.

Passed and adopted this _____ day of _____, 2013.

ATTEST:

President of City Council

City Clerk



EXISTING ONE STORY CONCRETE BUILDING
 CONCRETE SLAB FLOOR and CONCRETE ROOF DECK/JOISTS
 21,600 GROSS S.F. 21,448 NET S.F.

EXISTING 8" SANITARY SEWER

PROPERTY BOUNDARY

-EXISTING 6" WATER

EXISTING 6" WATER

EXISTING 6" WATER

EXISTING CONCRETE WALK REMAINS

EXISTING ASPHALT PAVING REMAINS

EXISTING ASPHALT PAVING REMAINS

EXISTING CONCRETE WALK REMAINS

NORTH 5th STREET

EXISTING ASPHALT PAVING REMAINS

EXISTING CONCRETE ALLEY REMAINS

SITE PLAN
 1/8" = 1'-0"





Date: March 14, 2013
 Author: D. Paul Jagim
 Title/ Phone Ext: Project
Engineer/ 244-1542

 Proposed Schedule: Wednesday,
March 20, 2013

 2nd Reading

Attach 16
CITY COUNCIL AGENDA ITEM

Subject: Construction Contract for the 22 Road Realignment at Highway 6 Project
Action Requested/Recommendation: Authorize the City Purchasing Division to Enter into a Construction Contract with M.A. Concrete Construction, Inc., of Grand Junction, for the 22 Road Realignment at Highway 6 Project in the Amount of \$3,882,457.55.
Presenter(s) Name & Title: Trent Prall, Engineering Manager Jay Valentine, Internal Services Manager

Executive Summary:

The 22 Road realignment at Highway 6 project will reconstruct the intersection of 22 Road with Highway 6 along with a one-third mile long section of 22 Road. The resulting increase in traffic capacity will accommodate projected traffic volumes through the year 2035, including traffic from two proposed truck stops in the area. These improvements work in harmony with an upcoming CDOT traffic capacity and safety improvement project at the I-70 Exit 26 Interchange. Together they set the stage for long term future development in the northwest part of the City.

Background, Analysis and Options:

The 22 Road Realignment at Highway 6 project will reconstruct about one-third of a mile of Highway 6 between Valley Court and the Exit 26 Interchange on I-70 and also reconstruct one-third of a mile of 22 Road. The improvements will increase the traffic capacity of the 22 Road intersection to accommodate projected traffic volumes through the year 2035, including traffic from two proposed truck stops in the area. The new intersection of 22 Road with Highway 6 will move 500' west of its existing location. This new location lengthens the intersection spacing with the I-70 Interchange Ramps, which will improve traffic efficiency and safety. The new intersection location will also make it possible for a future project to connect 22 Road to River Road via a new at-grade railroad crossing. Between the proposed truck stops, CDOT's diverging diamond interchange construction and the City's 22 road realignment, over \$24 million is proposed to be invested in this area in the next 9 months.

A formal solicitation for bids was advertised and four bids were received on March 5, 2013. M.A. Concrete Construction, Inc., of Grand Junction, Colorado was the low bidder with a bid of \$3,882,457.55.

The following bids were received on March 5, 2013:

FIRM	LOCATION	BID AMOUNT
M.A. Concrete Construction, Inc.	Grand Junction, Colorado	\$3,882,457.55
Oldcastle SW Group, Inc. dba United Companies of Mesa County	Grand Junction, Colorado	\$4,340,607.91
Flatiron Constructors, Inc.	American Fork, Utah	\$4,362,876.89
Lawrence Construction Company	Littleton, Colorado	\$4,518,681.83
Flatiron Constructors, Inc. *Concrete Pavement Bid Alternate	American Fork, Utah	\$4,997,310.16

Construction of the project is scheduled to begin on April 8, 2013, with completion by October 4, 2013. CDOT's adjacent road project, the I-70 Exit 26 Diverging Diamond Interchange is anticipated to start construction in June of 2013 with completion by December 2013.

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

The Comprehensive Plan calls for Commercial Industrial (CI) development along the 22 Road corridor, and shows 22 Road as a proposed Arterial Street with a Neighborhood Center located to the north of Highway 6 at 22 and H Roads. This street improvement project will contribute to future development and improve the safety and efficiency of the intersection.

In anticipation of future development and increased traffic volumes, The City of Grand Junction is working in harmony with the Colorado Department of Transportation ('CDOT') to upgrade this area of the transportation network. The City's 22 Road realignment project will work hand in hand with an upcoming CDOT project scheduled for construction in 2013, the I-70 Exit 26 Diverging Diamond Interchange Project. The Exit 26 Diverging Diamond Project is CDOT's traffic capacity and safety improvement project that will upgrade the I-70 Interchange and reconstruct a 2,000 foot section of Highway 6 east of the City's 22 Road project. Together these projects improve the quality and capacity of vehicle and truck access to Interstate 70, while also maintaining acceptable levels of service to local commuter traffic along Highway 6. Both of these projects have been designed to accommodate growth through the year 2035, thereby setting the stage for long term future development in the northwest part of the City.

Board or Committee Recommendation:

N/A

Financial Impact/Budget:

The funding for this project is budgeted in Transportation Capacity Project (TCP) fund however; the amount that was budgeted but unspent in 2012 will need to be re-appropriated in the 2013 supplemental budget approval process. The 22 Road Realignment project budget is shown below.

Sources

2013 Project Budget	\$3,400,000
2012 Project Budget Carry Forward	324,384
Pilot Construction Reimbursement	285,000
2013 Use of TCP Funds	<u>300,000</u>
Total Project Sources	\$4,309,384

Expenditures

<i>Construction Contract M.A. Concrete</i>	\$3,882,458
Ute Water Line Relocation	28,800
Remaining Right of Way Acquisition	65,893
GV Power Street Lighting	234,596
Wetlands Mitigation	37,402
Traffic Signal Relocation	35,000
Consultant Services	<u>25,235</u>
Total 2013 Expenditures	\$4,309,384

Legal issues:

None

Other issues:

N/A

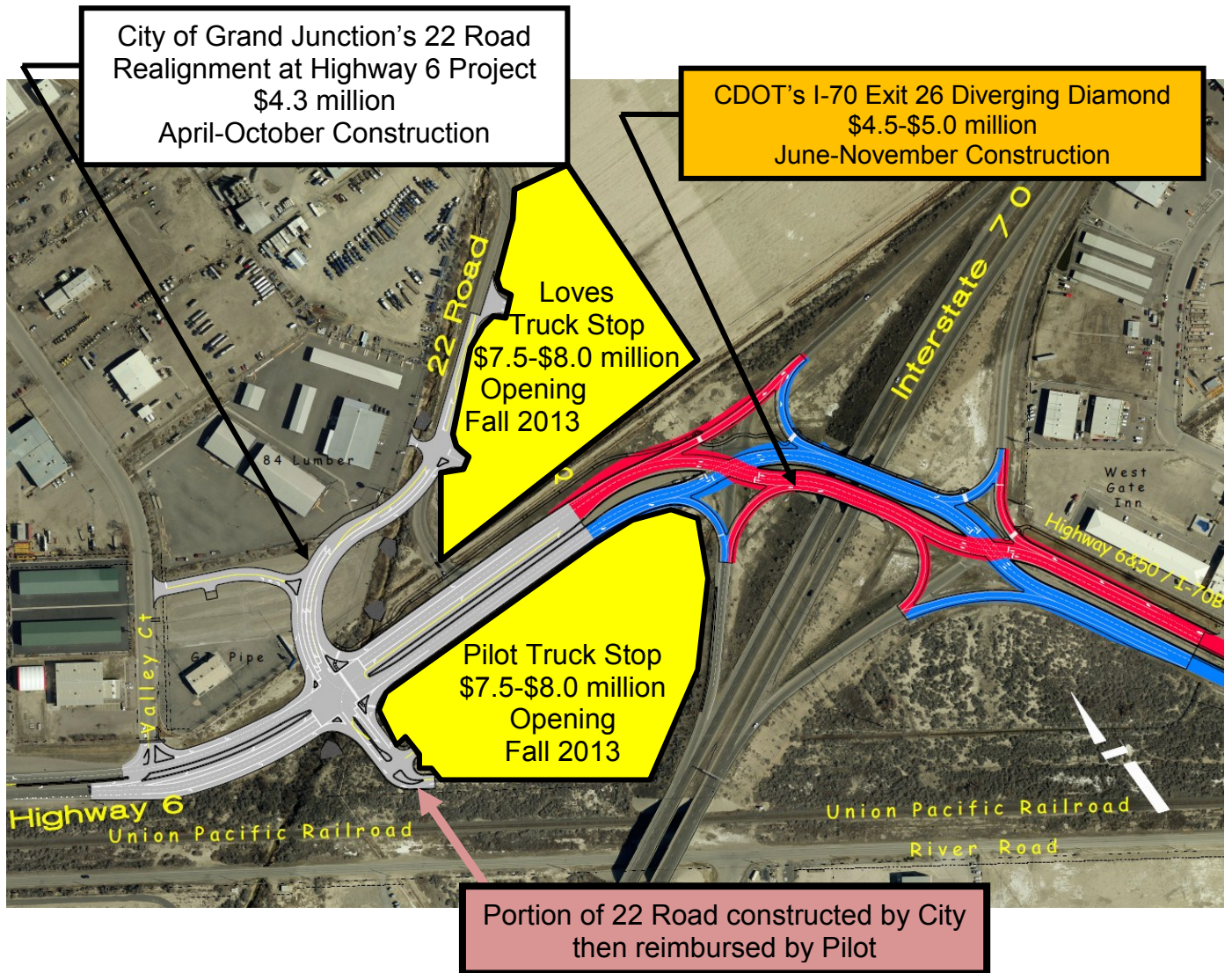
Previously presented or discussed:

A Resolution was adopted at the December 19, 2012 City Council meeting authorizing the purchase of property at 760 Valley Court for Right-Of-Way and easements necessary to construct the project.

Attachments:

Exhibit 'A'

EXHIBIT 'A'



RED LANES - Westbound Traffic Lanes
BLUE LANES - Eastbound Traffic Lanes

NOTE: A Diverging Diamond Interchange ('DDI') is an interchange concept that improves safety and traffic efficiency by reducing the number of vehicle conflict points at the ramp intersections. This is done by crossing traffic to the opposite side of the road between the ramps, which eliminates left turns across opposing traffic.



Date: 3/13/2013
 Author: Kristen Ashbeck
 Title/ Phone Ext: Senior Planner
x1491
 Proposed Schedule:
 2nd Reading: 3/20/2013
 File # (if applicable): CPA-2011-
1067; CPA-2012-216; RZN-2012-
217; ZCA-2012-363

Attach 17
CITY COUNCIL AGENDA ITEM

Subject: Adopting the Greater Downtown Plan
Action Requested/Recommendation: Public Hearing to Adopt the Greater Downtown Plan by Amending the Comprehensive Plan, the Zoning and Development Code, and Amending the Zoning Map
Presenter(s) Name & Title: Kathy Portner, Economic Development and Sustainability Harry Weiss, Executive Director, Downtown Development Authority Kristen Ashbeck, Economic Development and Sustainability

Executive Summary:

The Greater Downtown area generally encompasses the original square mile of the City and the area between the Riverside Neighborhood to 28 Road and South Avenue to the Colorado River (see map on a following page). The Greater Downtown Plan includes the following components:

- 1) Comprehensive Plan amendments to Future Land Use Map
- 2) Comprehensive Plan text amendment to add RO (Residential Office) as a zone district that can implement the Downtown Mixed Use Land Use Designation
- 3) Rezoning properties within the Greater Downtown Plan
- 4) Text amendment to the Zoning and Development Code to include RO (Residential Office) as a zone district that can implement the Downtown Mixed Use Land Use Designation
- 5) Adoption of zoning overlays for Corridors and the Downtown District

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

Goal 4: Support the continued development of the downtown area of the City Center into a vibrant and growing area with jobs, housing and tourist attractions. The Greater Downtown Plan provides a more detailed plan and includes implementation strategies towards the community goal of supporting downtown.

Board or Committee Recommendation:

The Grand Junction Planning Commission made the following recommendations at its hearing of the Greater Downtown Plan on March 12, 2013. Draft minutes of the public comment portion of the hearing are included as Attachment 7.

- 1) Approval of item CPA-2011-1067, a Comprehensive Plan Amendment to adopt the Greater Downtown Plan and Future Land Use Map Amendments included within the plan and repeal the Westside Downtown Redevelopment Plan with the clarification revisions as shown in the staff report (6-1).
- 2) Approval of item CPA-2012-216, a Comprehensive Plan Text Amendment and Zoning and Development Code Text Amendment to include the RO (Residential Office) zoning district as one of the zone districts that implements the Downtown Mixed Use land use designation (7-0).
- 3) Approval of item RZN-2012-217, rezoning properties within the Greater Downtown Plan area as set forth in the staff report and in the proposed ordinance (7-0).
- 4) Approval of item ZCA-2012-363, a Zoning and Development Code Text Amendment by adopting the Greater Downtown Overlay District with the clarification revisions as shown in the staff report (7-0).

Financial Impact/Budget:

NA

Legal issues:

NA

Other issues:

N/A

Previously presented or discussed:

The Greater Downtown Plan has been previously presented and discussed periodically with City Council at workshops every couple of months since September 2011.

Attachments:

1. Background Analysis and Options
2. Proposed Ordinance to Amend Comprehensive Plan including:
 - Exhibit A, Greater Downtown Plan Report
 - Exhibit B, Comprehensive Plan Text Amendment
 - Exhibit C, Future Land Use Map

3. Proposed Ordinance to Adopt Greater Downtown Overlay District and Section 21.03.020 (d) of the Zoning and Development Code
Exhibit A, Greater Downtown Overlay District Report
Exhibit B, Amendment to Section 21.03.020
4. Proposed Ordinance to Rezone Properties within the Greater Downtown Area
Exhibit A, List of Properties to be Rezoned
5. Summary of public process and questionnaires/comments through January 31, 2013
6. Public comments received February 1, 2013 - Present
7. Proposed revisions to Plan and Overlay documents as recommended by Planning Commission
8. Draft minutes of public comment at March 12, 2013 Planning Commission public hearing (To be provided at the March 18, 2013 Readiness Session)

ATTACHMENT 1

Background Analysis and Options

A Strategic Downtown Master Plan (SDMP) that encompassed the original square mile was developed through the Downtown Development Authority (DDA) and the guidance of a steering committee of interested downtown merchants, property owners and policymakers during 2007-2008. The SDMP defined an overall vision and goals for downtown and included implementation strategies such as a zoning overlay. The SDMP was considered by City Council on September 14, 2009, but, due to pending adoption of the Comprehensive Plan, Council voted to continue the SDMP to an unspecified future date.

A South Downtown Neighborhood Plan (South Downtown Plan) encompassed the area between the railroad tracks and the Colorado River and the Riverside neighborhood on the west to 28 Road on the east. A plan for the area was developed from 2006-2008 with 15 community focus group meetings, 3 public open houses with 80-100 people in attendance at each open house. The South Downtown Plan included an existing conditions analysis, goals and implementation including a circulation and trails plan, economic development strategies, rezoning some properties and zoning overlay. The South Downtown Neighborhood Plan was considered by City Council on June 16, 2008, but was not adopted.

A Westside Downtown Redevelopment Plan was adopted by the City in January 2004. This plan included the area bounded on the north by Main Street, on the east by 5th Street, on the south by South Avenue, and on the west by the Railroad. A preferred plan for redevelopment defined redevelopment of various land use and presented concepts for a circulation plan. Design guidelines and standards for the area were considered and incorporated as appropriate within the Greater Downtown Plan. Adoption of the Greater Downtown Plan will repeal and replace the Westside Downtown Redevelopment Plan.

The planning process for the Greater Downtown Plan (GDP) reanalyzed the three previous planning efforts and made revisions as conditions have changed, included areas that had not been covered by either of those plans, and integrated them into a single plan for the downtown area. In addition, the Greater Downtown Plan incorporates elements of the Downtown Development Authority's potential projects in order to support the DDA's Downtown Plan of Development.

For planning purposes, the Greater Downtown area has been divided into three sub districts as shown on the map on the following page: the Downtown, Rail and River Districts.

2. Planning/Public Process

Technical Committee

The Greater Downtown Plan technical committee was comprised of staff members from various public agencies including City Public Works and Planning, City Parks and Recreation, City Geographic Information Systems, Mesa County Planning, the Regional Transportation Planning Office, Mesa County Facilities and Parks, the Downtown Development Authority and the Mesa County Public Library District. The Committee met three times during the course of developing the Greater Downtown Plan and members attended public open houses to discuss concerns and proposals with participants.

Public Open Houses

Two public open houses were held in December 2011 and February 2012 to present concepts and solicit input from property owners and interested citizens.

Notifications/invitations to both public open houses were mailed to all property owners within the Greater Downtown Plan area. Approximately 60 people attended the first open house and 40 attend the second open house. Another public forum to provide information to the public on the proposed zoning overlay for the Central Business District was held on January 31, 2013 which was attended by 30 downtown property owners.

Questionnaires and Comments

A series of questionnaires was available at the December 2011 open house and on the City's web site that were used to solicit public comment and weigh community opinions on design concepts that might be proposed with the Plan. A total of 130 questionnaires were returned. In addition, citizens could provide other written comments at both open houses. The results of the questionnaires and the written comments are included on following pages.

Letters/Meetings with Individual Property Owners

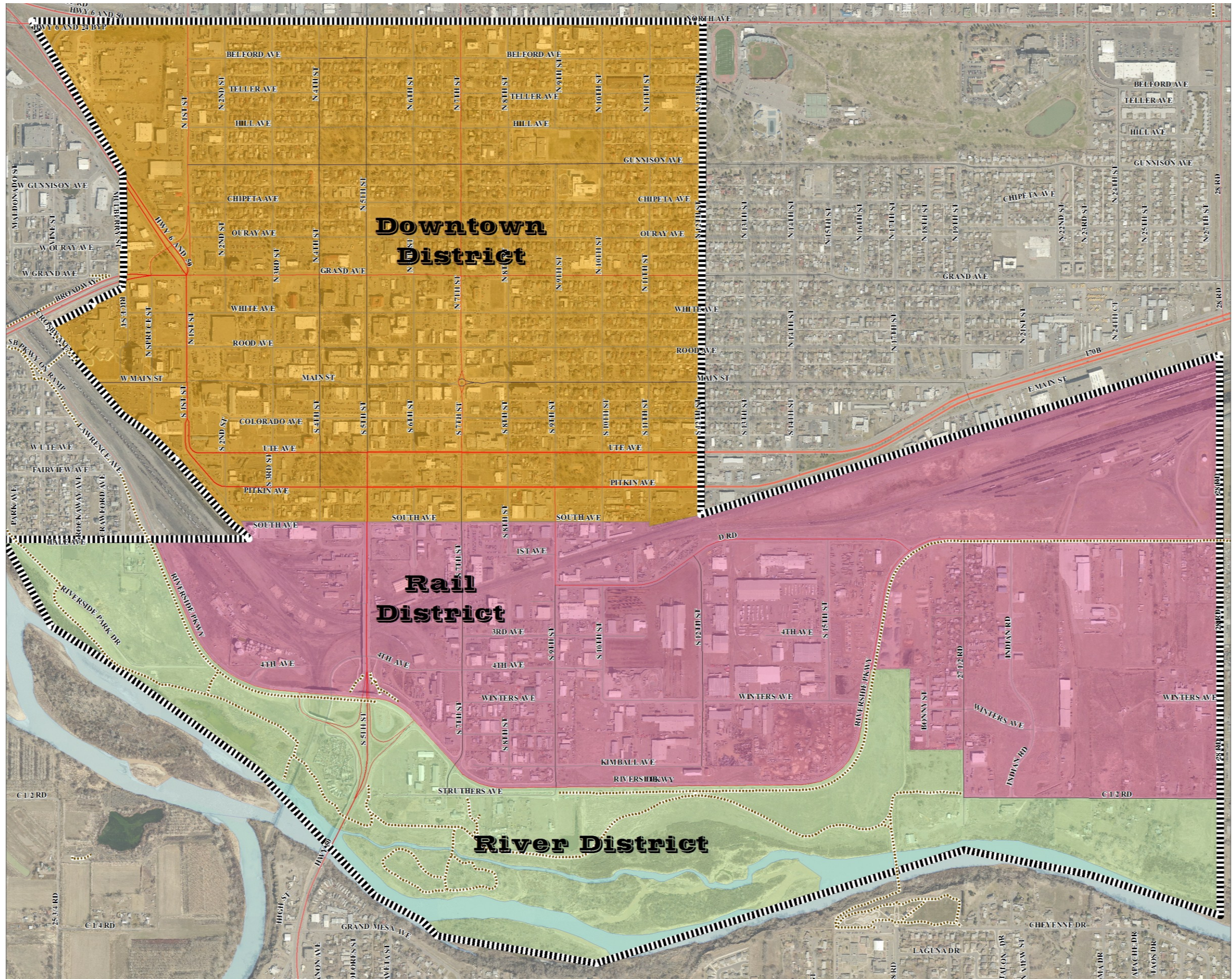
City Public Works and Planning staff coordinated meetings with key individual property owners, businesses or others that contacted the City regarding the Greater Downtown Plan. In addition, individual letters were mailed to property owners along the corridors that may be impacted by the land use and zoning proposals of the Greater Downtown Plan. Follow up meetings or conversations were held with property owners as requested.

Community Presentations/Discussions

Public Works and Planning staff conducted several presentations and discussions regarding the Greater Downtown Plan with community groups and businesses including the Chamber of Commerce, Bray and Company Realty, the Downtown Development Authority and Rail and River District corridor property owners.

City Council, City Planning Commission and Mesa County Planning Commission Workshops

City Public Works and Planning staff attended several workshops with elected and appointed City and County officials to inform and solicit input on the Greater Downtown Plan during its development.



Downtown District

Rail District

River District

3. Greater Downtown Plan and Future Land Use Map Amendments (CPA-2011-1067 and CPA-2012-216)

Greater Downtown Plan

The public participation process involved community evaluation of various design and planning concepts to determine which of these are most important to the community and should be addressed in greater detail in the Greater Downtown Plan. The concepts addressed four major topics relative to an area plan: land use, circulation, economic (re)development and visual character. The results, along with previous information for the CBD, show strong community support for ideas that were translated to the goals listed below for the Greater Downtown Plan.

A. Area-Wide Goals and Policies

Goal 1: Enhance the transportation system to accommodate automobiles, bikes and pedestrians, and provide adequate, convenient parking.

Goal 2: Establish and improve entry points into the Greater Downtown area.

Goal 3: Promote downtown living by providing a wide range of housing opportunities, primarily in the Downtown District

Goal 4: Redefine the land use along key corridors to provide a mix that will offer the most opportunities for redevelopment and revitalization.

B. Downtown District Goals and Policies

Goal 1: Maintain and enhance the economic, cultural and social vitality of the Downtown District.

Goal 2: Require density/intensity in downtown as prescribed by the Comprehensive Plan, primarily within the Central Business District (CBD).

Goal 3: Develop a pedestrian-oriented, walkable downtown.

Goal 4: Stabilize and enhance the historic residential neighborhoods.

Goal 5: Recognize and promote opportunities to build sub districts/neighborhoods, each with a unique identity.

Goal 6: Jump-start the revitalization and reinvestment in the Downtown District with strategic catalyst projects.

C. Rail District Goals and Policies

Goal 1: Preserve the opportunity for heavy industry and rail service that supports it.

Goal 2: Recognize distinction between “industrial” streets such as 9th and 12th Streets and “public” streets 7th Street and Riverside Parkway.

Goal 3: Promote higher quality, customer and pedestrian friendly development along 7th Street and Riverside Parkway.

Goal 4: Re-establish and improve a street grid in the Rail District.

D. River District Goals and Policies

Goal 1: Create/maintain/enhance a green waterfront

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

Goal 3: Create/enhance redevelopment opportunities and partnerships

Comprehensive Plan

The Grand Junction Comprehensive Plan is based on extensive public input that identifies what kind of community we want to have and identifies ways to achieve our vision. It charts the course to help us become the most livable community west of the Rockies. It establishes a vision that focuses the community on what it should do to sustain the quality of life that all residents desire and expect. The Comprehensive Plan establishes the following guiding principles that will shape growth, all of which apply to development of the Greater Downtown area.

A. Concentrated Centers – The Plan calls for three types of centers; the City Center, Village Centers and Neighborhood Centers.

B. Sustainable Growth Patterns – Fiscal sustainability where we grow efficiently and cost-effectively. Encourage infill and redevelopment.

C. Housing Variety – Allow, encourage more variety in housing types that will better meet the needs of our diverse population.

D. A Grand Green System of Connected Recreational Opportunities – Take advantage of and tie together the exceptional open space assets of Grand Junction, including the Colorado River, our excellent park system, trails and our surrounding open spaces.

E. Balanced Transportation – Accommodate all modes of transportation including air, transit, freight, auto, bike and pedestrian.

F. A Regional Center – Preserve Grand Junction as a provider of diverse goods and services and residential neighborhoods.

Specific policies within the Comprehensive Plan further support the concepts of the Greater Downtown Plan as outlined below.

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

Goal 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 6. Land use decision will encourage preservation of existing buildings and their appropriate reuse.

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

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.

Comprehensive Plan Text Amendment and Zoning and Development Code Text Amendment

For some of the parcels in the Downtown District with an existing zoning of Residential Office (RO), the existing Future Land Use Map shows a land use designation of Downtown Mixed Use. Presently, the RO district cannot be used to implement the Downtown Mixed Use designation. However, the nature of these parcels is that they are small and on the periphery of the Central Business District so a rezone to a zone district that is acceptable in the Downtown Mixed Use designation (e.g. Downtown Business, B-2) would not provide a compatible transition to nearby residential areas. Consequently, the text of the Comprehensive Plan is proposed to be revised to include Residential Office (RO) as an acceptable zone district to implement the Downtown Mixed Use land use designation.

Future Land Use Map Amendments

The City of Grand Junction and Mesa County jointly adopted a Comprehensive Plan in February, 2010. The Comprehensive Plan established or assigned new land use designations to implement the vision of the Comprehensive Plan and guide how development should occur. In many cases the new land use designation encouraged higher density or more intense development in some urban areas of the City.

A component of the Greater Downtown Plan is a new Future Land Use Map for the area. The new map will amend the existing Comprehensive Plan Future Land Use Map and is the first step in implementing an overall vision for the Greater Downtown area. The land use categories and their application are further defined in the Greater Downtown Plan report document (attachment 2). Future Land Use Map amendments in the Greater Downtown area are shown as the highlighted areas on the map on the following page. The map on a following page highlights the areas that are proposed to change.

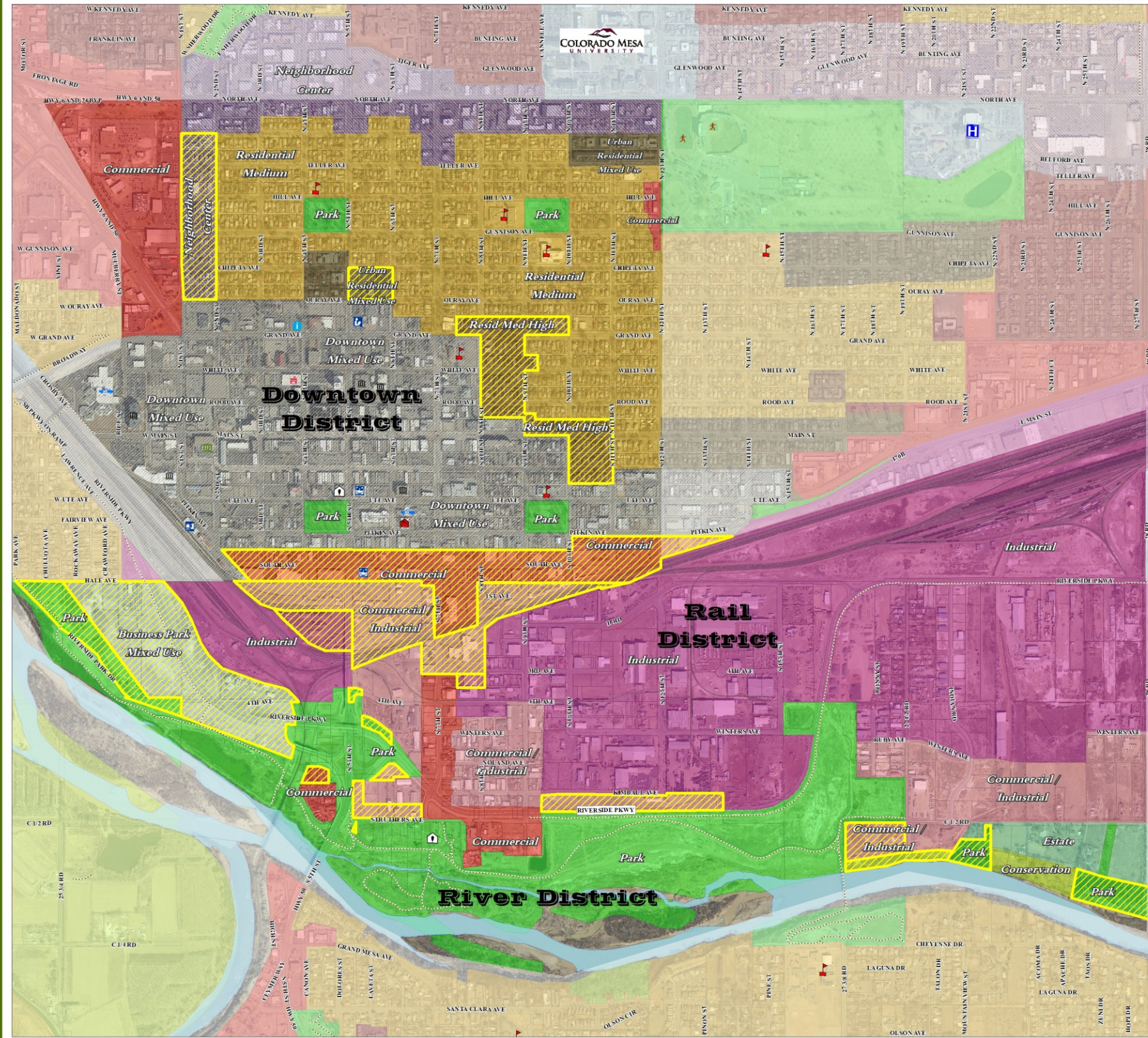
The changes are proposed generally to create better areas of transition between land uses, remove inconsistencies between the future land use and zoning categories, and begin to define the intended character of development in some areas. A more detailed description of each proposed change is included on the following pages.

Regarding the removal of inconsistencies, when the City adopted the Comprehensive Plan, it did not rezone property to be consistent with the new land use designations. As a result, certain urban areas had a land use designation that called for a change of the current zoning of the property. In several cases the zoning was to be upgraded to allow for more residential density or commercial/industrial intensity. In other cases the zoning was to be downgraded to reduce commercial/industrial intensity. However, after further review, some of these changes were in error due to lack of information. In order to remove the inconsistency between the Comprehensive Plan's Future Land Use Map and the zoning of these properties (which has been determined to be more appropriate after reconsideration), the Comprehensive Plan Future Land Use Map needs to be amended.

Downtown District Future Land Use. The Greater Downtown Plan within the Downtown District is formulated around seven general land use categories: Commercial, Downtown Mixed Use, Neighborhood Center Mixed Use, Urban Residential Mixed Use, Residential Medium High Density, Residential Medium Density and Parks and Open Space. Future Land Use Map amendments in the Downtown District are summarized below.

- North First Street Neighborhood Center – revised from Commercial, expands the North Avenue Neighborhood Center around the corner to the south and provides transition from the commercial corridor to the residential areas of the Downtown District.
- 500 Block of Ouray/Chipeta Avenue – revised from Downtown Mixed Use to Urban Residential Mixed Use in order to better reflect an intended lower intensity of land use on this block and correspond with existing zoning.
- Eastern periphery of the Downtown Mixed Use Area – revised from Residential High Mixed Use to Residential Medium High.
- There are 139 parcels within the Downtown District whose current zoning designation conflicts with the current land use designation. These conflicts were created in error due to lack of information. With the exception of the blocks along the north side of Grand Avenue, the conflicts will be resolved through the land use changes proposed above. [The parcels along Grand Avenue are proposed to be rezoned (see zoning discussion below) in order to resolve the conflicts.]

Greater Downtown Plan - Proposed Future Land Use



Rail District Future Land Use. The Greater Downtown Plan within the Rail District is formulated around five general land use categories: Business Park Mixed Use, Commercial, Commercial industrial, Industrial and Parks and Open Space. Future Land Use Map amendments in the Rail District are summarized below.

- Areas southwest of the railroad tracks to the Riverside Parkway on the west side of 5th Street – revised from Industrial to Business Park Mixed Use to be consistent with existing land uses but also to encourage future redevelopment in these areas with a mix of employment-oriented business and light industrial uses and an allowance of multifamily development.
- Areas in the “wedge” between South Avenue and the railroad tracks – revised from Downtown Mixed Use to Industrial, Commercial/Industrial and Commercial to be consistent with existing zoning.
- There are 69 parcels within the Rail District whose current zoning district conflicts with the current land use designation. With the exception of a few parcels along Riverside Parkway, the conflicts will be resolved through the land use changes proposed above. [The parcels along the Parkway are proposed to be rezoned (see zoning discussion below) in order to resolve the conflicts.]

River District Future Land Use. The Greater Downtown Plan within the River District is formulated around six general land use categories: Commercial, Commercial Industrial, Parks and Open Space, Conservation, Estate and Business Park Mixed Use. Future Land Use Map amendments in the River District are summarized below.

- Areas southwest of the Riverside Parkway to the riverfront trail on the west side of 5th Street (mostly City-owned properties) – revised from Industrial and Commercial/Industrial to Business Park Mixed Use to be consistent with existing land uses, but also encourage future redevelopment in these areas with a mix of employment-oriented business and light industrial uses and an allowance of multifamily development.
- Areas on the east and west sides of 5th Street between the Riverside Parkway ramps and Struthers Avenue – revised from Park and Commercial to Commercial (west side) and Commercial/Industrial (east side) to be consistent with existing zoning and better conform to existing parcel boundaries.
- Areas east of 27-1/2 Road, between C-1/2 Road and the Colorado River – revised to be consistent with other properties owned by Colorado State Parks (Park) and add Conservation area along the river where the Riverfront Trail will be completed in this area.
- The three properties along the river just east of 27-1/2 Road known as the Brady properties (labeled as Under Review) do not currently reflect a future land use designation since the zoning is under consideration and will be voted upon by the citizens of Grand Junction in the April 2013 election. Once the zoning is established, the Future Land Use Map will be amended accordingly.
- There are 29 parcels within the River District whose current zoning district conflicts with the current land use designation. With the exception of a few parcels near the Riverside Parkway/5th Street interchange, the conflicts, created in error due to lack of information, will be resolved through the land use changes proposed

above. [The parcels near the interchange are proposed to be rezoned (see zoning discussion below) in order to resolve the conflicts.]

4. Rezoning Properties within Greater Downtown (RZN-2012-217)

Similar to changes in the Comprehensive Plan Future Land Use Map, proposed zoning changes are also one of the means to implement the overall vision for the Greater Downtown area. Proposed zoning changes are minimal, as shown on the map on the following page. Those that are proposed to change (highlighted in yellow) were due to review of information, development of goals and policies for the Greater Downtown area, and public input throughout the Greater Downtown Plan process. The zone districts and their application are further discussed in the Greater Downtown Plan report document (Attachment 1). The rezone ordinance in Attachment 4 also lists each property that is proposed to be rezoned. Zoning changes in the Greater Downtown area are proposed primarily to create better areas of transition between land uses, remove errors and inconsistencies between the zoning and future land use categories, and begin to define the intended character of development in some areas of Greater Downtown.

Downtown District Zoning. Proposed zoning within the Downtown District is shown on maps and the zone districts further discussed in the Greater Downtown Plan report (Attachment 1). The detailed areas are highlighted in yellow on the map on page 12 of this report. Generally, the zoning shall remain the same as currently exists. The few zone changes are described below.

- North side of Grand Avenue between 1st and 7th Streets – revised from B-1 and RO to B-2 to be consistent with the Downtown Mixed Use land use designation
- Southeast corner of Chipeta Avenue and 5th Street – revised from R-8 to RO to be consistent with the Urban Residential Mixed Use land use designation.
- 1100 block of Colorado Avenue – revised from B-1 to B-2 to be consistent with the Downtown Mixed Use land use designation.

Rail District Zoning. Proposed zoning within the Rail District is shown on maps and the zone districts further discussed in the Greater Downtown Plan report (Attachment 2). The detailed areas are highlighted in yellow on the map on page 12 of this report. Generally, the zoning shall remain the same as currently exists. The few zone changes are described below.

- Two parcels west of South 5th Street revised from I-2 to I-1 and I-O to be consistent with the Commercial/Industrial and Business Park Mixed Use future land use categories.
- City-owned parcels at the interchange of South 5th Street and Riverside Parkway revised from C-1 to CSR to be consistent with zoning of similar City-owned properties.
- Remnants of the sugar beet factory and Las Colonias Park on the north side of Riverside Parkway from CSR and I-2 to C-2 and I-2 to reflect existing and potential lease to adjacent property owners and future redevelopment opportunities.

River District Zoning. Proposed zoning within the River District is shown on maps and the zone districts further described in the Greater Downtown Plan report (Attachment 2). The detailed areas are highlighted in yellow on the map on the map on a following page of this report. Generally, the zoning shall remain the same as currently exists. The few zone changes are described below, primarily impacting City-owned properties.

- Areas southwest of the Riverside Parkway to the riverfront trail on the west side of 5th Street (mostly City-owned properties) from I-O and I-1 to BP and I-O to be consistent with existing uses (private properties) as well as encourage future redevelopment in these areas with a mix of employment-oriented business and light industrial uses and an allowance of multifamily development.
- Areas along the Colorado River near the Riverside Neighborhood from I-O to CSR to reflect existing riverfront trail use on City-owned property.
- City-owned parcels at the interchange of South 5th Street and Riverside Parkway from C-1 to CSR to be consistent with zoning of similar City-owned properties.
- City-owned parcels near the Botanical Gardens from C-2 to CSR to be consistent with zoning of similar City-owned properties.
- The three properties along the river just east of 27-1/2 Road known as the Brady properties (labeled as NONE) do not currently reflect a zoning as the topic is under consideration and will be voted upon by the citizens of Grand Junction in the April 2013 election.

5. Other Implementation Strategies of the Greater Downtown Plan (CPA-2011-1067)

In addition to the future land use and zoning changes proposed, the City has a variety of other tools available through which the goals of the Greater Downtown Plan can be implemented so that the vision for Greater Downtown can materialize and eventually be realized. The GDP represents the first phase of implementation as it includes the basic strategies of designating Future Land Use categories and zoning properties as needed as previously discussed, including a conceptual plan for traffic circulation in Greater Downtown, outlining improvements to the public parks within Greater Downtown, establishing goals and policies for future phases of plan implementation such as economic development strategies (see below), and amending development standards of the zoning districts through a zoning overlay (see Section 6 on following page).

The Conceptual Plan for Traffic Circulation in Greater Downtown (Conceptual Plan) describes proposals for streets and corridors in the Greater Downtown, depicts preferred conceptual designs and proposes additional unclassified streets. This conceptual plan for circulation does not modify the Grand Valley Circulation Plan, but provides preferred concepts and designs for future consideration and development of public rights-of-way. The Conceptual Plan also incorporates the proposed Grand Valley Trails Plan and depicts the location of future bicycle facilities, trails and pedestrian paths within Greater Downtown. As development or redevelopment occurs in Greater Downtown, trails, paths, bike lanes and pedestrian facilities will be constructed in accordance with the adopted Grand Valley Trails Plan. The Conceptual Plan for Traffic Circulation in Greater Downtown is included in Appendix C of the Greater Downtown Plan report.

The Greater Downtown Plan report includes details for ongoing maintenance, improvements, redevelopment and in some cases new development within the Greater Downtown area parks. In addition, the plan summarized the work that has already been completed for potential redevelopment of the City-owned Jarvis property in the eastern portion of the Rail District.

Downtown District Economic Redevelopment. While the Downtown District is the heart of the community, it is but one subset of a larger market and has strengths which can be capitalized on and limitations which should be overcome. Downtown has a tremendous influence on the economic well-being of the entire region. Therefore, it is widely accepted that early projects in any revitalization effort can benefit from public assistance until market conditions reach levels where new construction can support itself.

The Grand Junction SDMP presented guiding principles which; while general in nature, were considered responsive to prevailing conditions, market opportunities, framework elements and stakeholder input. Based on information reviewed and community input received during the Greater Downtown Plan process, these guiding principles are still relevant to the Greater Downtown Plan and are listed below and described in greater detail in the Greater Downtown Plan report (Attachment 2).

- Downtown is one submarket that competes with other submarkets in Grand Junction.
- Downtown must be market-responsive to changing conditions.

- Downtown infrastructure must be protected and retained.
- Downtown’s “tool bag” must contain a variety of strategies and mechanisms that are comprehensive, flexible and creative in order to attract investment.
- Public investment must leverage private investment.
- Public policy must support downtown development.
- Public-private partnerships are essential.

Rail and River District Economic Redevelopment. The changes that have occurred in portions of Greater Downtown such as completion of the Riverside Parkway and planning for the future development of Las Colonias Park have already had a positive influence on the River and Rail Districts. Many properties have been renovated or redeveloped, new uses are relocating to the area and property values are generally on the rise. The Greater Downtown Plan envisions this trend continuing and being enhanced by the following redevelopment concepts:

- Allow existing heavy industry to remain, taking advantage of rail spurs within the area.
- Intensified commercial edge along the north side of the Riverside Parkway with opportunities for mixed use development.
- New general commercial, retail and residential uses will provide activity at the edge of the park after business hours to create a safe park environment that gives “ownership” of the park to the adjacent local business owners and residents.
- New retail and commercial uses such as restaurants, shops and services along South 7th Street to serve the employees, recreational users and residents of the neighborhood.
- Commercial Industrial uses bridge the existing industrial and the commercial corridors.

In addition, discussions with the Grand Junction Economic Partnership, Business Incubator, Manufacturers’ Council and Chamber of Commerce during development of the Greater Downtown Plan brought to light many opportunities for the area, the majority of which is within the established Mesa County Enterprise Zone. The GDP outlines goals, policies and strategies that can be used to further the economic (re)development of the Rail and River Districts in Greater Downtown.

- Need for flex space for different types of small business
- Opportunity to develop additional incentives for redevelopment
- Allow for live-work opportunities
- Opportunity to develop partnerships

6. Greater Downtown Overlay District (RZN-2012-218)

The Greater Downtown Overlay District is intended to provide guidance and criteria for the planning, design and implementation of public and private improvements in the Greater Downtown area. If properly administered and adhered to, the standards and

guidelines should result in public and private development improvements (or a combination thereof) that achieve, as a minimum, a common level of quality in terms of site design, architectural design, landscaping and other site improvements.

The general purposes of the standards and guidelines are to support the overall goals of the Greater Downtown Plan.

- Maintain and enhance the economic, cultural and social vitality of Greater Downtown
- Promote downtown living by providing a wide range of housing opportunities in appropriate areas within Greater Downtown
- Enhance the transportation system to accommodate automobiles, bikes and pedestrians, and provide adequate, convenient parking
- Stabilize, preserve, protect and enhance the downtown residential neighborhoods
- Promote and protect the unique identity of Downtown

The standards and guidelines were developed upon an analysis of the existing character of the Greater Downtown area. The area was divided into sub districts and the Downtown District was further divided into subareas (see map in Attachment 3 and on a following page) based on existing zoning, character of existing development and potential for redevelopment opportunities. In addition, primary corridors were identified for which overlay guidance was created. The subareas and primary corridors are shown on the maps on following pages.

These standards supplement the City of Grand Junction Zoning and Development Code and identify design alternatives and specific design criteria for the visual character and physical treatment of private development and public improvements within Greater Downtown. The Director will make all decisions and appeals and variance requests will be heard by the City of Grand Junction Planning Commission. The Downtown Development Authority (DDA) will be a review agency for all applications and will make recommendations for proposals in the Central Business District.

Corridor Overlay. The Greater Downtown Overlay District includes standards and guidelines for primary corridors in the River and Rail Districts to begin to implement goals of the plan to 1) improve the visual impact of development along the corridors; and 2) promote higher quality architectural treatment and site design as new development and redevelopment occurs along the corridors. The goals of the corridor guidelines and standards are to:

- Define a vision using examples of what is desired
- Provide design flexibility on a site-by-site basis
- Provide menus of design options so designer/builder can decide what works best for a particular project/site and the vision can be achieved without substantial cost
- Provide design options that provide flexibility for trade-offs in building and site design
- Clearly define what is required for new construction versus building remodels

The corridor standards and guidelines are outlined in two areas: 1) Commercial Corridors; and 2) Industrial Corridors. For each type of corridor the standards and guidelines address Site Design, Architectural Design, Landscaping and Signage.

Downtown District Subarea Zoning Overlay. The Greater Downtown Plan includes zoning overlay standards for the subareas of the Downtown District as depicted on the map on a following page. Application of the standards and guidelines will begin to implement goals of the plan to:

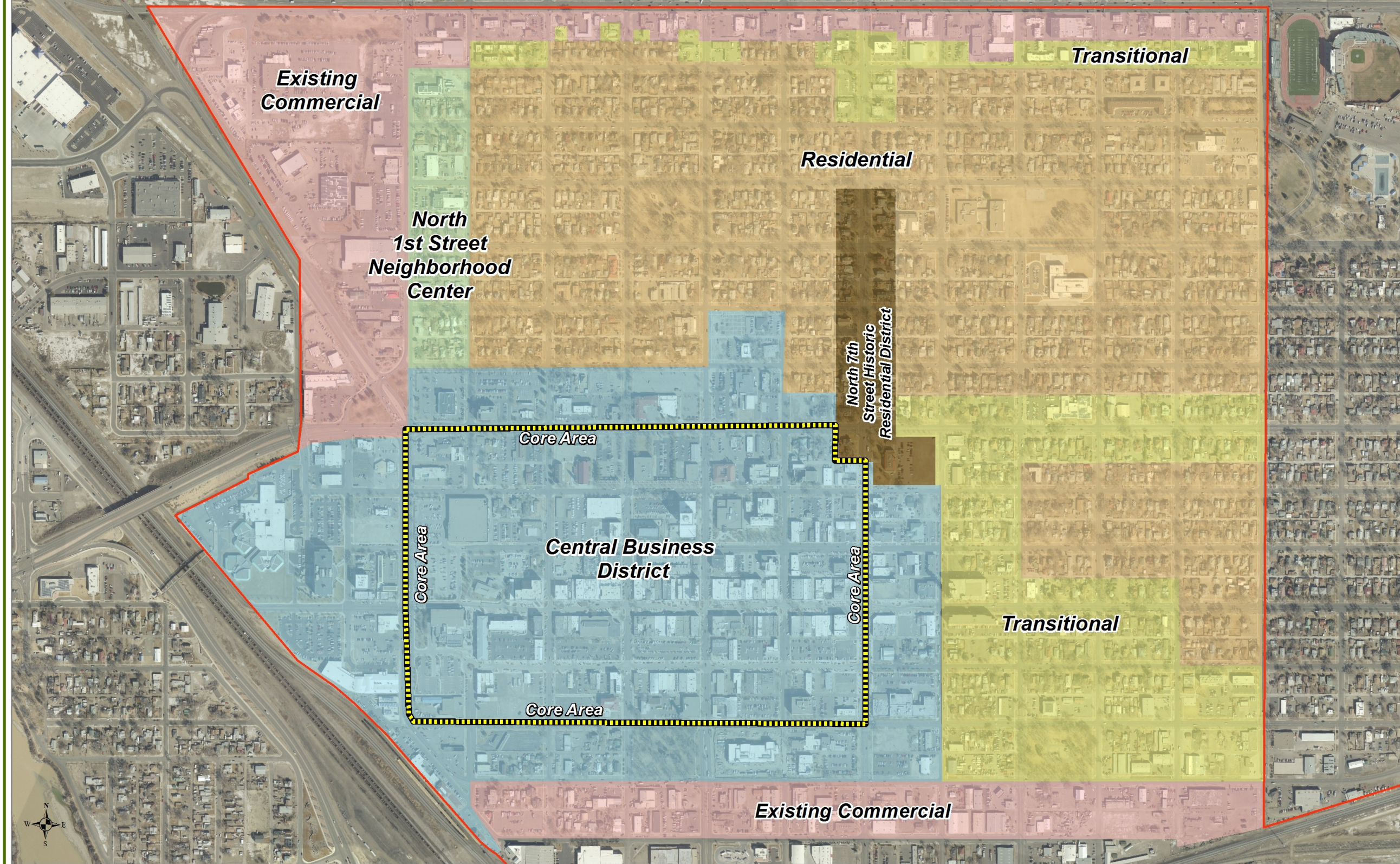
- Maintain and enhance the economic, cultural and social vitality of Downtown
- Promote downtown living by providing a wide range of housing opportunities
- Enhance the transportation system to accommodate automobiles, bikes and pedestrians, and provide adequate, convenient parking
- Stabilize and enhance the historic residential neighborhoods
- Establish and promote a unique identity
- Preserve and restore significant historic structures
- Activate the edges of the downtown parks with mixed use and programmed/active use of the parks as urban open space rather than passive green parks

The Downtown District subarea standards and guidelines are outlined in five areas and summarized below: 1) Area-Wide; 2) Central Business District-Wide; 3) Central Business District Core Area; 4) Residential; and 5) Transitional.

Downtown District Area-Wide Standards and Guidelines

- Due to constraints of downtown properties, allows Director to make reasonable exceptions to the provisions of the Zoning and Development Code and the Greater Downtown Plan Zoning Overlay.
- Provide good, interconnected multimodal transportation choices.
- Requires traffic calming measures in public rights-of-way as properties redevelop or infrastructure is reconstructed.

Downtown District - Subareas



Downtown Subareas  Central Business District Core  Central Business District  North 1st St Neighborhood  Existing Commercial  Residential Area  Transitional Area  7th Street Historic

Central Business District (CBD) Guidelines and Standards

Overall Vision/Character

- Activate the downtown core streets through emphasis on higher pedestrian traffic, businesses on the ground level that attract pedestrian traffic, and corner buildings that invite traffic on both streets.
- Encourage high quality, compatible design for all new buildings and establish a cohesive architectural character/theme that complements existing buildings.
- Use building materials that are traditional and weather well and provide a broad variety of appearance.
- Encourage high density, mixed-use development and structures.
- Encourage gradual scale transitions between the CBD and adjacent neighborhoods.
- Minimize single use, surface parking and encourage shared parking.
- Require parking located behind buildings be accessed from the alley.
- Provide streetscape details and landscaping that compliment the architectural character of downtown and exhibit an urban character.

Overall Standards

- Maximum building height 90 feet
- Upper floors of taller buildings shall step back a minimum of 10 feet
- Buildings along Chipeta and Ouray Avenues shall be set back a minimum of 20 feet and step down so the front façade is of a residential scale
- Off-street parking is to be located behind buildings and accessed from the alley
- Minimize curb cuts to maximize on-street parking
- Pedestrian lighting shall be in historical style light poles
- Streetscape design along the northern edge of the CBD shall transition between urban hardscape and more residential streetscape character
- Director may consider variations to landscaping Code, considering existing and proposed streetscape and/or the urban design character of the area

Central Business District Core Area Guidelines

- Only apply to Core Area as depicted on map on a previous page
- Façade detailing including entrances and doorways should be compatible with neighboring historic buildings.

Central Business District Core Area Standards

- Only apply to Core Area as depicted on map on a previous page
- Minimum building height in the CBD Core Area is 2 stories. Some uses are exempt from the requirement and the Planning Commission may consider other exceptions.
- Maximum building setback of 2 feet, compatible with the mean setback of the immediately adjoining lots on both sides but not greater than 20 feet.

- Building setbacks of up to 10 feet from the abutting street may be allowed if there is a prescribed function for space in front of a building, then maximum building setback is 10 feet.
- Facades shall be visually interesting with varied materials, patterns, definition of bays or other building articulation, 50% minimum in windows on street level façade, façade cap/cornice that cast a shadow. The property owner/developer may choose from a list of architectural elements and choose to meet 4 of the 9 options.

Residential Areas Standards and Guidelines

- Do not allow further encroachment by non-residential uses, higher intensity/density or more intensive zoning but provide a diversity of housing types.
- Maintain and enhance the historic character of the streetscape including use and landscaping of the park strips.
- Maintain the existing character of the house styles. New construction and alterations shall be compatible with key architectural characteristics and site elements of the neighborhood including building mass and scale, setbacks, height, roof shape, window patterns, and exterior materials.
- Ensure accessory structures are subordinate to the primary structures on a site.
- Allow multifamily development where existing zoning allows but site and building design must be compatible with the scale and material finishes of single family residential structures.
- Do not allow off-street parking for multifamily development in the front yard or setback.

Transitional Areas Standards and Guidelines

- Uses as allowed by the Zoning and Development Code but a mix of residential and nonresidential uses on the same lot shall be located in the same structure.
- Hours of operation of nonresidential uses restricted to 7:30 am and 8:00 pm.
- Maximum building size is 10,000.
- Outdoor storage and display are prohibited.
- New residential and non-residential construction shall be designed to have a single family residential character in building mass and scale, setbacks, height, roof shape, window patterns, location of entryways, and exterior materials.
- Signs for non-single family uses are restricted in type, size, location and lighting.
- Non-single family residential uses in the downtown Transitional areas shall be designed and operated not to increase on-street parking in front of single family dwellings in the neighborhood.
- Service entrances, loading areas and dumpsters shall be located only in the rear or side yard.
- Front yards shall be reserved for landscaping, sidewalks, driveway access to parking areas and signage.

REVIEW CRITERIA:

Comprehensive Plan amendments to the Future Land Use Map, zoning changes and the zoning overlays must meet one or more of the following criteria for approval per sections 21.02.130 and 21.02.140 of the Municipal Code. These criteria do not apply for consideration of the text amendment to the Comprehensive Plan and the text amendment to the Zoning and Development Code.

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

The subsequent event that has occurred is the Greater Downtown Plan planning process which has included several general public meetings, meetings with property owners, tenants and local community groups, results of questionnaires and comments solicited from the general public. The Comprehensive Plan did not include this level of planning detail thus, the original premise and findings of that plan have been amended to reflect the findings of the Greater Downtown Plan.

Similarly, the existing zoning Code and map did not take into account the subsequent event of more detailed analysis of zoning in the Greater Downtown area that was done with the Greater Downtown Plan planning process. For some parcels within Greater Downtown, the original premise and findings of the existing zoning map were not consistent with the Future Land Use Map or did not reflect the overall goals of the Greater Downtown Plan. For some areas and corridors in Greater Downtown, the overlay zone will be a tool to accomplish the goals of the Comprehensive Plan and Greater Downtown Plan.

Since the Greater Downtown Plan area encompasses the entire area that had been included in the Westside Downtown Redevelopment Plan, the more recent analysis of land use and implementation strategies will replace what was previously adopted. Consequently, the Westside Downtown Redevelopment Plan needs to be repealed and replaced with the Greater Downtown Plan.

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

Criterion not met.

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

Criterion not met.

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

Criterion not met.

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

Primarily, criterion 5 applies to the proposed Comprehensive Plan amendments to adopt the Greater Downtown Plan and amend the Future Land Use Plan, the zoning map amendments, and the amendment to the Zoning and Development Code to adopt the Greater Downtown Plan Zoning Overlay. The benefit derived by adoption of these items will help the community meet some of its long term goals as expressed in the Comprehensive Plan as discussed in greater detail on page 6 of the staff report.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Greater Downtown Plan, files CPA-2011-1067, CPA-2012-216, RZN-2012-217 and RZN-2012-218 for an amendment to the Comprehensive Plan Future Land Use Map and text, rezoning properties within Greater Downtown, and adopting a zoning overlay, Planning Commission made the following findings of fact and conclusions:

8. The Greater Downtown Plan and Zoning Overlay are consistent with the Comprehensive Plan including the following elements:
 - Future Land Use Map and text amendments to the Comprehensive Plan
 - Zoning and Development Code (“Code”) amendments to add the Greater Downtown Zoning Overlay and a text amendment to add RO (Residential Office) as a zone district that can implement the Downtown Mixed Use Land Use designation
 - Rezone identified properties within the Greater Downtown Plan area
9. Review criteria 1 and 5 in sections 21.02.130 and 21.02.140 of the Municipal Code have been met.

ATTACHMENT 2

CITY OF GRAND JUNCTION, COLORADO ORDINANCE NO. _____

AN ORDINANCE ADOPTING THE GRAND JUNCTION GREATER DOWNTOWN PLAN AND AMENDING THE FUTURE LAND USE MAP AND TEXT OF THE COMPREHENSIVE PLAN

AS AN ELEMENT OF THE COMPREHENSIVE PLAN FOR THE AREA GENERALLY INCLUDING THE ORIGINAL SQUARE MILE, SOUTH AVENUE TO THE COLORADO RIVER AND RIVERSIDE NEIGHBORHOOD TO 28 ROAD

RECITALS.

A Strategic Downtown Master Plan that encompassed the original square mile was developed through the Downtown Development Authority (DDA) and the guidance of a steering committee of interested downtown merchants, property owners and policymakers during 2007-2008. The Plan defined an overall vision and goals for downtown and included implementation strategies such as a zoning overlay. The Strategic Downtown Master Plan was considered by City Council on September 14, 2009 but, due to pending adoption of the Comprehensive Plan, Council voted to continue the Plan to an unspecified future date.

A South Downtown Neighborhood Plan encompassed the area between the railroad tracks and the Colorado River and the Riverside neighborhood on the west to 28 Road on the east. A plan for the area was developed from 2006-2008 with 15 community focus group meetings, 3 public open houses with 80-100 people in attendance at each open house. The Plan included a circulation and trails plan, economic development strategies, rezoning some properties and zoning overlay. The South Downtown Neighborhood Plan was considered by City Council on June 16, 2008 but was not adopted.

A Westside Downtown Redevelopment Plan was adopted by the City in January 2004. This plan included the area bounded on the north by Main Street, on the east by 5th Street, on the south by South Avenue, and on the west by the Railroad. A preferred plan for redevelopment defined redevelopment of various land use and presented concepts for a circulation plan. Design guidelines and standards for the area were considered and incorporated as appropriate within the Greater Downtown Plan. Adoption of the Greater Downtown Plan will repeal and replace the Westside Downtown Redevelopment Plan.

The Greater Downtown Plan (Exhibit A) integrates elements of the three previous planning efforts as well as includes areas that had not been covered by either of those plans into a single plan for the downtown area. In addition, the Greater Downtown Plan incorporates elements of the Downtown Development Authority's potential projects in order to support the DDA's Downtown Plan of Development. For planning purposes, the

Greater Downtown area has been divided into three sub districts: the Downtown, Rail and River Districts.

The public participation process involved community evaluation of various design and planning concepts to determine which of these are most important to the community and should be addressed in greater detail in the Greater Downtown Plan. The concepts addressed four major topics relative to an area plan: land use, circulation, economic (re)development and visual character. The results, along with previous information for the CBD, show strong community support for ideas that were translated to the goals listed below for the Greater Downtown Plan.

Area-Wide Goals and Policies

Goal 1: Enhance the transportation system to accommodate automobiles, bikes and pedestrians, and provide adequate, convenient parking.

Goal 2: Establish and improve entry points into the Greater Downtown area.

Goal 3: Promote downtown living by providing a wide range of housing opportunities, primarily in the Downtown District

Goal 4: Redefine the land use along key corridors to provide a mix that will offer the most opportunities for redevelopment and revitalization.

Downtown District Goals and Policies

Goal 1: Maintain and enhance the economic, cultural and social vitality of the Downtown District.

Goal 2: Require density/intensity in downtown as prescribed by the Comprehensive Plan, primarily within the Central Business District (CBD).

Goal 3: Develop a pedestrian-oriented, walkable downtown.

Goal 4: Stabilize and enhance the historic residential neighborhoods.

Goal 5: Recognize and promote opportunities to build sub-districts/neighborhoods, each with a unique identity.

Goal 6: Jump-start the revitalization and reinvestment in the Downtown District with strategic catalyst projects.

Rail District Goals and Policies

Goal 1: Preserve the opportunity for heavy industry and rail service that supports it.

Goal 2: Recognize distinction between “industrial” streets such as 9th and 12th Streets and “public” streets 7th Street and Riverside Parkway.

Goal 3: Promote higher quality, customer and pedestrian friendly development along 7th Street and Riverside Parkway.

Goal 4: Re-establish and improve a street grid in the Rail District.

River District Goals and Policies

Goal 1: Create/maintain/enhance a green waterfront

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

Goal 3: Create/enhance redevelopment opportunities and partnerships

In addition to identifying goals and policies for the area, the Greater Downtown Plan does the following.

1. Includes an amendment to the Comprehensive Plan text (refer to Exhibit B) and amendments to the Comprehensive Plan Future Land Use Map (refer to Appendix A of the Greater Downtown Plan report).
2. Includes zoning changes as required to create better areas of transition between land uses, ensure that the zoning is consistent with the future land use designation and begin to define the intended character of development in some areas.
3. Includes Circulation and Trails Plans that depict future street and trail systems for the area and outlines more specific multimodal transportation improvement concepts that serve as future guidance as development and redevelopment occurs in the area.
4. Includes a zoning overlay that provides guidance and criteria for the planning, design and implementation of public and private improvements in the Greater Downtown area. If properly administered and adhered to, the standards and guidelines should result in public and private development improvements (or a combination thereof) that achieve, as a minimum, a common level of quality in terms of site design, architectural design, landscaping and other site improvements.
5. Outlines other implementation tools such as economic development and redevelopment strategies and improvements to the public parks within the Greater Downtown area.

The Grand Junction Planning Commission is charged with the legal duty to prepare and consider and recommend action to City Council regarding master plans for the City.

The Greater Downtown Plan was heard in a public hearing by the Grand Junction Planning Commission on March 12, 2013 where the Planning Commission recommended that the City Council adopt the Plan.

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

That the Greater Downtown Plan, City of Grand Junction, Colorado, in the form of the document attached hereto, and as recommended for adoption by the Grand Junction Planning Commission is hereby adopted.

The full text of the Ordinance, including the text of the Greater Downtown Plan, in accordance with paragraph 51 of the Charter of the City of Grand Junction, shall be published in pamphlet form with notice published in accordance with the Charter.

INTRODUCED on first reading the 6th day of March, 2013 and ordered published pamphlet form.

PASSED and **ADOPTED** on second reading the ____ day of _____, 2013 and ordered published in pamphlet form.

President of City Council

ATTEST:

City Clerk

Greater Downtown Plan

DRAFT



1. STUDY AREA CONTEXT

2. PLANNING BACKGROUND

3. COMPREHENSIVE PLAN

4. SITE ANALYSIS

- A. Downtown District
- B. Rail District
- C. River District

5. GREATER DOWNTOWN GOALS AND POLICIES

- A. Area-Wide Goals and Policies
- B. Downtown District Goals and Policies
- C. Rail District Goals and Policies
- D. River District Goals and Policies

6. IMPLEMENTATION STRATEGIES

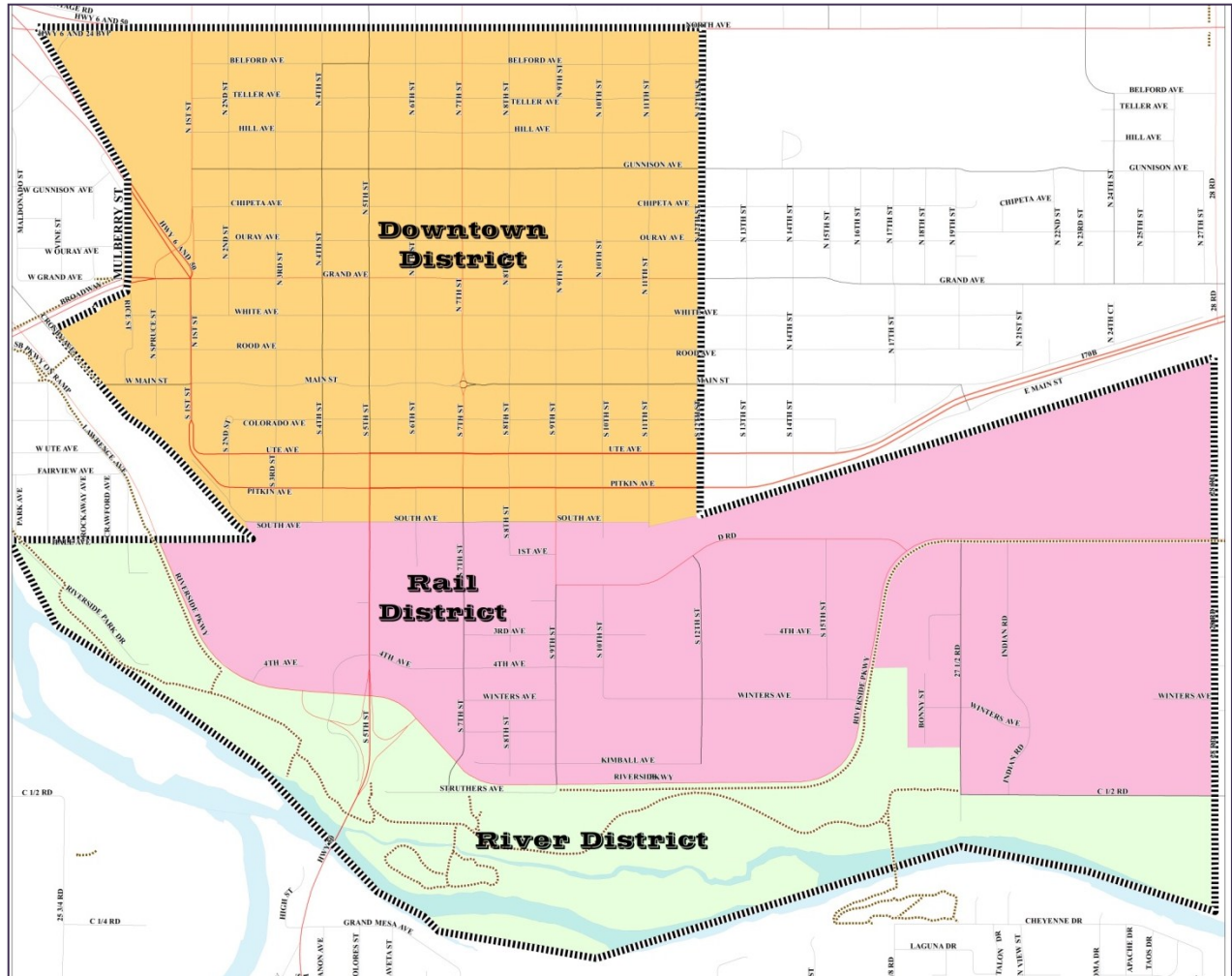
- A. Downtown District Future Land Use and Zoning
- B. Rail District Future Land Use and Zoning
- C. River District Future Land Use and Zoning
- D. Development Standards
- E. Greater Downtown Circulation Plan
- F. Entryways and Signage
- G. Economic Redevelopment
- H. Greater Downtown Area Parks
- I. City-owned Jarvis Property

APPENDICES

- A. Future Land Use Map
- B. Zoning Map
- C. Circulation Plan
- D. Development Concepts
- E. Summary of Public Process and Questionnaires/Comments

1. STUDY AREA CONTEXT

The Greater Downtown planning area is comprised of three sub-districts: the Downtown, Rail and River Districts. The areas are distinctly different due to their location, influences and historic development but complement each other to form a developed area that is central to the community with uses that range from single family residential to rail-oriented heavy industrial.



2. PLANNING BACKGROUND

A Strategic Downtown Master Plan (SDMP) that encompassed the original square mile was developed through the Downtown Development Authority (DDA) and the guidance of a steering committee of interested downtown merchants, property owners and policymakers during 2007-2008. The SDMP defined an overall vision and goals for downtown and included implementation strategies such as a zoning overlay.

The vision of the SDMP addressed: the transportation network and other infrastructure, introduction of green treatments, creation of design standards and strategies for community marketing and promotion efforts. The goals of the SDMP were to:

- Maintain and enhance the economic, cultural and social vitality of downtown
- Promote downtown living by providing a wide range of housing opportunities
- Enhance the transportation system to accommodate automobiles, bikes and pedestrians, and provide adequate, convenient parking
- Stabilize and enhance the historic residential neighborhoods
- Establish and promote a unique identity
- Jump-start the revitalization and reinvestment in the downtown area with strategic catalyst projects

The Strategic Downtown Master Plan was considered by City Council on September 14, 2009 but, due to pending adoption of the Grand Junction Comprehensive Plan (Comprehensive Plan), Council voted to continue the SDMP to an unspecified future date.

A South Downtown Neighborhood Plan (South Downtown Plan) encompassed the area between the railroad tracks and the Colorado River and the Riverside neighborhood on the west to 28 Road on the east. A plan for the area was developed from 2006-2008 with 15 community focus group meetings, 3 public open houses with 80-100 people in attendance at each open house. The South Downtown Plan included an existing conditions analysis, goals and implementation including a circulation and trails plan, economic development strategies, rezoning some properties and zoning overlay. The goals of the South Downtown Plan were to:

- Create, maintain and enhance a green waterfront
- Recognize existing heavy industry and rail service that supports it
- Recognize the distinction between “industrial” streets and “public” streets
- Promote higher quality, “cleaner” uses in the area generally between 7th and 9th Streets
- Improve entry points and connections to downtown
- Increase light industrial opportunities
- Create areas of mixed uses to screen and transition to the heavy industry
- Create and enhance redevelopment opportunities and partnerships

The South Downtown Neighborhood Plan was considered by City Council on June 16, 2008 but was not adopted.

The planning process for the Greater Downtown Plan reanalyzed the two previous planning efforts and made revisions as conditions have changed, included areas that had not been covered by either of those plans, and integrated them into a single plan for the downtown area. In addition, the Greater Downtown Plan incorporates elements of the Downtown Development Authority’s potential projects in order to support the DDA’s Downtown Plan of Development, as well as incorporating elements of the Comprehensive Plan discussed below.

3. COMPREHENSIVE PLAN

The Grand Junction Comprehensive Plan is based on extensive public input that identifies what kind of community we want to have and identifies ways to achieve our vision. It charts the course to help us become the most livable community west of the Rockies. It establishes a vision that focuses the community on what it should do to sustain the quality of life that all residents desire and expect. The

Comprehensive Plan establishes the following guiding principles that will shape growth, all of which apply to development of the Greater Downtown area.

A. Concentrated Centers – The Plan calls for three types of centers; the City Center, Village Centers and Neighborhood Centers.

B. Sustainable Growth Patterns – Fiscal sustainability where we grow efficiently and cost-effectively. Encourage infill and redevelopment.

C. Housing Variety – Allow, encourage more variety in housing types that will better meet the needs of our diverse population.

D. A Grand Green System of Connected Recreational Opportunities – Take advantage of and tie together the exceptional open space assets of Grand Junction, including the Colorado River, our excellent park system, trails and our surrounding open spaces.

E. Balanced Transportation – Accommodate all modes of transportation including air, transit, freight, auto, bike and pedestrian.

F. A Regional Center – Preserve Grand Junction as a provider of diverse goods and services and residential neighborhoods.

Specific policies within the Comprehensive Plan further support the concepts of the *Greater Downtown Plan* as outlined below.

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

Goal 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 6. Land use decision will encourage preservation of existing buildings and their appropriate reuse.

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

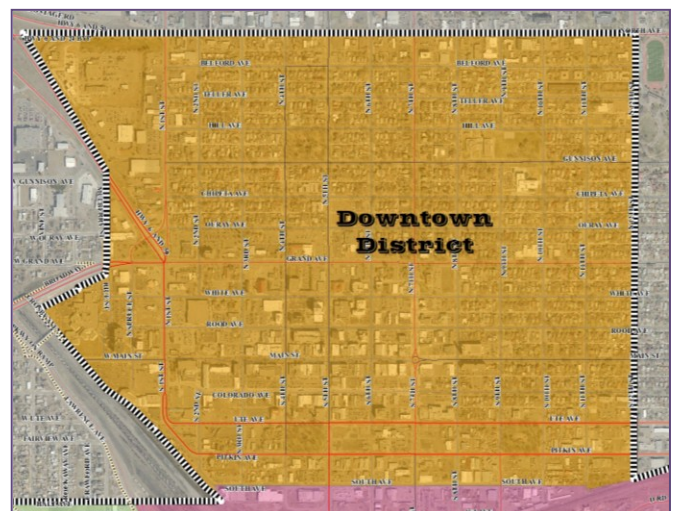
Goal 9. Develop a well-balanced transportation system that supports automobile, local transit, pedestrian, bicycle, air and freight movement while protecting air, water and natural resources.

4. SITE ANALYSIS

A. Downtown District

The Downtown District encompasses the original square mile, the area south of North Avenue between 1st Street and Highway 6 & 50, and the area south of Grand Avenue between 1st Street and the railroad tracks (see map on following page).

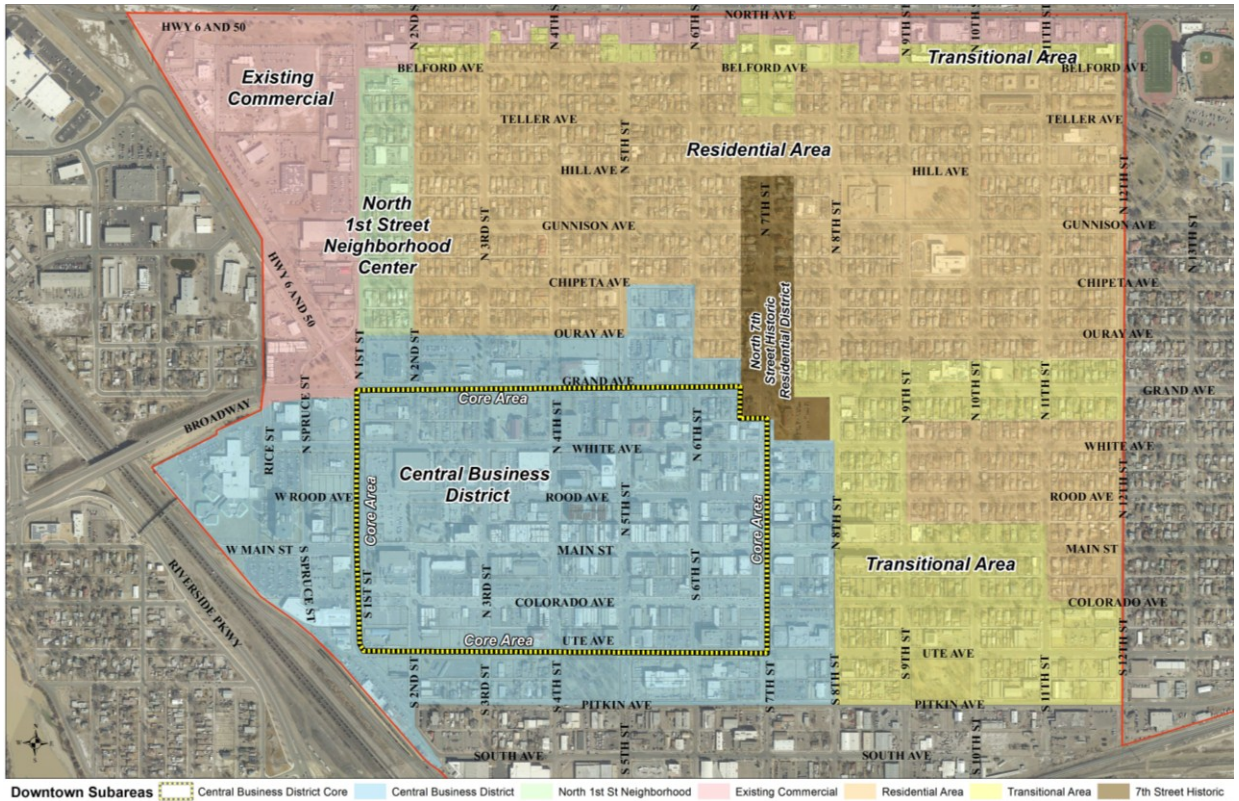
The Downtown District should retain its role as the City's center and a regional destination. With a diverse mix of



land uses, civic and public amenities, art and cultural facilities, the Downtown District offers a hub of activity that supports and reflects the regional demographics. Every effort should be made to keep and maintain existing public amenities and services in the Downtown District. These uses attract large numbers of residents and visitors to downtown which contributes to its economic vitality.

The Downtown District benefits from a number of characteristics that make it appropriate for development of retail, office, residential, institutional and community uses as described below.

- On average, urban residents spend a greater percentage of household income on retail expenditures, particularly on items such as apparel and food away from home. This indicates an opportunity for additional specialty retail and entertainment space in the Downtown District.
- Housing within the Downtown District has been and is expected to continue to increase in density with smaller households comprised of young and old, and moderate and lower-income residents. However, with a growing concentration of middle-aged, moderate- to high-income households in the City as a whole, there is an opportunity for the Downtown District to attract more diverse, higher-income resident base. The entirety of Grand Junction (urban and fringe) faces a growing shortage of quality affordable housing for its very low- and moderate-income residents, as well as working-wage families. This planning process emphasized the need for a set of strategies tailored specifically to the housing challenges present within the Downtown District.
- Downtown commercial vacancy and rental rates are approaching levels required to support new development and/or redevelopment. However, “seed” money will likely be necessary to leverage private investment in projects that will catalyze reinvestment activity throughout the Downtown District.
- Among the higher growth employment sectors in Mesa County are service industries often consisting of small businesses. This represents an opportunity for the Downtown District to develop not only additional live/work units, but also to promote the adaptive re-use of historically significant buildings and less traditional spaces including former church facilities.
- Forecasts indicate that more than one million square feet of employment space (office), more than 1.6 million square feet of retail space and nearly 1,100 residential units could be absorbed in the market over the next ten years, from which the Downtown District could benefit. The degree to which the Downtown District is able to capture new demand within the trade area and beyond will be a function of the redevelopment process itself. Redeveloping key catalyst areas as residential, retail, employment and community destinations will necessarily increase its ability to capture not only a greater share of trade area demand, but also to reach beyond those boundaries.
- The Downtown District is comprised of many uses that result in a number of diverse neighborhoods. While some areas within downtown are comprised of one single use, such as residential or business/commercial, there are many areas that include a range of uses, such as along Grand Avenue. In order to more fully understand specific issues facing the many, diverse neighborhoods within downtown, the Downtown District was divided into five primary subareas: Central Business District (CBD), Central Business District Core Area (Downtown Core), Transitional, Residential and North 1st Street Neighborhood Center (Neighborhood Center).

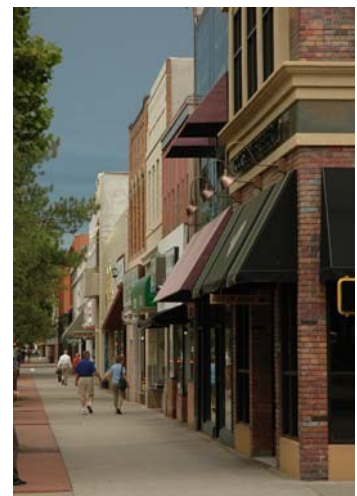


Downtown District Subareas

Central Business District (CBD). The CBD contains primarily commercial uses and is located generally south of Ouray Avenue. The CBD also contains a significant number of public and civic facilities. While much of the CBD is zoned to permit a wide range of uses, there are several new projects that have integrated uses into one cohesive project. Pedestrian accessibility and amenities, public facilities, traffic patterns, building heights and commercial development densities combine to create an urban character that attracts local businesses, employees, residents and visitors to the CBD. Within the CBD, the Downtown Core includes the streets and development patterns that most depend on and are defined by the heaviest pedestrian activity.

Transitional Subarea. The Transitional areas of downtown contain a mix of residential, commercial and institutional uses. Development densities and building heights are not as extreme as in the CBD and residential uses, which includes single family homes adapted to multifamily uses, are prevalent throughout the Transitional areas. With the exception of the main arterial Grand Avenue, traffic is less congested and parking is available, both on-street and in publicly- and privately-owned surface parking lots.

Existing homeowners in the Transitional areas, especially along Grand Avenue, expressed concern over the rapidly expanding commercial character of the area. Traffic congestion, parking issues, vehicle accessibility, lighting and signage were each cited



Main Street

of the area. Traffic congestion, parking issues, vehicle accessibility, lighting and signage were each cited

as an adverse impact that existing single family residential homeowners were grappling with as more homes are converted to business uses.



New Infill Development Building on Right



Residential Subarea Character

Residential Subarea. A significant amount of the Downtown Core contains single family residential uses. The large number of older, historic structures results in a definitive architectural character that local residents want preserved. The North Seventh Street Historic Residential District contains 34 historic homes with a high concentration of early Twentieth Century architectural styles and construction methods. The district covers five blocks of North Seventh Street with the most intact historical residential area in Grand Junction with a variety of Queen Anne, Colonial Revival and Mission style homes.

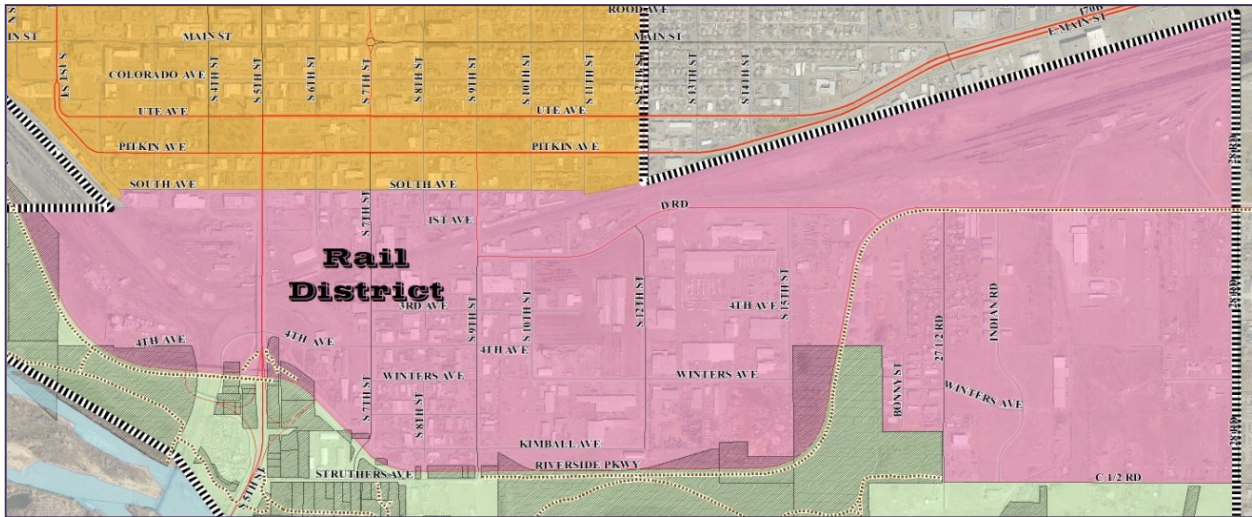
Along the edges of the downtown residential areas, commercial activity is encroaching on established single-family residential neighborhoods. Although existing residents expressed their satisfaction with existing development and uses along the North 1st Street and North Avenue, many participants expressed concern over future expansion and potential rezoning along these edges and wanted to see the Greater Downtown Plan respect existing zone districts and development patterns and prohibit any further rezoning or variances.

North 1st Street Neighborhood Center. This subarea of the Downtown District is an extension of the Neighborhood Center defined along the North Avenue corridor. The intent of the Neighborhood Center is to provide for limited employment, residential, open space and limited retail uses that primarily provide convenience to the immediate neighborhood. While much of the area is already developed with commercial area, there is a need to create a better transition between the commercial uses facing North 1st Street and the side streets to the residential areas on the east side of North 2nd Street.

B. Rail District

The Rail District is the area bounded by South Avenue and the railroad tracks to the north, Riverside Parkway and C-1/2 Road along the west and south and 28 Road on the east. The man-made framework of the area consists of the buildings and infrastructure that already exist, some of which is very old, and

some of which was recently constructed. The railroad tracks along the northern portion of the Rail District as well as the sidings that come into the area are very important considerations. Several spurs continue to be heavily used by the industry in the area, while others have been abandoned but may be available for future use. The former Grand Junction Steel site, located in the center of the Rail District historically received three to four rail cars per week of raw material and finished products were then



trucked from the site. Castings, Inc. handles approximately 480,000 pounds of materials and products in containers by rail each week. Thus, as in the past and as long as it continues to be used as a means of transport, the railroad is a valuable asset to this area and to the community as a whole.

The existing street network in the Rail District is incomplete. The plan for the area addresses how the existing streets should be used and how new streets should be planned in the eastern and western ends of the Rail District to continue to provide and enhance access for many modes of transportation to, from and through the area. Presently, 9th, 12th and 15th Streets are the primary north-south streets utilized by the heavy commercial and industrial uses in the area. 7th Street is generally perceived by the community as the “public” access to and from the Rail District and points south. Certainly, the completion of the Riverside Parkway through and along the southern edge of the Rail District has had a major impact on the area with a positive influence.



Existing Sidings in the Rail District

Part of the existing conditions of the built environment is the pattern of land ownership and use. In the central part of the Rail District there are numerous small parcels. Some have been aggregated into large

holdings such as for the larger industries in the area including the former Grand Junction Steel site, Whitewater Building Materials Castings, Inc. and Munroe Pump. The railroad has large landholdings in the area as do various public entities. City-owned properties primarily include remnant parcels that were acquired for construction of the Parkway. Mesa County recently disposed of several small parcels and the State of Colorado has the Department of Transportation complex on the east side of 9th Street and D Road. To the east, the parcels are larger but some are not configured very conducive to development. There are also still remnants of the early days of this area. There are some remaining pockets of occupied single family residential homes.

There are also a few isolated commercial structures with historic significance, most notably the one pictured below which is a remnant of a sugar beet factory complex. The building was previously most visible from the riverfront trail and Orchard Mesa but it is now very visible from the Riverside Parkway. As this area becomes more familiar to people passing through on the trail and on the Parkway, perhaps some of the buildings like this one can become a more integral part of redevelopment.



Existing Single Family Residence

It is estimated that there is a daytime population of over 1,000 employees in the Rail District that have very little available in the way of goods, services, restaurants and other commercial uses in close proximity. There appears to be a need and a desire to promote and develop uses that could not only service the daytime working population but also support the recreational and park users in evenings and on weekends.

There are surrounding influences that impact the Rail District such as the proximity of the area to the Downtown District. This plan considers the main entrances and connections to the other Districts within the Greater Downtown area and how they can be improved as well as determine if or where there are barriers such as the railroad crossing and how those can be mitigated.



Remnant Building from Sugar Beet Factory



Existing Business on South 7th Street

An inventory of existing land uses within the Rail District was completed as part of the planning process, identifying patterns of development and architectural character. Existing land use in the more developed central area of the Rail District is and has historically been primarily heavy commercial and industrial with remnant pockets of residential. The area between 5th Street and 9th Street is characterized by smaller

parcels with older structures. A few businesses have aggregated parcels into larger parcels which are more conducive to future improvement and/or redevelopment. This area presents the best opportunities within the Rail District for redevelopment that could be accomplished through creative incentives and partnerships.

The heavy industries are primarily located between 9th and 15th Streets, clustered around the existing railroad spurs on larger parcels. Since the rail and its users are valuable assets to the area and the community as a whole, the core of this area is unlikely to change. However, there appears to be some opportunity and community support to create transitional areas of varied land uses in a tier surrounding the core industrial area. These transitional areas can be used to create compatibility between adjacent uses such as the park and the heavy industrial as well as help visually screen the industrial areas.



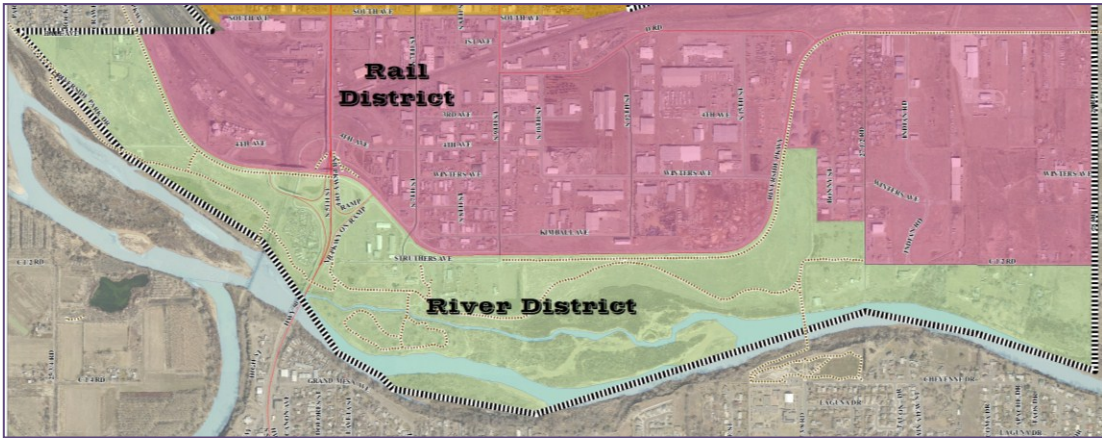
Existing Heavy Industrial Uses

On the eastern side of the Rail District, much of the property is held in larger ownerships and is vacant or underutilized. There is also a small pocket of existing residential use along 27-1/2 Road just south of the Riverside Parkway but which have been zoned for future commercial/industrial uses for many years. Much of the eastern area presents the greatest opportunity for increasing heavy commercial and industrial use within the Rail District and the Greater Downtown area as a whole.

C. River District

The River District is located on either side of the confluence of the Gunnison and Colorado Rivers, roughly between the Riverside neighborhood to the northwest to 28 Road on the east and the Riverside Parkway to the Colorado River. At this “grand junction”, the area transformed from an agricultural based community into the commercial and industrial area it is today. Over time, the area has been used to store mill tailings along the river, process sugar beets in the historic beet packing complex, and more recently the community has rediscovered its natural value for green space, trails and public uses such as the Botanic Gardens. The majority of the property in the River District is publicly owned including the Las Colonias Park site, the Botanic Gardens property, the Jarvis property, some remnants of land that were acquired for construction of the Parkway and State Parks properties on the east end of the District.

There is an existing trail through the area that must be recognized as the area develops and redevelops. The plan considers that the trail will eventually be extended to the east along the river and that improved public access to the trail system throughout the area is a necessity.



Located within walking distance from the other downtown areas, the River District offers both easy access to recreational amenities along the river, as well as convenient access to shopping and businesses in the adjacent Central Business District. It also functions as a gateway into downtown from Highway 50. Its location and context establishes it as one of the most important places in the City.

The River District is a critical area of the community. It virtually is THE Grand Junction. The Colorado River has a big influence on the area which presents both constraints and opportunities. The floodplain associated with the Colorado River has been altered by construction of a levee that protects a large part of the River District from flood inundation but there are some areas that are still impacted by potential flooding of the Colorado River.



Botanical Gardens

On the other hand, the Colorado River does present excellent opportunities to maintain and enhance amenities that have already been placed along the Colorado River including the Botanic Gardens, the riverfront trail system, the Old Mill pedestrian bridge and the community investment of the Riverside Parkway

The proximity of the area to Orchard Mesa influences the plan both physically and visually. There are also recreation and open space uses within and nearby – Eagle Rim Park on Orchard Mesa and the Botanic Gardens along the Colorado River. The Greater Downtown Plan addresses how these spaces should be connected, enhanced and integrated into redevelopment of the area.

The topography of the site is also an important consideration. While the River District area itself is flat, it is significantly lower than Orchard Mesa to the south. This makes it a very visible area as well as presents some unique opportunities for views and vistas.

In addition, the plan considers the planning efforts that have been completed for areas within the River District including the Botanical Gardens, Las Colonias Park and the City-owned Jarvis property. The Greater Downtown Plan integrates with the adjacent uses to the east that were included in the Pear Park Neighborhood Plan.



Views of the River District from Eagle Rim Park

Several design concepts have been developed for the Las Colonias Park site which lies south of the Riverside Parkway (Parkway) from 9th Street to 27-1/2 Road. A trail has been constructed through the property and now that the Parkway has been in use, there is renewed interest in developing a more specific plan. Some amenities being considered are parking, restrooms, shelters, play area, open space, expanded walk/bike trails, open space for festivals, music, and educational presentations, various wetlands and arbor education opportunities, a kayak park, tree walk and a disc golf course.

The Jarvis property was historically used as a salvage yard until purchased and cleaned up by the City in the late 1980s. Since then, the property has been vacant with the exception of the recent trail construction through the site. Other uses on the west end of the River District are industrial along the south side of the railroad tracks. A mixed use conceptual plan has been developed for the Jarvis property which was considered through the development of the Greater Downtown Plan.



Views of the Rail and River District from Eagle Rim Park

There are areas of low density residential uses along the south side of C-1/2 Road just west of 28 Road. These uses are intended to remain, along with future development of the riverfront trail system from 27-1/2 Road to 28 Road. The Colorado State Parks has acquired several properties in this area in anticipation of continued trail development.

5. GREATER DOWNTOWN GOALS AND POLICIES

City staff held a series of meetings with property owners, including elected City officials, representatives of large industries, economic redevelopment interests and owners of small businesses and properties. The meetings were conducted as informal brainstorming sessions in order to define more specific issues, constraints and opportunities and continue to discuss the community's vision for the Greater Downtown area.

In addition to these meetings, two public open houses were held (December 2011 and February 2012) and questionnaires and information were available on the City's web site for several weeks to invite

similar input from other property owners, tenants and citizens at large. Participants were asked to evaluate various design and planning concepts to determine which of these are most important to the community and should be addressed in greater detail in the Plan. The concepts addressed four major topics relative to an area plan: land use, circulation, economic (re)development and visual character. The results of the evaluations and comments gathered on the concepts were tabulated as included in Appendix E. The results, along with previous information for the CBD, show strong community support for ideas that are translated to the goals and policies listed below for the Greater Downtown Plan.

A. Area-Wide Goals and Policies

Goal 1: Enhance the transportation system to accommodate automobiles, bikes and pedestrians, and provide adequate, convenient parking.

Policy 1a: Street design will accommodate travel lanes, parking, bike lanes, medians, sidewalks, and street trees, appropriate to and complementary of the adjacent land use.

Policy 1b: Street design will achieve a balance between travel mobility, land use access and livability and improve connections to the Greater Downtown area and the connections between subdistricts.

Policy 1c: Emphasize “walkability” of the downtown area through street design that is pedestrian friendly to provide a foundation for a safe, active and livable area, including sidewalks, accessibility improvements, bicycle facilities, off-street trail connections and safe crossings, where appropriate.

Goal 2: Establish and improve entry points into the Greater Downtown area (refer to the Wayfinding and Signage Map on page 35).

Policy 2a: Street and streetscape design will include signage, landscaping and other design elements to delineate appropriate entry points into Greater Downtown.

Goal 3: Promote downtown living by providing a wide range of housing opportunities, primarily in the Downtown District.

Policy 3a: Support a regional housing strategy with an emphasis on infill, downtown housing.

Policy 3b: Promote development patterns and regulations that accommodate vertical mixed-use development, primarily in the Central Business District.

Goal 4: Redefine the land use along key corridors to provide a mix that will offer the most opportunities for redevelopment and revitalization.

Policy 4a: Define subareas and corridor areas for groupings of land uses that are complimentary to the rest of the Greater Downtown area (refer to the Downtown District Subareas Map on page 8).

Policy 4b: Mixed uses, including residential, will be encouraged in appropriate subareas and corridors.

B. Downtown District Goals and Policies

Goal 1: Maintain and enhance the economic, cultural and social vitality of the Downtown District.

Policy 1a: Define subareas and corridor areas for groupings of land uses that are complimentary to the rest of the Greater Downtown area (refer to the Downtown District Subareas Map on page 8).

Policy 1b: Implement infill and redevelopment policies that support downtown.

Policy 1c: Encourage a wide mix of uses, offering retail and commercial services at ground level and business/office/residential on upper floors in all but residential areas.

Policy 1d: Maintain and expand public amenities and services in the Downtown District.

Policy 1e: Enhance and preserve Whitman and Emerson Parks to integrate the space into the downtown fabric and encourage use by the community.

Policy 1f: The City with assistance from the Downtown Development Authority will explore the alternative street configuration to relocate the one-way couplet of streets that are currently Ute and Pitkin Avenues to utilize Pitkin and South Avenues for this purpose.

Policy 1g: The study of the one-way couplet will include an analysis of alternatives for 4th and 5th Streets including returning these streets to the 2-way grid system between Ute Avenue and North Avenue.

Policy 1h: Minimize surface parking in the CBD and develop new means of paying for shared parking (e.g. develop a fee in lieu of required on-site parking that will be used to fund shared parking structures).

Goal 2: Require density/intensity in the Downtown District as prescribed by the Comprehensive Plan, primarily within the Central Business District.

Policy 2a: Strengthen means of implementation that promote vertically mixed-use structures, primarily within the CBD.

Policy 2b: Require minimums in height and density/intensity for new development in the CBD.

Policy 2c: Require minimal or no building setbacks within the Downtown Core to maximize site intensity/density.

Goal 3: Develop a pedestrian-oriented, walkable Downtown Core.

Policy 3a: Prohibit uses on ground level that do not support pedestrian activity.

Policy 3b: Require building façade details that activate the ground floor, particularly on corner buildings to activate north-south streets.

Policy 3c: Within the CBD, encourage shared parking and discourage single-use, surface parking.

Goal 4: Stabilize and enhance the historic residential neighborhoods.

Policy 4a: Discourage further encroachment of non-residential uses into the established residential neighborhoods.

Policy 4b: Establish design standards to address conservation and enhancement of the residential development patterns and streetscape.

Policy 4c: Establish design standards for the transitional areas to emphasize use and development compatibility with adjacent residential areas.

Policy 4d: Promote the establishment of neighborhood watch and neighborhood organizations.

Goal 5: Recognize and promote opportunities to build subareas/neighborhoods, each with a unique identity.

Policy 5a: Develop a set of guidelines within each subarea to address building and façade design, streetscape, landscape and other elements of site development.

Goal 6: Jump-start the revitalization and reinvestment in the Downtown District with strategic catalyst projects.

Policy 6a: Plan and budget for strategic property acquisition for future development.

Policy 6b: Identify locations for and promote concepts of catalyst projects, including public building/housing/mixed use, live/work units, mixed-use retail/residential and mixed-use retail/office.

C. Rail District Goals and Policies

Goal 1: Preserve the opportunity for heavy industry and rail service that supports it.

Policy 1a: The City will maintain industrial zoning in those areas served by rail lines and sidings.

Goal 2: Recognize distinction between “industrial” streets such as 9th and 12th Streets and “public” streets 7th Street and Riverside Parkway.

Policy 2a: Develop street sections that reflect the differences in development patterns along and the use of the street.

Policy 2b: In as much as possible, encourage traffic generated from the eastern area of the Rail District to travel north and then east rather than directly east through the low density residential areas.

Goal 3: Promote higher quality, customer and pedestrian friendly development along 7th Street and Riverside Parkway.

Policy 3a: Implement design guidelines and standards along corridors that will result in site and building design improvements along the corridors.

Goal 4: Re-establish and improve a street grid in the Rail District.

Policy 5a: The City will implement the Grand Valley Circulation Plan in the Rail District, including construction of new streets as development occurs in the Industrial and Commercial/Industrial areas.

D. River District Goals and Policies

Goal 1: Create/maintain/enhance a green waterfront

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

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

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

Policy 2a: Utilize zoning, overlay districts and incentives for development and redevelopment complimentary uses.

Goal 3: Create/enhance redevelopment opportunities and partnerships

Policy 3a: The City will work with the Downtown Development Authority to expand its boundaries.

Policy 3b: The City will consider implementation of incentive strategies for redevelopment.

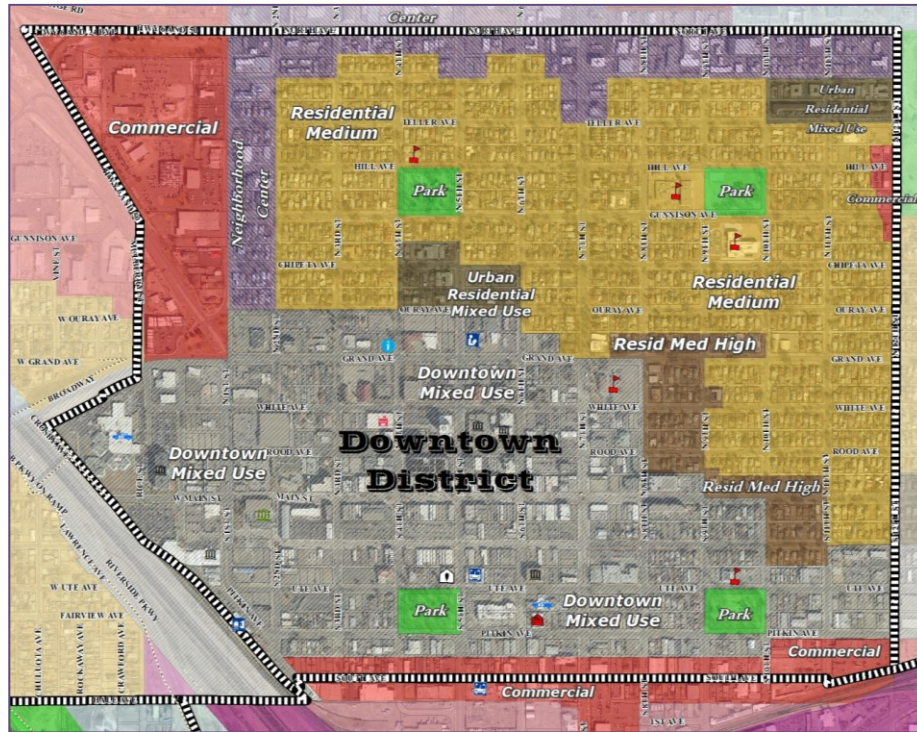
Policy 3c: The City will consider redevelopment opportunities for the Jarvis property including the potential for public-private partnerships.

6. IMPLEMENTATION STRATEGIES

The City has a variety of tools available through which these goals can be implemented so that the vision for Greater Downtown can materialize and eventually be realized. This Plan represents the first phase of implementation and includes the basic implementation strategies of designating Future Land Use categories, zoning properties accordingly as needed, amending development standards of the zoning districts through a zoning overlay and establishing goals and policies for future phases of plan implementation such as economic (re)development strategies.

A. Downtown District Future Land Use and Zoning

Future Land Use. The Greater Downtown Plan within the Downtown District is formulated around seven general land use categories: Commercial, Downtown Mixed Use, Neighborhood Center Mixed Use, Urban Residential Mixed Use, Residential Medium High Density, Residential Medium Density and Parks and Open Space. These categories correspond with those established in the City-County Comprehensive Plan and are illustrated on the map below. A more detailed description of the land use categories may be found in the Comprehensive Plan.

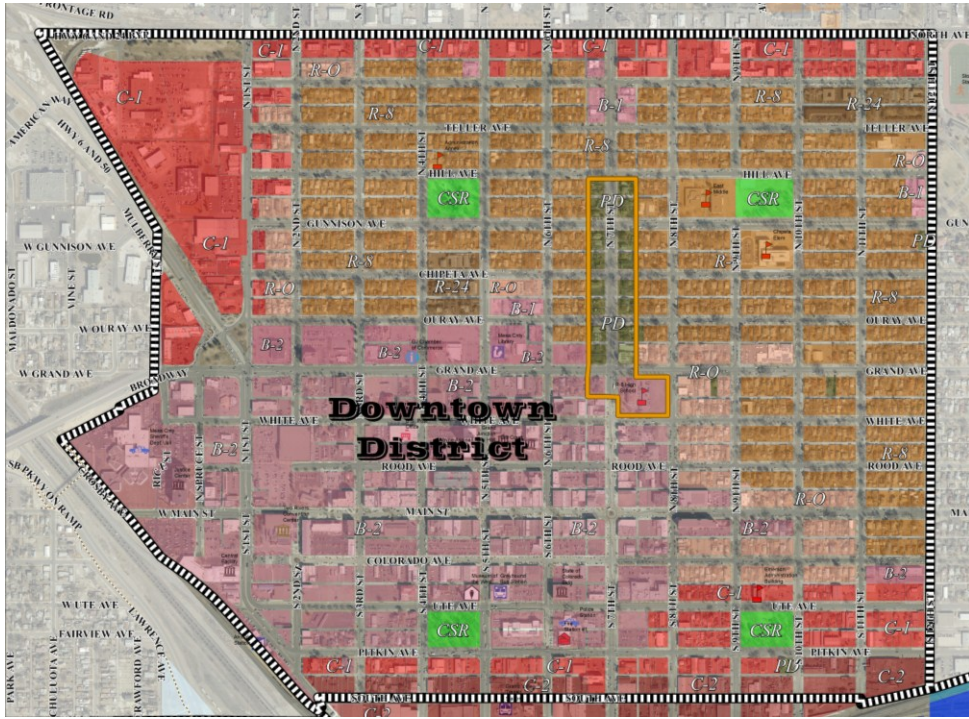


Greater Downtown Future Land Use Categories

Neighborhood Center (NCMU)	Commercial (COM)	Residential Med High (RMH)	Conservation (CON)
Downtown Mixed Use	Industrial (IND)	Residential High Mixed Use or Resid. Med High	Urban Residential Mixed Use (URMU)
Business Park Mixed Use	Commercial Industrial (CI)	Park (PK)	

Downtown District Future Land Use Plan

Zoning. Proposed zoning within the Downtown District is shown on the map on the following page and includes the following zone districts: Residential 8 units per acre (R-8), Residential 24 units per acre (R-24), Residential Office (R-O), Neighborhood Business (B-1), Downtown Business (B-2), Light Commercial (C-1), General Commercial (C-2), and Community Services and Recreation (CSR). Generally, the zoning is proposed to remain the same as currently exists. A more detailed description of the zone districts within the Downtown District may be found in the Zoning and Development Code.



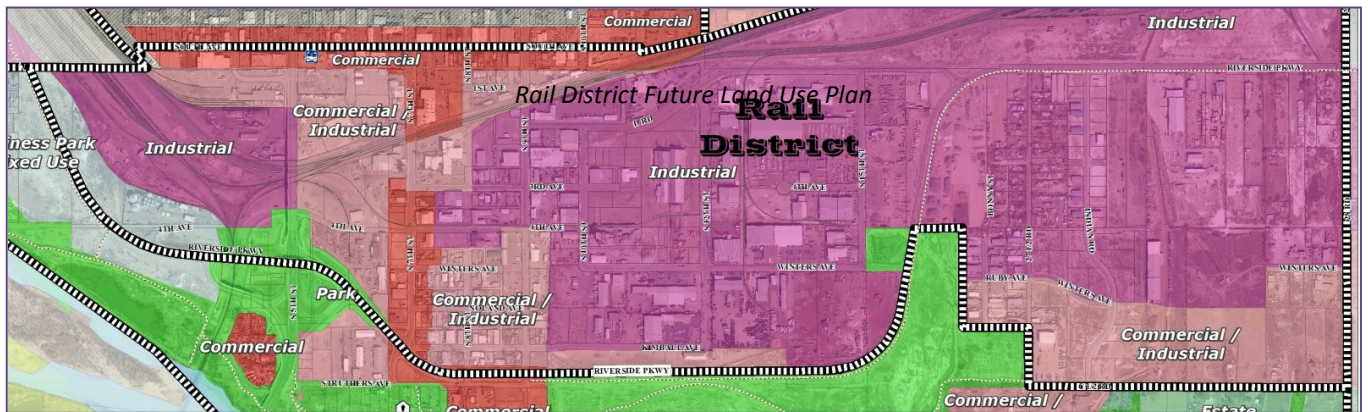
Downtown District Zoning Map

Greater Downtown Zoning Categories



B. Rail District Future Land Use and Zoning

Future Land Use. The Greater Downtown Plan within the Rail District is shown on the map on the following page and is formulated around five general land use categories: Business Park Mixed Use, Commercial, Commercial industrial, Industrial and Parks and Open Space. These categories correspond with those established in the City-County Comprehensive Plan. A more detailed description of the land use categories may be found in the Comprehensive Plan.



Greater Downtown Future Land Use Categories



Zoning. Proposed zoning within the Rail District is shown on the map below and includes the Light Commercial (C-1), General Commercial (C-2), Community Services and Recreation (CSR), Business Park Mixed Use (BP), Industrial/Office Park (I-O), Light Industrial, and General Industrial (I-2) zone districts. The majority of the zoning is proposed to remain the same as currently exists. A more detailed description of the zone districts within the Rail District may be found in the Zoning and Development Code.



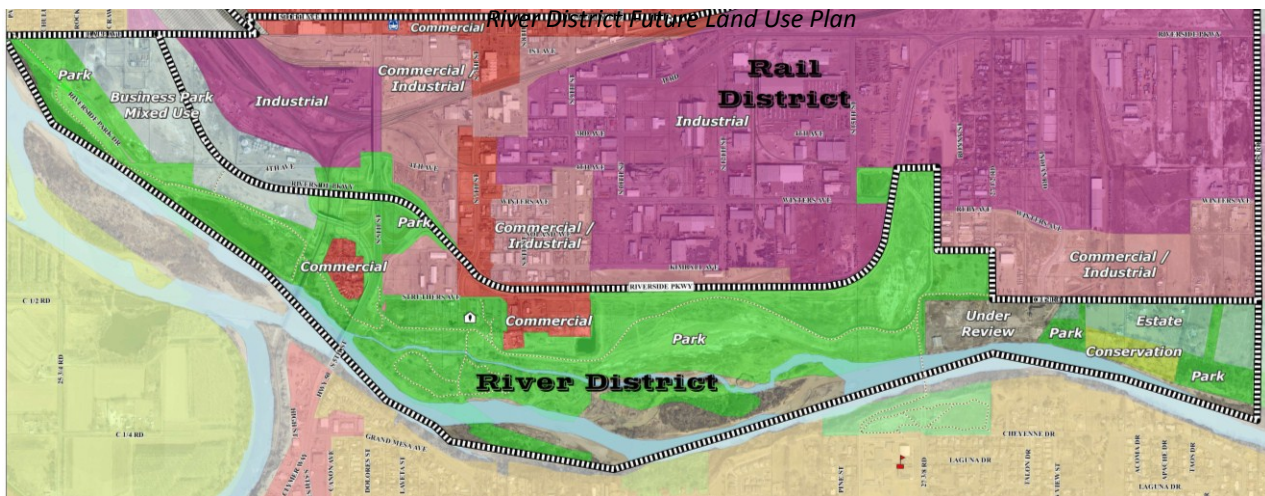
Greater Downtown Zoning Categories

Proposed Zoning Changes	B-2 (Downtown Business)	C-1 (Light Commercial)	I-O (Industrial Office Park)	I-2
R-O (Residential Office)	BP (Business Park)	C-2	I-1 (Light Industrial)	CSR (Community Services & Rec.)

Rail District Zoning Map

C. River District Future Land Use and Zoning

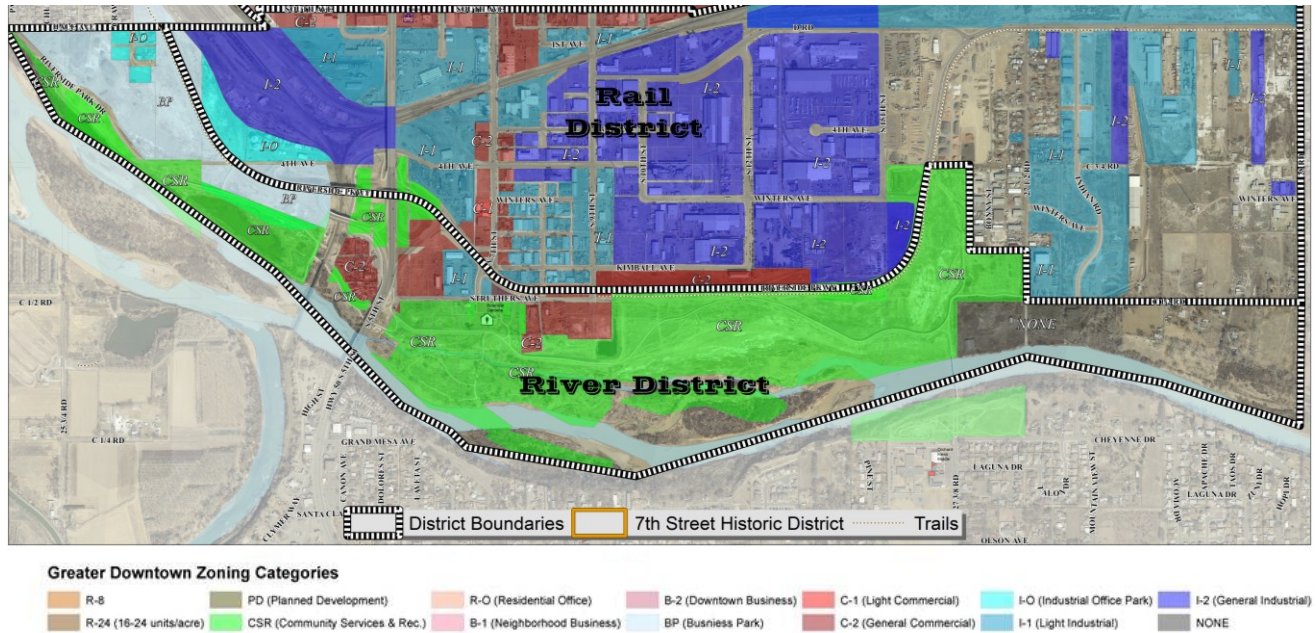
Future Land Use. The Greater Downtown Plan within the River District as shown on the map on the following page is formulated around six general land use categories: Commercial, Commercial Industrial, Parks and Open Space, Conservation, Estate and Business Park Mixed Use. These categories correspond with those established in the City-County Comprehensive Plan. A more detailed description of the land use categories may be found in the Comprehensive Plan.



Greater Downtown Future Land Use Categories

Neighborhood Center (NCMU)	Commercial (COM)	Residential Med High (RMH)	Conservation (CON)
Downtown Mixed Use	Industrial (IND)	Residential High Mixed Use or Res id. Med High	Urban Residential Mixed Use (URMU)
Business Park Mixed Use	Commercial Industrial (CI)	Park (PK)	

Zoning. Proposed zoning within the River District is shown on the map on the below and includes the following zone districts: Light Commercial (C-1), General Commercial (C-2), Community Services and Recreation (CSR), Business Park Mixed Use (BP), Industrial/Office Park (I-O), and Light Industrial (I-1). The majority of the zoning is proposed to remain the same as currently exists. A more detailed description of the zone districts within the River District may be found in the Zoning and Development Code.



River District Zoning Map

D. Development Standards

The community desires to improve the visual character of the Greater Downtown areas that are most visible along major public corridors or from the major public spaces. Consequently, the Plan promotes a higher quality built environment through improved architectural character, reduced visual clutter and enhanced streetscape. These elements are addressed through the Greater Downtown Zoning Overlay detailed in a companion document to this Plan. The elements of the overlay are intended to augment the zoning district standards in the Zoning and Development Code.

E. Greater Downtown Circulation Plan

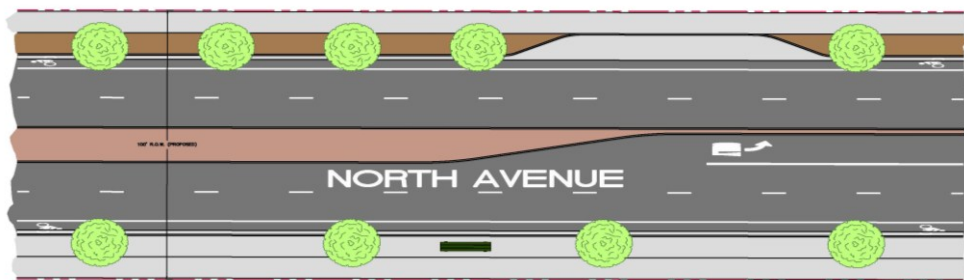
The Grand Valley Circulation Plan that serves as the Circulation Plan for Greater Downtown is shown in Appendix C. The plan identifies a street network that includes both existing and proposed streets and both major and minor streets. In addition to the plan itself, the Greater Downtown Circulation Plan also identifies potential enhancements within Greater Downtown that could be implemented over a number of years. The suggested desired cross-sections and level of streetscape development along the streets within Greater Downtown support the overall Plan goals, land uses and circulation to and from the area for pedestrian, bicycle and vehicles.

Policy: Conduct a more detailed traffic analysis of the area to determine needed intersection control and street cross-sections.

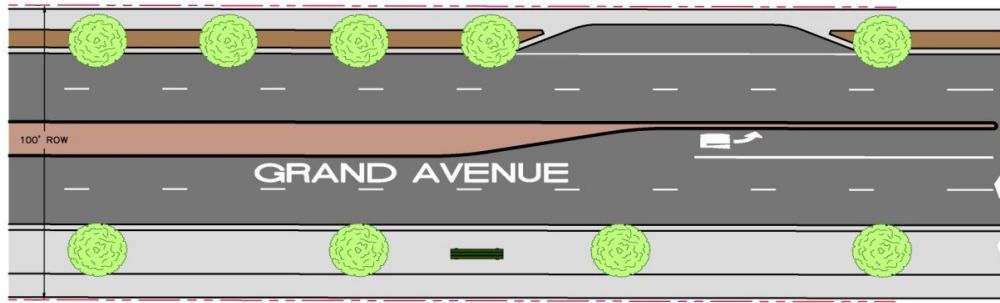
Major Street Corridors. Major streets in the Grand Junction urbanized area are classified according to their function in the transportation network. The two components of function are to provide access to properties and to carry traffic from point to point. In order to preserve safety and capacity and enhance the quality of living, the relation of these two components should be inversely proportionate, with the busier streets having limited access and the quieter streets providing access to properties. The components of the major street system have been identified on a functional classification map, known as the Grand Valley Circulation Plan that has been adopted by the City of Grand Junction and accepted by Mesa County. The Greater Downtown Circulation Plan is intended to augment the Grand Valley Circulation Plan and provide more specific guidance on multimodal circulation improvements as development and redevelopment occurs in the Greater Downtown area.

As properties develop and redevelop within Greater Downtown, the Grand Valley Circulation Plan and the concepts of the Greater Downtown Circulation Plan will be implemented through construction or improvement of streets when warranted by the proposed development. The specific design of each street is generally based on the land use and zoning of the properties along it. For example, in areas that will be zoned Commercial, the Commercial Street cross-section will apply, unless, during actual design and construction, modifications to the standard cross-section are made based on suggestions in the Greater Downtown Plan. Similarly, streets within Industrial areas are to be developed/improved according to the City's adopted Industrial street cross-section, unless, during actual design and construction, modifications to the standard cross-section are made based on suggestions in the Greater Downtown Plan. The street classifications and proposed street sections for the major corridors in Greater Downtown are described below. The concept drawings included on the following pages illustrate suggestions of the Greater Downtown Circulation Plan.

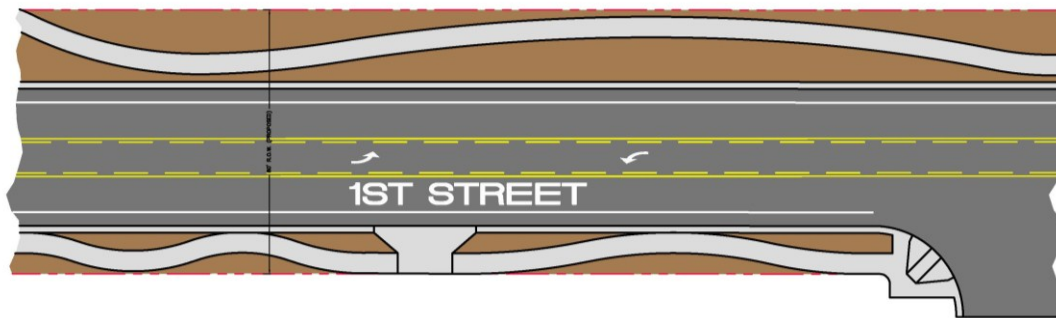
- **North Avenue** – Arterial Street. A potential layout for North Avenue between 1st and 12th Streets was adopted with the North Avenue West Corridor Plan. The layout is incorporated into the Greater Downtown Plan as depicted below.



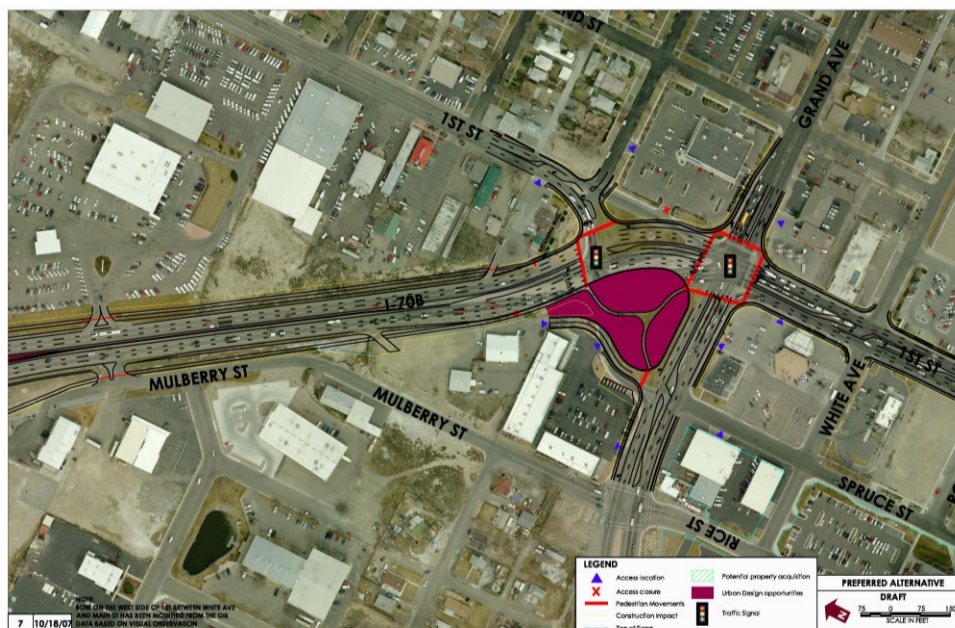
- **Grand Avenue** – Arterial Street. While Grand Avenue is an established street with improved streetscape elements the length of the segment within Greater Downtown (1st to 12th Streets), there could be improvements made in some blocks that would enhance traffic flow, pedestrian safety and visual aesthetics. A typical, potential median improvement to Grand Avenue is depicted below.



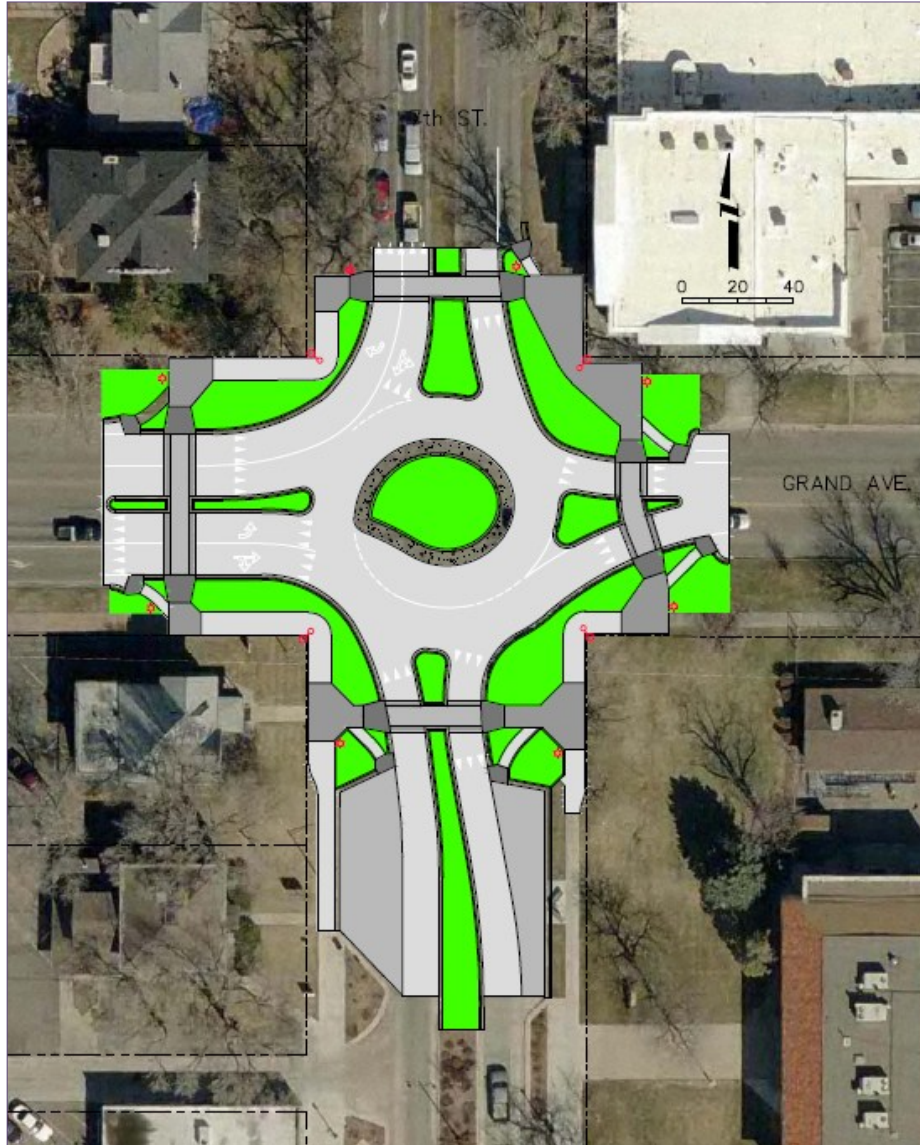
- North 1st Street – Arterial Street.** The segment of North 1st Street from Grand Avenue to North Avenue is deficient in street design and pedestrian amenities. The Greater Downtown Plan envisions eventual redevelopment of this street to improve safety, drainage, pedestrian circulation, access and improve on-street parking. A potential layout is depicted below.



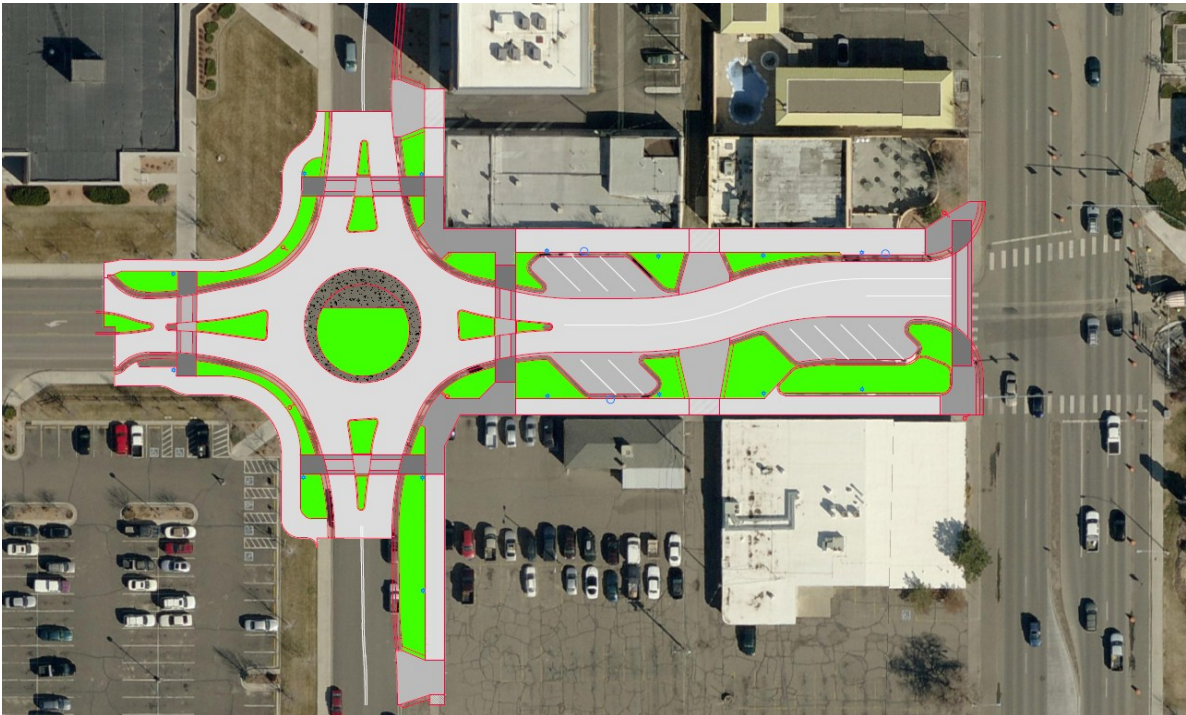
- 1st Street and Grand Avenue Intersection –** The Colorado Department of Transportation (CDOT) completed an Environmental Assessment for the I-70B/6 & 50 corridor which recognized circulation needs at the 1st and Grand intersection. A potential design is shown below. This design is incorporated into the Greater Downtown Plan as are any potential improvements CDOT may include in this project on 1st Street from Grand Avenue to Pitkin Avenue.



- **7th Street and Grand Avenue Intersection** – A design for a roundabout was included with the plans for 7th Street improvements that were completed in 2007-2008. The roundabout was not constructed at that time but the intersection still warrants vehicular and pedestrian improvements. The plan as originally proposed is shown below.



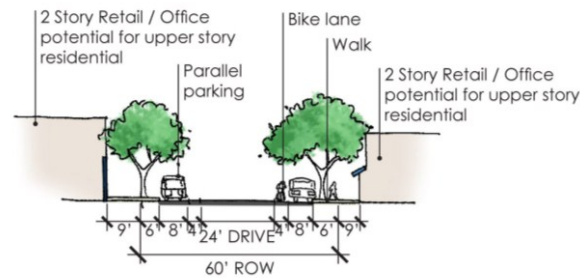
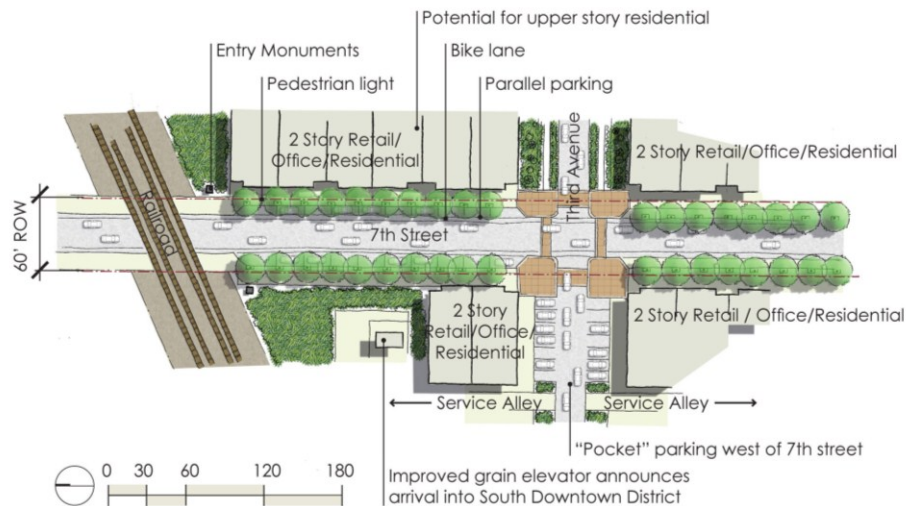
- **West Main Street and Spruce Street Intersection** – Vehicular and pedestrian traffic has increased on the West Main Street corridor due to activity at the County Justice Center and the Mesa County Central Services building. To ease traffic flow through the area and improve pedestrian safety, this potential project for a roundabout at Spruce and West Main Streets was originally conceived during the visioning of Main Street in 2008. The roundabout would serve as a visual anchor to the west end of Main Street just as the one at 7th Street serves the east end. The roundabout would also allow for a circulator bus to serve the Main Street corridor from Spruce Street to 7th Street.



- **Riverside Parkway** – Arterial Street. The right-of-way width varies; multi-lane; bike lanes; detached walk on the south side; no on-street parking. Completed in 2007.

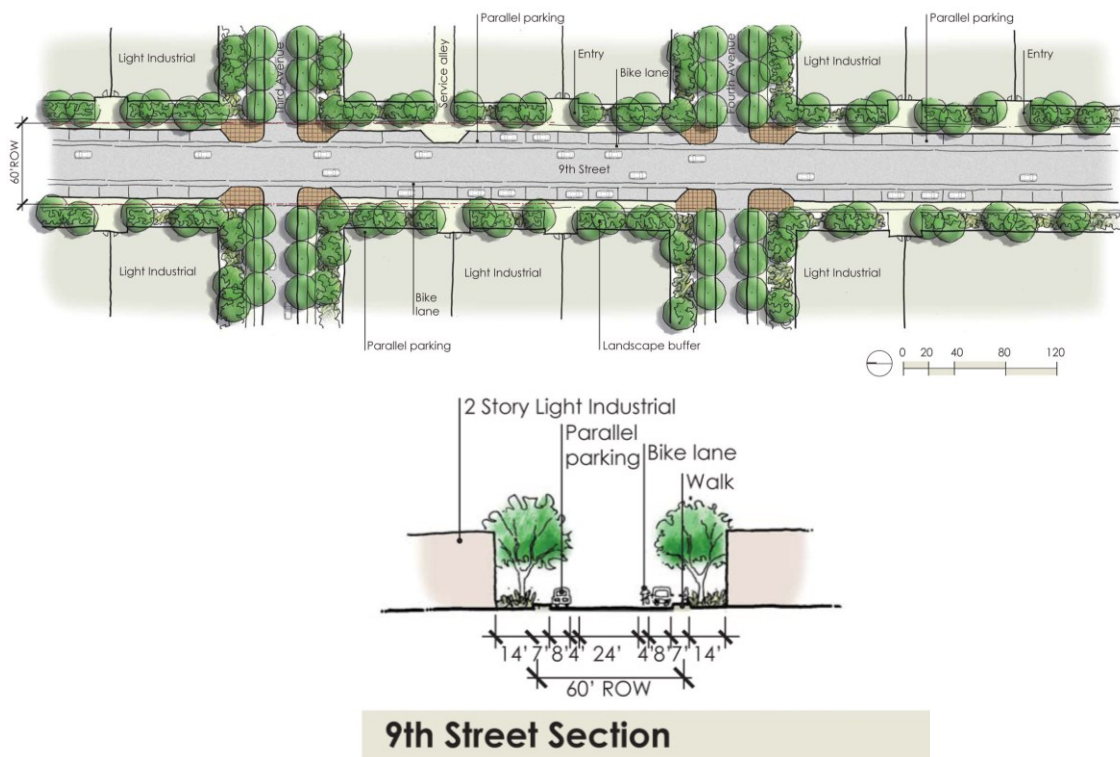


- South 7th Street** – Suggest 2 lanes; bike lanes; on-street parking both sides; detached walks with landscaping. The streetscape plan for South 7th Street should be enhanced with a similar design as what is currently under construction on 7th Street south of Grand Avenue. Generally, the design would continue the 7th Street boulevard treatments from downtown, Ute and Pitkin to the Botanical Gardens and riverfront area with additional street trees, historic street lights, street furniture and public art. This design would create a more consistent visual character to connect the River and Rail Districts to the traditional downtown area and improve the visual design of the corridor and emphasizes its use as the primary public north-south corridor through the neighborhood. The design features enhanced pedestrian facilities with colored concrete, pedestrian safe zones at the “bulb-outs” for easier crossing and additional landscaping.



7th Street Section

- South 9th Street and 27-1/2 and C-1/2 Roads** – Suggest 2 lanes; bike lanes; on-street parking both sides; detached sidewalk preferred where possible. The streetscape plan for South 9th Street is to develop similar to what presently exists along South 7th Street with a more defined hardscape of curb and gutter, enhanced pedestrian facilities and street trees. This design improves the visual quality of the corridor without requiring improvements on private property or compromising adjacent uses. The design also allows the street to function for the commercial/light industrial traffic that it carries as well as provides for a more comfortable pedestrian or bicycle environment since South 9th Street may be used by the public to access business/commercial areas and Las Colonias Park.



- **Kimball Avenue** - Suggest 2 lanes; on-street parking on one side; detached walks with landscaping.



- **D Road (from 9th Street east to the Riverside Parkway)** – Section yet to be determined.

Local Streets. The Local Street network provides access to individual parcels and serves short length trips to and from collector and higher order streets. Trip lengths on local streets should be short with a lower volume of traffic along with slower speeds. Design of local streets occurs through the development

process and will be in accordance with the City's adopted Transportation Engineering Design Standards (TEDS). It is important in the design process to provide connections to adjacent parcels and subdivisions for efficient vehicle travel and a safe network for pedestrians and bicycles.

Trails. The Grand Valley Trails Plan is a planning document that shows the location of future bicycle facilities, trails and pedestrian paths. It is currently under review prior to adoption by the City and County. Implicit in the plan is the construction of sidewalks in accordance with the adopted street cross-sections. One of the major purposes of the City's Urban Trails Committee is facilitating linkages from the riverfront trail system to the urban area. As development or redevelopment occurs, construction of trails, paths, bike lanes and pedestrian facilities in accordance with the adopted Grand Valley Trails Plan either occurs with the development or the City constructs the same with the collection of the Transportation Capacity Payment (TCP) as part of a more comprehensive capital improvement project.

The Grand Valley Trails Plan shows the following proposals within Greater Downtown.

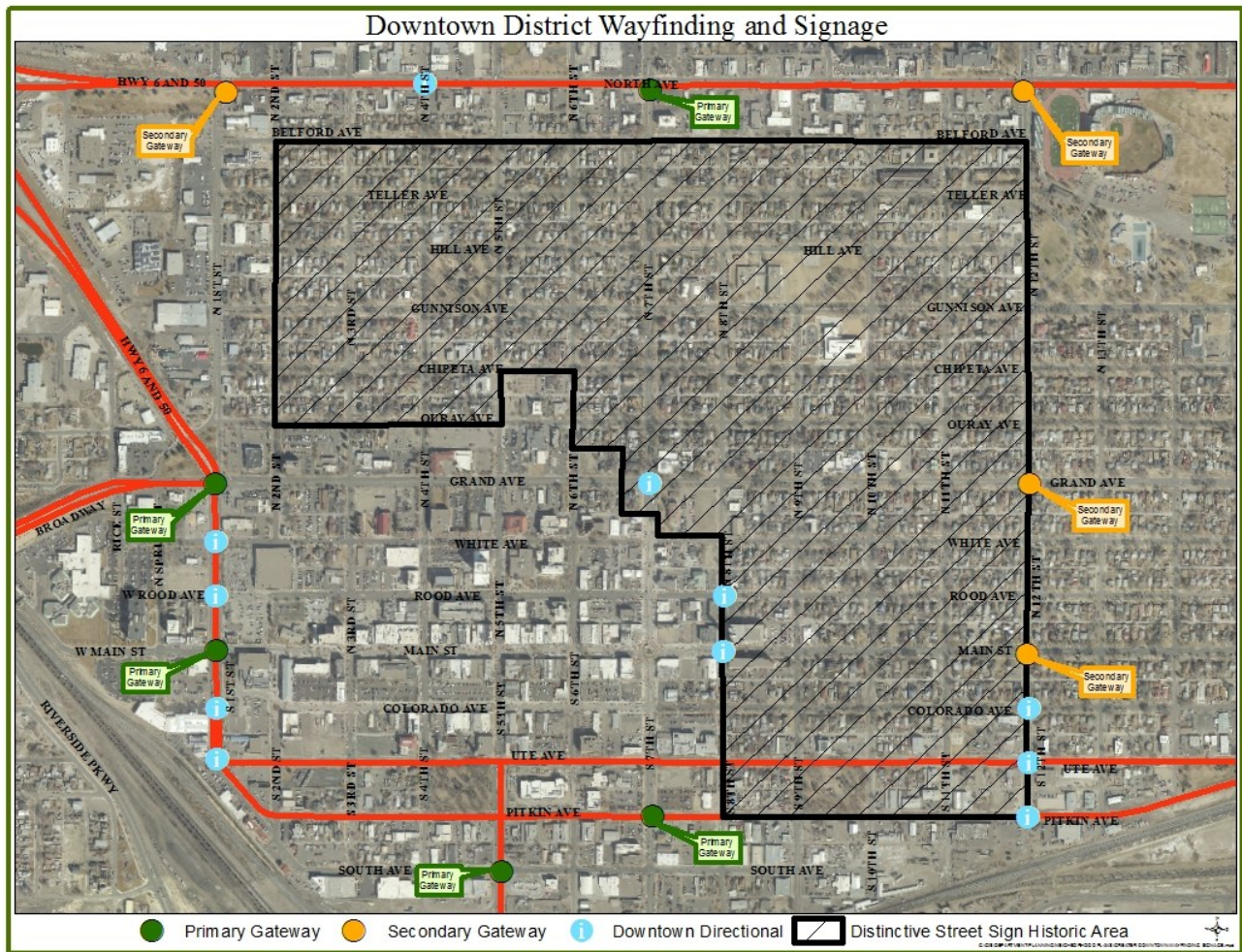
- Extension of Riverfront Trail from Las Colonias Park east to 28 Road (and beyond).
- Bike Routes (signs but no separate lane) on Grand Avenue from 7th Street east and 28 Road between the Riverside Parkway and C-1/2 Road.
- Sharrow Route (bikes share lane with cars) on Grand Avenue between 1st and 7th Streets.

Riverside Parkway Pedestrian Overpass. It is envisioned that eventually there may be need for one or more pedestrian overpasses from the commercial areas of the Rail District to the riverfront areas and Las Colonias Park. Development, activities and uses in the future park and types of development along the north side of the Parkway will dictate where these may be needed based on the level of pedestrian traffic. An overpass on the western end of the area in the vicinity of 7th or 9th Street could also serve as an entrance feature to the neighborhood as further discussed in section F. below.

Public Transportation (GVT). Grand Valley Transit (GVT) presently serves the Downtown District but does not provide service in the Rail and River Districts. Future transit needs within the Rail and River Districts will need to be monitored as more areas are developed or redeveloped and as Las Colonias Park becomes more developed and active.

F. Entryways and Signage

Important intersections in the street network offer opportunities to develop a unique theme and identity for the Greater Downtown area. The primary intersections vary in scale and include entries to the Downtown, Rail and River Districts. Each of these should be developed according to general concepts and criteria that are appropriate for their scale, function and importance.



Downtown District Entryways and Signage

While the Downtown District has a strong base of local and regional users, approaches to the District offer no distinguishing features or directional signage that orient first time visitors. When approaching or traversing perimeter streets, visitors have no sense that they are within eyesight of the historic town site or even that they are headed in the right direction toward Downtown. Creating gateways at key entry points, as well as simple perimeter identifiers, will orient visitors, as well as strengthen and celebrate the heritage of the Downtown Districts. Because of the diversity of uses and neighborhoods within the Downtown District, the design of entryways should include a range of sizes, poles and ornamentation of signage and varied landscape elements, lighting and other features that are integrated with the signage. The primary gateways to the Downtown District and between Downtown and the Rail District include the following intersections.



- 7th Street and North Avenue
- 1st Street and Grand Avenue
- 1st Street and Main Street
- 5th Street and South Avenue

- 7th Street and Pitkin Avenue

In addition, the distinctive public sign palette already started in the Downtown District should be continued and expanded to include street signs and directional signs that have recognizable poles, ornamentation, colors, fonts and logos. The City, together with the DDA, will further develop sign standards and guidelines for private signage placed on buildings or as freestanding signs.

Rail and River District Entryways

5th Street/Riverside Parkway. There are opportunities to celebrate the entry into Grand Junction and the Rail and River Districts at the 5th Street bridge and Struthers Avenue area in conjunction with the Western Colorado Botanical Gardens with attractive low scale signage and sculpture. In addition, there are smaller monuments at various points along the Riverside Parkway that indicate to motorists that they are approaching or traveling on the Riverside Parkway (shown below). Due to the scale of the 5th Street/Riverside Parkway intersection and the publicly-owned area around it, this intersection affords the opportunity to create a monument/sculpture of a much larger scale to mark the entrance and give identity to the Rail and River Districts and/or to this “Grand Junction”.

Another possibility in this vicinity is if a pedestrian overpass is desired/needed near the 7th Street/Riverside Parkway intersection it could serve several purposes: pedestrian access across the Parkway, include design elements that give a distinct character to the Rail and River Districts and integrate with surrounding open space, pocket parks and/or water features at the landings on each side of the Parkway.

South 7th Street/Railroad Tracks. There is an existing silo on the Mesa Feed property that identifies the Rail District as you travel south on 7th Street. It is of a scale that is visible from the southern perimeter of downtown and represents the historical agriculture and industrial base upon which the Rail and River Districts have developed. Such a structure could be enhanced and/or replicated to become an even stronger element at this major entrance to the area.

28 Road/Riverside Parkway. This intersection is a smaller scale than the others but a neighborhood entry could be created, particularly along the north side. The sense of arrival at this location could be created through a water feature, public art, an architectural feature with signage paving patterns and/or landscaping. The design of the entry feature should be of the same character of those that might be created at the other major entry points.

G. Economic Redevelopment

Downtown District Economic Redevelopment

While the Downtown District is the heart of the community, it is but one subset of a larger market and has strengths which can be capitalized on and limitations which should be overcome. The Downtown District has a tremendous influence on the economic well-being of the entire region. Therefore, it is widely accepted that early projects in any revitalization effort should be publicly assisted until market conditions reach levels where new construction can support itself.

The Grand Junction Strategic Downtown Master Plan presented guiding principles which; while general in nature, were considered responsive to prevailing conditions, market opportunities, framework elements and stakeholder input. These guiding principles are still relevant to the Greater Downtown Plan and are

listed and described below.

- **The Downtown District is one submarket that competes with other submarkets in Grand Junction.** The downtown environment, while presenting tremendous opportunity for investment in a setting uniquely positioned to offer both heart and history, carries with it certain limitations, particularly for land-intensive non-destination-oriented land uses. Several market sectors, however, not only survive, but also thrive in a downtown setting. Recognize the obstacles associated with downtown development and encourage regulatory and financial solutions including public subsidies and creative financing mechanisms.
- **The Downtown District must be market-responsive** to changing conditions, with implementation tools and mechanisms in place to both offset competitive disadvantages and capitalize on competitive assets. Market conditions should be continually monitored and information distributed to a broad audience including developers, business and property owners, lenders, city staff and elected and appointed officials.
- **The Downtown District infrastructure must be protected and retained** including physical features, service organizations, mix of employers, historic residential neighborhoods and community attitudes toward the Downtown District. Unlike many communities across the country, Grand Junction's Downtown District existing infrastructure is more than sufficient to promote itself as a downtown neighborhood. These assets, which provide the impetus for investment, need to be protected and promoted.
- **The Downtown District's "tool bag" must contain a variety of strategies and mechanisms to attract investment.** These tools can be financial, physical, market, or organizational in nature and can be used independently or in various combinations. Given the obstacles associated with downtown development, it is imperative that whatever mix of tools is put in place it be comprehensive, flexible and creative.
- **Public investment must leverage private investment.** Historically, the planning, financing and implementation of projects in the downtown market were the primary responsibility of public sector entities such as the City and the DDA. However, while the public sector continues to play a significant role in most downtown efforts, a critical component to the success of any revitalization strategy today is participation by both the public and private sectors. Leveraging of resources is key, as no one entity, public or private, has sufficient resources alone to sustain a long-term downtown improvement effort.
- **Public policy must support development in the Downtown District.** Experience has proven that downtown development will best succeed if regional growth management programs reward efficient development patterns. If growth is allowed to occur in a land extensive, inefficient way that effectively subsidizes lower densities, downtown development will operate at a competitive disadvantage. Given Grand Junction's existing land use patterns, the Downtown District is susceptible to continued dilution of its role as the community's central business and shopping district.
- **Public-private partnerships are essential.** Under any investment strategy, local government needs to have strong involvement, a visible presence, perhaps be the entity that provides continuing leadership, regulatory incentives, and seed capital for early projects. Not only does

government have the legal responsibility to address many of the implementation components, but it is also the logical conduit to local, regional, state and federal funding sources.

Rail and River District Economic Redevelopment

The changes that have occurred in portions of Greater Downtown such as completion of the Riverside Parkway and planning for the future development of Las Colonias Park have already had a positive influence on the River and Rail Districts. Many properties have been renovated or redeveloped, new uses are relocating to the area and property values are generally on the rise. The Greater Downtown Plan envisions this trend continuing and being enhanced by the following redevelopment concepts:

- Allow existing heavy industry to remain, taking advantage of rail spurs within the area.
- Intensified commercial edge along the north side of the Riverside Parkway with opportunities for mixed use development.
- New general commercial, retail and residential uses will provide activity at the edge of the park after business hours to create a safe park environment that gives “ownership” of the park to the adjacent local business owners and residents.
- New retail and commercial uses such as restaurants, shops and services along South 7th Street to serve the employees, recreational users and residents of the neighborhood.
- Commercial Industrial uses bridge the existing industrial and the commercial corridors.

In addition, discussions with the Grand Junction Economic Partnership, Business Incubator, Manufacturers’ Council and Chamber of Commerce during development of the Greater Downtown Plan brought to light many opportunities for the area, the majority of which is within the established Mesa County Enterprise Zone. The Greater Downtown Plan outlines goals, policies and strategies that can be used to further the economic (re)development of the Rail and River Districts.

- Need for flex space for different types of small business – new to area or graduating from the Business Incubator. Opportunity for these businesses to serve employee base, residents and recreational users in the area.
- Opportunity to develop additional incentives for redevelopment that has taken advantage of partnerships and/or assembled parcels of land totaling a minimum of ½ acre or more
- Allow for live-work opportunities
- Opportunity to develop partnerships

H. Greater Downtown Area Parks

The four downtown parks were included on the original town plat created by the Grand Junction Town Company in 1882. All four parks still exist as downtown open space. The City acquired Las Colonias Park from the State Parks Department in 1997. It encompasses the mill tailings clean-up site.

1. Hawthorne Park – 400 Gunnison Avenue

- New restroom/shelter constructed 2010
- South picnic shelter requires new roof; scheduled 2013
- Playground surfacing replaced in 2012
- Playground equipment on a 5 to 7 year replacement schedule
- Irrigation is good, 10-15 year replacement



2. Washington Park – 10th Street and Gunnison Avenue

- No restrooms or shelter at this park
- Playground equipment scheduled for replacement in 2013
- Playground surface scheduled for replacement every 2 years
- Irrigation will be replaced every 5 to 7 years

3. Whitman Park – 5th Street and Pitkin Avenue

- Restroom scheduled for replacement in 2013
- Development of a new master plan for the park recommended (see possible concepts below)

4. Emerson Park – 9th Street and Pitkin Avenue

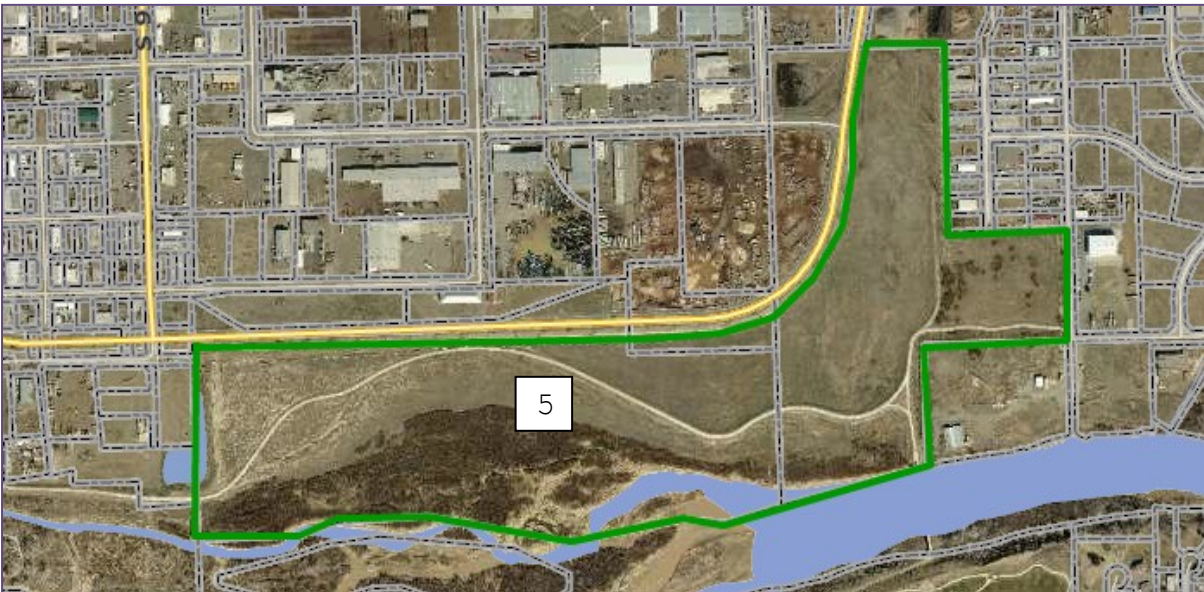
- Restroom scheduled for replacement in 2013
- Playground area for ages 2-5 is good
- Playground for ages 5-15 scheduled for replacement in 5 to 7 years
- Playground surfacing replaced in 2012
- Development of a new master plan for the park recommended (see possible concepts below)

Potential Concepts for Whitman and Emerson Parks

- Provide for a diversity of uses to create a higher level of utilization.
- Minimize the impact of adjacent streets and automobile traffic.
- Activate the edges of the parks with mixed use.
- Contemplate programmed, active use.
- Redevelop as more active, flexible urban open space rather than as passive, green parks.

5. Las Colonias Park – Struthers Avenue and 7th Street

- A master planning process for the park will occur in 2013
- Some amenities being considered are parking, restrooms, shelters, play area, open space, expanded walk/bike trails, open space for festivals, music, and educational presentations, various wetlands and arbor education opportunities, kayak park, tree walk and a disc golf course.



I. City-Owned Jarvis Property

The City completed an initial planning analysis for the City-owned property on the west side of 5th Street between the Colorado River and the Riverside Parkway known as the Jarvis Property. The property is constrained by natural features and the encroachment of the Parkway, but does have approximately 43 acres of developable land.

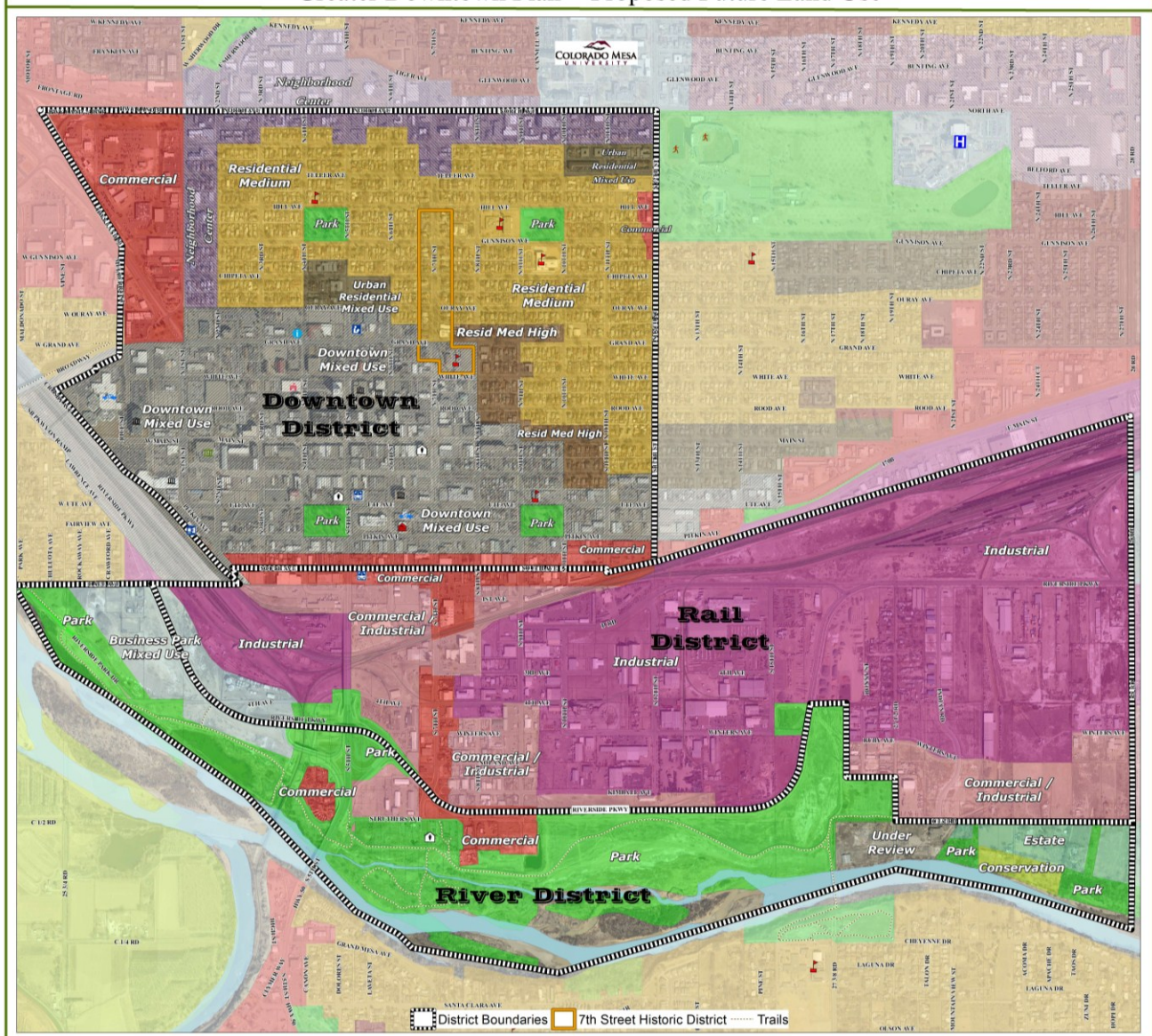
The initial study was to chart a direction for revitalization of the property. It summarized the key assets, identified some important issues and potential impediments to development, analyzed current market conditions and outlined a concept for organizing potential development of the property. The property and potential project are viewed as a unique opportunity for the City to chart the future of a rare property type, a place where it may be possible to provide a mix of uses, including residences, along the bank of the Colorado River. The major opportunities and constraints identified for potential development of the Jarvis Property were to: continue the riverfront greenway through the property, restore habitat,

relocate the high voltage power facilities that run through the site, and provide flood protection for the property.

APPENDICES

- A. Future Land Use Map
- B. Zoning Map
- C. Circulation and Trails Plans
- D. Development Concepts

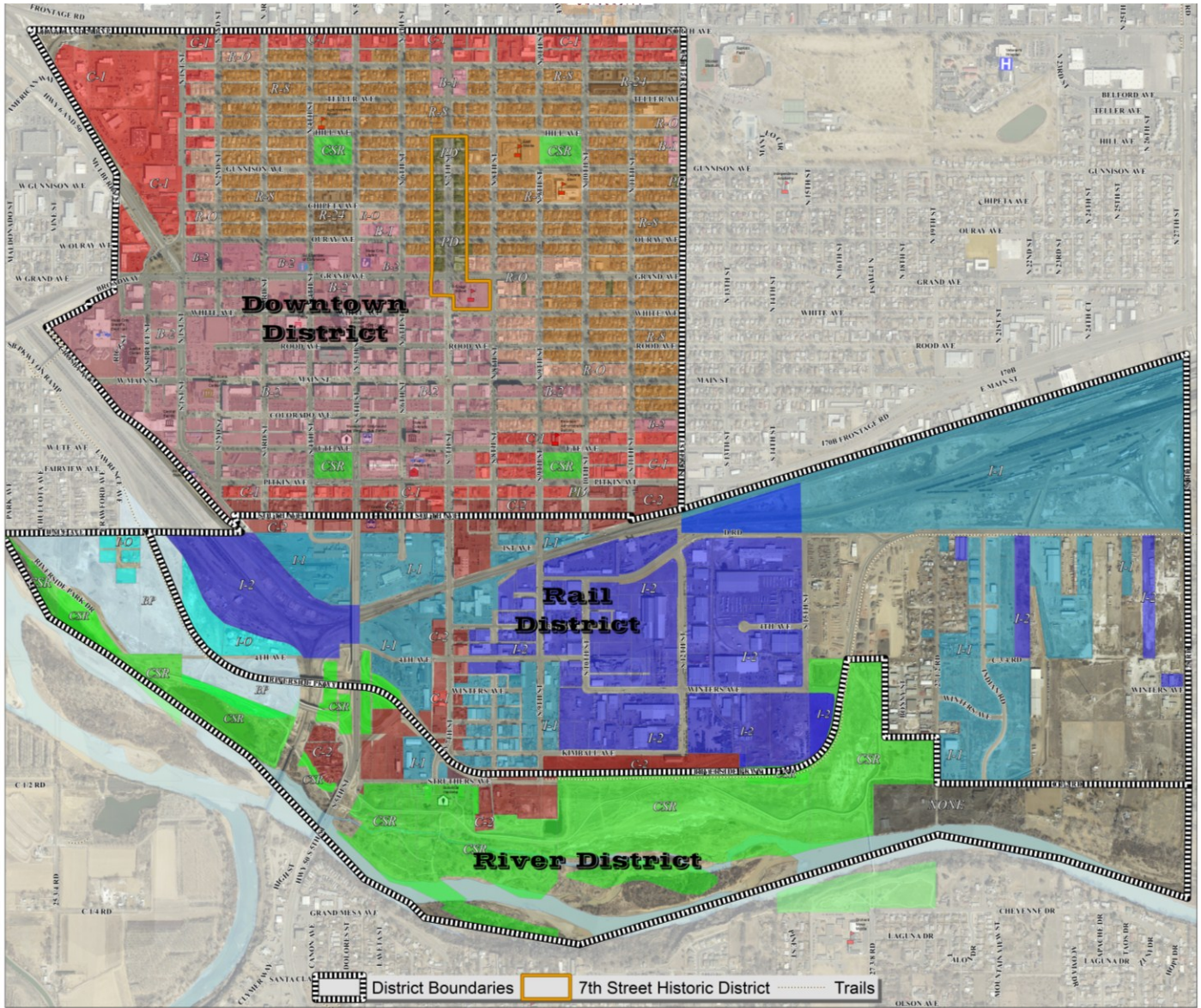
Appendix A – Future Land Use Map



Greater Downtown Future Land Use Categories

	Neighborhood Center (NCMU)		Commercial (COM)		Residential Med High (RMH)		Conservation (CON)
	Downtown Mixed Use		Industrial (IND)		Residential High Mixed Use or Resid. Med High		Urban Residential Mixed Use (URMU)
	Business Park Mixed Use		Commercial Industrial (CI)		Park (PK)		

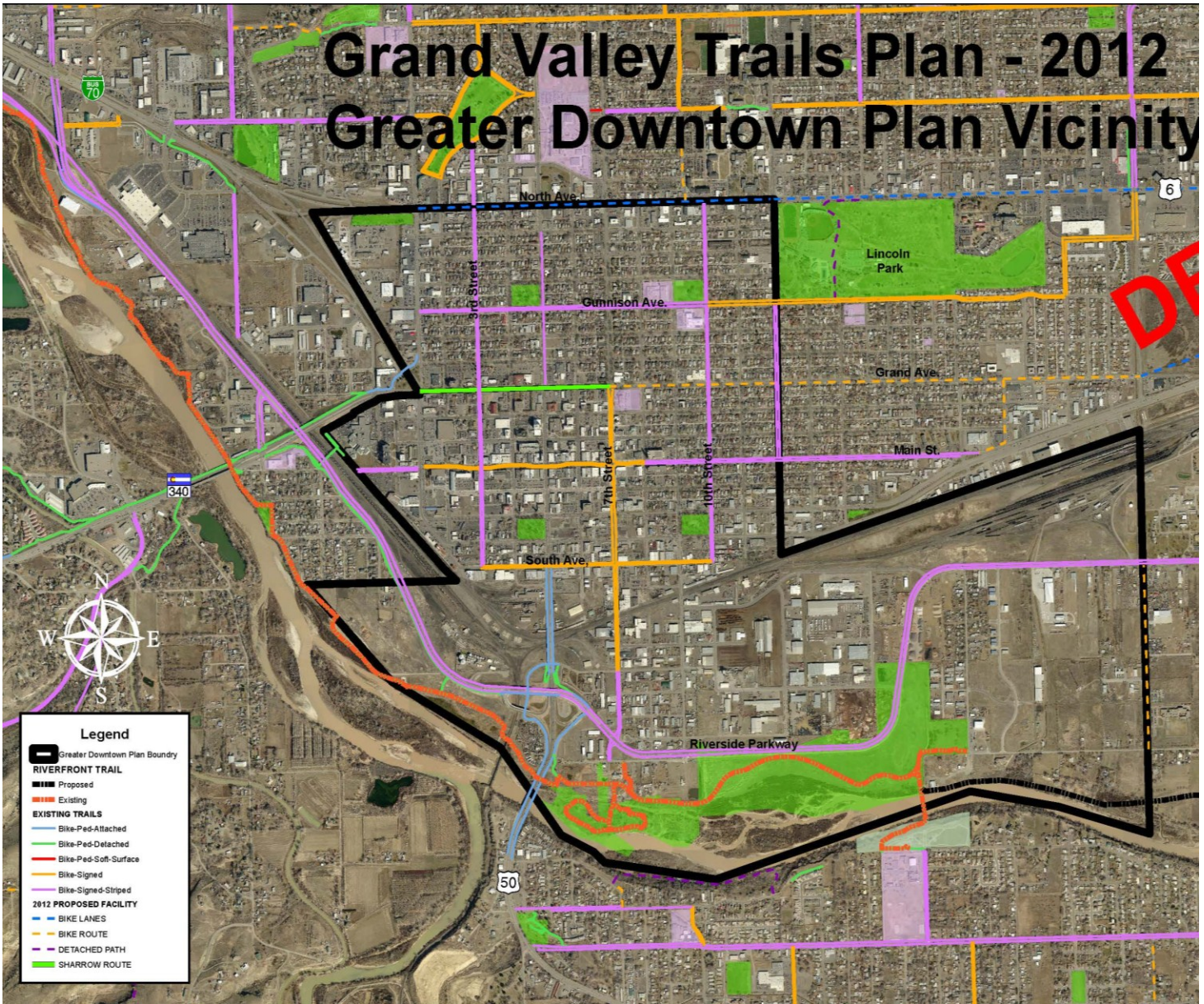
Appendix B – Zoning Map



Greater Downtown Zoning Categories

- | | | | | | | |
|-------------------------|---------------------------------|-----------------------------|-------------------------|--------------------------|------------------------------|--------------------------|
| R-8 | PD (Planned Development) | R-O (Residential Office) | B-2 (Downtown Business) | C-1 (Light Commercial) | I-O (Industrial Office Park) | I-2 (General Industrial) |
| R-24 (16-24 units/acre) | CSR (Community Services & Rec.) | B-1 (Neighborhood Business) | BP (Business Park) | C-2 (General Commercial) | I-1 (Light Industrial) | NONE |

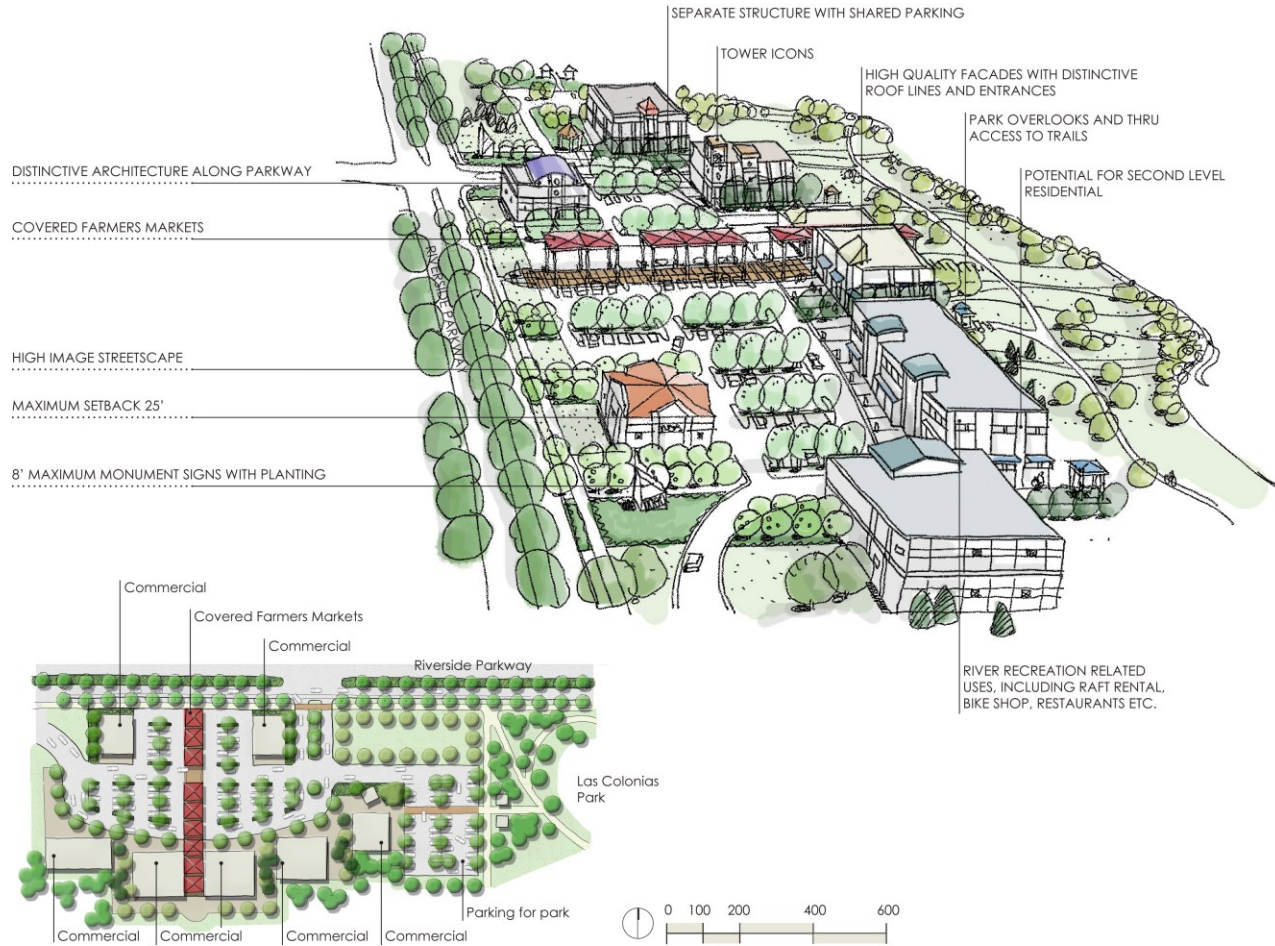
Grand Valley Trails Plan - 2012 Greater Downtown Plan Vicinity



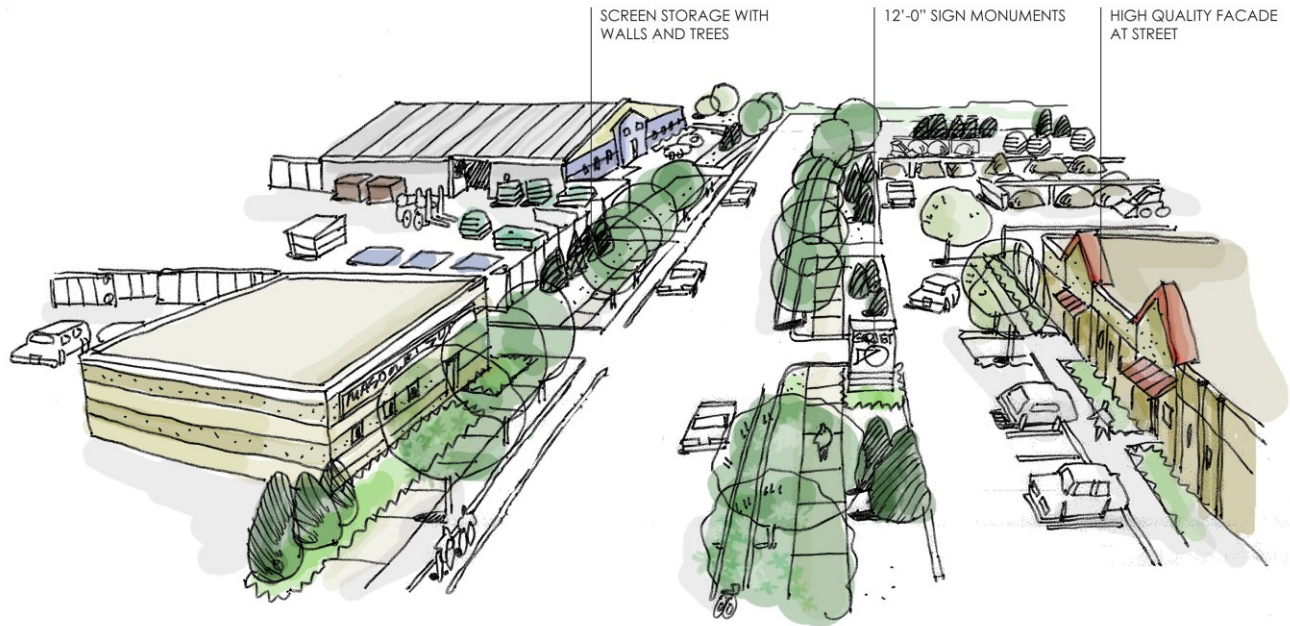
Legend

- Greater Downtown Plan Boundary
- RIVERFRONT TRAIL**
 - Proposed
 - Existing
- EXISTING TRAILS**
 - Bike-Ped-Attached
 - Bike-Ped-Detached
 - Bike-Ped-Soft-Surface
 - Bike-Signed
 - Bike-Signed-Striped
- 2012 PROPOSED FACILITY**
 - BIKE LANES
 - BIKE ROUTE
 - DETACHED PATH
 - SHARROW ROUTE

Appendix D – Development Concepts

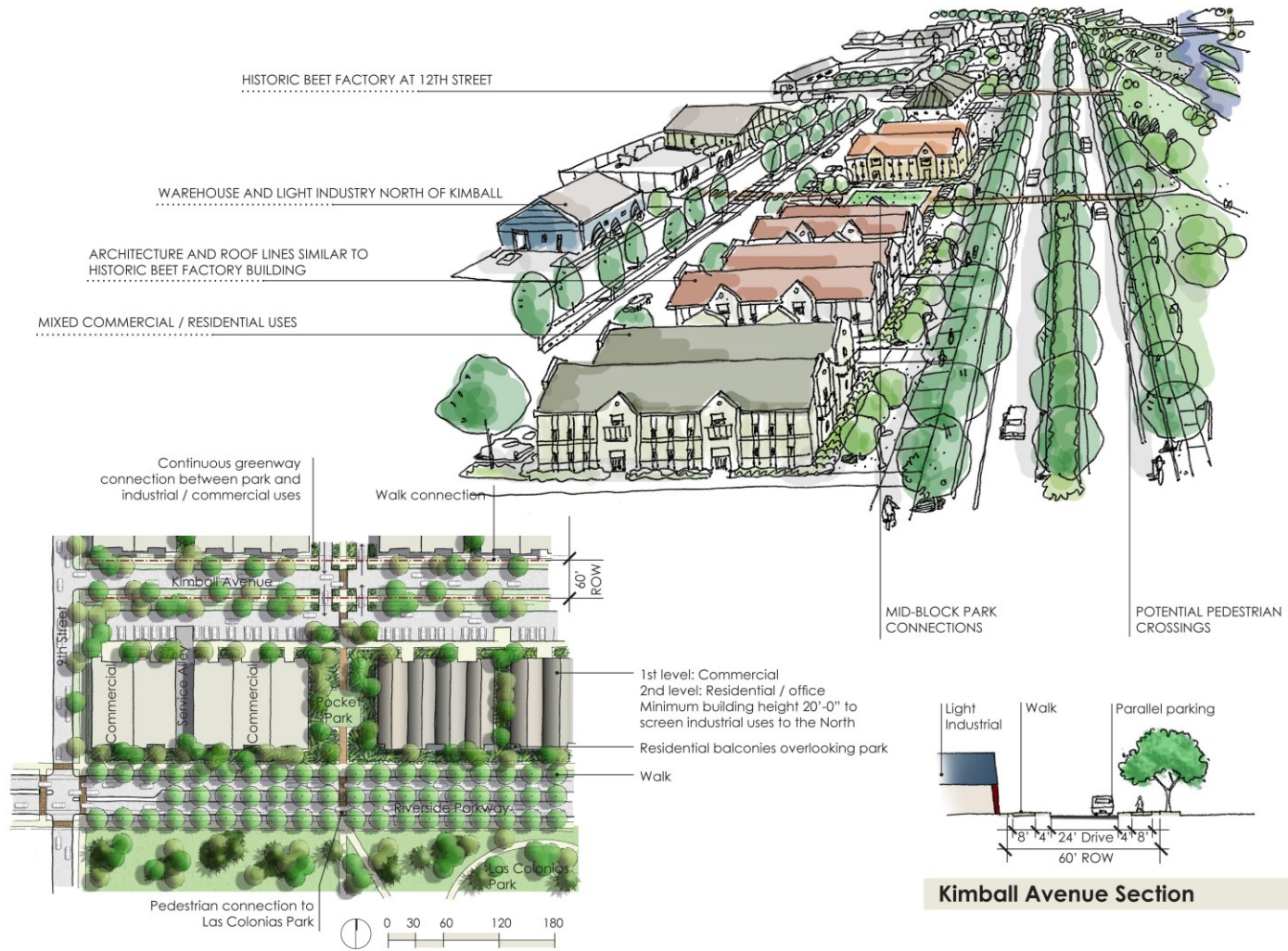


7th and Struthers Redevelopment

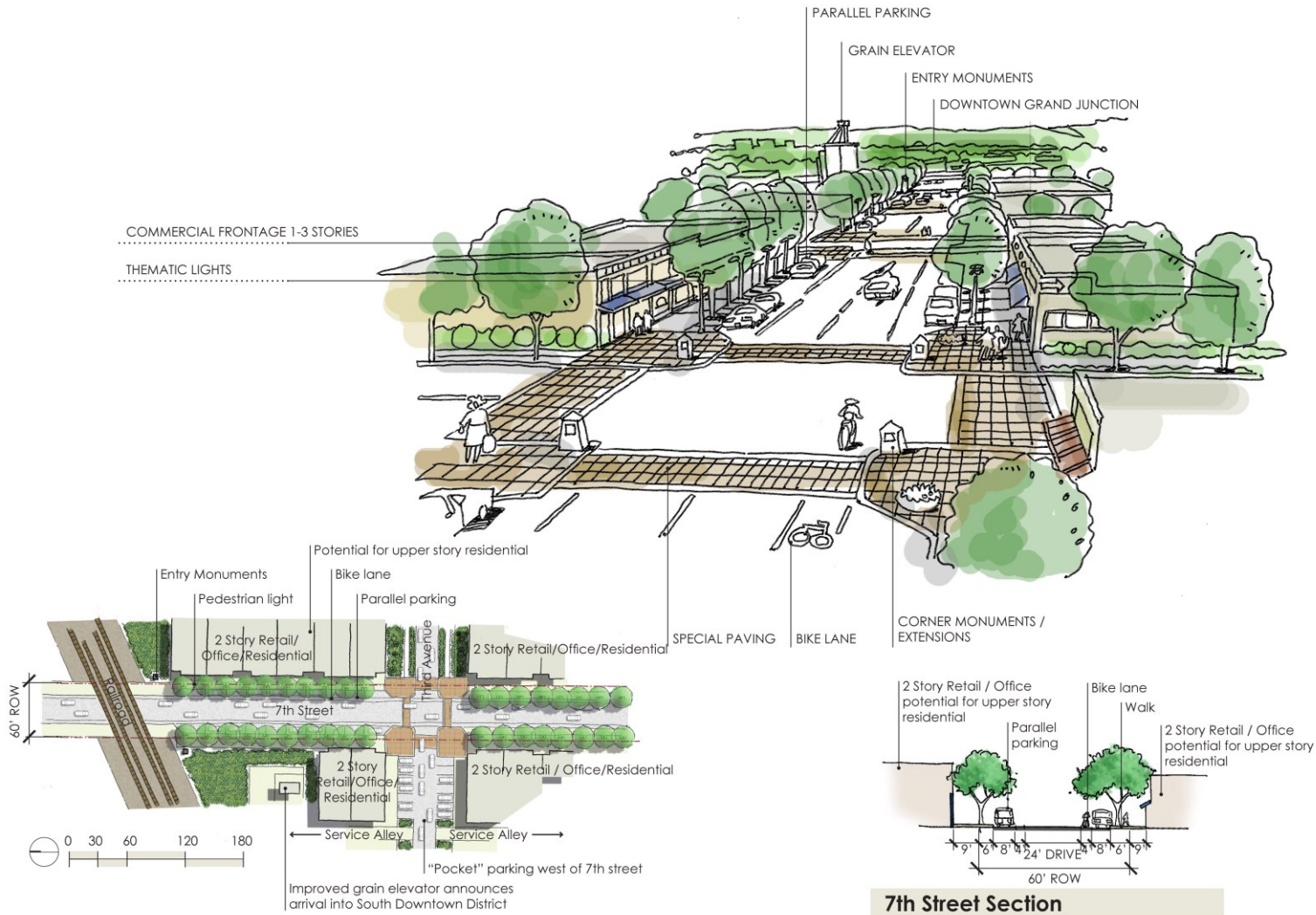


Riverside Parkway Between 27 1/2 and 28 Road

SOUTH DOWNTOWN DESIGN GUIDELINES

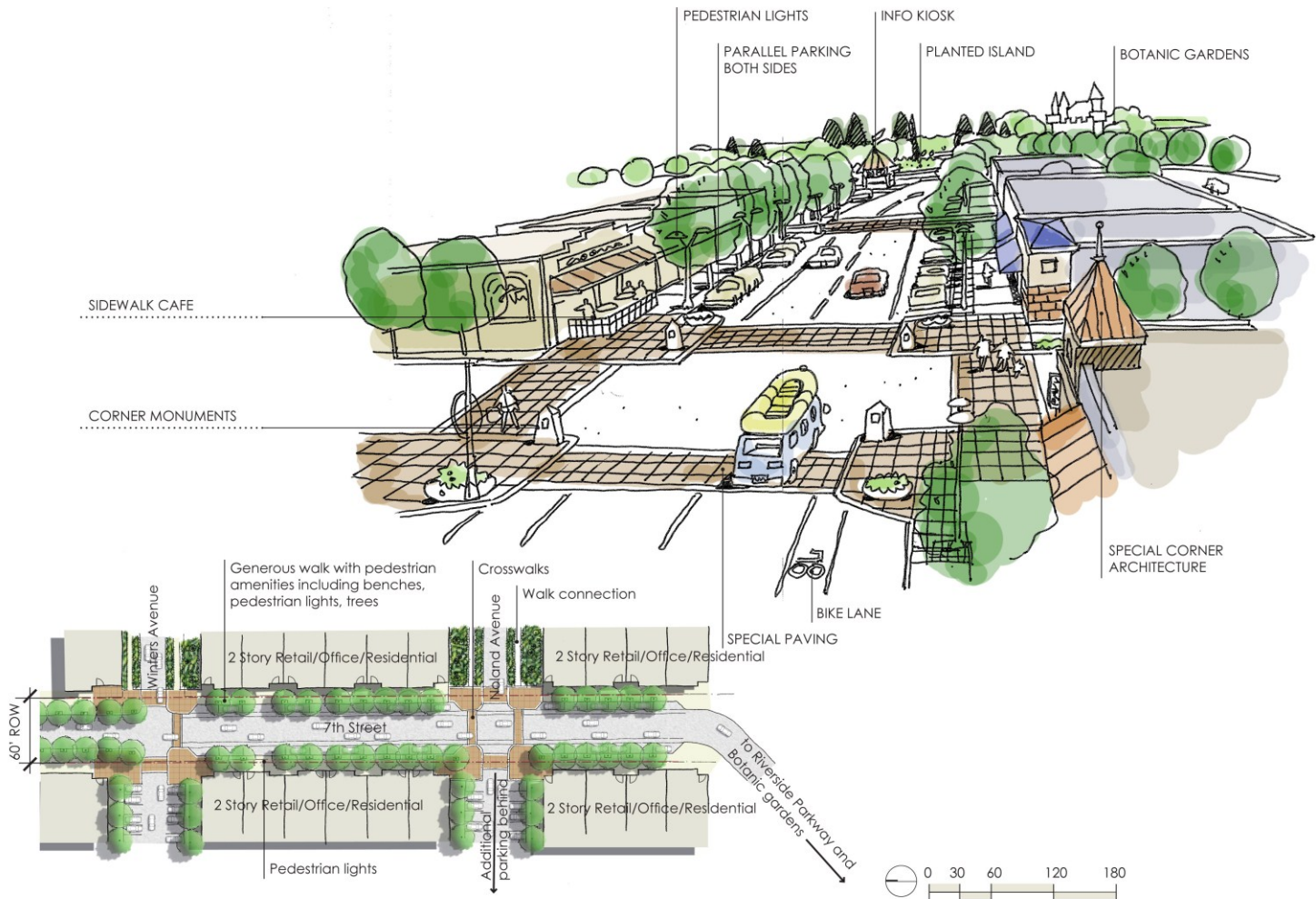


Riverside Parkway Between 5th Street East and 12th Street



7th Street Looking North

SOUTH DOWNTOWN DESIGN GUIDELINES



7th Street Looking South



Existing Conditions

- FRONT YARD PATIO
- TREE LAWN
- NO PARKING ON SOUTH SIDE



- ON STREET PARKING NORTH SIDE
- RAISED BRICK CROSSWALK WITH CORNER PLANTING

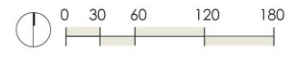


EXHIBIT B: Amendment to the text of the Comprehensive Plan

Existing Text:

Downtown Mixed Use (DMU)

Density: 24+ du/acre

Employment, residential, retail, office/business park uses allowed. A mix of uses (2 to 8 stories), either horizontal or vertical is expected. Residential densities may exceed 24 du/acre.

Applicable Zones

R-16

R-24

B-2

C-1

MXR – 3, 5, 8

MXG – 3, 5, 8

MXS – 3, 5, 8



Proposed Text:

Applicable Zones

R-16

R-24

RO

B-2

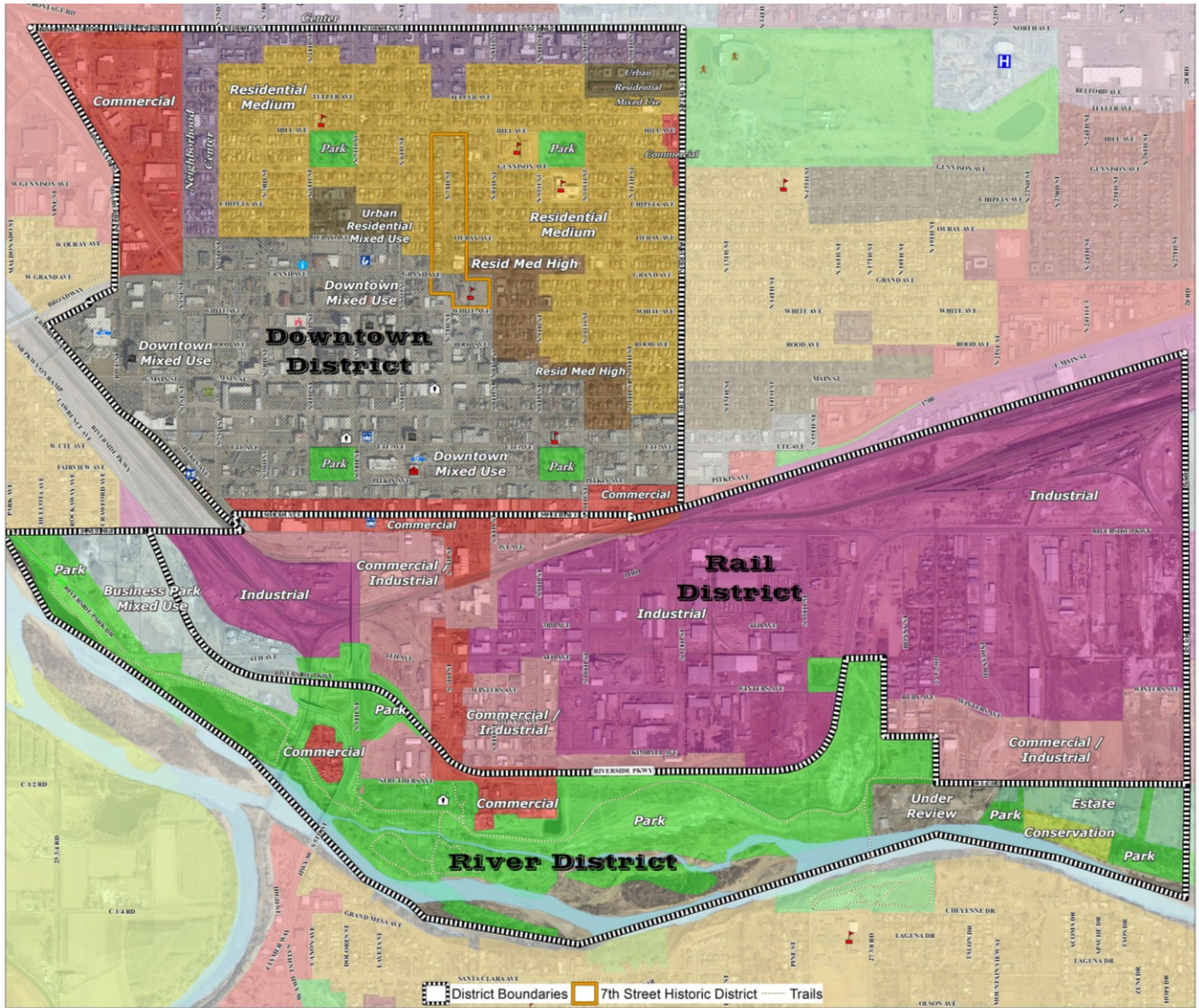
C-1

MXR – 3,5,8

MXG – 3,5,8

MXS – 3,5,8

EXHIBIT C – GREATER DOWNTOWN PLAN FUTURE LAND USE MAP



Greater Downtown Future Land Use Categories

- Neighborhood Center (NCMU)
- Business Park Mixed Use
- Industrial (IND)
- Residential Med High (RMH)
- Park (PK)
- Urban Residential Mixed Use (URMU)
- Downtown Mixed Use
- Commercial (COM)
- Commercial Industrial (CI)
- Residential High Mixed Use or Resid. Med High
- Conservation (CON)



ATTACHMENT 3

CITY OF GRAND JUNCTION, COLORADO ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING AND DEVELOPMENT CODE TO ADD SECTION 21.07.080, TO BE KNOWN AS THE GREATER DOWNTOWN OVERLAY DISTRICT AND AMENDING SECTION 21.03.020(d) TO INCLUDE THE RO ZONE IN THE DOWNTOWN DISTRICT IN THE DOWNTOWN MIXED USE LAND USE DESIGNATION

RECITALS.

The Greater Downtown Plan recommends adoption of standards and guidelines as a zoning overlay for certain areas of Greater Downtown.

Overlay zoning allows flexibility in the application of zoning standards to areas where special considerations apply. An overlay district is superimposed on one or more established zoning districts to supplement regulations on development in these districts, to permit uses otherwise disallowed, or to implement incentives to development.

An overlay zone supplements the underlying zone with additional standards, guidelines and/or incentives while generally preserving the character of the underlying zone. Examples include different setbacks, increased height allowance or varied allowed uses. A parcel within the overlay district is simultaneously subject to two sets of zoning regulations: the underlying and the overlay zoning standards.

Overlay zone boundaries are not restricted by the underlying zoning district's boundaries. An overlay zone may or may not encompass an entire underlying zoning district. Likewise, an overlay zone can cover more than one zoning district, or even portions of several underlying zone districts.

The Greater Downtown Overlay District covers the Central Business District (CBD), Residential and Transitional subareas of the Downtown District as well as those properties that abut the following defined street corridors: South 5th Street, South 7th Street, Pitkin Avenue, South Avenue and the Riverside Parkway.

For some of the parcels in the Downtown District with an existing zoning of Residential Office (RO), the existing Future Land Use Map shows a land use designation of Downtown Mixed Use. Presently, the RO district cannot be used to implement the Downtown Mixed Use designation. However, the nature of these parcels is that they are small and on the periphery of the Central Business District so a rezone to a zone district that is acceptable in the Downtown Mixed Use Designation (e.g. Downtown Business, B-2) would not provide a compatible transition to nearby residential areas. Consequently, the text of the Comprehensive Plan is revised to include Residential Office (RO) as an acceptable zone district to implement the Downtown Mixed Use land use designation.

The Grand Junction Planning Commission is charged with the legal duty to prepare and consider and recommend action to City Council regarding amendments to the Zoning and Development Code for the City.

The Greater Downtown Overlay District was heard in a public hearing by the Grand Junction Planning Commission on March 12, 2013 where the Planning Commission recommended that the City Council adopt the Overlay District.

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

The Zoning and Development Code is hereby amended to add section ____ entitled "Greater Downtown Overlay District" as shown in the attached Exhibit A and as generally described in the recitals above.

The Greater Downtown Overlay District, City of Grand Junction, Colorado, in the form of the document attached as Exhibit A hereto, and as recommended for adoption by the Grand Junction Planning Commission is hereby adopted.

The full text of the Ordinance, including the text of the Greater Downtown Overlay District, in accordance with paragraph 51 of the Charter of the City of Grand Junction, shall be published in pamphlet form with notice published in accordance with the Charter.

INTRODUCED on first reading the 6th day of March, 2013 and ordered published pamphlet form.

PASSED and **ADOPTED** on second reading the ____ day of _____, 2013 and ordered published in pamphlet form.

President of City Council

ATTEST:

City Clerk

Greater Downtown Plan Zoning Overlay

DRAFT

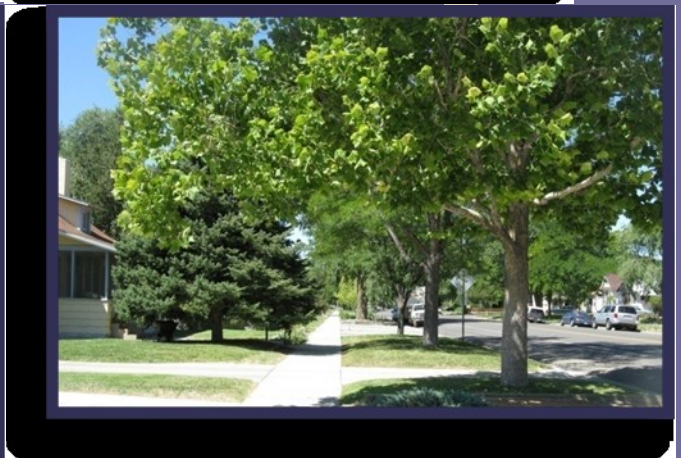
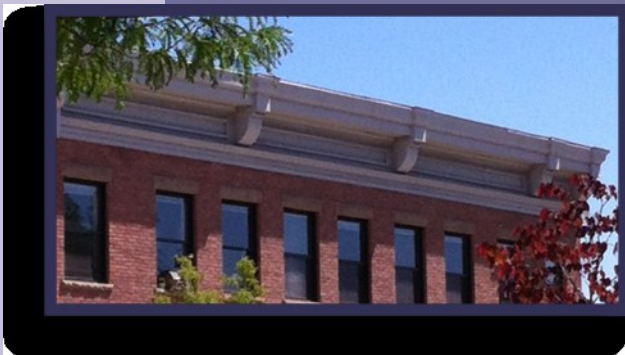


TABLE OF CONTENTS

INTRODUCTION

CORRIDOR STANDARDS AND GUIDELINES

1. Overall Corridor Vision/Concepts
 - A. Architectural Features
 - B. Building Materials
 - C. Streetscape and Site Design
2. Commercial Corridor Standards and Guidelines
 - A. New Site Development or Redevelopment
 - B. Architectural Design of New Buildings/Additions or Substantial Exterior Remodel
 - C. Landscaping for New Site Development or Redevelopment
 - D. Signage
3. Industrial Corridor Standards and Guidelines
 - A. 5th Street Industrial Corridor Standards
 - B. Riverside Parkway Industrial Corridor Standards

DOWNTOWN DISTRICT STANDARDS AND GUIDELINES

1. Overall Downtown District Vision/Concepts
2. Area-Wide Standards and Guidelines
 - A. General
 - B. Transportation
 - C. Entryways and Public Signage
3. Central Business District (CBD) Standards and Guidelines
 - A. Application of Standards and Guidelines
 - B. Land Use / Architecture
 - B. Site / Area Improvements
4. Residential Areas Standards and Guidelines
 - A. Policies
 - B. Standards
 - C. Guidelines
5. Transitional Areas Standards and Guidelines
 - A. Policy
 - B. Standards
 - C. Guidelines

INTRODUCTION

One of the first steps in implementing the Greater Downtown Plan is a zoning overlay. The overlay is intended to provide guidance and criteria for the planning, design and implementation of public and private improvements in the Greater Downtown area and is set forth in this document to be known as the Greater Downtown Zoning Overlay (Zoning Overlay). If properly administered and adhered to, the standards and guidelines should result in public and private development improvements (or a combination thereof) that achieve, as a minimum, a common level of quality in terms of site design, architectural design, landscaping and other site improvements.

The general purposes of the standards and guidelines are to support the overall goals of the Greater Downtown Plan.

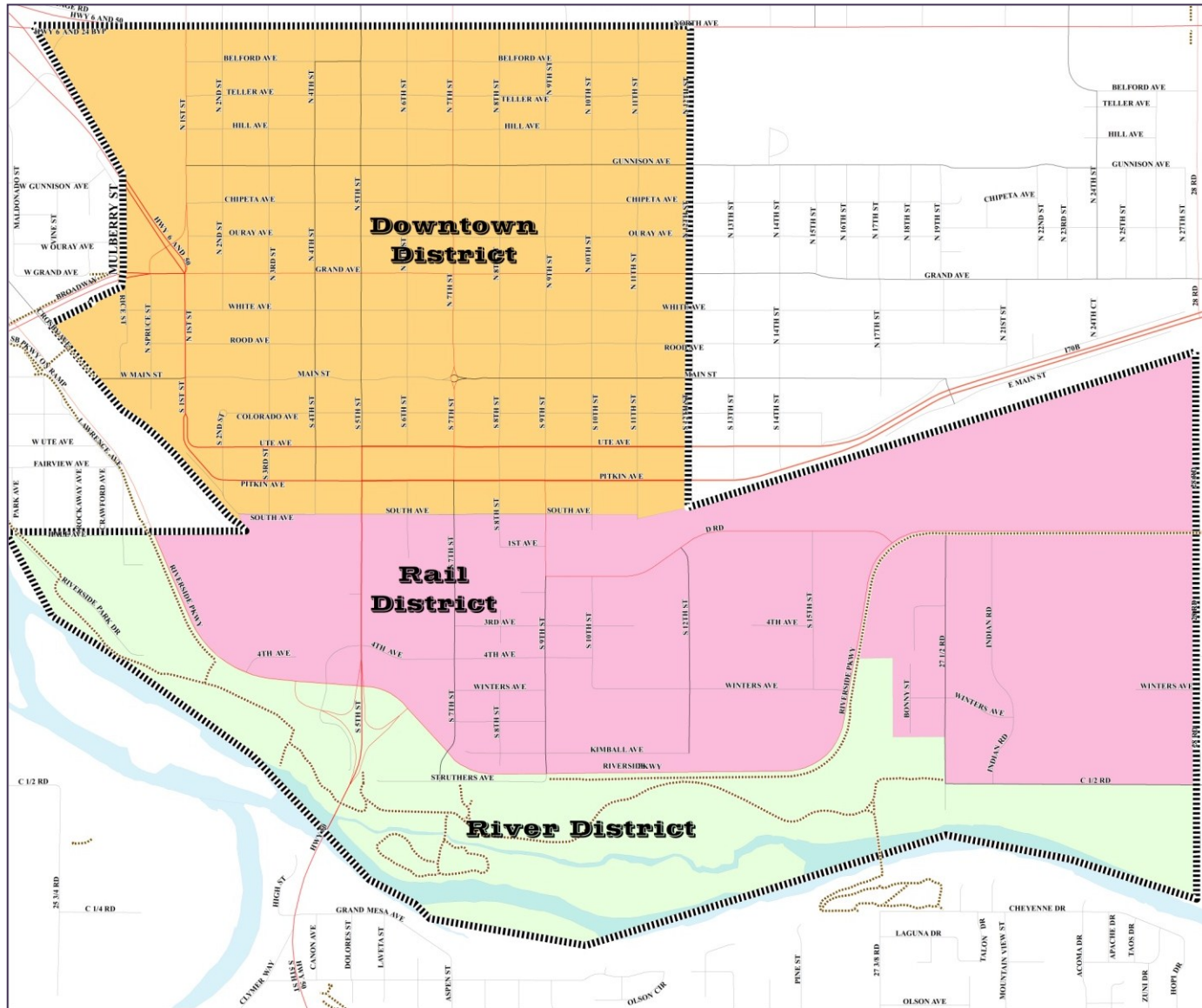
- Maintain and enhance the economic, cultural and social vitality of Greater Downtown Promote downtown living by providing a wide range of housing opportunities in appropriate areas within Greater Downtown.
- Enhance the transportation system to accommodate automobiles, bikes and pedestrians, and provide adequate, convenient parking.
- Stabilize, preserve, protect and enhance the downtown residential neighborhoods.
- Promote and protect the unique identity of the Greater Downtown area.

The standards and guidelines were developed upon an analysis of the existing character of the Greater Downtown area. The area was divided into subdistricts and the Downtown District was further divided into subareas based on existing zoning, character of existing development and potential for redevelopment opportunities. In addition, primary corridors were identified for which overlay guidance is created with the adoption of the document. The subdistricts, subareas and primary corridors are shown on the maps on the following pages.

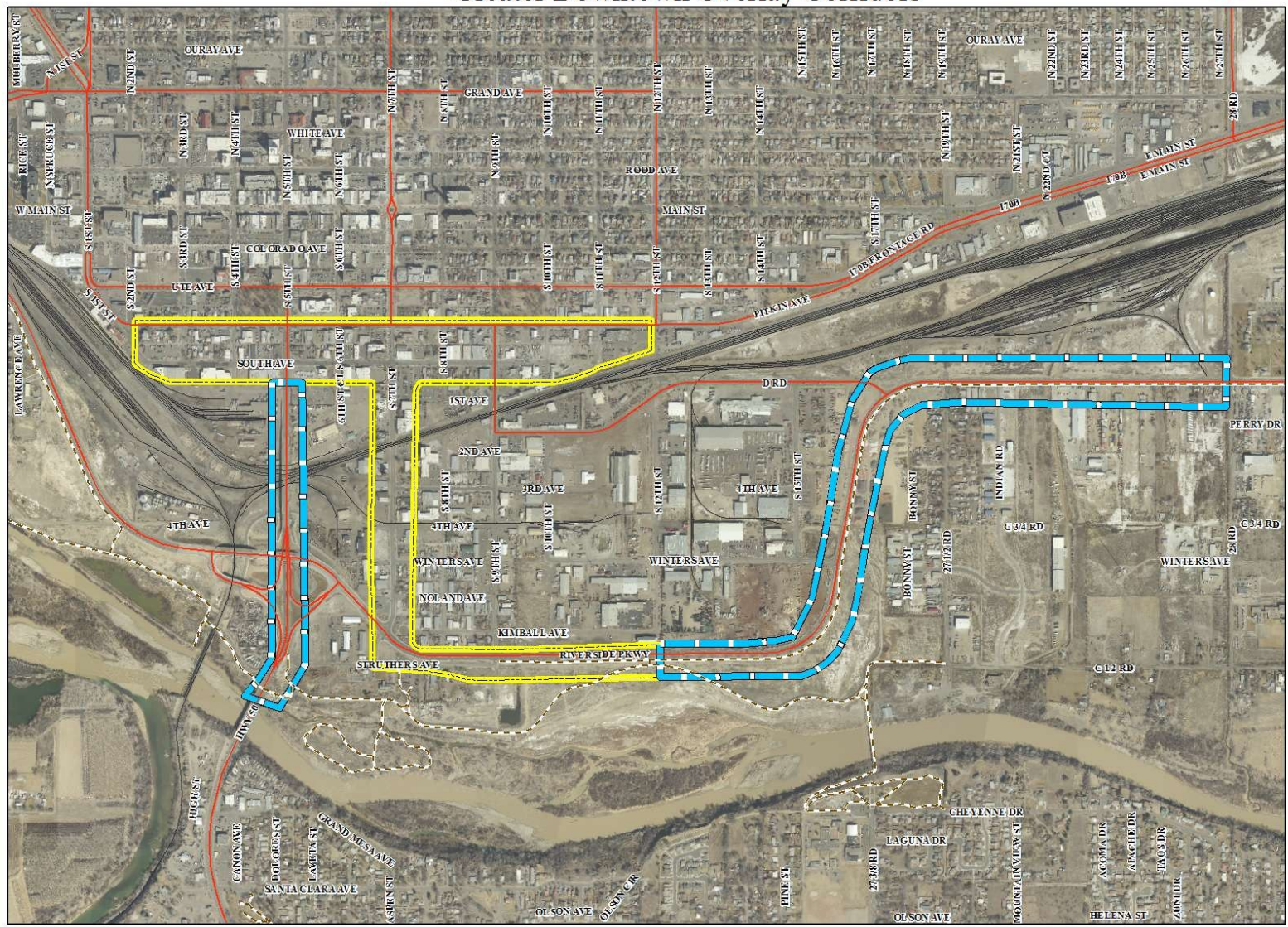
These standards supplement other development regulations such as the City of Grand Junction Zoning and Development Code, which includes detailed criteria by zone district, planned development regulations, design and improvement standards, supplemental use regulations , sign regulations and the City Transportation and Engineering Design Standards (TEDS). In the instance the following standards are silent on a development concern, the existing regulations shall apply. None of the guidelines and standards within the Zoning Overlay are intended to apply to properties within the North Seventh Street Historic Residential District or the North Avenue Corridor Overlay since separate guidelines and standards have been established through overlays for those areas.

The standards identify design alternatives and specific design criteria for the visual character and physical treatment of private development and public improvements within Greater Downtown. They are adopted through an overlay zoning district, which will establish the means by which the standards are administered and enforced. The Director will make all decisions and appeals and variance requests will be heard by the City of Grand Junction Planning Commission. The Downtown Development Authority (DDA) will be a review agency for all applications and will make recommendations for proposals in the Central Business District.

Greater Downtown Plan Subdistricts

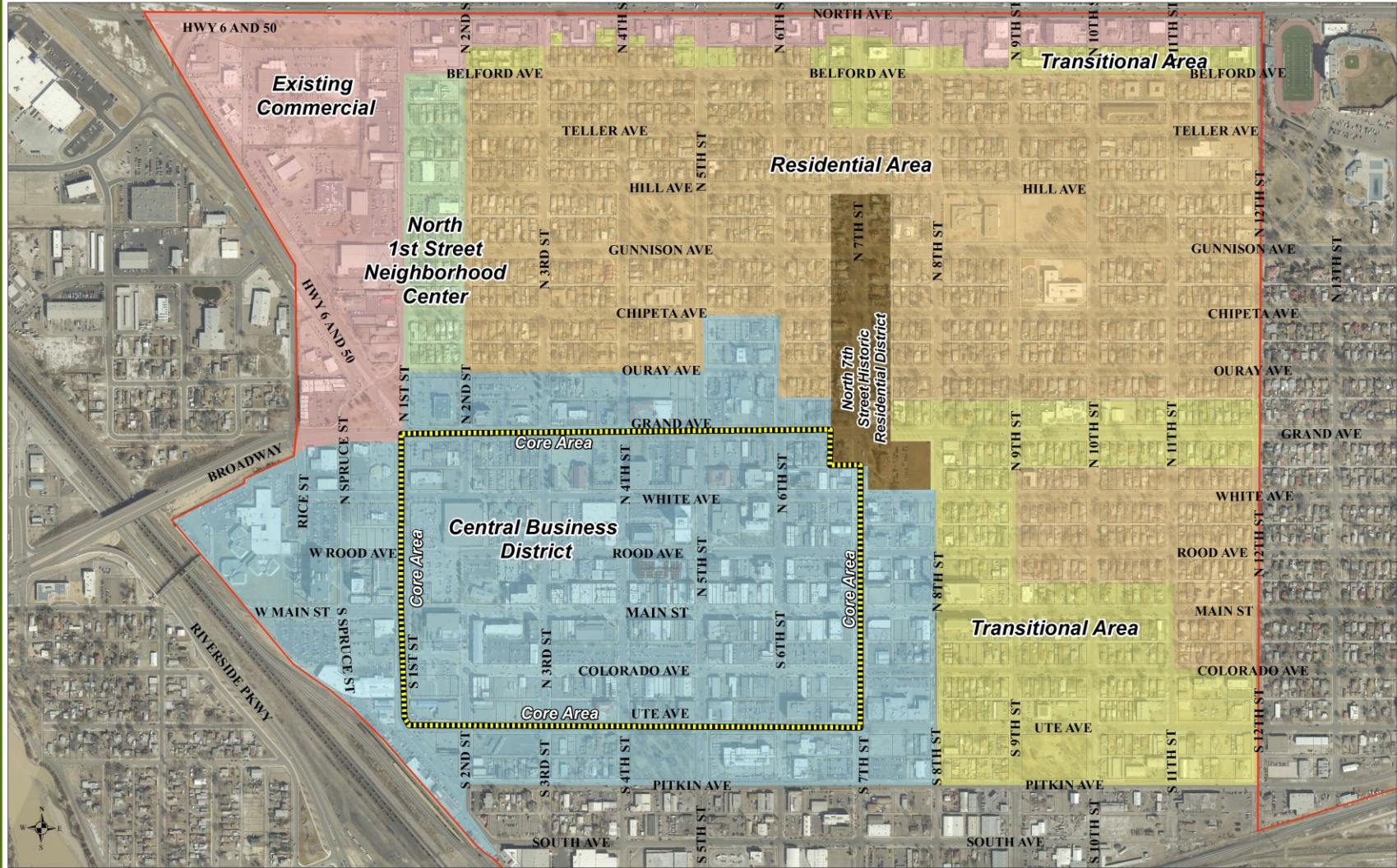


Greater Downtown Overlay Corridors



Greater Downtown Overlay Corridors — Industrial Corridor — Commercial Corridor — Trails

Downtown District - Subareas



Downtown Subareas Central Business District Core Central Business District North 1st St Neighborhood Existing Commercial Residential Area Transitional Area 7th Street Historic

© GIS DEPARTMENT PLANNING/NEIGHBORHOOD PLAN & GREATER DOWNTOWN ZONING OVERLAY

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CORRIDOR STANDARDS AND GUIDELINES

1. OVERALL CORRIDOR VISION/CONCEPTS

The Greater Downtown Plan Zoning Overlay standards for the Greater Downtown Commercial and Industrial Corridors in the Rail and River Districts begin to implement goals of the *Greater Downtown Plan* to 1) improve the visual impact of development along the corridors; and 2) promote higher quality architectural treatment and site design as new development and redevelopment occurs along the corridors. The visual features identified below define the concepts proposed along the corridors and, as implemented as new development and redevelopment occurs, will shape the desired character of the built environment. The features are grouped into three categories: Architectural Features; Building Materials; and Streetscape and Site Design.

A. Architectural Features

1. Façade modulation and roofline variations. The corridors can be improved through use of visually interesting architectural features that are designed to reduce mass and scale, including variation in the building form with recessed or projecting bays and variation in the rooflines.



2. Façade design. Design details can be used to emphasize architectural features such as the modulation and roof line changes discussed above or other features such as entryways and windows. Façade design details that break up a façade and add visual interest include:

- a. Columns and pilasters that help break up a horizontal plane of a building or other site feature.
- b. Change of material such as on an exterior wainscoting panel.
- c. Accent colors that help define and/or accentuate architectural features.

3. Defined entry. Many of the other architectural features above can be used to accentuate and define the primary entrance to a building, add architectural interest, as well as make the building more pedestrian- or customer-friendly.

4. Window sizes and shapes. The shape and sizes of windows used on a building break up the façade, provide visual variety and provide a pedestrian- and customer friendly character.

5. Awnings and porticos. Awnings and porticos are encouraged to help provide architectural interest.

B. Building Materials

1. Mix of materials. Variations of materials used on exterior facades break up large building forms and walls.



2. Different textures, colors and tones. Use of different textures, colors and tones provide visual interest and can be used to accentuate architectural features.



C. Streetscape and Site Design

Streetscape features along the primary corridors within the Rail and River Districts in Greater Downtown also help establish the visual character of the corridors. Examples of the desired characteristics are illustrated below.

1. Building Placement. Buildings are encouraged to be brought forward on a site to the street or sidewalk.

2. Landscaping. Many of the streets within the Rail and River Districts do not have, nor are planned to have, a sidewalk. However, streetscape interest can be created through landscaping, encouraging use of xeriscape concepts.



Example Existing Streetscape Landscaping

3. Streetscape Design. An urban streetscape is desired that includes hard surfaces, tree grates and street trees. This design concept exists along some of the corridors in the Rail and River District. The urban streetscape along the street can be blended with the site design of the adjacent parcel so that on-site landscaping complements and enhances the existing streetscape.



Existing 7th Street Landscaping

4. Detached sidewalks . Where possible, detached sidewalks are desired along the commercial and industrial overlay corridors and already exist along some streets. The park strip between the curb and sidewalk can provide the landscape relief for an abutting developed property.



Existing Detached Sidewalk on Riverside Parkway (left) and South Avenue (right)

5. Outdoor storage, display and operations. Minimize the visual impact of outdoor storage, display and operations areas through placement on a site behind a building, to the rear of the property or otherwise screened.



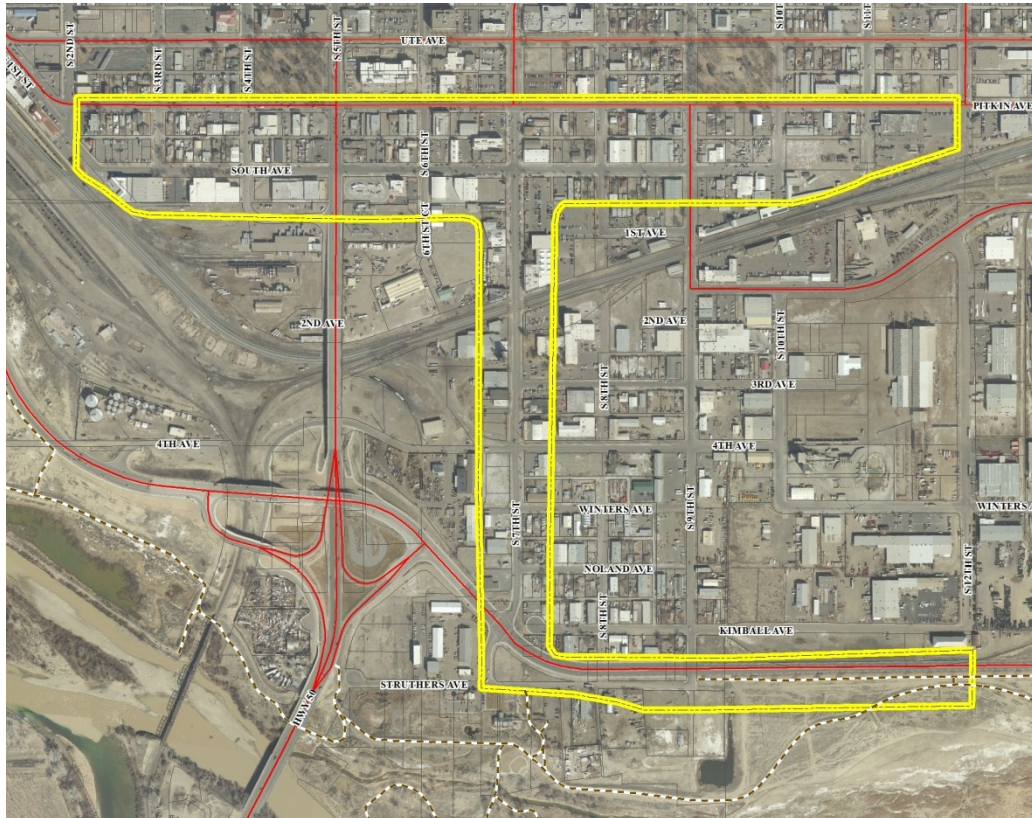
Examples of Outdoor Storage and Operations Located Behind Buildings on 7th Street (left) and Riverside Parkway (right)



Screening Example on Riverside Parkway

2. COMMERCIAL CORRIDOR STANDARDS AND GUIDELINES

The following Commercial Corridor Standards and Guidelines apply to those parcels on the south side of Pitkin Avenue between 2nd Street and 12th Street as shown on the map below: all parcels, or aggregation of parcels to be developed that have frontage on: 1) the east side of 2nd street between Pitkin Avenue and South Avenue; 2) South Avenue between 2nd Street and 12th Street; 3) South 7th Street between Pitkin Avenue and the south side of the Riverside Parkway; and 4) Struthers Avenue and Riverside Parkway area from just west of South 7th Street to the alignment of 12th Street. This area shall be referred to hereafter as the Commercial Corridor.



A. New Site Development or Redevelopment

Policies

1. In order to prevent parking from dominating the visual setting of the Commercial Corridor, front yards shall allow only principal structures, landscaping, sidewalks, driveway access to parking areas and signage. No parking shall be allowed in the front yard.

Standards

1. Outdoor storage and permanent display areas shall only be allowed in the rear half of the lot, beside and/or behind the principal structure. For properties with more than one street frontage, the front of the lot shall be considered, for purposes of this standard, to be the side abutting the higher or highest order street. Portable display of retail merchandise may be permitted subject to the provisions of the Zoning and Development Code.

2. Parking is not to be located in the front yard. All parking that is accessory to a principal use shall be located behind or to the side of the building.
3. Front yard setbacks for principal structures on parcels within the Commercial Corridor are allowed to be reduced to zero feet.
4. Residential uses are allowed as allowed in the Light Commercial (C-1) zone district in the Zoning and Development Code, regardless of how the property is zoned.

B. Architectural Design of New Buildings/Additions or Substantial Exterior Remodel

Standards

1. For construction of new buildings and additions, or substantial exterior remodel (see definition below), any façade(s) on all buildings that face a street within the Commercial Corridor shall be designed to relate directly to and reinforce the pedestrian scale and quality of the abutting streets, civic and open spaces.
2. Any façade(s) of a new building, addition or substantial exterior remodel (see definition in 3 below) that face a street within the Commercial Corridor or that face the public property containing the Riverfront Trail, shall have visually interesting architectural features and patterns that are designed to reduce mass and scale and reflect the desired vision for the corridors as described in Section 1 on pages 8 through 11. In order to do so, the façade(s) of a new building, addition or substantial remodel that face a street within the Commercial Corridor shall exhibit a minimum of 3 of the following 9 architectural design elements.
 - a. Variation in materials, material modules, expressed joints and details, surface relief and texture to break up building forms and wall surfaces. Such detailing may include sills, headers, belt courses, reveals, pilasters, window bays or similar features.
 - b. Façade articulation/variation such as recessed or projecting bays or pilaster/column projections a minimum of every 30 feet.
 - c. Variation in color.
 - d. Facade feature that emphasizes the primary building entrance through projecting or recessed forms, detail, color and/or materials.
 - e. Variation in roof lines/roof materials in order to add interest to and reduce the scale of buildings or expanses of blank wall. This can be accomplished through design elements such as overhangs/eaves, recesses/projections, raised cornice parapets over doors or bays and peaked roof forms.
 - f. Screening of mechanical equipment either located on the roof or on the ground.
 - g. Windows.
 - h. Window or entry awning.

i. Other architectural features that achieve the goals of the overall corridor vision/concept as outlined on pages 8 through 11 as determined by the Director.

3. Definition of Substantial Exterior Remodel – Exterior building alteration that is greater than or equal to 65 percent of the value of the existing site and building. This increase shall trigger 100 percent site development compliance and 100 percent architectural standards compliance. Value shall be the greater of: total actual value per the Mesa County Assessor; or a current appraisal.

Guidelines

1. Exterior building materials should be durable, economically maintained, and of a quality that will retain their appearance over time.

C. Landscaping for New Site Development or Redevelopment

Standards

1. On-site landscaping shall be required per the Zoning and Development Code. The total amount of required landscaping may be reduced by the Director if a minimum of two of the following five conditions exist or are proposed.

- a. A higher quality of architectural design is achieved with greater than three of the architectural design elements listed in B above.
- b. Fifty percent (50%) or more of the building façade is setback no more than 15 feet.
- c. Street trees and other finished landscaping or hardscape exists within the public street immediately in front of the property.
- d. All parking is located to the side and/or rear of the building.
- e. All outdoor storage and operations are located behind the building.

D. Signage

Standards

1. Only flush wall and monument style signs are allowed on the parcels that have frontage on 7th Street, Struthers Avenue, and/or Riverside Parkway within the Commercial Corridor. Flush wall signs are allowed per the Zoning and Development Code. Monument signs shall be a maximum of 12 feet in height with a maximum total of 100 square feet per sign face allowed per parcel. Illumination shall comply with the City of Grand Junction Zoning and Development Code.

2. New off-premise signs and billboards as defined by the Zoning and Development Code are not allowed on properties within the Commercial Corridor.

3. INDUSTRIAL CORRIDOR STANDARDS AND GUIDELINES

The following Industrial Corridor standards and guidelines apply to all properties or aggregation of parcels to be developed with frontage on 5th Street or the 5th Street/Riverside parkway intersection Right-of-way, south of South Avenue to the River, referred to hereafter as the 5th Street Industrial Corridor, and on Riverside Parkway from the east edge of 12th Street, if extended to the Riverside Parkway, east to 28 Road, referred to hereafter as the Riverside Parkway Industrial Corridor. Please

A. 5th Street Industrial Corridor Standards

1. No new outdoor uses and operations shall be allowed on parcels that have frontage on 5th Street or on the right-of-way for the 5th Street/Riverside Parkway interchange. Maximum expansion and construction of any outdoor uses and operations (such as outdoor operation of rail yards, salvage yards, etc.) on properties that abut the 5th Street right-of-way shall be 25 percent of the total square footage as it existed on *(insert effective date of the ordinance)*.
2. For uses that require screening per the Zoning and Development Code and will be visible from the elevated portions of the 5th Street viaduct, screening shall be provided on the viaduct that limits views to adjacent uses but still provides longer vistas to the east (Grand Mesa) and west (Colorado National Monument and Uncompahgre Plateau).
3. Off-premise signs and billboards as defined by the Zoning and Development Code that did not exist as of *(insert effective date of the ordinance)* are not allowed on properties within the 5th Street Industrial Corridor.

B. Riverside Parkway Industrial Corridor Standards

1. New Site Development or Redevelopment

- a. Service entrances, service yards and loading areas shall be located only in the rear or side yard. For properties with more than one street frontage, the front yard shall be considered, for purposes of this standard, to be the side abutting the higher or highest order street. The rear and side yards are any other sides that do not meet the definition of a front yard. Along the Riverside Parkway right-of-way, a six-foot (6') high solid fence or wall of stone, wood or masonry shall screen: each service yard or area from adjoining single family residential zones and uses which are not separated by a street (not counting an alley or any easement).
- b. Outdoor storage and permanent display areas shall be allowed per the zone district of the property. Any storage in the front yard adjacent to the Riverside Parkway right-of-way shall be screened with a six-foot high solid architectural wall constructed of stone, masonry or combination thereof with a minimum 14-foot landscape buffer provided outside of the wall unless modified per the landscaping section below.
- c. The front yard setback for principal structures on parcels within the Riverside Parkway Industrial Corridor is allowed to be reduced to zero feet.

2. Architectural Design of New Buildings or Substantial Exterior Remodel

- a. Any side of a new building, addition or substantial remodel that the Riverside Parkway or the public property containing the Riverfront Trail shall exhibit a minimum of 3 of the following 8 architectural design elements:
 - (i) Variation in materials.

- (ii) Façade modulation/articulation a minimum of every 30 feet.
- (iii) Variation in color.
- (iv) Facade feature that emphasizes the primary building entrance.
- (v) Variation in roofline.
- (vi) Windows.
- (vii) Window or entry awning.
- (viii) Other architectural features that achieve the goals of the overall corridor vision/concept as outlined on pages 8 through 11 as determined by the Director.

3. Landscaping for New Site Development or Redevelopment

a. On-site landscaping shall be required per the Zoning and Development Code. The total amount of required landscaping may be reduced by the Director if a minimum of two of the following five conditions exist or are proposed:

- (i) A higher quality of architectural design is achieved with greater than three of the architectural design elements listed in 2 above.
- (ii) Fifty percent (50%) or more of the building façade has no more than a 20-foot setback.
- (iii) Street trees exist within the abutting public street.
- (iv) All parking is located to the side and/or rear of the building.
- (v) All outdoor storage and operations are located behind the building.

4. Signage

a. Only flush wall and monument style signs are allowed on the Riverside Parkway Industrial Corridor properties. Flush wall signs are allowed per the Zoning and Development Code. Monument signs shall be a maximum of 12 feet in height with a maximum total of 100 square feet per sign face allowed per parcel.

b. Off-premise signs and billboards as defined by the Zoning and Development Code that did not exist as of (*insert effective date of the ordinance*) are not allowed on properties within the Riverside Parkway Industrial Corridor.

DOWNTOWN DISTRICT STANDARDS AND GUIDELINES

1. OVERALL DOWNTOWN DISTRICT VISION/CONCEPTS

In order to implement the *Greater Downtown Plan*, the following zoning overlay standards have been developed for the subareas of the Downtown District. Application of the standards and guidelines will begin to implement goals of the plan to:

- Maintain and enhance the economic, cultural and social vitality of Downtown.
- Promote downtown living by providing a wide range of housing opportunities.
- Enhance the transportation system to accommodate automobiles, transit, bikes and pedestrians, and provide adequate, convenient parking.
- Stabilize and enhance the historic residential neighborhoods.
- Establish and promote a unique identity for each of the subareas of the Downtown District.
- Preserve and restore significant historic structures.

- Activate the edges of the downtown parks with mixed use and programmed/active use of the parks as urban open space rather than passive green parks.

2. DOWNTOWN DISTRICT AREA-WIDE POLICIES, STANDARDS AND GUIDELINES

A. Policies

1. Maintain and enhance the economic, cultural and social vitality of downtown
2. Promote downtown living by providing a wide range housing opportunities
3. Enhance the transportation system to accommodate automobiles, bikes and pedestrians and provide adequate, convenient parking
4. Stabilize and enhance the historic residential neighborhoods
5. Establish and promote a unique identity
6. Preserve and restore significant historic structures
7. Activate the edges of the downtown parks with mixed use and programmed/active use of the park as urban open space rather than passive green parks.

B. Standards

Due to the constraints of many downtown properties and the City's desire to promote improvement and redevelopment in the Downtown Area, the Director may make reasonable exceptions to the provisions of the Zoning and Development Code and the Greater Downtown Plan Zoning Overlay to bulk standards (except for building height), landscaping, parking or other use-specific special regulations for properties that are within the Central Business District (CBD), Transitional or Residential subareas. The following criteria shall be used to consider exceptions from the bulk standards, landscaping, parking or other use-specific special regulations.

1. Hardship Unique to Property, Not Self-Inflicted. There are exceptional conditions creating an undue hardship, applicable only to the property involved or the intended use thereof, which do not apply generally to the other land areas or uses within similar zone districts, and such exceptional conditions or undue hardship was not created by the action or inaction of the applicant or owner of the property;
2. Special Privilege. The exception shall not confer on the applicant any special privilege that is denied to other lands or structures within similar zone districts;
3. Literal Interpretation. The literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in similar zoning districts and would work unnecessary and undue hardship on the applicant.
4. Greater Downtown Plan Goals. The proposal actually meets overall goals of the Plan better than if standards are followed.
5. Conformance with the Purposes of the Zoning Overlay and the Zoning and Development Code. The granting of an exception shall not conflict with the purposes and intents expressed or implied in this Zoning Overlay or the Zoning and Development Code; and

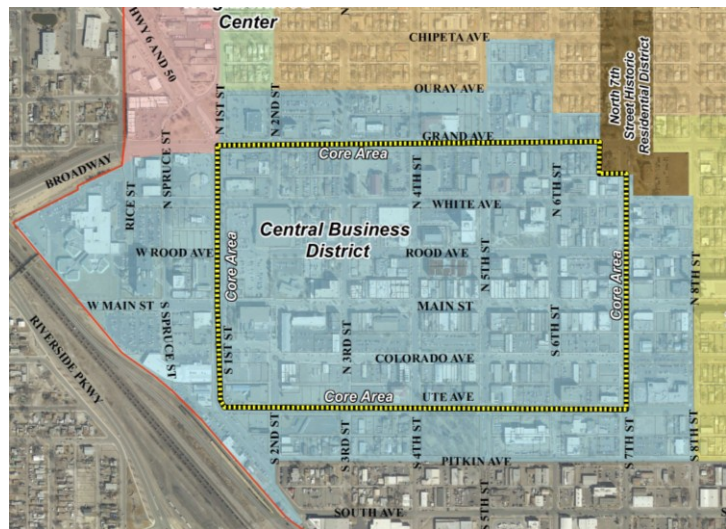
6. Conformance with Comprehensive Plan. The granting of an exception shall not conflict with the goals and principles in the City's Comprehensive Plan.

C. Guidelines

1. Projects will include good, interconnected transportation choices for better access and better health.
2. Traffic calming measures will be provided where appropriate, including pedestrian refuge areas, medians, landscaping and corner bulb-outs.

3. CENTRAL BUSINESS DISTRICT (CBD) STANDARDS AND GUIDELINES

The following standards and guidelines apply to the CBD area shown on the map (blue area). Further development and implementation of these concepts will be done in coordination with the DDA. The standards and guidelines are intended to apply to new development or redevelopment within the area.



A. Application of Standards and Guidelines

1. Unless otherwise noted below, all of the standards and guidelines shall apply under the following conditions:

- a. Construction of a new building
- b. Addition – Construction of an addition to an existing building if the addition increases total building square footage by 100 percent or greater (baseline is building square footage of existing building on *insert date ordinance becomes effective*, 2013). This expansion standard is cumulative after this date in 2013. Once square footage has exceeded 100 percent of the 2013 square footage, the standards and guidelines shall apply to all further expansions.
- c. Substantial Exterior Remodel – Exterior building alteration that is greater than or equal to 65 percent of the value of the existing site and building. This increase shall trigger 100 percent site development compliance and 100 percent architectural standards compliance. This shall not trigger the requirement of minimum height. Value shall be the total actual value per the Mesa County Assessor or the appraised value based on an appraisal completed by a certified appraiser licensed to do business in the State of Colorado utilizing the “cost” approach.

2. The standards and guidelines do not apply to:

- a. Construction of an addition to an existing building if the addition will increase the total building square footage by less than 100 percent (baseline is building square footage of existing building on *(insert date ordinance becomes effective)*, 2013). This expansion standard is cumulative after this date in 2013. Once square footage has exceeded 100 percent of the 2013 square footage, the standards and guidelines shall apply to all further expansions.
- b. Exterior building alteration that does not exceed 65 percent of the value of the existing site and building (value determined as set forth above).
- c. Interior remodel of an existing building.

B. Overall Central Business District (CBD) Vision/Concepts/Policies

1. Activate the Downtown Core area streets through emphasis on higher pedestrian traffic , businesses on the ground level that are oriented towards attracting higher pedestrian volumes, and buildings that “turn the corner” (invite activity on both the primary and cross streets). Refer to the CBD Core Area map on page 19.



Existing Downtown Street Activity

- 2. Maintain the prominence of buildings along the streets by minimizing building setbacks.
- 3. Encourage high quality, compatible design for all new buildings and establish a cohesive architectural character/theme that harmonizes new structures with the existing buildings through common materials, scale and basic architectural details as outlined in greater detail in the following standards and guidelines.

4. Typical building materials found in the CBD materials are traditional and weather well, allow a broad variety in appearance and ensure buildings are of high quality. To facilitate the creation of a cohesive architectural character/theme for new buildings, additions or exterior remodels in the Downtown the following exterior finishes are most appropriate: brick, sandstone, stucco, metal cladding, tiles, wood, glazing and decorative concrete masonry units (CMU).



Core,

Example Downtown Building Materials

5. Encourage high density, mixed-use development and structures (e.g. retail at street level and

residential or office above).

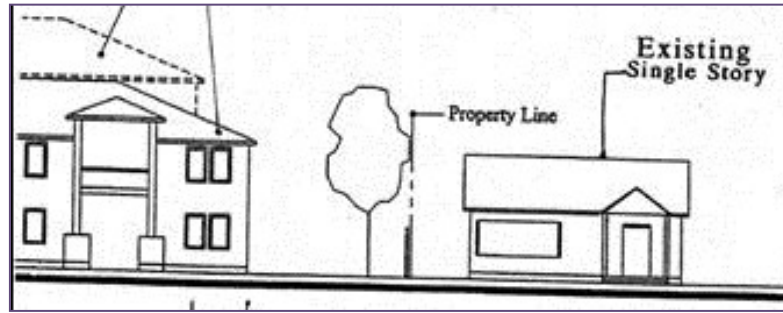


Existing Downtown Mixed Use

6. Encourage gradual scale transitions between the CBD and adjacent neighborhoods. Taller buildings will be located in the center and southern and western perimeter of the CBD, with shorter buildings on the northern and eastern edges of the CBD.
7. Encourage maximizing building scale and intensity/density by offering incentives to build above the required minimum height.
8. Minimize single use, surface parking throughout the CBD.
9. Maintain streetscapes dominated by buildings with parking located behind. Consider elimination of existing curb cuts as a performance benefit.
10. Encourage shared parking.
11. Encourage new infill development on existing, under-utilized surface parking lots.
12. Provide streetscape details and landscaping that compliment the architectural character of the CBD and exhibit urban character.
13. Create entries to the CBD at strategic locations as shown on the Wayfinding and Signage Map in the Greater Downtown Plan report. Enhancements may include landscaped medians, corner bulbs and special signs.
14. The DDA will assist in developing sign standards and guidelines for private signage placed on buildings or as freestanding signs for consideration and adoption by the City.

C. Overall Central Business District (CBD) Standards

1. Maximum building height in the CBD shall be 90 feet. A one-time increase of up to 25 percent per property may be considered by the Grand Junction Planning Commission.
2. Buildings shall be set back a minimum of 20 feet from the street on Chipeta and Ouray Avenues.
3. The buildings will step down so that the front façade of the buildings that are directly across Ouray and Chipeta Avenues from residential buildings or uses are no taller than 40 feet. Minimum depth of the step shall be 10 feet.



Example of Building Stepping Down to Single Family Residential Scale

4. Scale and massing of buildings or portions of buildings along Ouray and Chipeta Avenues will be compatible with residential scale.

5. If off-street parking is provided, it shall be located behind buildings on private property. If the property abuts an alley, the parking area shall take access from the alley. If the property has more than one street frontage, “behind the building” shall mean on the opposite side of the building from the front door or the main public door entrance to the building.

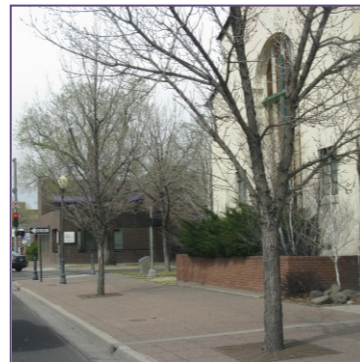
6. Maximize opportunities for on-street parking by minimizing curb cuts along the street .

7. All pedestrian level lighting shall be downlit and, if on poles, shall be in a historical style light standard.

8. The streetscape along Grand Avenue and 4th and 5th Streets north to Ouray Avenue within the CBD will continue in a design compatible with the existing improvements along Grand Avenue (e.g. decorative pavement and street trees).

9. Landscaping is expected to comply with the Zoning and Development Code per the requirements of the zone district. The Director may approve variations for new development or redevelopment in the CBD if: 1) street trees exist within the abutting public street; and 2) streetscape elements (plantings, low walls and/or street furniture) are proposed with the development consistent with the urban design character of the CBD.

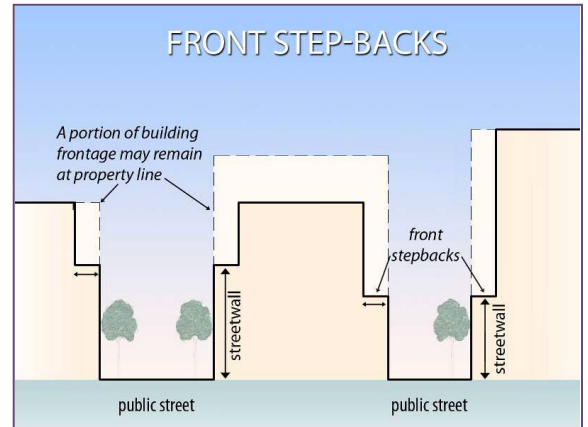
10. The streetscape along 5th and 6th Streets north of Ouray Avenue to Chipeta Avenue within the CBD shall transition between the urban hardscape and a more residential streetscape character (e.g. detached sidewalk, landscaping in park strip between curb and sidewalk and street trees).



Existing Grand Avenue Streetscape

D. Central Business District Core Area (Downtown Core) Guidelines

1. Façade detailing should be compatible with, but not be identical to, that of a neighboring historic building. New facades should have their own, unique design. To create continuity, horizontal lines should be in alignment with neighboring buildings.
2. Entrances are often the primary focal point of a building and, as such, should be designed to fit with the overall character of the area.
3. Doorways may be finished with paints, stains, metal and aluminum cladding set to match the existing trim colors.
4. Single, double, revolving and corner doorways are acceptable in new construction or substantial remodels.
5. Consider stepping back the upper floors of street-facing facades on buildings taller than the traditional three stories in the CBD all step back a minimum depth of 10 feet in order to enhance the traditional scale of the CBD and ensure adequate air and light at the sidewalk level.



E. Central Business District Core Area (Downtown Core) Standards

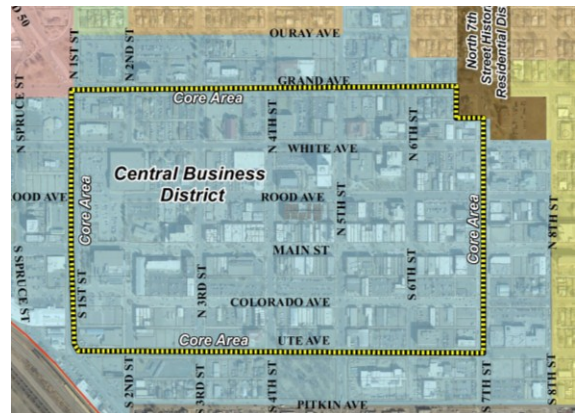
The following standards apply only to the Downtown Core shown on the map (within the yellow-black dashed line).

1. Building Height

- a. Minimum building height in the Downtown Core shall be two stories.

The following uses as allowed in the zone district and as defined by the Zoning and Development Code shall be exempt from the minimum two story requirement:

- Schools, Colleges and Universities
- Vocational, Technical and Trade Schools
- Community Activity Building
- All Other Community Service
- Museums, Art Galleries, Opera Houses, Libraries
- Day Care
- Detention Facilities
- Hospital/Clinic
- Parks and Open Space
- Religious Assembly



- Funeral Homes/Mortuaries/Crematories
- Safety Services
- Utility Infrastructure and Corridors
- Car Wash, Gasoline Service Station, Quick Lube
- Industrial Services, Contractors and Trade Shops with Indoor Operations and Storage



Existing Downtown Core Scale

Exemptions to this requirement for other uses of land or occupancies of a building not listed and that is not conducive to a vertical organization of operational space may be considered and approved by the Grand Junction Planning Commission with a recommendation from the DDA upon a review of a conceptual level development proposal.

The following criteria shall be used by the Planning Commission to consider exemptions from the bulk standards, landscaping, parking or other use-specific special regulations.

- a. Hardship Unique to Property, Not Self-Inflicted. There are exceptional conditions creating an undue hardship, applicable only to the property involved or the intended use thereof, which do not apply generally to the other land areas or uses within similar zone districts, and such exceptional conditions or undue hardship was not created by the action or inaction of the applicant or owner of the property;
- b. Special Privilege. The exception shall not confer on the applicant any special privilege that is denied to other lands or structures within similar zone districts;
- c. Literal Interpretation. The literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in similar zoning districts and would work unnecessary and undue hardship on the applicant.
- d. Greater Downtown Plan Goals. The proposal actually meets overall goals of the Plan better than if standards are followed.
- e. Conformance with the Purposes of the Zoning Overlay and the Zoning and Development Code. The granting of an exception shall not conflict with the purposes and intents expressed or implied in this Zoning Overlay or the Zoning and Development Code; and
- f. Conformance with Comprehensive Plan. The granting of an exception shall not conflict with the goals and principles in the City's Comprehensive Plan.

2. Building Setbacks/Site Placement , Scale, Massing and Street Encroachment

- a. Maximum building setback from the abutting street shall be two feet or compatible with the mean setback of the immediately adjoining lots on both sides of the subject lot but in no case greater than 20 feet .

b. When building setbacks are not determined as in a above, setbacks of up to 10 feet from the abutting street may be allowed if there is a designed function for the space such as limited outdoor display, seating, outdoor dining areas or a small street park, whether for private or public use.

c. Architectural features on stories above street level may encroach on the public right-of-way, provided all safety considerations have been met. A revocable permit for such encroachments shall be reviewed and may be approved by the Director or a permanent easement for such encroachments may be reviewed and considered for approval by City Council.

d. Awnings that overhang windows or entries on street level facades are encouraged and shall be constructed of canvas or heavy cloth or metal (no plastic), utilizing primarily neutral colors.

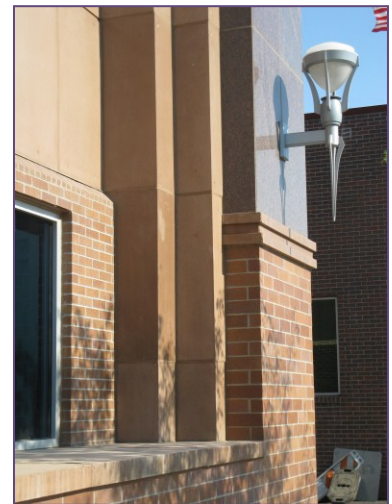


Existing Canopy on Main Street Building

3. Architectural Character – The façade(s) of a new building, addition or substantial exterior remodel that abut the streets within the Downtown Core shall have articulated architectural features and patterns that are designed to reflect the desired vision for the CBD described in B on pages 20-21. In order to do so, the façade(s) of a new building, addition or substantial exterior remodel within the Downtown Core shall exhibit a minimum of four of the following nine architectural design elements.

a. On corner parcels, façade design of ground floors “turn the corner” to induce activity and interest in the streetscape on the north-south streets within the Downtown Core.

b. Facades are articulated and have ornamentation such as varied brick patterns, change in material or color accents and window headers or columns that create shadow lines are examples of acceptable ornamentation.



Example Ornamentation for Visual Interest

c. The street level front façade of the building is “active” with at least 50 percent of the façade in windows, with doors spaced no more than 50 feet apart. Side facades shall meet a minimum of 50 percent of this requirement.

d. Façade features that emphasize the primary building entrance through projecting or recessed forms, detail, color or materials.

e. Building facades are articulated on any street-facing side. Larger buildings are articulated in a hierarchy of smaller volumes and masses that better relate to other buildings and the scale of streets. This is accomplished through establishment of building bays that are distinguished by recessed or protruding elements or a variation in materials or color to break up the façade and reduce the overall scale of large buildings.



Example Façade Articulation to Define Smaller Scale Bays

f. Higher levels of fenestration are required for buildings along both sides of the streets within the CBD Core Area. At a minimum, fenestration shall be concentrated on the street level façade and diminish on upper floors (e.g. window size decreases as the floor level increases).



Existing Facades with Diminishing



Fenestration on Upper Floors

g. Buildings include a façade cap. The cap is defined by a distinct roof line or parapet. The design uses ornamentation of these features to enhance the building's identity and support the architectural character of the CBD. The façade cap is in three dimensions that projects and casts a shadow and relates proportionately to the overall building design.

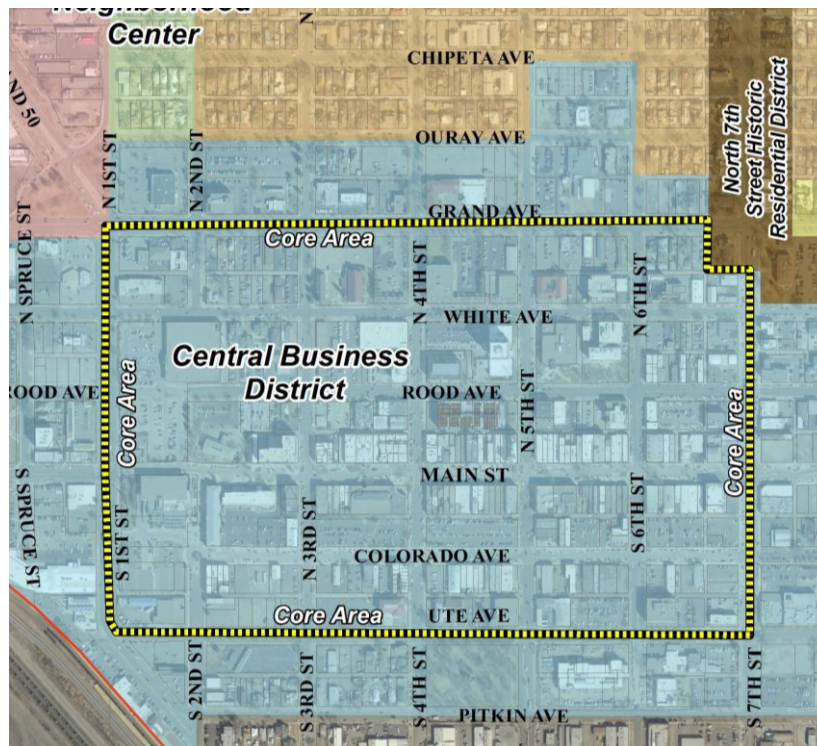


Example Three Dimensional Façade Cap

h. Building design minimizes the visual impact of mechanical equipment located on the roof as viewed from the adjacent streets.

i. Other architectural features that achieve the goals of the overall Central Business District (CBD) vision/concept as outlined in B on pages 20-21 as determined by the Director.

4. On-street parking shall be located and designed to maintain and support a safe pedestrian environment on streets located within the Downtown Core (yellow-black outline on map below). This includes coordinating crosswalks with parking location and eliminating visual and physical obstructions to the pedestrian travel way.

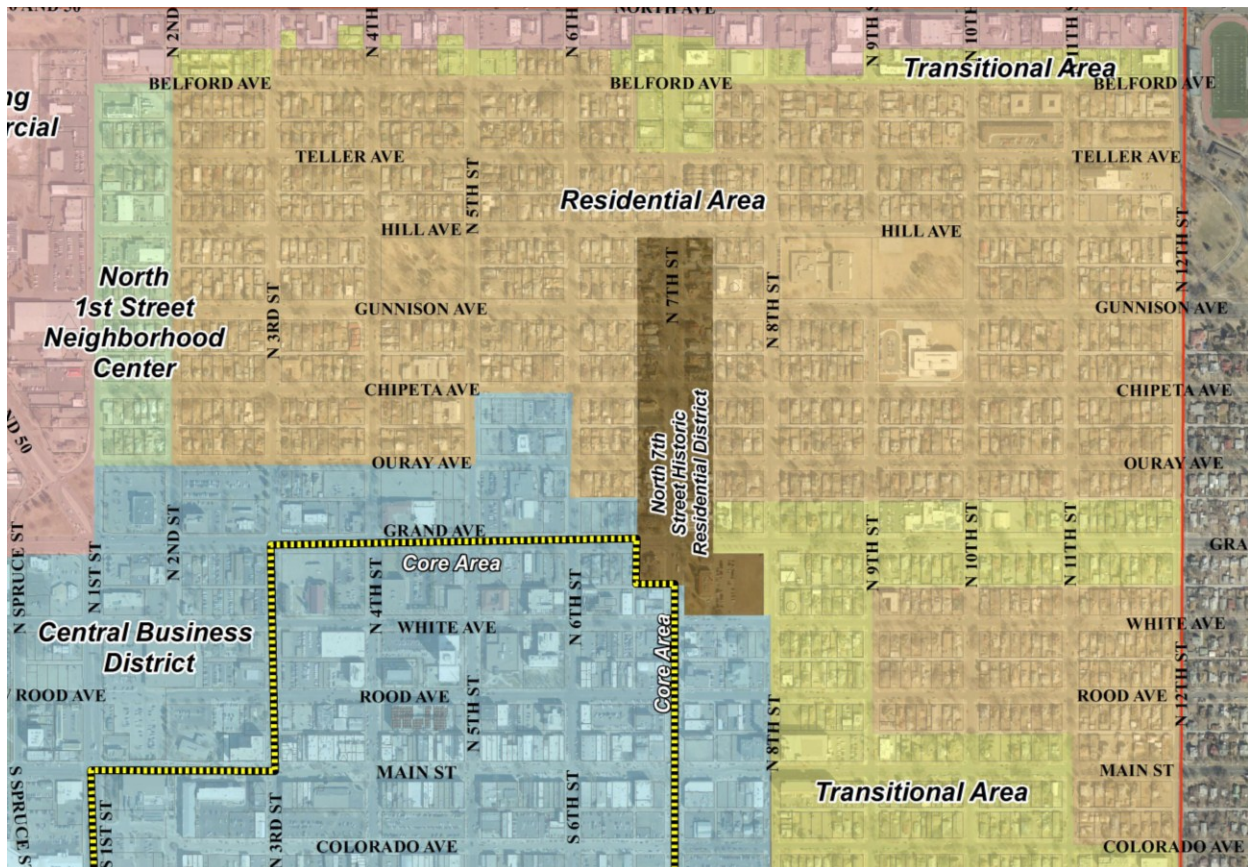


4. RESIDENTIAL AREAS STANDARDS AND GUIDELINES

The following standards and guidelines apply to the Residential areas shown on the map on the below (orange areas). The standards and guidelines are intended to apply to new development or substantial redevelopment within the area. Substantial redevelopment is any reconstruction, rehabilitation, addition or other improvements to the existing structure(s) on a site where the value of the improvement exceeds 50 percent of the fair market value of the building(s) before the start of construction.

A. Policies

1. The existing historic residential neighborhoods within the Downtown District will be stabilized and enhanced.
2. The existing historic residential neighborhoods within the Downtown District will be preserved for residential uses, with no further encroachment by non-residential uses.
3. Where existing residential zoning allows, provide a diversity of housing types through development of multifamily housing that is in keeping with the character of the neighborhood (refer to Multifamily Development section on page 30).
4. Enhance access to and improvements within existing public open spaces (e.g. parks and school grounds) within the downtown residential core such as enhanced pedestrian crossings and lighting for safety.



5. Maintain and enhance the historic character of the streetscape with emphasis on the following elements: street trees, landscaping rather than parking or other uses in the park strip between sidewalk and curb, street signs that identify the neighborhoods, lighting and detached sidewalks.



Existing Residential Subarea Streetscape Character

B. Standards

1. Architectural Considerations

a. Building Style and Character. Maintain the existing character of the house styles within the residential neighborhoods in the Downtown District. New construction and alterations shall be compatible with key architectural characteristics and site elements of the neighborhood.

b. Accessory Structure Setbacks. The setback for accessory structures is a zero foot setback from the alley and three feet from neighboring property line(s).



Existing Residential Building Alignment

c. Building Mass/Scale and Proportion. New buildings or additions to existing buildings shall be visually compatible with the area. Visually compatible means compatible with adjacent and neighboring buildings including mass and scale, shape, windows, doors, openings, roof shape, roof pitch and orientation.

d. Roof Shape. The roofs of new buildings shall be visually compatible with nearby dwellings. If pitched, the roof pitch shall be at least 4:12.

e. Fenestration. Structures shall be visually compatible with surrounding residential structures. Visually compatible includes the relationship of width to height, and the spacing of windows and doors. For example, tall evenly-spaced rectangular windows are typical of many of the residential styles in the downtown area.



Example Existing Architectural Character

f. Materials. The exterior materials of all new buildings, additions and alterations shall be similar in size and appearance to nearby dwellings.

g. Setbacks. On a corner lot, front yard setbacks along side streets may be reduced to 10 feet on properties within the Downtown District Residential subareas.

2. Accessory Structures

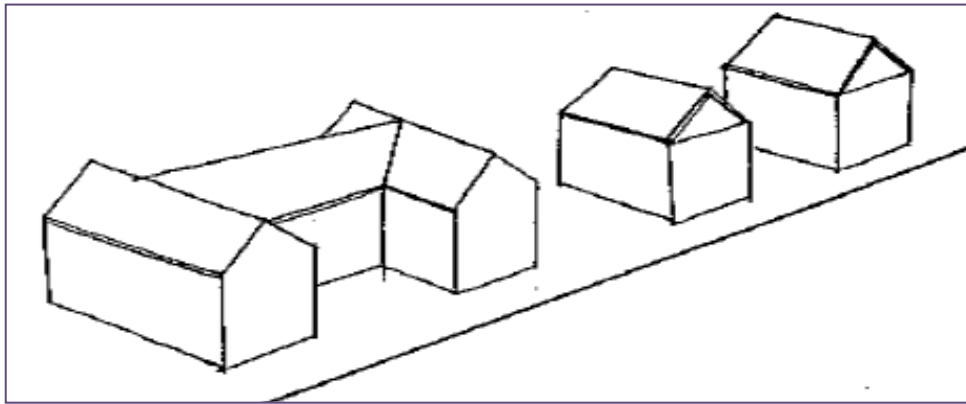
a. Accessory structures shall be no taller than the highest eave line of the principal structure.

b. The footprint size of an accessory structure shall be a maximum of 35 percent of the footprint of the principal structure.

3. Multifamily Development

Infill of new multifamily buildings may occur where zoning allows within the residential neighborhoods of the Downtown District. However, the site design and structures for this type of development must maintain a scale and character compatible with the residential neighborhoods in the Downtown District. In addition to the Architectural Considerations listed in 1. above, multifamily development shall follow the standards below.

- a. Incorporate forms typical of the single family residential architecture of downtown including sloping roofs, porches, roof dormers and other architectural details.
- b. Break up the mass of larger buildings into forms that are similar in scale to the single family residential character.
- c. Facades must be composed of smaller sections, similar in scale and material finish to single family residential structures.



Example – Break Up Façade of Larger Structure to be Compatible with Single Family Scale

- d. Off-street parking for multifamily development shall not be located in the front yard setback. Parking shall be in the rear or side yards. If the property abuts an alley, the parking area shall take access from the alley. If the property has more than one street frontage, “behind the building” shall mean on the opposite side of the building from the front door or the main public door entrance to the building.
- e. Develop pedestrian links between the front sidewalk and building entrances and between parking and rear or side entrances.

C. Guidelines

1. Demolition of existing historic homes in order to construct new residential structures is strongly discouraged.
2. Maintain and enhance the pattern of landscaped front yards that gives the residential neighborhoods within the Downtown District a distinctive, friendly appearance.
3. Each new building and addition should be located so that it aligns with existing neighborhood buildings. “Aligns” means elevation (e.g. horizontal lines of peaks of roofs, cornices and window sills) and plan (e.g. setbacks from the street and rear property lines and spacing between structures/setbacks from side property lines).

4. Main entrances should open onto a street and should align with those of adjacent residential buildings. For example, on many of the downtown homes, raised foundations and steps that define the main entrance are prevailing characteristics. Door styles should be similar to those found on residential buildings within the area.

5. New buildings and additions should have the same number of stories and a height which is compatible with buildings within the same block.

6. Parks strips will be landscaped in a traditional style, including street trees, grass, and low plantings or a combination thereof. Park strip landscaping should include some live material – use of all non-living material such as rock is discouraged. Use of drought-tolerant plants is encouraged.



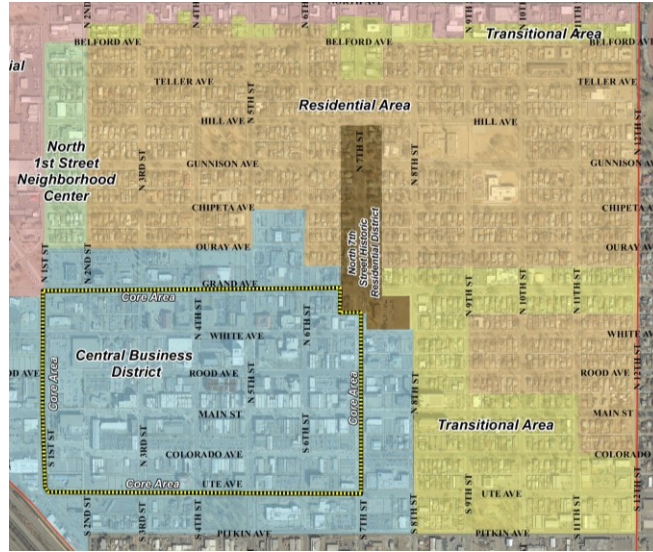
Existing Character of Front Yards and Park Strips

5. TRANSITIONAL AREAS STANDARDS AND GUIDELINES

The following standards and guidelines apply to the Transitional areas shown on the map on the following page (yellow areas). The standards and guidelines are intended to apply to new development or substantial redevelopment within the area. Substantial redevelopment is any reconstruction, rehabilitation, addition or other improvements to the existing structure(s) on site where the value of the improvement exceeds 50 percent of the fair market value of the building(s) before the start of construction.

A. Policy

The peripheral areas of the CBD provide a mix of established residential uses and low intensity, nonretail, neighborhood service and office uses that are compatible with adjacent residential uses and neighborhoods. New development or reuse of existing structures will maintain compatibility with residential building scale and appearance.



B. Standards

1. Land Use and Development Intensity

- a. Any mix of residential and nonresidential uses on the same lot shall be located in the same structure.
- b. No uses within the Transitional Subareas shall open earlier than 7:30 am and shall close no later than 8:00 pm.
- c. Maximum building size shall not exceed 10,000 square feet unless a Conditional Use Permit is issued.
- d. Outdoor storage and display areas are prohibited in the Transitional Subareas.

2. Architectural Considerations

New residential or non-residential construction, including additions and rehabilitations, in the Transitional Subareas shall be designed to have a single family residential character consistent with existing buildings in the area. "Consistent" means the operational, site design and layout, and architectural considerations described below.

- a. Every new principal building shall be located so that it aligns with existing buildings within the same block. "Aligns" means elevation (*e.g.*, horizontal lines of peaks of roofs, cornices, window sills) and plan (*e.g.*, setbacks from the street and rear property lines and spacing between structures/setbacks from side property lines).



- b. Main entrances shall open onto a street and shall vertically align with those of adjacent residential buildings in the same block. For example, in areas adjacent to the Transitional Subareas, raised foundations and steps that define the main entrance are prevailing residential characteristics. Door styles shall be similar to those found on residential buildings.
- c. Each new principal building, its mass in relation to open spaces and its windows, doors, and openings shall be visually compatible. Visually compatible means compatible with adjacent and neighboring buildings including mass, shape, window, doors, openings, roof shape, roof pitch and orientation. For example, a large building shall be compatible with surrounding smaller dwellings by dividing its mass into smaller components to create a building elevation that is more like the size and proportion of the nearby single family homes.
- d. The roofs of new principal buildings or additions to principal buildings shall be visually compatible with buildings within the same block. When pitched, the roof pitch shall be at least 4:12.
- e. Structures shall be visually compatible with surrounding residential structures. Visually compatible includes the relationship of width to height, and the spacing of windows and doors. For example, tall evenly-spaced rectangular windows are typical of certain residential styles near the Transitional Subareas.

3. Signs

Development of non-single family uses in the downtown Transitional areas may directly abut existing single family residential areas. Thus, in order to maintain compatibility, more restrictive sign regulations shall apply.

- a. Flush wall signs and monument signs shall be the only sign type allowed. Only one real estate sign advertising the property for sale or lease shall be allowed and shall not exceed 10 square feet.
- b. Signs shall be located at least 10 feet behind the front property line. Total sign area, excluding real estate signs advertising the property for sale or lease, shall not exceed 25 square feet per street frontage. The sign allowance for one street frontage may be transferred to a side of a building that has no street frontage, but cannot be transferred to another street frontage. Monument signs shall not exceed eight feet in height.



Example Signs within Transitional Subarea

- c. Signs may only be illuminated between 7:30 a.m. and 8:00 p.m.
- d. Sign enhancement features such as bases, pillars, and other decorative elements as part of monument signs shall not be counted as part of the maximum square footage of the sign, provided such features do not exceed the size of the sign face.

4. Parking and Site Development

- a. Non-single family uses in the Transitional Subareas shall be designed and utilized not to increase on-street parking in front of single family dwellings in the neighborhood.
 - On-site parking shall be provided pursuant to the Zoning and Development Code; and
 - On-site parking spaces shall only be located in the side and rear yards. If the property abuts an alley, the parking area shall take access from the alley. If the property has more than one street frontage, side and rear yards shall mean on the opposite side of the building from the front door or the main public door entrance to the building; and
 - On-site parking shall be screened from nearby single family residential uses by a solid wall, fence or vegetation having a height of not less than four feet nor more than six feet (vegetation may exceed 6 feet in height).
- b. Service entrances, loading areas and dumpster areas shall be located only in the rear or side yard. If the property has more than one street frontage, the rear or side shall mean on the opposite side of the building from the front door or the main public door entrance to the building; and each loading area shall be screened from each abutting residential use or zone.
- c. Front yards shall contain only landscaping, sidewalks, driveway access to parking areas and signage.

C. Guidelines

1. New buildings should have the same number of stories and a height which is compatible with those of nearby single family residential buildings.
2. The exterior of all new buildings, additions and alterations should be similar in size and appearance to nearby dwellings. Sign materials should be visually compatible with materials used on the building façade.

ATTACHMENT 4

**CITY OF GRAND JUNCTION, COLORADO
ORDINANCE NO. _____**

**AN ORDINANCE REZONING PROPERTIES WITHIN THE GREATER DOWNTOWN
PLAN AREA**

RECITALS.

The City has adopted the Greater Downtown Plan which includes a Future Land Use Map for the Greater Downtown area.

In order to implement the Greater Downtown Plan, certain parcels are being rezoned to be consistent with the Future Land Use Map and the goals of the Greater Downtown Plan.

City Council finds that the proposed rezone of property as depicted in the Greater Downtown Plan Zoning Map meets the zoning criteria stated in section 21.02.140 of the Municipal Code.

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

That the properties as listed in Exhibit A are rezoned.

INTRODUCED on first reading the 6th day of March, 2013 and ordered published pamphlet form.

PASSED and **ADOPTED** on second reading the ____ day of _____, 2013 and ordered published in pamphlet form.

President of City Council

ATTEST:

City Clerk

EXHIBIT A – GREATER DOWNTOWN REZONED PROPERTIES

PARCEL NUMBER	LOCATION	EXISTING ZONING	PROPOSED ZONING
2945-142-39-010	340 GRAND AVE	B-1	B-2
2945-142-39-003	321 OURAY AVE	RO	B-2
2945-142-38-024	203 OURAY AVE	RO	B-2
2945-142-38-025	200 GRAND AVE	B-1	B-2
2945-232-04-001	202 RIVERSIDE PKWY	I-2	I-O
2945-142-39-009	360 GRAND AVE	B-1	B-2
2945-232-00-075	NO ADDRESS	I-2	I-O
2945-142-39-001	303 OURAY AVE	RO	B-2
2945-221-01-005	206 LILA AVE	I-1	I-O
2945-221-00-143	NO ADDRESS	I-1	I-O
2945-142-40-958	447 OURAY AVE	RO	B-2
2945-142-40-951	402 GRAND AVE	B-1	B-2
2945-142-42-011	604 GRAND AVE	B-1	B-2
2945-142-42-008	624 GRAND AVE	B-1	B-2
2945-142-42-010	608 GRAND AVE	B-1	B-2
2945-142-42-009	616 GRAND AVE	B-1	B-2
2945-142-39-016	NO ADDRESS	RO	B-2
2945-221-01-008	603 LAWRENCE AVE	I-1	I-O
2945-221-01-003	205 HALE AVE	I-1	I-O
2945-221-01-002	211 HALE AVE	I-1	I-O
2945-221-01-001	219 HALE AVE	I-1	I-O
2945-221-00-080	201 HALE AVE	I-1	I-O
2945-144-25-971	1129 COLORADO AVE	B-1	B-2
2945-144-25-024	1129 COLORADO AVE	B-1	B-2
2945-144-25-021	1105 COLORADO AVE	B-1	B-2
2945-142-42-006	640 GRAND AVE	B-1	B-2
2945-142-39-002	315 OURAY AVE	B-2	B-2
2945-142-32-990	529 CHIPETA AVE	R-8	RO
2945-142-32-998	520 N 5TH ST	R-8	RO
2945-142-32-994	501 CHIPETA AVE	R-8	RO
2945-142-32-999	517 CHIPETA AVE	R-8	RO
2945-142-32-992	525 CHIPETA AVE	R-8	RO
2945-144-25-972	1169 COLORADO AVE	B-1	B-2
2945-221-01-010	636 1/2 LAWRENCE AVE	I-1	I-O
2945-221-01-011	636 LAWRENCE AVE	I-1	I-O
2945-142-40-010	460 GRAND AVE	B-1	B-2
2945-142-40-998	433 N 5TH ST	RO	B-2
2945-142-40-952	453 OURAY AVE	RO	B-2
2945-142-40-953	460 GRAND AVE	B-1	B-2
2945-142-39-015	330 GRAND AVE	B-1	B-2

PARCEL NUMBER	LOCATION	EXISTING ZONING	PROPOSED ZONING
2945-142-39-004	329 OURAY AVE	RO	B-2
2945-231-39-001	NO ADDRESS	I-2	C-2
2945-231-39-002	1101 KIMBALL AVE	I-2	C-2
2945-221-01-006	201 LILA AVE	I-1	I-O
2945-142-37-018	400 N 1ST ST	B-1	B-2
2945-232-00-080	NO ADDRESS	I-2	Part to I-1
2945-232-06-003	NO ADDRESS	I-2	I-1
2945-142-39-911	304 GRAND AVE	B-1	B-2

CITY-OWNED PROPERTIES

2945-221-00-942	NO ADDRESS	R-8	B-P
2945-221-00-944	NO ADDRESS	I-O	CSR and BP
2945-221-00-940	543 LAWRENCE AVE	I-1	BP
2945-231-00-945	925 STRUTHERS AVE	CSR	Part to C-2; Part to I-2
2945-232-00-945	1001 S 3RD ST	I-O	Part to CSR; Part to I-2
2945-232-01-941	404 NOLAND AVE	C-2	CSR
2945-232-00-949	926 S 4TH ST	C-2	CSR
2945-232-01-940	426 NOLAND AVE	C-2	CSR
2945-232-00-946	NO ADDRESS	C-2	CSR
2945-231-17-941	919 KIMBALL AVE	I-1	C-2
2945-232-00-942	1001 S 5TH ST	C-2	CSR
2945-232-00-944	940 S 4TH ST	C-2	CSR
2945-232-00-948	950 S 4TH ST	C-2	CSR
2945-232-00-943	910 S 4TH ST	C-2	CSR
2945-232-00-941	1005 S 5TH ST	C-2	CSR
2945-232-00-947	952 S 4TH ST	C-2	CSR
2945-232-01-944	402 NOLAND AVE	C-2	CSR
2945-232-31-941	1030 S 5TH ST	C-2	CSR
2945-233-00-948	641 STRUTHERS AVE	C-2	CSR
2945-232-01-943	1007 S 5TH ST	C-2	CSR
2945-232-02-940	930 S 5TH ST	C-2	CSR
2945-232-01-942	1014 S 4TH ST	C-2	CSR
2945-232-04-942	NO ADDRESS	I-2	BP and I-O
2945-232-02-948	1040 S 5TH ST	C-2	CSR
2945-234-00-930	709 STRUTHERS AVE	C-2	CSR
2945-234-11-941	725 STRUTHERS AVE	C-2	CSR
2945-242-00-945	NO ADDRESS	I-2	CSR
2945-243-00-945	2735 RIVERSIDE PKWY	CSR	I-2

ATTACHMENT 5: PUBLIC PARTICIPATION PROCESS THROUGH JANUARY 31, 2013

TECHNICAL COMMITTEE

The Greater Downtown Plan technical committee was comprised of staff members from various public agencies including City Public Works and Planning, City Parks and Recreation, City Geographic Information Systems, Mesa County Planning, the Regional Transportation Planning Office, Mesa County Facilities and Parks, the Downtown Development Authority and the Mesa County Public Library District. The Committee met three times during the course of developing the Greater Downtown Plan and members attended public open houses to discuss concerns and proposals with participants.

PUBLIC OPEN HOUSES

Two public open houses were held in December 2011 and February 2012 to present concepts and solicit input from property owners and interested citizens. Notifications/ invitations to both public open houses were mailed to all property owners within the Greater Downtown Plan area. Approximately 60 people attended the first open house and 40 attend the second open house. Another forum was provided for the property owners within the CBD on January 31, 2013, attended by 30 people.

QUESTIONNAIRES AND COMMENTS

A series of questionnaires were available at the December 2011 open house and on the City's web site that were used to solicit public comment and weigh community opinions on design concepts that might be proposed with the Plan. 130 questionnaires were returned. In addition, citizens could provide other written comments at both open houses. The results of the questionnaires and the written comments are included on following pages.

LETTERS/MEETINGS WITH INDIVIDUAL PROPERTY OWNERS

City Public Works and Planning staff coordinated meetings with key individual property owners, businesses or others that contacted the City regarding the Greater Downtown Plan. In addition, individual letters were mailed to property owners along the corridors that may be impacted by the land use and zoning proposals of the Greater Downtown Plan. Follow up meetings or conversations were held with property owners that responded to the letter. The meetings/conversations including the following individuals or businesses: Marie Ramstetter, Jim Golden, Woodstove Warehouse, 4NR Properties, Struth LLC, Peggy Cox, Kathy Ziola, John Crouch, the Redstone Group (Sugar Beet building), Butch Jarvis, VanGundy's, Castings, Inc., KelMac Industries (GJ Steel site), Sem Materials and Whitewater Sand and Gravel.

COMMUNITY PRESENTATIONS/DISCUSSIONS

Public Works and Planning staff conducted several presentations and discussions regarding the Greater Downtown Plan with community groups and businesses including the Chamber of Commerce, Bray and Company Realty, the Downtown Development Authority and Rail and River District corridor property owners.






CITY COUNCIL, CITY PLANNING COMMISSION AND MESA COUNTY PLANNING COMMISSION WORKSHOPS

City Public Works and Planning staff attended several workshops with elected and appointed City and County officials to inform and solicit input on the Greater Downtown Plan during its development.





In addition to these opportunities for public input, the final draft of the Greater Downtown Plan and the Greater Downtown Plan Overlay were made available to the public 5 weeks prior to the public hearing before the Grand Junction Planning Commission.

Central Business District – Questionnaire Results






1. Establish a cohesive character/theme that harmonizes new structures with the existing buildings through common materials, scale and architectural details

#	Answer		%
1	Strongly Disagree		7%
2	Disagree		7%
3	Neither Agree nor Disagree		15%
4	Agree		37%
5	Strongly Agree		33%
	Total		100%






2. Promote high density, vertically mixed use structures (e.g. retail at street level and residential or office above)

#	Answer		%
1	Strongly Disagree		0%
2	Disagree		4%
3	Neither Agree nor Disagree		4%
4	Agree		37%
5	Strongly Agree		56%
	Total		100%




3. Building height restrictions in the CBD should be based on guidelines that address compatibility with surrounding uses.

#	Answer		%
1	Strongly Disagree		7%
2	Disagree		26%
3	Neither Agree nor Disagree		19%
4	Agree		30%
5	Strongly Agree		19%
	Total		100%





4. Taller buildings should be located in the center of the CBD, with lower buildings on the edges of the CBD.

#	Answer		%
1	Strongly Disagree		4%
2	Disagree		12%
3	Neither Agree nor Disagree		31%
4	Agree		31%
5	Strongly Agree		23%
	Total		100%





5. Preserve and restore significant historic structures

#	Answer		%
1	Strongly Disagree		0%
2	Disagree		0%
3	Neither Agree nor Disagree		13%
4	Agree		30%
5	Strongly Agree		57%
	Total		100%




6. Promote infill development that is compatible with the existing downtown character.

#	Answer		%
1	Strongly Disagree		0%
2	Disagree		9%
3	Neither Agree nor Disagree		13%
4	Agree		43%
5	Strongly Agree		35%
	Total		100%




7. The streetscape will be dominated by buildings rather than surface parking lots.

#	Answer		%
1	Strongly Disagree		0%
2	Disagree		9%
3	Neither Agree nor Disagree		13%
4	Agree		35%
5	Strongly Agree		43%
	Total		100%




8. Shared parking and parking structures should be encouraged in the CBD to reduce the amount of surface parking lots.

#	Answer		%
1	Strongly Disagree		0%
2	Disagree		0%
3	Neither Agree nor Disagree		17%
4	Agree		39%
5	Strongly Agree		43%
	Total		100%

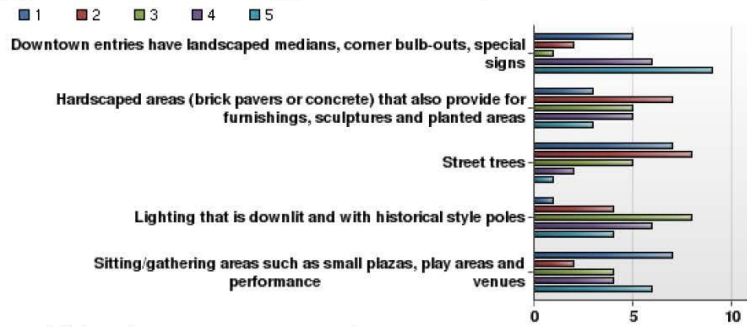
9. Explore new ways to pay for public parking.

#	Answer		%
1	Strongly Disagree		0%
2	Disagree		0%
3	Neither Agree nor Disagree		27%
4	Agree		36%
5	Strongly Agree		36%
	Total		100%

10. Provide streetscape details that complement the architectural character of downtown Grand Junction.

#	Answer		%
1	Strongly Disagree		0%
2	Disagree		0%
3	Neither Agree nor Disagree		9%
4	Agree		52%
5	Strongly Agree		39%
	Total		100%

11. The most important streetscape characteristics to me are (Please rank the options below in order of your most preferred with 1 being your favorite and 6 being your least favorite):



12. Please provide any additional comments you may have.

Text Response

#2 if you consider parking #4 Keep very tall buildings - like the Alpine Bank Building OUT of downtown.

#11 Xeroscape, dark sky!!, sitting/gathering along rail district as well

The focus within the CBD should be less on specific architectural styles and/or materials, but on those necessary elements to create a streetscape (location of entrances, location of parking, uses of the sidewalk, etc). The collection and range of architectural styles is what illustrates the evolution of a place and brings unique character to that place.

I think there should be a legitimate concrete Skatepark in the downtown park area as an anchor for destination based year round usage... feel free to contact me for any info or questions... (info@bin707.com)

The CBD has a core of historical structures on Main Street and Colorado, but the modern buildings on 7th and what the new Marriott adds is a varied and interesting streetscape with both modern and historic structures. This diversity of design allows for creativity, originality of builders and not a cookie cutter approach to the CBD dictated by code. That said, a 20 story medical center next to the transitional housing areas makes no sense so some type of restrictions should apply. The removal of trees on Main was necessary given the 50 year life cycle, but better planning needs to be done to assure we maintain a natural canopy of vegetation and the City also needs to do a better job of maintaining the fountains assuring they are functioning and serviced as needed. The one located across from the Avalon has malfunctioned much of the time since installation. Also winterization and maintenance of these wonderful outdoor water features must be planned operationally. Parking will always be an issue and the City needs to be more in touch with the reality of what they are approving as evidenced by the latest "VET" housing development done by Catholic Outreach which was totally lacking substantive evidence for the staff justification of parking. The result will be loss of parking for downtown businesses and there is no law that says the facility has to be used for VA occupants forever.

Downtown Area-Wide Concepts – Questionnaire Results

1. Examine the possibility of making 4th and 5th Streets both 2-way streets between Grand and North Avenues

#	Answer	%
1	Strongly Disagree	32%
2	Disagree	18%
3	Neither Agree nor Disagree	14%
4	Agree	18%
5	Strongly Agree	18%
	Total	100%

2. Establish a distinctive public sign palette for the original square mile to include street signs and directional signs that have recognizable poles, ornamentation, colors, fonts and logos.

#	Answer		%
1	Strongly Disagree		9%
2	Disagree		5%
3	Neither Agree nor Disagree		32%
4	Agree		27%
5	Strongly Agree		27%
Total			100%

3. Emphasize “walkability” of Downtown through ongoing improvements to pedestrian crossings, bicycle facilities (e.g. bike lanes on streets, bike racks at strategic locations).

#	Answer		%
1	Strongly Disagree		4%
2	Disagree		0%
3	Neither Agree nor Disagree		4%
4	Agree		30%
5	Strongly Agree		61%
Total			100%

4. Establish and improve gateways to the Downtown Area (please select your top 4 choices).

#	Answer		%
1	7th Street and North Avenue		37%
2	1st Street and Grand Avenue		84%
3	12th Street and Grand Avenue		16%
4	1st and Main Streets		84%
5	12th and Main Streets		21%
6	5th Street and South Avenue		68%
7	7th Street and Pitkin Avenue		58%
8	Other – please describe		32%

Other – please describe	
River front trail	
1st - NORTH	
4th & North	
14th & I-70B (Desert Vista Park)	
7th and Main	

2	Disagree		10%
3	Neither Agree nor Disagree		25%
4	Agree		40%
5	Strongly Agree		20%
Total			100%

5. Please provide any additional comments you may have.

Text Response

Make the accessibility to the river and riverfront trails from downtown area more inviting.

#1 Why?

Make user-friendly ways to get to river trails

#4 improve how? They are all fine now Making 4th & 5th only partly 2-way would be a disaster. There would be auto accidents - people driving in the wrong lanes No more roundabouts!

In time pedestrian traffic will increase yet travel today in the next 20 years most travel will be via cars

#1 but make transition from 1-way to 2-way very clear with islands & other street features Main & Gunnison are ideal 7th from downtown to River is already bike-friendly ok

The directional signage beginning on Horizon Drive and leading to the Downtown along 7th Street already has a distinctive color scheme. However, this scheme was compromised at the intersection of 7th Street and Grand Avenue when the sign pole was painted black. If a color scheme is created, it should build on this work and must not be compromised.

North Central Business District – Questionnaire Results

1. Establish a cohesive character/theme that harmonizes new structures with the existing buildings through common materials, scale and architectural details

#	Answer		%
1	Strongly Disagree		10%
2	Disagree		10%
3	Neither Agree nor Disagree		25%
4	Agree		45%
5	Strongly Agree		10%
	Total		100%

2. Promote vertically mixed use structures (e.g. retail or office at street level and residential or office above)

#	Answer		%
1	Strongly Disagree		5%
2	Disagree		5%
3	Neither Agree nor Disagree		10%
4	Agree		50%
5	Strongly Agree		30%
	Total		100%

3. The maximum building height of 65 feet shall only be allowed on parcels that front Grand Avenue. The buildings should “step down” so that the front of buildings that are directly across the street from residential buildings or uses are only 35 feet in height.

#	Answer		%
1	Strongly Disagree		5%
2	Disagree		10%
3	Neither Agree nor Disagree		25%
4	Agree		40%
5	Strongly Agree		20%
	Total		100%

8. Where available, some parking for non-residential uses may be on the street but only in front of the actual use, not in front of other adjacent uses.

#	Answer		%
1	Strongly Disagree		0%
2	Disagree		16%
3	Neither Agree nor Disagree		37%
4	Agree		32%
5	Strongly Agree		16%
	Total		100%

9. Should similar guidelines and standards be applied to the 1st Street Corridor from Grand Avenue to Belford Avenue?

#	Answer		%
1	Yes		78%
2	No		22%
	Total		100%

10. Please provide any additional comments you may have.

Text Response

limit mixed-use intrusion into residential areas

#1 but not exactly alike #8 there's just no space on 4th St

#1 existing bldgs are crap #6 I don't notice anything about Grand west of 7th worth harmonizing with.

Keep it simple. Trees are such a gift. Keep it "big western town" rather than a city. Really, we have a choice western town here that offers relief from cities. May we manage to preserve & maintain that western "wide open spaces" air.

The one-block depth of this subarea creates a challenge. I agree that a maximum setback is necessary, both along Grand and 1st Street. However, this will result in the relocation of parking, loading, etc to the rear of the block, assuming the properties within the block are assembled. I believe that it would be a mistake to severely limit the height and/or building locations along Ouray and 2nd Street. The width of these streets and the streetscape itself would be better used as the transition. This would allow greater utilization of the properties and provide a better defined "edge" between the business and the residential area.

Transitional Areas – Questionnaire Results

1. Front yards of transitional uses shall be reserved for landscaping, sidewalks and driveway access to parking areas and signage to maintain the residential character.

#	Answer		%
1	Strongly Disagree		5%
2	Disagree		11%
3	Neither Agree nor Disagree		16%
4	Agree		42%
5	Strongly Agree		26%
	Total		100%

2. Keep signs for the non-residential uses subordinate to the residential character.

#	Answer	%
1	Strongly Disagree	0%
2	Disagree	5%
3	Neither Agree nor Disagree	16%
4	Agree	58%
5	Strongly Agree	21%
	Total	100%

3. Regulate maximum building size in transitional corridors.

#	Answer	%
1	Strongly Disagree	11%
2	Disagree	21%
3	Neither Agree nor Disagree	16%
4	Agree	42%
5	Strongly Agree	11%
	Total	100%

4. Regulate hours of operation for transitional uses.

#	Answer	%
1	Strongly Disagree	11%
2	Disagree	33%
3	Neither Agree nor Disagree	28%
4	Agree	17%
5	Strongly Agree	11%
	Total	100%






5. Regulate building, site and signage lighting for transitional uses to minimize impact on adjacent residential core.

#	Answer	%
1	Strongly Disagree	5%
2	Disagree	0%
3	Neither Agree nor Disagree	5%
4	Agree	58%
5	Strongly Agree	32%
	Total	100%





6. Regulate parking and screening on non-residential sites to minimize impact on adjacent residential core.

#	Answer	%
1	Strongly Disagree	6%
2	Disagree	6%
3	Neither Agree nor Disagree	11%
4	Agree	39%
5	Strongly Agree	39%
	Total	100%






7. Transitional uses should not be allowed to have outdoor storage areas.

#	Answer		%
1	Strongly Disagree		5%
2	Disagree		16%
3	Neither Agree nor Disagree		37%
4	Agree		16%
5	Strongly Agree		26%
	Total		100%





8. Where available, some parking for non-residential uses may be on the street but only in front of the actual use, not in front of other adjacent uses.

#	Answer		%
1	Strongly Disagree		6%
2	Disagree		0%
3	Neither Agree nor Disagree		35%
4	Agree		41%
5	Strongly Agree		18%
	Total		100%

9. Reuse of residential structures and new construction in the transitional corridors shall retain residential character.

#	Answer		%
1	Strongly Disagree		6%
2	Disagree		12%
3	Neither Agree nor Disagree		6%
4	Agree		47%
5	Strongly Agree		29%
	Total		100%

10. Regulate the spacing of non-traditional residential uses (e.g., service organizations, group homes) so as to equitably disburse them throughout the downtown area.

#	Answer		%
1	Strongly Disagree		0%
2	Disagree		20%
3	Neither Agree nor Disagree		10%
4	Agree		50%
5	Strongly Agree		20%
	Total		100%

11. The most important residential characteristics to me are (check all that apply):

#	Answer		%
1	Maintain landscaped front yards (no parking in the front yard)		68%
2	Setback of building from street		32%
3	Small, low signage		53%
4	Maintain or construct building forms that are typical of residential architecture (e.g. 1-1/2 to 2 stories, sloping roofs, window pattern, porches)		53%
5	Use materials that are similar in color and texture as those in the residential neighborhood (e.g. roofing, siding)		37%
6	Minimize the visual impact of parking provided for the transitional uses		58%
7	Other – please describe		16%

Other – please describe

Cleanliness and general appearance. In general, the current businesses in this area look nicer than the residences.

blend old & new (modern) architecture thru committee approval/aesthetic guidelines ie: Bozeman, MT

Feel free to tear it up and start over

12. Please provide any additional comments you may have.

Text Response

I am a part owner of a business at 9th and Rood. My main concern is traffic control. There are regularly accidents at 9th and Main, we hear each one and watch them out our windows. In my opinion, having watched this intersection for over a decade, you could drastically reduce the number of these accidents by reducing or eliminating the on-street parking on Main street in the vicinity of this intersection. I'm convinced most of these accidents are caused by visual error. People travelling either way on 9th will stop, look each way, see traffic on Main, and PULL OUT ANYWAY because they think, in a quick glance, the vehicle they saw was parked on Main. In a quick glance, drivers sometimes cannot differentiate between a parked and a travelling vehicle. The City put blinking lights around the stop signs for a while, I see they're gone now, I suspect they statistically did not help reduce the number of accidents. Please try my idea. I'm sure the property owners will complain. But it could be you or your family that is in the next accident at 9th and Main.

Bozeman, MT!!!

#9 the transitional area has no redeeming qualities.





The Transistional Area needs to be redefined. It encompasses existing commercial uses between 7th and 12th Street, many with frontage on North Avenue, which are identified as part of a student commercial/entertainment district. It also encompasses the Ratekin and Qwest towers, both zoned Downtown Business, which should be included in the CBD.

Residential Areas – Questionnaire Results




1. No large-scale redevelopment projects should be allowed within the downtown residential core.

#	Answer		%
1	Strongly Disagree		10%
2	Disagree		20%
3	Neither Agree nor Disagree		20%
4	Agree		20%
5	Strongly Agree		30%
	Total		100%



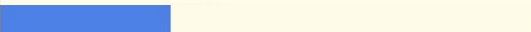
2. The downtown residential core should be preserved for residential uses only with no further encroachment of non-residential uses.

#	Answer		%
1	Strongly Disagree		0%
2	Disagree		24%
3	Neither Agree nor Disagree		29%
4	Agree		10%
5	Strongly Agree		38%
	Total		100%





3. Maintain the existing character of the house styles within the downtown residential core neighborhood – new construction or alteration must be compatible with key architectural characteristics and site elements of the neighborhood.

#	Answer		%
1	Strongly Disagree		0%
2	Disagree		15%
3	Neither Agree nor Disagree		0%
4	Agree		45%
5	Strongly Agree		40%
	Total		100%

4. Maintain and enhance the pattern of landscaped front yards that gives the downtown residential core neighborhood a distinctive, friendly appearance.

#	Answer		%
1	Strongly Disagree		0%
2	Disagree		0%
3	Neither Agree nor Disagree		14%
4	Agree		48%
5	Strongly Agree		38%
	Total		100%

5. Regulate the scale of accessory structures to maintain their character as subordinate to the primary residence.

#	Answer		%
1	Strongly Disagree		0%
2	Disagree		14%
3	Neither Agree nor Disagree		10%
4	Agree		43%
5	Strongly Agree		33%
	Total		100%

6. New construction of accessory structures may be allowed to be built at historic setbacks (e.g. there could be a zero foot setback from the alley and only 3 feet from neighboring property line).

#	Answer		%
1	Strongly Disagree		10%
2	Disagree		20%
3	Neither Agree nor Disagree		25%
4	Agree		35%
5	Strongly Agree		10%
	Total		100%

7. Where existing residential zoning allows, provide a diversity of housing types through development of multi-family housing that is in keeping with the character of the neighborhood.

#	Answer		%
1	Strongly Disagree		5%
2	Disagree		19%
3	Neither Agree nor Disagree		14%
4	Agree		29%
5	Strongly Agree		33%
	Total		100%

8. Discourage tearing down existing historic homes in order to construct new residential structures.

#	Answer		%
1	Strongly Disagree		0%
2	Disagree		10%
3	Neither Agree nor Disagree		19%
4	Agree		38%
5	Strongly Agree		33%
	Total		100%

9. Regulate the spacing of non-traditional residential uses (e.g. service organizations, group homes) so as to equitably disburse them throughout the downtown residential area.

#	Answer		%
1	Strongly Disagree		0%
2	Disagree		6%
3	Neither Agree nor Disagree		24%
4	Agree		59%
5	Strongly Agree		12%
	Total		100%

10. Enhance access to and improvements within existing public open spaces (e.g. parks and school grounds) within the downtown residential core.

#	Answer	%
1	Strongly Disagree	0%
2	Disagree	0%
3	Neither Agree nor Disagree	18%
4	Agree	47%
5	Strongly Agree	35%
Total		100%

11. Maintain and enhance the historic character of the streetscape.

#	Answer	%
1	Strongly Disagree	0%
2	Disagree	0%
3	Neither Agree nor Disagree	6%
4	Agree	63%
5	Strongly Agree	31%
Total		100%

12. The most important streetscape characteristics to me are (check all that apply):

#	Answer	%
1	Street Trees	94%
2	Landscaping rather than parking or other uses in park strips (area between sidewalk and curb)	71%
3	Distinctive street signs for downtown residential core	24%
4	Distinctive street lighting for downtown residential core	41%
5	Minimally maintained landscaping in front yards	6%
6	Detached sidewalks (space between the sidewalk and the curb)	47%
7	Other – please describe	0%
Other – please describe		

13. Please provide any additional comments you may have.

Text Response

Allow for Bed & Breakfast establishments to operate within original square mile, provided that signage, parking areas and lighting can blend in with neighboring properties.

#8 depending on the existing quality of the building #11 evergreens!

#2 small-scale mixed use would be ok #8 "historic" does not necessarily mean "good" The trees and lawns are pleasant, but GJ could afford to mlpout a significant effort toward xeriscape concepts. Honestly it seems criminal how folks in this town gush the Colorado River al over the place with little or no thought toward making a more rational truce with the desert.

I'd love to see softer lighting, going upward. For good ideas, check out www.darksky.org. Xcel says people need only a 60 watt bulb (or equivalent on houses). I recommend (& long for) banishment of motion-sensor lighting... My plea is keep it simple. Preserve the "big western town" feel of this town. No more narrowing of streets. Please avoid turning into a city (like Boulder). THANKS!

Prohibiting "non-residential" uses can create unintended outcomes. For example, should a church be allowed to expand and offer a coffee shop or other gathering place open to the public? This sort of amenity within the residential area is what adds value to the area. It is important to permit multi-family (re)development within the original square mile for two reasons. One, it has excellent infrastructure to service the population and proximity to services. Two, it is the only area within Grand Junction that has lost population in the 2010 Census (Tract 2 and 3), suggesting a loss of families from the area and/or an aging population of smaller households.

Corridor Overlays – Questionnaire Results

1. Create a mix of higher quality, new uses along South Avenue.

#	Answer	%
1	Strongly Disagree	9%
2	Disagree	0%
3	Neither Agree nor Disagree	18%
4	Agree	9%
5	Strongly Agree	64%
	Total	100%

2. Create a more pedestrian-friendly commercial and service corridor along South Avenue/South 7th Street that complements the street improvements that have already been completed.

#	Answer	%
1	Strongly Disagree	9%
2	Disagree	0%
3	Neither Agree nor Disagree	18%
4	Agree	18%
5	Strongly Agree	55%
	Total	100%






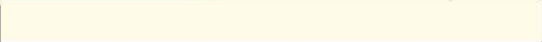
3. Do not allow billboards on the South Avenue/South 7th Street corridor.

#	Answer	%
1	Strongly Disagree	5%
2	Disagree	5%
3	Neither Agree nor Disagree	27%
4	Agree	9%
5	Strongly Agree	55%
	Total	100%







4. Promote higher quality architecture and screening of outdoor uses for sites that face South Avenue and South 7th Street.

#	Answer	%
1	Strongly Disagree	10%
2	Disagree	5%
3	Neither Agree nor Disagree	14%
4	Agree	14%
5	Strongly Agree	57%
	Total	100%







5. Should similar guidelines and standards be applied to the 1st Street corridor from South Avenue to Grand Avenue?

#	Answer		%
1	Strongly Disagree		14%
2	Disagree		0%
3	Neither Agree nor Disagree		24%
4	Agree		14%
5	Strongly Agree		48%
	Total		100%



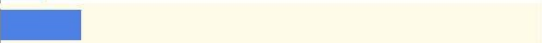


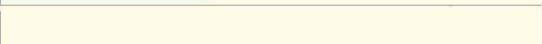
6. Limit expansion and construction of any new outdoor uses and operations (such as outdoor operation of rail yards, salvage yards, etc.) on properties that abut the South 5th Street right-of-way.

#	Answer		%
1	Strongly Disagree		14%
2	Disagree		14%
3	Neither Agree nor Disagree		14%
4	Agree		9%
5	Strongly Agree		50%
	Total		100%

7. Provide screening on the South 5th Street bridge that limits views to adjacent uses but still provides longer vistas to the east (Grand Mesa) and west (Colorado National Monument and Uncompahgre Plateau).

#	Answer		%
1	Strongly Disagree		23%
2	Disagree		5%
3	Neither Agree nor Disagree		23%
4	Agree		9%
5	Strongly Agree		41%
	Total		100%

8. Promote higher quality architectural features on building facades that directly face or can be seen from the 5th Street bridge on the east and west sides of the bridge.

#	Answer		%
1	Strongly Disagree		9%
2	Disagree		9%
3	Neither Agree nor Disagree		18%
4	Agree		18%
5	Strongly Agree		45%
	Total		100%

9. Do not allow billboards on the South 5th Street corridor.

#	Answer		%
1	Strongly Disagree		9%
2	Disagree		18%
3	Neither Agree nor Disagree		23%
4	Agree		5%
5	Strongly Agree		45%
	Total		100%

10. Create a mix of higher quality, new uses along South 7th Street and Riverside Parkway.

#	Answer		%
1	Strongly Disagree		9%
2	Disagree		5%
3	Neither Agree nor Disagree		27%
4	Agree		18%
5	Strongly Agree		41%
	Total		100%

11. Create a more pedestrian-friendly commercial core for area employees, residents and visitors.

#	Answer		%
1	Strongly Disagree		9%
2	Disagree		0%
3	Neither Agree nor Disagree		23%
4	Agree		14%
5	Strongly Agree		55%
	Total		100%

12. Integrate new commercial and mixed use with park, trail, recreation and open space uses.

#	Answer		%
1	Strongly Disagree		10%
2	Disagree		5%
3	Neither Agree nor Disagree		14%
4	Agree		19%
5	Strongly Agree		52%
	Total		100%

13. Do not allow billboards along the South 7th Street/Riverside Parkway business park mixed use corridor.

#	Answer		%
1	Strongly Disagree		10%
2	Disagree		0%
3	Neither Agree nor Disagree		19%
4	Agree		14%
5	Strongly Agree		57%
	Total		100%

14. Promote commercial and mixed uses along the north side of the Riverside Parkway that would transition to and screen industrial areas behind to the north.

#	Answer		%
1	Strongly Disagree		5%
2	Disagree		15%
3	Neither Agree nor Disagree		20%
4	Agree		30%
5	Strongly Agree		30%
	Total		100%

15. Use the remnant building of the historic sugar beet factory as a guide for scale, height and architectural elements for potential new development along Riverside Parkway.

#	Answer		%
1	Strongly Disagree		10%
2	Disagree		5%
3	Neither Agree nor Disagree		19%
4	Agree		19%
5	Strongly Agree		48%
	Total		100%






16. Promote higher quality architectural treatments for building facades that face the Riverside Parkway.

#	Answer		%
1	Strongly Disagree		14%
2	Disagree		5%
3	Neither Agree nor Disagree		5%
4	Agree		36%
5	Strongly Agree		41%
	Total		100%






17. Regulate screening of outdoor storage in the front yard area to minimize visual impact of these uses along the Riverside Parkway.

#	Answer		%
1	Strongly Disagree		14%
2	Disagree		9%
3	Neither Agree nor Disagree		5%
4	Agree		27%
5	Strongly Agree		45%
	Total		100%

18. Promote higher quality streetscape with minimal building setbacks, use of front yard space, signage, fencing and landscaping regulations.

#	Answer		%
1	Strongly Disagree		5%
2	Disagree		10%
3	Neither Agree nor Disagree		15%
4	Agree		40%
5	Strongly Agree		30%
	Total		100%

19. Do not allow billboards along the Riverside Parkway commercial/industrial corridor.

#	Answer		%
1	Strongly Disagree		5%
2	Disagree		5%
3	Neither Agree nor Disagree		33%
4	Agree		5%
5	Strongly Agree		52%
	Total		100%

20. Please provide any additional comments you may have.

Text Response

NO BILLBOARDS

I think your survey is biased - where do you say you want NO OVERLAYS

Encouraging progressive developers/landowners to make a few "1st moves" needs to be a kick-start for these standards. Once a few are on board this plan can be used as an incentive to get businesses to locate and upgrade in these districts. I envision that as the riverfront and other areas develop, GJ may be able to attract Denver businesses that cannot afford the downtown real estate they want there.

Looks good!

#7 waste of \$;#8 If you do this, no need for a screen; #9 I kinda like them; #10 Keep good reliable businesses in place; #12 if it will help our economy & Bring more businesses downtown; #14 Waste of \$. What is, is. I like seeing the rock yard. Keep it simple. Keep it real. Keep night lighting subtle, friendly, rather than glaring & blinding. Go for quality (which it sounds like you are doing). Yet please make it possible for "old-timers" to maintain their business without undue expense for dubious purpose. Keep our town Western! (that's my plea) open & friendly & not too fancy THANKS

I agree w/ all. The "strongly agree" s are of greatest importance. #15 that and lower

Mistake to not allow residential in rail district. ie: LODO in Denver, has the potential to be urban atmosphere that would attract young professionals to work & reside ie: living/working lofts. Densely populated "downtown" area can prevent urban sprawl, lessen carbon footprint and make this area a desirable place to live & work

1) This is a convoluted process. 2) Driving for answers you want 3) We need jobs, business & honor private property rights

With respect to the South Avenue corridor, is there still discussion about rerouting the I-70B corridor to Pitkin/South? If so, then that changes the type of character along that corridor, though pedestrian access should still be provided. South 5th Street (bridge) does serve as an entry point into the downtown; however, since it essentially "flies over" the existing industrial areas, it is not necessary to completely restrict those uses. The main focal point should be the end of the bridge and the forward vista into downtown, not what is underneath. The orientation of the Riverside Parkway paralleling Las Colonias Park presents something of a challenge for future commercial development, since direct access is only available at 7th St, 9th St, and Winters Avenue. These intersections should be the focus of the integration of commercial to open space concept. The areas along Kimball Avenue adjacent to the sugar beet factory are perhaps too far away from these nodes to be viable for mixed-use development

Greater Downtown Plan Open House
December 8, 2011
Citizen Comments

- I don't want changes in zoning OR overlays – leave it alone for now – that's the best way to stimulate job growth.
- # one priority should be emphasis on maintaining and enhancing the character of the downtown residential and business to provide character, charm and livability within the core area. Increased bike lanes/racks, pedestrian crossings and a strong control of architectural features will serve to ensure an attractive downtown for years to come.
- Would love to see better use of Whitman Park connected to the Museum, Renaissance Fair, Farmer's Market etc. An East/West traffic corridor south of Ute would make the area more pedestrian-friendly to downtown visitors.
- Must have strict sign codes & restrictions; NO lighted signs in residential district; Same for RO zones.
- RO must provide parking for residents & employees, clientele during business hours. Parking is a big problem in RO areas where renters & employees are not allowed to park during business hours and take parking from residents. Sometimes RO residents tie up parking for days at a time leaving homeowners without parking and must carry groceries and other items from alley or further from home. Limit the amount of families living in existing homes. Some homes have multiple families living there (with numerous vehicles).
- NO parking of vehicles on parkway.
- Support for the Ute/South shift of one-ways.
- Encourage continued support for the "Arts" and Museum in downtown.
- Support for safety for bicyclists and pedestrians. WALKABILITY!
- Support for parks and active recreation in the area.
- Agree with – no billboards on South Ave/S 7th Street/S 5th Street corridors.
- Promote higher architecture and screening for site South Ave.
- Set minimum height requirements for downtown – Build Taller.
- I like the corridor concepts connecting downtown to the river. I live &* work downtown, bike the river and only need a couple connections to get there, so 5th Street & 7th Street corridors bike-friendly are important to me personally; and I think, good for the area in general.
- With proposed rezone of block between 5th & 6th, Ouray & Chipeta – would a credit union or bank be a compatible use? – Eve Tallman 683-2424.
- I agree that building sizes need to blend as they approach the residential districts from Grand Ave.
- We need better ways to notify owners of the meetings. I didn't know of the Chipeta Elementary meeting.
- Clean tamarisk, Russian Olive (tents, dogs) between S 5th Street and Railroad Bridge.
- Improve bike, pedestrian route Main to River trail.
- Put soft path along river thru Los Colonias (something easy to replace if floods).
- Put pedestrian bridge over cut in Jarvis pond from soft path loop.
- Improve pedestrian, bike route W. Main to River (by Dual Immersion Academy school, etc).
- I would like to see more development along the river. Has city planning ever taken a "field trip" to Littleton to see what they have done with their river trail? I grew up there and saw it transform from trash to a treasure.
- Since this town is named after the confluence of 2 rivers, why not have a confluence park? Buy all the trashed area down at the confluence.
- River District – Concerned with Cities priority on present & future Riverfront Trail maintenance. Does not appear to be a priority. Also concerned with City "real" concern & commitment to the River District development for the Park & Future Trail to 29 Road.
- The industrial use of the 2 blocks south of Pitkin should remain due to the already constructed infrastructure i.e. – rail yards, holding tanks, etc. to re-set this area into another location would be very cost prohibited.

Regarding the workshop at City Hall 09.19.2011 regarding
Zoning and Future Land Conflicts

1) South downtown area;

1) South Downtown, the OPTION 3 submitted by Kathy Portner was the plan she said matched current use and that she would propose. The City Council concurred. That the “triangle on 6th Street should be I-1, historical use of rail; take change North to South side of South Ave.; West side of 7th to accommodate current users. Council agreed with one dissenting vote.

There was talk of “conditional use” and “over-lays”.
The Mayor’s remarks were that both of these ‘conditions’ on zoning creates unpredictability. Both should be avoided whenever possible. Council concurred.

At the work shop, there was also concern that the South Downtown should be considered separate from the Downtown Plan. However, we note this has been put as one.

Meeting 12.08.2011 at Whitman Center

No property owners have been for a change of zoning in South Downtown. The Council and Planning Department discussed this at length at 9.19.2011 workshop and felt uses should be kept for current users and zoning should remain the same.

- 1) Why are the same meetings necessary – over and over?
- 2) Why are minutes not kept of previous meetings?

Please consider keeping the zoning the same for the South Downtown so businesses have predictability and continue operating – instead of wondering what the City is going to do to them.

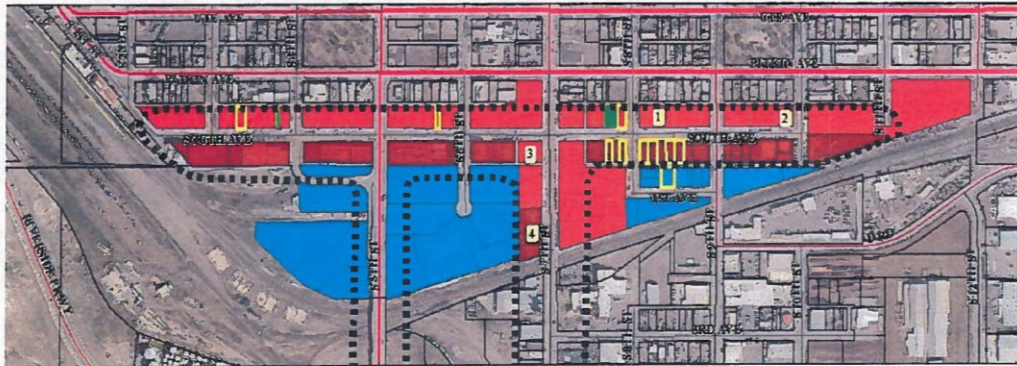
Thank you.



Lois Dunn
PO box 1889
Grand Junction CO 81502
970-243-8843
loisgdunn@gmail.com

Attached: Proposal 3 as presented at the 9.19.2011 workshop

OPTION 3: Omitted Area South Ave to RR Tracks Potential Zoning



Potential Zoning

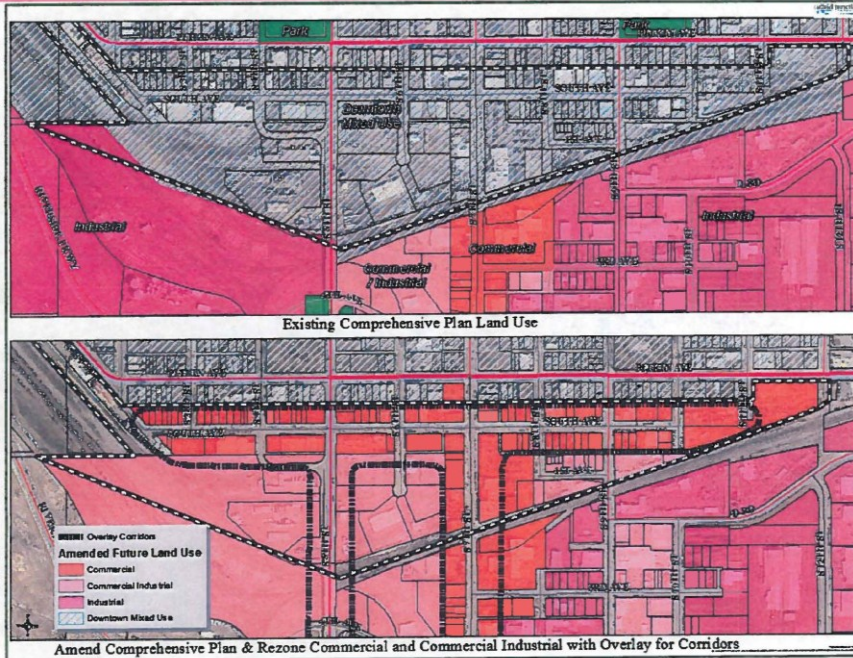
- C-1 (Light Commercial)
- C-2 (General Commercial)
- I-1 (Light Industrial)

Non-Conforming Use in Potential Zone

- 1 Warehouse - conforms in C-2, not C-1
- 2 Private Gas Pumps - conforms in C-2, not C-1
- 3 Flea Market - conforms in C-1, no outdoor operation
- 4 Dible Oil - conforms in C-2, not C-1

- Overlay Corridors
- Non-Conform Use Only with Existing Zoning
- Non-Conforming Use with Existing & Potential Zoning

OPTION 3: Omitted Area South Ave to RR Tracks Extend Concepts from South Downtown Plan



**Greater Downtown Plan Open House
February 23, 2012
Citizen Comments**

DOWNTOWN OVERLAYS

- Transitional Areas – Need parking guidelines for business & residential uses. What about parking guidelines for rentals? Currently property owners do not have any requirements to have renters park on or in front of units. What about off street parking requirements? We need them.
- Transitional Area – Text seems to primarily be geared to business discussion. We need guidelines & standards to be inclusive of the residential aspects!! All readers need to understand we are an inclusive neighborhood comprised of residential and business interests. Current zoning states “Residential/Office”.
- 1st Street from Main St south to the depot – slow traffic/Parkway/landscaped median, shift of Ute/Pitkin to Pitkin/South.
- On street parking should be encouraged to slow traffic and act as a buffer on collector streets (e.g. Grand Ave) to buffer traffic from residential yards. Parked cars area a safety buffer for children playing in yards.
- No uses earlier than 7:30 am or after 8 pm. The Yoga Collective would immediately be in violation of this on 10th & Main.

PROPOSED LAND USE MAP

- It doesn't seem to make sense putting a Commercial/Industrial area on the river, breaking up the continuity of the park areas.
- Train Depot – Why not encourage Amtrak, GVT & Greyhound Bus Co. to make a true intermodal center @ 1st/2nd and Pitkin? Then encourage higher density housing and mixed use for this area.
- Isn't the Neighborhood Center supposed to serve clients who “walk” from the immediate neighborhood? On 1st Street there are barely sidewalks to serve the NC. Isn't this commercial area being used by the “Driving” community more than the walking neighbors? Do you expect this to change?

PROPOSED ZONING MAP

- The infamous Brady property will be surrounded by parks on 3 sides according to the FLU. How does the I-1 zoning make any sense? Why not get Brady to trade for some vacant land to its north and east.
- Rail industrial zone inhibits residential uses & remodels – should be mixed use zone. This area is full of houses – not just industrial uses.
- County zoning missing from maps; any changes to County zoning considered?
- Brady Trucking need to be moved to the vacant industrial land to the east of where they are now and the land by the River needs to be part of the Park.
- Winters/Kimball – 7th/9th – There area residences there that should be retained for that use! Why can't we have residential blended use in ANY work areas? It makes no sense to segregate them and force their use change when we supposedly are trying to create a walkable city.
- Why is the Industrial use STILL specified by the Riverfront Trail? OM elevation looks right down on that area. Retain our Riverfront for a beautiful recreational feature, please!!!
- BP – doesn't allow museums; concerned that some retail sales are not allowed in the BP. Compare BP to C-2 uses.
- S 7th Street – look at potential of leaving the C-2 zoning and utilize the overlay zone for design standards.
- Would like to do mixed use, but business – residence requires owner or employee live there.
- Suggest incentives for new uses or upgrades we'd like to see – 1111 S 7th Street.
- Attached letter from John Crouch.
- Attached letter from Margaret Cox.

CIRCULATION/TRAILS/BUS

- NO MORE ROUNDABOUTS. THEY DO NOT AID IN TRAFFIC FLOW! Courtesy is not practiced, yield signs are not followed. They increase traffic congestion!

- The homes that area between 7th & 9th and Winters to Noland should be preserved as residential. This area needs residential if you want such things as a brew pub & other business to make this area a beautiful thriving area – Not a home for the homeless – Thank you, Kathy Jordan.
- 1ST & Grand – Uh.... Roundabout! It's a perfect intersection; DCOT & the City already own the land.
- Main Street east of 8th Street is too wide. Install some central medians or something to slow traffic, increase interest, create more neighborhood identity.
- 7th Street needs a sign that keeps large 53 feet long trucks off of it between Ute and Grand.
- 7th and Grand roundabout may cause vehicle/pedestrian conflict. Have walk signs/lights now. Traffic exiting roundabout does not expect or look for pedestrian traffic. These conflicts exist at 7th and Main roundabout.
- #2 – Spruce St @ Grand Ave – needs to be a right-in/right-out only – unclear if it is planned that way.
- #3 – Spruce & Main improvements look great - & should be a priority with new and increased traffic on South Spruce – Mesa County Central Services. In short term remove diagonal parking spaces closest to the intersection – poor sight distance now.
- Will a pedestrian connection from Ute Ave to Pitkin Ave be built where 6th St is now closed for the Fire & Police Facilities?
- More marked bike lanes would improve safe traffic flow.

CORRIDOR OVERLAYS

- 1101 Kimball owner Bryan Wiman – We support the corridor overly that affects our property “Sugar Beet Factory”. We understand that the existing use is not affected and that is important to us. We also respect the significant beauty of the Colonias Park area and we support re-development if market demands.
- Indian Road plans contradict this?? Follow up on – 396/398 & 397/399 Indian Road
- Moving Pitkin/Ute one way traffic to Pitkin/South should not occur. The Grand Valley Transit facility would be very negatively impacted – both pedestrian users and bus ingress-egress from such a drastic increase in traffic. – John Heidernan.
- A traffic light at S 5th and South Ave would back up north bound traffic significantly worse on the overpass. The one at Pitkin already does. Moving it one block south – not a good idea. - John Heidernan.
- The proposal to move Pitkin & Ute one way traffic to Pitkin & South is of concern to us. That would essentially put our 2 businesses, Enterprise & All Pets Center in the median strip of I-70B. Our access is already a huge problem for our clients and this would make it worse.

PARKS

- Brady trucking should expand to the east NOT on the riverfront.

GENERAL

- Please, no more parking meters. – Rob Rubin

City of Grand Junction
 City Neighborhood Services
 Attn Kristen Ashbeck, Senior Planner
 250 North 5th Street
 Grand Junction, CO 81501

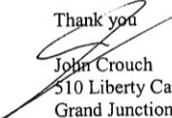
05/15/2012

Dear Kristen:

Thank you for speaking with me regarding the proposed rezone from General Commercial (C-2) to Light Commercial (C-1).

The area of concern is commercial and best suited for the highest zoning available.. The railroad, junk yards, metal processors etc. and decades of investment in the area below Pitkin is not conducive to spotty zoning. Keep it all the highest zoning available.

To do what is suggested will force businesses that need higher zoning to move to Fruita or to the County.

Thank you

 John Crouch
 510 Liberty Cap Court
 Grand Junction, Co 81507

Rec'd 4/25/12

Margaret Cox
P.O. Box 2422
Grand Junction, CO 81502

Grand Junction City Council
City Hall
250 N. 5th St.
Grand Junction, CO 81501
April 24, 2012

RE: Re- Zone and Over-Lay Plan for South Downtown Grand Junction

Dear City Council members,

I have recently been made aware of proposed changes to the zoning of south downtown that would negatively affect my commercial property at 805 Struthers Avenue. This 2 acre parcel is presently zoned C-2 and borders Riverside Parkway between 8th and 9th street on the south side. It is adjacent to city land that will someday become Los Colonias Park. Long range city plans include possible commercial development of privately owned land in my specific area. I am not opposed to the gradual development of the area for recreation, retail and even some residential uses. I have reviewed the proposals over the years with some interest. The only consistent conclusion I draw of these proposals is that they are projected endlessly into the future. There is never a start date.

The Planning Department has not been able to give any specific time-line on the creation of the park, saying it will take way more funding than is now in the budget. Re-zoning of that area should not take place until much of the park is completed and can demonstrate a draw for both the public and investors.

One compromise could be to change the zoning to C-1 only for individual parcels as requested by their owners. I would have no objection to that change, but would not want 805 Struthers re-zoned to C-1 at this time.

My property is a non-conforming site with non-conforming use since the zoning changed from Industrial to C-2. In years past I have sacrificed the flexibility of industrial usage. Should I decide to change my use or expand my facilities the C-2 designation already requires a major investment to meet city building codes, screening, landscaping and parking, etc. If the zoning were to change to C-1 I would no longer be allowed to use the land for storage and other outdoor uses if I changed my activities or have a building expansion over 20 percent, or if a potential buyer envisioned another use outside the C-1 zoning specifications. This limits my property's potential. It devalues my property. Quibbling about which zoning is more valuable is not productive at this point. I value my land based on the revenue it generates and its potential to provide me an income far into the future. This is based on the flexibility zoning allows.

Although the argument may someday be made that the potential use will be more valuable as a C-1 property, I see no evidence at all of this being so at this time. There is almost no retail anywhere in the area. There is no city park as a destination for the public. Efforts at upgrading the river corridor have been minimal, with the exception of the parkway itself and are not visible to the traveler on that parkway. There is no entrance to the park, no parking lot or access to the river or the pedestrian bridge to the east from the Parkway. No business has invested in a C-1 business on Struthers or anywhere near. I feel this is not the time to make changes to zoning that effect the possibilities for land owners to find tenants, have a variety of commercial functions, or ultimately to sell the real estate.

One exception, in particular, to the "grandfathering" of my outdoor usage I find unfair and would like addressed. If a property is vacant for more than one year the zoning requirements will kick in and protection as a "non-conforming" site will be lost. This does not accommodate the economic downturn that both Grand Junction and our national economy have experienced. Coming years could even be more challenging. This would represent a "taking" of sorts to force a revision of that non-conforming status. Commercial properties often times cannot be occupied consistently and, unfortunately, can remain vacant for well over twelve months. Owners already have taxes and other related expenses and should not have to lose their effective zoning status because of the misfortune of a vacancy. I would ask that this provision be removed from any Over-Lay or Re-Zoning considerations.

Please leave my property at 805 Struthers Avenue at the current zoning of C-2.
Thank you for your consideration.

Sincerely,



Margaret Cox

970-778-9000

>>> Marie Ramstetter <ramstet@gmail.com> 3/14/2012 3:46 PM >>>
I am still opposed to the down zone

On Wed, Mar 14, 2012 at 12:23 PM, Kristen Ashbeck <kristena@ci.grandjct.co.us> wrote:
Hi Marie,

Thank you for your comment regarding the Greater Downtown Plan. We understand your concerns and would like to provide you with additional information concerning the proposed zone change of your property from C-2 to C-1. If you review the attached information, it outlines the differences between the two zones. You will see that there is not a great difference between the uses that you might consider for your property, especially since the building already exists and there is very little room on the site for expansion or for outdoor uses. The zone change certainly would not impact a current use of the building or the building itself.

If after reviewing the information (or if you are unable to open the attachment), you have further questions or comments, please do not hesitate to contact me.

Kristen Ashbeck
Neighborhood Services / CDBG
[970.244.1491](tel:970.244.1491)
kristena@gjcity.org
[970.256.4114](tel:970.256.4114) fax
City of Grand Junction
250 North 5th Street
Grand Junction CO 81501

>>> Marie Ramstetter <ramstet@gmail.com> 3/13/2012 2:19 PM >>>

I am absolutely opposed to your attempt at down zoning my property, tax id 2945-231-00-008 located at 803 S 7th Street. Consider this a formal protest to the City.

From: Donna <donna@bresnan.net>
To: <kristena@gjcity.org>
Date: 7/29/2012 7:10 PM
Subject: Greater Downtown Area Plan

Dear Kristen,

Thank you for your hard work and dedication to the development of the Greater Downtown Plan. We have reviewed the current draft and it is our hope that the Plan is approved by the City Council.

Unfortunately, a plan is only as good as the adherence, and we are not optimistic that the City will direct the appropriate departments to assure compliance. As you are aware, several ordinances currently on the books are not enforced. We are not optimistic that this will change with a new Plan.

Sincerely,

James and Donna Patton
341 Gunnison Avenue
970-245-1678

ATTACHMENT 6: PUBLIC PARTICIPATION PROCESS FEBRUARY 1, 2013 - PRESENT

242 0698

12:19:04 p.m. 02-06-2013

1 / 2

JAMES GOLDEN
P.O. Box 967
Grand Junction, CO 81502
(970) 242-7324 Fax (970) 241-0257

*Received
2-11-13*

February 6, 2013

HAND DELIVER

Harry Weiss, Executive Director
Downtown Development Authority
248 South 4th Street
Grand Junction, CO 81501

Re: Greater Downtown Plan - Proposed Future Land Use

Dear Mr. Weiss:

We were in attendance at the DDA Public Meeting/Hearing held on January 31, 2013. Near the conclusion of the meeting, you stated that the Final Plan would provide a restriction limiting all future improvements to real property included within the Plan Area to improvements consisting of two or more floors (the "Limiting Restriction").

We attach as Exhibit "A" a copy of the map labeled "Greater Downtown Plan - Proposed Future Land Use" ("Plan Area") referenced by you at the afore-mentioned meeting.

Exhibit "A", by color code divides the Plan Area into labeled Districts. We own, or possess an interest in, real property, individually, or through membership in and LLC in the following Districts: Downtown Mixed Use; Residential Mixed Use; Residential Medium High Use; and Commercial and/or Commercial/Industrial.

We request that you identify the Districts that we possess an interest in Real Property that you intend to be made subject to the Limiting Restriction.

* * * * *

Real estate owners, and appraisers, commonly refer to the ownership of real estate in terms of owning a bundle of sticks. For each claim a third party, or a governmental entity, possesses against a real property, the owners bundle is reduced proportionately to the extent of the claim, as well as the value of the owner's interest.

Harry Weiss, Executive Director
February 6, 2013
Page 2

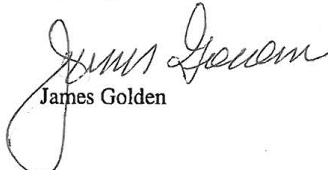
You are reminded that the Constitution of the United States of America, Amendments, **Article XIV, §1 Citizenship defined privileges of citizens**, states, in part: “. . . nor shall any state deprive any person of life, liberty, or property without due process of law. . . .”, and, the Constitution of the State of Colorado, Article II, Bill of Rights, provides, in part:

“Section 15. Taking property for public use - compensation how ascertained.
Private property shall not be taken or damaged, for public or private use without just compensation. * * *”

In fairness to the owners of Real Property within the Districts that you intend to apply the Limiting Restriction on ownership, we assume you will advise each owner of their right to receive compensation for their Real Property becoming subject to the proposed Limiting Restriction

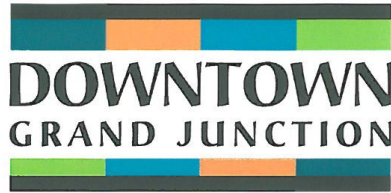
Please call with any questions. We maintain office hours between 9:00 a.m. and noon, Monday through Friday.

Sincerely,



James Golden

JG:jlc



Mr. James Golden
P. O. Box 967
Grand Junction, CO 81502
February 12, 2013

RE: Greater Downtown Plan

Dear Mr. Golden,

Thank you for your letter dated February 6, 2013, which was received in our offices on February 11. Your attendance at the January 31 information session is appreciated.

I write today to follow-up on your questions about the Greater Downtown Plan (GDTP) and also to respond generally to the concerns raised in your letter.

The proposed GDTP is a planning document that will be considered for adoption by the Grand Junction City Council. The draft plan is a culmination of many years of consideration of the downtown and the environs thereof. The Grand Junction Planning Commission will first review and debate the GDTP and then forward the Commission's recommendations to City Council. The adoption of any plan, and the enactment of any new ordinances or regulations implementing a plan, is a legislative action under the exclusive authority of the Council. That process includes public notice and a public hearing.

The Downtown Development Authority (DDA) is a statutory authority whose primary purpose is the elimination of blight and the preservation of property values in the DDA district. The DDA undertakes capital improvement projects and complementary economic development activities to fulfill those purposes. Additionally, the DDA serves in an advisory capacity to local government with regard to downtown planning and development and it is in this capacity that the DDA has provided input to the City regarding the GDTP. The DDA is not a legislative body and does not enact laws, impose regulations, or apply "limiting restrictions" as you describe it. The informational session we hosted on January 31 was not a hearing. Instead it was to offer information and raise awareness of the current process. Our intention was to make sure that property owners within the DDA are well-informed about the GDTP, its planning concepts and implementation strategies and the Plan's public review process. Owners should have every opportunity to participate in and to express their opinions as part of that review.

Grand Junction Downtown Partnership
248 South 4th Street, Grand Junction, CO, 81501
Phone (970) 245-9697 Fax (970) 243-1865
www.downtowngj.org

Response to Mr. James Golden RE GDTP – page two.

The draft GDTP includes a variety of implementation mechanisms intended to advance the Plan concepts. Chief among these are a number of zoning overlays that would modify the existing development standards of the underlying zoning classifications. A new “Central Business District Overlay” has been proposed which would cover an area roughly located between Grand and Ute Avenues and 1st and 7th Streets all located entirely within the area identified by the GDTP as “Downtown Mixed Use.” The zoning classification within the proposed Central Business District Overlay is B-2 which does not change the present classification. Within the Overlay boundary, a new minimum height requirement of two stories would apply to new buildings constructed on vacant parcels. The minimum height requirement would be a new development standard in addition to the existing 90 foot maximum building height allowed in B-2 zones.

If adopted as proposed, the new minimum height standard will apply only to new development on vacant land. Existing buildings in the overlay area are not affected by the new requirement and existing buildings may be expanded up to a maximum of 100% of their current size without triggering the two story height requirement. If an expansion of an existing building exceeds 100% of the current size, then the expansion portion would fall under the minimum height requirement.

The DDA refers all specific inquiries regarding the zoning of individual parcels to the City Planning Department. You should contact them to determine precisely which parcels you own or have an interest in that are within the boundary of the proposed Central Business District Overlay. The telephone number for Planning is 244-1430.

While I appreciate your concern that the GDTP impairs property rights, violates due process of law and/or constitutes a taking of property without just compensation, I respectfully disagree. I am fully aware of these fundamental legal concepts and the specific citations to both the United States and Colorado Constitutions. The City Attorney as well as the Planning Department are also equally aware and will not allow a Plan to be proposed, let alone adopted, that would violate any of these or other principles of law.

I would expect that you are fully apprised of the United States Supreme Court’s affirmation of zoning in the case of the Village of Euclid, Ohio, v. Ambler Realty Co. (1926). The decision in that case was clear that zoning regulations that are founded upon a rational basis are a legitimate exercise of police power and that the speculative assertion of a loss of property value as a result was found an untenable basis for validating a takings claim. Additionally the Supreme Court’s ruling in Pennsylvania Coal Co. v. Mahon (1922) outlining the diminution of value test is instructive in this matter.

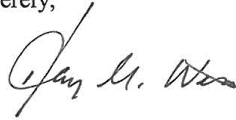
Response to Mr. James Golden RE GDTP – page three.

Please do not expect that the DDA “will advise each owner of their right to receive compensation for their Real Property becoming subject to the proposed Limiting Restriction...” First of all, the DDA does not advise anyone regarding his or her legal rights as that constitutes the illegal practice of law, and additionally there is no such right attendant to the consideration let alone the adoption of the GDTP. Please desist in implying and/or suggesting to the LLC or others that compensation is due. No compensation is due any owner or any other person now or at any foreseeable time or occasion. Certainly if you believe that a claim has accrued I would ask that you contact Mr. John Shaver as legal counsel for the DDA Board.

The GDTP is not complete and I would encourage you to see it as a means to work toward the continued vitality of downtown and its environs. We encourage public discussion and deliberation on how best to achieve our common goals. It is our desire that DDA property owners are informed about this Plan and that they have every opportunity to share their opinions with the Planning Commission and City Council. To that end, I encourage you to communicate your concerns directly to those bodies. I will certainly share your letter as well as my reply with the Board of Directors of the DDA.

Please do not hesitate to contact me if I can be of further assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Harry M. Weiss".

Harry M. Weiss, Executive Director
Grand Junction Downtown Development Authority

CC: Mr. John Shaver, City Attorney
Mr. Richard Englehart, City Manager
Mr. Greg Trainor, Director, Public Works, Utilities & Planning Department

GRAND JUNCTION AREA CHAMBER OF COMMERCE

COMMENTS/QUESTIONS REGARDING THE CURRENT/MOST RECENT GDT
PLAN AND ZONING OVERLAY (Feb, 2013 Draft used as reference)

February 28, 2013

The Definition of an “Overlay Zone” is:

Overlay zoning is one way to create a more flexible and discretionary alternative to traditional zoning. An overlay zone is defined as “an overlay district superimposed on one or more established zoning districts which may be used to impose supplemental regulations on development in these districts, permit uses otherwise disallowed, or implement other forms of incentives”.

An overlay zone supplements the underlying zone with additional standards, guidelines and/or incentives while generally leaving the underlying zoning regulations in place. Examples might include different setbacks, increased height allowance or varied allowed uses. A parcel within the overlay zone area will thus be simultaneously subject to two sets of zoning regulations: the underlying and the overlay zoning standards and guidelines.

Overlay zone boundaries are not restricted by the underlying zoning district’s boundaries. An overlay zone may or may not encompass the entire underlying zoning district. Likewise, an overlay zone can cover more than one zoning district, or even portions of several underlying zone districts.

The purpose and goal of the Plan and the Zoning Overlay is to achieve, as a minimum, a common level of quality in terms of site design, architectural design, landscaping and other site improvements. All of this sounds fine and the Chamber believes that most people/businesses/property owners would agree in principal that these standards and guidelines would benefit the visual character and look of our City. The danger and the downside to these new and increased development regulations is the additional costs that will be incurred by our businesses and property owners, as well as, potentially reduced property values for current property owners looking to sell to new developers wanting to come into this area. The overall goals and benefits trying to be derived need to be balanced with the economic and marketplace realities that the vast majority of all current and future small businesses and property owners can afford and/or must adhere to in order to be able to achieve these higher visual standards. Other than making the buildings/site look more pleasing, very little of the additional costs will improve the viability and profitability of a business. In fact, in today's market it would be an additional burden to them. A lot, if not most, will not be able to achieve these standards, therefore no growth in these areas will occur or at best at a much reduced rate from just letting things stay as they are and using incentives instead of more regulations.

(Text in italics denotes comments or questions pertaining to each item being highlighted from the Plans. Comments below address various concerns or questions about the Plan and/or Zoning Overlay, with varying degrees of uneasiness by us about the issue being noted or discussed. Some only denote needing clarification or better understanding as to why the particular issue or statement is being proposed that way; others show a real concern or disagreement of what is being proposed.)

GREATER DOWNTOWN PLAN

Page 6 – Goal 6- Encourage preservation of historical buildings. *Please define historical buildings as they relate to this Plan.*

Amend document to define historical buildings as those that would be eligible for inclusion on the local register.

Page 7 – Seed money will likely be necessary to leverage private investment. *Market forces should dictate. Concern about taxpayer monies being used to benefit only one area of the City at the potential detriment to other business areas.*

Development and redevelopment in established urban centers is, by its very nature, more difficult and costly than “greenfield” development. This document does not identify specific incentive or funding programs.

Page 8 – See map. *Please explain the reasons for why the west side of 12th, between White and Colorado, is not being classified in the Transitional Area?*

The transitional area reflects properties that are already zoned R-O or Business. The area between White and Colorado, west of 12th Street is zoned R-8 and maintains its residential character. The Comprehensive Plan already shows this area as Residential.

Page 9 – With the exception of Grand Ave., traffic is less congested and parking is available...*Not true, especially in regards to the parking. There are side streets in virtually all areas of the Downtown District that already have very little or no on-street parking available.*

This statement is referring to the Transitional area only.

Page 9 – The intent of the Neighborhood Center is to provide for limited employment. *Why is the City/DDA trying to limit employment opportunities in this area and why should this area not be designated in the Transitional area?*

The neighborhood center definition is from the Comprehensive Plan and is the designation of much of North Avenue. The Neighborhood Center designation provides for a much wider range of commercial zone designations than the Transitional designation.

Page 9 – *Missing paragraph or description of the DT Core area.*

The Downtown Core area is a subdistrict of the Central Business District and is described in that section.

Page 12 – The majority of the property in the River District is publicly owned...*Is this true?*

Yes, the majority of the River District is City owned land, including Las Colonias, the Botanic Gardens, and the Jarvis property and several properties west of 27-1/2 Road along C-1/2 Road are owned by State Parks.

Page 16 – Policy’s 1f and 1g, Pitkin/Ute shift to south and 4th and 5th to become 2-way streets. *We thought this issue about Ute/Pitkin was to be taken out of the Plan.*

It is important to include these concepts in the Plan document to allow for future feasibility studies.

Page 17 – Policy 3a, Prohibit uses on ground level that do not support pedestrian activity. *Prohibit, Really??? Please explain.*

Amend to read: “Discourage uses on ground level that do not support pedestrian activity.”

Pages 23/24 – Street section drawings. *Do any of these street sections, other than the expanded major intersections, require more r.o.w. to be dedicated to the City by the property owner?*

The street sections reflect cross-sections that would fit within the existing classification of the streets.

Page 30 – Bike Routes/Sharrow Route- *Concerned about the logic that says it is wise to put bike lanes immediately adjacent (stripping only) to high volume vehicle drive lanes, as it relates to increased safety to both motorists and bicyclists. Is this a wise/safe design standard? Seems like bike traffic should be encouraged to be located on side streets (lower volume vehicle streets.)*

The Plan document only acknowledges what is being proposed in the latest draft of the Grand Valley Trails Master Plan. Consideration of the Trails Master Plan will be through a separate process.

Page 32 – Therefore, it is widely accepted that early projects in any revitalization effort should be publicly assisted until market conditions reach levels where new construction can support itself. *We support the use of incentives to help provide for growth and infra-structure improvements, but should taxpayer dollars be spent on specific areas of the City, as it relates to business incentives and directing growth to certain areas. Should all areas of the City be provided with the same incentives? Should not the DDA provide the incentives for growth in the downtown area/ are businesses in the Mall area, for example, going to want to subsidize the downtown area at the detriment to their own bottom line of success?*

The Comprehensive Plan has a goal to “Support the continued development of the downtown area of the City Center into a vibrant and growing area with jobs, housing and tourist attractions”. The Plan does not identify the type of source of assistance or incentives.

Page 33 – Recognize the obstacles associated with downtown development and encourage regulatory and financial solutions including public subsidies and creative financing methods. *Ditto, same concern above. Seems like these policies greatly benefit the DDA members/areas, to the detriment of all other areas in the City. We see no problem if the DDA and their members/businesses want to spend their money for these subsidies/improvements, but incentives and less regulations by the City needs to be consistent and made available for all businesses in the City. See above.*

Page 33 – Under any investment strategy, local government needs to have a strong involvement, a visible presence, perhaps be the entity that provides continuing leadership, regulatory incentives and seed capital for early projects. *Ditto, last 2 concerns above.*
Again, the type and source of assistance and incentives are not identified in the Plan. However, the City has had a strong presence in the Downtown area with civic facilities, including City Hall, the Public Safety Complex, the Avalon, Two Rivers Convention Center and the Riverfront.

Page 48 – Appendix E. *Numerous pages of the following questionnaires are either missing or out of order. The appendices will be removed from the document and only be referenced as background material.*

Also, the standards and guidelines being proposed are based upon only 10 to 27 responses for each question. If these were 130 questionnaires returned why is there not more than 27 responses to each question? What happened to the other 103 plus? Why was the number of responses to each question not included in this current draft as they are in the detached questionnaire results found online? Very small, limited input from the businesses and property owners that are going to be affected. Clearly not a majority of affected owners to begin to say there is strong public support or even more than a minimal amount of public support for these Overlays. More input needed from a larger group of affected property owners and businesses.

Questionnaires were made available on-line and at the numerous public meetings. Respondents could pick and choose which sections they were most interested in, so many that were returned only pertained to one area. Plan recommendations were made based on input from a variety of sources, including the well-attended public meetings, community presentations, on-line information and letters and meetings with individual property owners.

GREATER DOWNTOWN PLAN – ZONING OVERLAY

Page 4- The DDA will be a review agency for all applications and will make recommendations for proposals in the Central Business District. *Why is the DDA being highlighted from any other review agency? Are they not already a review agency for applications in their boundary?*

The DDA is not currently a review agency for all applications in their boundaries. The DDA has a vested interest in development that occurs in the CBD and should have the opportunity to provide their input to the decision-maker. It also brings the DDA into the loop early-on to allow for additional discussion with the property owner or developer.

Page 8- Overall Corridor Vision/Concepts #2 to promote higher quality architectural treatment and site design as new development and redevelopment occurs along the corridors. *Do the proposed new standards and guidelines, in the Rail and River Districts only impact the properties/businesses in the corridors (Commercial and Industrial) or do they impact all property in the Rail and River Districts? If it is just for the properties specifically called out in the Plan (i.e., 5th Street, south side of Pitkin Ave, etc) then the maps need to reflect this and delete all of the other properties not in the corridors. What is the reason to include all the other properties if they are not being affected by these proposed standards and guidelines? Are there zoning issues or more specifically rezoning of property on specific properties that the City is also trying to address? If only the properties that have frontage on these corridors are affected with these requirements it will place undue burdens and costs onto those property owners. We like the fact that the Plan places limits on what properties/businesses will be affected by the standards, but would think that anew developer looking to purchase property would just go ½ block over and not be held to those standards, thereby affecting the sale and property values for those in the corridors.*

The proposed standards and guidelines only apply to the corridors as outlined in yellow on the map.

5th Street Standards – Required viaduct screening. *Unclear how this is paid for or assessed.*

Proposed amendment to read: For uses that require screening per the Zoning and Development Code and will be visible from the elevated portions of the 5th Street viaduct, screening shall be provided on the viaduct that limits views to adjacent uses but still provides longer vistas to the east (Grand Mesa) and west (Colorado National Monument and Uncompahgre Plateau), in accordance with CDOT specifications as follows, 36” x 3/8”x11 ga Core, 10 ga finish vinyl coated chain link. The City may accept payment in lieu of screening; the amount of the payment-in-lieu may be established by resolution of the City Council.

Page 18 – B. Standards. – Exception requirements. *Do all 6 criteria need to be met or only some of the criteria. If only some, how many?*

All criteria must be met, as is consistent with general variance criteria of the Code.

Page 19 – Further development and implementation (in the DT CBD area) of these concepts will be done in coordination with the DDA. *We are sure that the DDA will be involved, but why specifically list them?*

The DDA plays a significant role in the development and promotion of the Central Business District.

Page 19 – Unless otherwise noted below, all of the architectural standards shall apply in the CBD area (Core area has different requirements). *Why not similar to other area standards where 3 out of 9 or 4 out of 8 only need to be met?*

This statement is just referring to the conditions that require the application of the guidelines and standards.

Amend document to delete “all of” to clarify.

Page 19 – *Under substantial remodel criteria in the CBD area the 2-story height requirement does not need to be met, only 100% site and site and architectural standards. We like limiting the area to where the 2-story requirement is required. Still disagree that a 2-story requirement is required in any are of the Plan. Should be market driven.*

Page 23 – Minimum height in the DT Core area shall be 2 stories. *The list of exemptions to the 2-story requirement includes many, if not all, public owned/operated buildings/uses. Any and all standards that are required for private businesses/property owners should be required for public entities as well.*

The list includes types of uses and is not defined by ownership.

Page 24 – Exemptions to the 2-story requirement must be approved by the Planning Commission with the recommendation from the DDA upon review of a conceptual level development proposal. *We are concerned that this gives to much authority to the DDA, an unelected body. Does the recommendation come from the DDA Board or from their Executive Director only?*

The DDA is not given any decision-making authority.

Page 24 – Exemption criteria for 2-story buildings. *First, do all 6 criteria need to be met? Secondly, this creates a whole additional submittal requirement for entities seeking an exemption. Before any design or large costs will be expended by a developer or owner wishing to expand or purchase any new/additional property without wanting to meet the 2-story requirement they will have to go through the exemption process to be assured that they can proceed. At least a minimum of 60-90 days added to the development review process and sales/purchase agreements will now be contingent upon exemption approval, thereby also being delayed. Just more valid reasons not to require 2-story buildings.*

All criteria must be met, as is consistent with general variance criteria of the Code.

Page 27 – Residential area standards and guidelines – The 65% value of the exterior remodel drops to 50%. *What is the reason for placing additional burden/costs on these property owners/businesses?*

The proposed standards are meant to maintain the existing character of the residential area.

Page 29 thru 31 – The architectural considerations all require new development or redevelopment to look basically the same as what exists around the site. *What is the reason for everything looking the same?*

The standards are to achieve “compatible” design, not “same as”.

Page 32 – Transitional area standards and guidelines – The 65% value of the exterior remodel drops to 50%. *What are the reasons for placing additional burden/costs on these property owners/businesses?*

The proposed standards are meant to maintain the existing character of the area.

Page 32-35 – The architectural considerations all require new development or redevelopment to look basically the same as what exists around the site. *What are the reasons for everything looking the same?*

The standards are to achieve “compatible” design, not “same as”.

Page 34- Parking – Non-single family uses shall be designed not to increase on-street parking in front of single-family dwellings in the neighborhood. On-site parking shall be located on the sides or rear of the property. *Standards make it almost impossible to allow redevelopment on smaller lots. This will require acquiring multiple properties to provide for any commercial use that will have employees or customers in order to meet the off-street parking requirements.*

These are the same standards as exist for the RO zone district, which much of the transitional area is already zoned. There have been many smaller lots that have redeveloped to a light business use that meets these standards.

The architectural considerations all require new development or redevelopment to look basically the same as what exists around the site. *What are the reasons for everything looking the same?*

The standards are to achieve “compatible” design, not “same as”.

FYI- Last 3 pages of the Plan are misnumbered.

Finally, we ask that the City consider going with “opt in” standards for the businesses/property owners similar to what they did on the North Ave Overlay for not only this Overlay Plan, but for all Overlay Plans. Many member businesses are not in agreement or in favor of Overlay Plans, especially the ones that do not provide the businesses/property owners the option or opportunity to meet the lower standards, i.e., lower costs. Without this provision it will be extremely difficult for the GJACC to provide support for this Greater Downtown Plan and Zoning Overlay.

We welcome your comments and questions and would be glad to meet with the City staff, DDA, Planning Commission or City Council members to discuss our concerns further.

To: City Council

From: Bryan Wiman- Southside Leasing, LLC

Date: 3/14/13

Re: 2013 Rezone/Overlay Proposal Rail District

Dear Council,

Our property located at 1101 Kimball is one of the larger properties in the Rail District that would be affected by the new zoning/overlay being considered this month. We have had numerous conversations with City staff and we feel very comfortable that the new zoning/overlay will not interfere with existing uses of the property and therefore, we support the forward thinking of this new plan. We believe that supporting potential commercial/mixed use development in the Rail District is a positive step towards re-development of a corridor that can enhance not only the Rail District but the Greater Downtown as well.

Respectfully,

A handwritten signature in black ink, appearing to read "Bryan E. Wiman", with a long horizontal flourish extending to the right.

Bryan E. Wiman
Southside Leasing, LLC

ATTACHMENT 7
Proposed Revisions to Plan and Overlay Documents
as Recommended by Planning Commission

GREATER DOWNTOWN PLAN REPORT

1. Page 6 – Clarification – added small triangle area in description of Greater Downtown area
2. Page 9 – Clarification – added reference to 7th Street District, applicable guidelines and standards already adopted.
3. Page 10 – Clarification – added brief description of Existing Commercial Subarea, previously omitted.
4. Page 16 – Clarification – Restate study of alternatives for one-way streets.
5. Pages 16-17 – Combine redundant policies – Goal 1, Policy 1h and Goal 3, Policy 3c
6. Page 17 – Clarification of goal
7. Page 18 – Clarification – reword Policy 2b
8. Page 19 – Clarification – Paragraph A – Blended map does not apply to future land use within the Downtown District
9. Pages 23-24 and 31-32 – Rewrite of Circulation section to clarify that it is proposals/suggestions for Greater Downtown and does not amend the Grand Valley Circulation Plan.
10. Page 25 Add photo and description to clarify/define “sharrow”
11. For easier use of final version, removed summary of public process and questionnaires/comments from Plan Report. Included instead as Attachment 4 to the staff report.

GREATER DOWNTOWN PLAN ZONING OVERLAY

1. Page 12 – Delete policy – combine with redundant standard 2 on page 13.
2. Page 14 – Clarify – Standard 1 is a policy, renumber remainder of standards.
3. Page 14 – Clarification – Revise to match the same statement in other corridor signage standards.
4. Page 16 – Clarification – Reword 5th Street viaduct screening requirement.
5. Page 20 – Clarification – add 2.d. re: application of zoning overlay to form-based zone districts.

**ATTACHMENT 8
DRAFT MINUTES PUBLIC COMMENT AT MARCH 12, 2013
PLANNING COMMISSION HEARING ON GREATER DOWNTOWN PLAN**

To be provided at March 18, 2013 City Council Workshop