

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

June 19, 1996

The City Council of the City of Grand Junction, Colorado, convened into regular session the 19th day of June, 1996, at 7:30 p.m. in the City/County Auditorium at City Hall. Those present were Jim Baughman, David Graham, R.T. Mantlo, Ron Maupin, and President of the Council Linda Afman. Janet Terry and Reford Theobald were absent. Also present were Assistant City Manager David Varley, City Attorney Dan Wilson, and City Clerk Stephanie Nye.

Council President Afman called the meeting to order and Councilmember Ron Maupin led in the Pledge of Allegiance. The audience remained standing during the invocation by Rev. Scott Hogue, First Baptist Church.

APPOINTMENTS TO THE DOWNTOWN DEVELOPMENT AUTHORITY

Upon motion by Councilmember Baughman, seconded by Councilmember Maupin and carried, Mark Hermunstadt and Bruce Bengé were appointed to four-year terms on the Downtown Development Authority.

APPOINTMENTS TO THE PARKS & RECREATION ADVISORY BOARD

Upon motion by Councilmember Baughman, seconded by Councilmember Maupin and carried, John Gormley and Dennis King were reappointed to the Parks & Recreation Advisory Board for three-year terms.

CONSENT ITEMS

Upon motion by Councilmember Maupin, seconded by Councilmember Mantlo and carried by roll call vote with Councilmember **GRAHAM** voting **NO** on Item 6, the following Consent Items 1-14 were approved:

1. **Minutes of Previous Meeting**

Action: Approve the minutes of the Regular Meeting June 5, 1996

2. **Replacement Purchase of Two (2) Triplex Greens Mowers for Golf Courses**

The following bids were received:

L.L. Johnson Distributing Co., Denver (Toro)	\$31,514.00*
Mile High Turf Equip., Denver (Jacobsen)	\$37,000.00

* Recommended Award

Action: Award Contract for Replacement Purchase of 2 Triplex Greens Mowers for Lincoln Park and Tiara Rado Golf Courses to L.L. Johnson Distributing Co. in the Amount of \$31,514

3. **Re-Roof the Operations Building at the Persigo Wastewater Treatment Plant**

The following bids were received on June 10, 1996:

Odyssey Construction, Inc., Delta	\$28,257.00*
Western States Roofing, Grand Junction	\$32,795.20
Miracle Roofing, Grand Junction	\$49,950.00

* Recommended Award

Action: Award Contract to Re-Roof the Operations Building at the Persigo Wastewater Treatment Plant to Odyssey Construction, Inc., in the Amount of \$28,257.00

4. **Replacement of the Existing Caretaker's House/Staff Office at the Kannah Creek Intake**

The following bids were received on May 7, 1996:

1st Choice, Grand Junction	\$63,200*
Capital Housing, Grand Junction	\$63,500
Ace Homes, Grand Junction	\$67,750

* Recommended Award

Action: Award Contract for Replacement of Existing Caretaker's House/Staff Office at the Kannah Creek Intake to 1st Choice in the Amount of \$63,200

5. **Replacement of Fire Apparatus Unit #307**

The City's fire truck (Unit #307) was to be replaced in 1997 with a unit being purchased from the Rural Fire District. The Rural Fire District was to order a new unit and the City to buy the District's used unit when their new unit arrived. The District's replacement is to arrive before year end and City funds were anticipated by the District to offset their cost.

Action: Move to Appropriate \$50,000 from the City's Equipment Fund (402) to Purchase in 1996 the Rural Fire Protection District Fire Truck Unit #503

6. **Rosevale Area Sewerline Extensions**

The following bids were received on June 4, 1996:

Lyle States Construction, Grand Junction \$598,029.60
M.A. Concrete Construction, Inc., Grand Junction
\$655,446.30
R.W. Jones Construction, Fruita
\$717,721.90

Engineer's Estimate
\$602,112.00

Action: Award Contract for Rosevale Area Sewerline Extensions to Lyle States Construction in the Amount of \$598,029.60

7. **1996 Street Pavement Overlays**

The following bids were received on June 11, 1996:

United Companies of Mesa County, Grand Junction \$750,895
Elam Construction, Grand Junction \$940,225

Engineer's Estimate \$817,200

Action: Award Contract for 1996 Street Pavement Overlays to United Companies of Mesa County in the Amount of \$750,895

8. **1996 Alley Improvement Districts**

The following bids were received on June 11, 1996:

<u>Bidder</u>	<u>Schedule "A" Alley Constr</u>	<u>Schedule "B" Sewer Constr</u>	<u>Total Bid</u>
Mays Concrete, Inc. \$394,272.00 Grand Junction	\$224,403.40	\$169,868.60	
M.A. Concrete \$435,230.75 Grand Junction	\$236,166.10	\$199,064.65	
Reyes Construction \$498,166.90 Grand Junction	\$315,538.40	\$182,628.50	
Engineer's Est.	\$230,944.00	\$186,238.00	\$417,182.00

Action: Award Contract for 1996 Alley Improvement Districts

to Mays Concrete, Inc., in the Amount of \$394,272.00

9. **1996 Curb, Gutter and Sidewalk**

The following bids were received on June 11, 1996:

Reyes Construction, Grand Junction	
\$243,417.00	
Mays Concrete, Grand Junction	
\$281,391.00	
Armendariz Construction, Delta	\$294,501.00
Engineer's Estimate	
\$284,577.50	

Action: Award Contract for 1996 Curb, Gutter and Sidewalk to Reyes Construction in the Amount of \$243,417.00

10. **Revocable Permit for Vintage 70's Landscaping, 2700 G Road**
[File #RVP-96-127]

A resolution authorizing the issuance of a Revocable Permit to Vintage 70's Ltd., 2700 G Road, for existing and proposed landscaping in a portion of the G Road right-of-way.

Resolution No. 66-96 - A Resolution Concerning the Issuance of a Revocable Permit to Vintage 70's Ltd., Condominium Association

Action: Move for Adoption of Resolution No. 66-96

11. **Revocable Permit for Henderson Minor Subdivision Landscaping, 785 22 Road** [File #REV-96-75]

At the May 7, 1996 hearing the Planning Commission approved the Henderson Minor Subdivision. As a condition of approval the applicant is required to obtain a revocable permit for two landscape planters that will encroach in the right-of-way as a result of a required right-of-way dedication of 22 Road.

Staff recommends approval of the revocable permit because 22 Road is not scheduled to be widened in the current City 10 year Capital Improvement Program.

Resolution No. 67-96 - A Resolution Concerning the Issuance of a Revocable Permit to Clifford T. Henderson

Action: Move for Adoption of Resolution No. 67-96

1996

12. Setting a Hearing on Rezone of 123 N. 7th Street from B-3 to PB [File #RZF-96-76]

123 Group, represented by Ed Chamberlin, Chamberlin Architects, is requesting a rezone of the property on the southwest corner of 7th Street and Rood Avenue from Retail Business (B-3) to Planned Business (PB) in order to demolish an existing retail building, construct a parking lot and upgrade the building facade (Phase 1), and add two stories to an existing vacant building (Phase 2).

Proposed Ordinance Rezoning Parcels of Land Located on the Southwest Corner of Rood Avenue and 7th Street from Retail Business (B-3) to Planned Business (PB)

Action: Adopt Proposed Ordinance on first reading and Set a Hearing for July 3, 1996

13. Setting a Hearing on Text Amendment, Code Section 5-15, Regarding Mining Activities [File #TAC-96-1.10]

Amending the Zoning and Development Code to include a section 5-15, Mineral Extraction, Washing, Crushing, Cement Batch Plants and Asphalt Plants. The purpose of this section is to establish reasonable and uniform limitations, safeguards, and controls in order to achieve conservation and wise utilization of natural resources and rehabilitation of extracted land.

Proposed Ordinance Adding Section 5-15 Mineral Extraction, Washing, Crushing, Cement Batch Plants and Asphalt Plants to the Zoning and Development Code of the City of Grand Junction

Action: Adopt Proposed Ordinance on first reading and Set a Hearing for July 3, 1996

14. Setting a Hearing on Redlands Water and Power Rezone of South Camp Road and South Broadway [File #RZF-96-116]

A request for a rezone of approximately 40 acres from RSF-4 to PR-2 to allow for the development of a new office building and associated facilities for Redlands Water and Power on 5 acres.

Proposed Ordinance Rezoning Land Located Southeast of South Camp Road and South Broadway from RSF-4 to PR-2

Action: Adopt Proposed Ordinance on first reading and Set a Hearing for July 3, 1996

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

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

APPEAL OF PLANNING COMMISSION APPROVAL OF PRELIMINARY PLAN AND A REQUEST FOR A VARIANCE TO STREET STANDARDS FOR THE HACIENDA LOCATED AT F 1/4 AND 24 1/2 ROADS [FILE #PP-96-77]

Appeal of the Planning Commission approval of Preliminary Plan for townhomes, apartments, mini-storage and retail shopping on approximately 30 acres zoned PB (Planned Business) and PR-17 (Planned Residential with a density not to exceed 17 units per acre). The applicant is also requesting a variance to City street standards to allow internal private streets.

Mayor Afman announced City Council will not hear the request for variance of City Street Standards.

Kathy Portner, Community Development Department, reviewed this item. A plan was approved in 1984 for Planned Residential zoning, 17 units per acre, for this property. It included apartments and townhomes. In 1985 the plan was reverted but the zoning remained PR-17. Tonight's proposal also includes the 4.54 acre property adjacent to 24 1/2 Road which is currently zoned Planned Business.

The allowed uses were included in the B-3 (Retail Business) zone.

The proposal is for 45,000 square foot business commercial center on the 4.5 acres along 24 1/2 Road. The remaining 25.5 acres are planned for 275 apartment units in 12 buildings, 155 townhome units and 168 storage units for the use of the residents. All internal roads are proposed to be 24 feet wide, private drives accessing parking lots for the apartments, and parking pods and driveways for the townhomes. The project is proposed in seven phases. The first three phases are the townhomes, the next three phases are the apartments, and the commercial center as the final phase.

Ms. Portner stated the townhome development is on the east half of the property. There are 155 townhome units proposed on 12.3 acres. The townhome garages would be accessed by a 24-foot wide drive behind the units with a two-car garage for each unit. The front of the units would face a common court yard, varying in width from 45 to 50 feet. There is adequate parking provided for

those units meeting the requirements of the Zoning & Development Code. There is a 10,000 square foot area in the center of the townhomes for active recreation which includes a clubhouse, pool, hot tub, basketball court and play area. In addition, approximately 60% of the area is an open space which includes the drainage way to the south of the property. The developer is proposing it be used for a natural walkway for the residents as well as a drainage way.

One concern of Staff is whether there is adequate open space provided for the number of proposed units. Ms. Portner said there is no specific standard in the Zoning & Development Code. One standard that could be used is 175 square feet of useable open space per dwelling unit. For this project that would equate to over 27,000 square feet of open space for the townhome area. Staff feels this development provides adequate open space.

Ms. Portner continued by saying the 275 apartment units are proposed on 10.9 acres. They are within 12 buildings with each building having either 15, 20 or 30 units. Adequate parking is being provided. They are proposing an active recreation area in the central part of the apartment complex which includes a pool, basketball and volleyball court, and children's play area. In addition, 64% of the remaining site is in open space and also includes the drainage way to the south of the apartment complex.

Storage units are being proposed to the south for the sole use of the residents of this development. It can be considered within a Planned Residential zone district as an accessory use to the main residential uses. They are negotiating with the property owner of the parcel that surrounds on the north and east for the purchase of that property. Staff recommends a condition of the approval be that the storage units be used solely for the residents of the development. It will be an integral part of the development. The only access to the storage units will be through the development.

Staff recommends the proposed masonry wall around the development extend around the storage units to blend in with the development, also making them less visible from Patterson Road or 24 1/2 Road.

The storage units would need to be integrated into the architecture of the rest of the development.

The masonry wall was an issue brought up at the Planning Commission hearing. The developer proposed the masonry wall extend around all sides of the development with the exception of the south portion of the property. Some other type of fencing was proposed on that side, feeling the screening was unnecessary because of the distance from the residential units to the

potential business uses because of the drainage facility. Staff and Planning Commission recommended the masonry wall continue around the entire development including the south portion of the development.

Staff recommends approval of the preliminary plan with the following conditions:

1. Final design of each phase must include adequate parking and landscaping for that phase;
2. Final design must include specific landscaping plans for all common areas;
3. Improvements to F 1/4 Road and 24 1/2 Road will be as required by City Engineering;
4. Storage Units will be for the sole use of the residents with access only through the development. The units will be screened from view on the east, west and south, and shall not be visible from Patterson Road or 24 1/2 Road;
5. The square footage of the proposed business uses will be dependent upon adequate parking being provided in the final design with all required landscaping;
6. Proposed masonry fence shall include the entire perimeter of the residential development as well as the storage units;
7. The covenants for the entire development shall include strict design guidelines for the residential and commercial buildings to provide for uniformity and design;
8. An area between the wall and F 1/4 Road improvements shall be provided for landscaping to be approved with the final design;
9. The internal private streets shall be identified as private tracts dedicated to the homeowners as well as full width multi-purpose easements. The Homeowners Association shall establish an annual maintenance fund for the private streets. The formula and financial mechanisms of this fund shall be submitted by the petitioner for review and approval by the Public Works Department prior to the release of the Development Improvements Agreement.

Planning Commission approved the preliminary plan at the June 4, 1996 meeting. That approval has been appealed by an adjacent

property owner whose concern is the impact on the surrounding businesses and Appleton School.

The current Draft Master Plan is showing this area at a lower density than what it is currently zoned. It shows the property along 24 1/2 Road zoned for commercial use and the remainder for medium to high-density residential which is defined as 8 to 11.9 units/acre. City Attorney Dan Wilson asked Ms. Portner if she recommends City Council set aside the Draft Master Plan because it is only in draft form, and consider this item on its merits. Ms. Portner said since the zoning was in place, they weren't placing as much weight on the Draft Growth Plan. Staff felt if there was going to be a high density area, this would be a good place for it. It is close to a lot of services and convenient shopping. It is, however, in the Appleton School District and the school is over maximum capacity.

Attorney Jerry Cooper, 225 N. 5th Street, representing the developer, accompanied by William Ihrig, 2324 N. Seville Ct., Grand Junction, 81506. Mr. Cooper said the development was conceived around a development in Scottsdale, Arizona with a southwest look. It is going to be masonry and stucco. Mr. Cooper said the development will not begin for a year and the developer plans to build out over a period of five to seven years. Market conditions and other factors will impact the plans for building. The local school district is working on some remedies to the overcrowding of schools in the area as early as this fall. It is the opinion of the developer that Hacienda is a sound development for the community. It has been approved by Staff and the Planning Commission. This development consumes a minimum acreage in relation to the people that it is going to house. An advantage is that all of the infrastructure is in place, utilities, road system, 4-laning on F Road, 4-laning down 24 1/2 Road, and close to both the east and west entrance to I-70. The development is close to Mesa Mall and services such as banking, movie theaters within walking distance. A fire station is 2 to 3 minutes away. Police patrol in the area is heavy because of the commercial development and heavy traffic.

Mr. Cooper said one of the objections raised at the Planning Commission hearing was that this development was misplaced because there was commercial development to the southwest and southeast. He found that difficult to understand because good land use planning needs a buffer as one goes from commercial to residential. Mr. Cooper felt this provides an ideal density and activity buffer between the activities on F Road and Mesa Mall, and north when it invades two residential parcels.

Mr. Cooper said the drainage on this land drains from east to west and north to south. It is ideal because it is a 1% slope in both directions. There is irrigation water generated to the north of the property. It is going to drain off to the south. The masonry wall requirement could cause drainage problems for the development and vice versa. Mr. Cooper said Mr. Ihrig maintains his original position on the fence by proposing a quality steel fence placed on a good base. It would look good and protect the area from intruders, give privacy and would screen the development.

Councilmember Maupin asked what was the price range of the townhomes. Mr. Cooper said \$80,000. Mr. Cooper said the garages might be changed to carports which would result in even more affordable housing.

Mr. Bill Ihrig, 2324 N. Seville Cr., Grand Junction, 81506, said the townhomes will be 2-bedrooms. The apartments will be 1 and 2-bedrooms. There is no age limit on the development. Mr. Cooper said there are two pedestrian gates (key-lock) that allow the residents access to Mesa Mall. Mr. Ihrig estimated 430 units with 2.3 people per unit in response to Councilmember Baughman's question on total number of residents at buildout. Mr. Ihrig reviewed the seven phases. He felt the first phase (townhomes) would take one year to complete. The completion of all seven phases will depend on the economics. If the market stays the same as present, it will still take five to seven years to complete.

Ms. Pam Fox, 2517 I Road, submitted for the record a letter of opposition from Chris Duffy (attachment #1). Ms. Fox did not feel this is a good area for high density development because it has been planned commercial. She felt a restaurant or small shopping complex would be a better buffer, and would not impact the schools. She owns property on F Road near the planned storage units. She felt storage units attract vandalism and burglaries. She felt it is better to have smaller units dispersed throughout the city, rather than concentrated in one area. It is less impact to the schools and infrastructure.

Mr. Lou Grasso, 798 25 3/4 Road, representing School District 51, said the school district boundary is the canal north of which is Appleton School area, and south of the canal is Pomona School area. He stated there is little flexibility when it comes to changing school boundaries. The School District is concerned with all the proposed developments in the Appleton School area (Wilson Ranch Townhomes, North Valley Filing #2, Fountainhead). With a five-year buildout of these developments, Appleton School will average an increase of one classroom of students per year. The Hacienda development will add approximately 40 elementary students

and 20 middle school students. Mr. Grasso estimated, if a bond issue is passed this fall, design and construction for expansion of schools would begin in May or June of 1997 and complete construction in 1998. Appleton School would be top priority. If the bond issue should fail, the School District would be forced to go to split sessions, year-round school, increased classroom size, and modular additions. Mayor Afman said City Council is sensitive to the impact on the schools.

Ms. Kathy Drogos, 2245 Rimrock Road, Principal of Appleton Elementary School said Appleton's enrollment has doubled over the past ten years. As developments have gone in over the past few years, Appleton has been highly impacted. The school has added one trailer which is all that can be added because of the septic system. Appleton's maximum capacity (with the trailer) is 250 which does not allow for technology, music room, or gifted and talented special education. The traffic on 24 Road has increased immensely. Ms. Drogos said if the bond issue passes, Appleton will become a three-round school which would increase the capacity to 400-450. She felt if Council allows continued building when the schools have not been addressed, it is not in the best interest of society.

Mr. Greg Cranston, 308 Willowbrook Road, realtor and developer, said as the marketing director for Fountainhead, he is familiar with the area. The community needs this type of development in this area because it addresses a price range of product that is not generally available in the north area of Grand Junction. The schools are a valley-wide issue that concerns everyone, but it is not right to place the burden of solving the school problems on individual developers. The project is well designed, meets all the guidelines and has the approval of all the agencies. He requested Council give serious consideration to approving this proposal.

Mr. Paul Kern, 2479 F 1/4 Road, said the proposal is very attractive and convenient. He felt the increased tax base will help the schools.

Mr. Jerry Cooper said one of the things that concerned him about some of the arguments made this evening, is the absolute matter of right and law. People have a right to select five acres and build homes. If this project is built out over five years, there are going to be more \$200,000 and \$300,000 homes built on five and ten acre plots in this same area. He asked if the City is headed toward only allowing people who can afford the property and house to build when there is such a great need for this type of housing

proposed in this project.

There were no other comments. The hearing was closed.

Public Works Manager Mark Relph said Staff is comfortable with the proposal to manage traffic long-term. There are traffic problems with 24 Road, although there is a plan in 1999 to jointly (City and County) fund improvements for a three-lane section to increase capacity and safety on 24 Road.

Considering the creation of vested property rights in relation to the approval of this plan and the phasing of the construction, Councilmember Graham asked if there would be vested property rights created once Mr. Ihrig were to begin construction on phase one? If the entire plan were approved, would the vested rights, if created, apply to all seven phases of the project? City Attorney Dan Wilson said, under the City's ordinance, it is the last step before acquiring the building permit. When this would come through for final platting, the City would have vested right to the final plat. If the balance of the project was still preliminarily platted, and the developer would then submit subsequent plats, the City would have vested rights for each subsequent phase when finally platted. Only the portion that is finally approved and platted would vest.

Councilmember Maupin felt this is a good project, good location, well thought out, provides affordable housing for those working in the area, convenient to shopping, and will help eliminate a lot of the traffic on Patterson Road. He was very concerned about the school overcrowding. However, even if building stops in Grand Junction, Appleton School will still be overcrowded.

Councilmember Baughman said his parents own property within a mile of the area and were told the current PR-10 zone on their property was too high, and asked Ms. Portner how PR-17 zoning can be justified for this property? Ms. Portner said Staff has not taken the position that 10 units per acre is too high. The proposal referred to was a request to subdivide a small lot out of the entire development. That cannot be done without planning the rest of the property under the Planned Residential zoning, or proposing a rezone to a straight zone, with the nearest straight zone being RSF-8, and proposing a minor subdivision. The issue was not the density, it was the fact that it is a Planned Zone, and the constraints that accompany the Planned Zone.

It was moved by Councilmember Maupin and seconded by Councilmember Mantlo that the Preliminary Plan for The Hacienda be approved subject to Staff's conditions, and the appeal be denied.

Councilmember Baughman felt the density is too high for this area and could not vote in favor of the preliminary plan. Councilmember Graham asked Councilmember Baughman if he felt the existing zoning to be in error. Councilmember Baughman responded his concern was the traffic impact.

Roll was called on the motion with the following result:

AYE: GRAHAM, MANTLO, MAUPIN, AFMAN
NO: BAUGHMAN.

RECONSIDERATION OF PLANNING COMMISSION APPROVAL OF FINAL PLAT FOR DAWN SUBDIVISION AT 28 ROAD AND PATTERSON ROAD [FILE #FP-96-117]

The developer of the Dawn Subdivision, John Davis, is appealing a Planning Commission condition of approval of the Final Plat. The condition required that the Grand Valley Water Users Association approve of the design and specifications of the piping of a ditch along the western boundary of the property.

A hearing was held after proper notice. Kristen Ashbeck, Community Development Department, reviewed this item. The Subdivision is located north of the northeast corner of Patterson and 28 Roads, south of the new Grand View Subdivision. A condition of the Planning Commission's approval is the Grand Valley Waters Association approve the design and specifications for the piping of an existing ditch which runs along 28 Road (the western boundary of the Dawn Subdivision property). The developer is proposing a single pipe to carry the water currently in the ditch as well as the run-off water from the proposed development.

The pipe will discharge into the City-owned regional drainage facility which is located south of the Dawn property. Design details can be addressed by Public Works Staff and the developer.

Since Planning Commission approval, the developer has met with Grand Valley Water Users. City Staff has also talked with Grand Valley Water Users. The developer believes their request regarding the pipe design is unreasonable, and is appealing Planning Commission's condition of approval. Grand Valley Water Users Association is requesting two pipes in the ditch, one to handle the water that currently is in the ditch, and a second pipe for the Dawn stormwater flows; they do not want the water co-mingled. Public Works Staff feels the request is illogical with respect to the specifics of the design of the second pipe.

Public Works Manager Mark Relph understood the Grand Valley Water Users Association was requiring a separate pipe to be placed in the flowline of the existing ditch. Upstream of this subdivision

is the irrigation water that comes off the other properties and through this ditch. The ditch also carries the stormwater for all the property that exists in that area. Mr. Relph felt it was almost impossible to put a separate pipe in, with the intent of trying to keep out stormwater. As soon as it rains, the water is going to go into the ditch and will co-mingle with the irrigation water, thus the second pipe serves no purpose. Also, by placing the pipe in the existing flowline, the elevation will be too low to adequately get into the regional stormwater detention facility, creating problems.

City Attorney Dan Wilson asked if the water users currently monitor the water quality in the irrigation waste ditch in order to have a baseline standard against which to measure the effect of stormwater that would be co-mingled? Mr. Relph was aware of no monitoring practice on the part of the Water Users Association or the Bureau of Reclamation. Mr. Wilson asked how other communities deal with the issue? Mr. Relph said, under the Clean Water Act, the larger municipalities have had to deal with stormwater issues.

Mr. Relph quoted from the Clean Water Act: "In the year 2003 or 2004, if a Program were in place, municipalities under 200,000 would have to get a permit." He could not interpret the meaning of this quote.

City Attorney Dan Wilson said he and Mr. Relph are scheduled to meet with Mr. Mutz, Bureau of Land Management, on June 20, 1996 to discuss some of the legal and factual issues that were unclear. A City road (28 Road) is bounded by private property (the proposed Dawn Subdivision) overlaid with a federal right-of-way which is in the nature of, but is not the same as, an easement that probably burdens Dawn Subdivision.

Councilmember Graham asked under what conditions would the Grand Valley Water Users Association or the Bureau of Reclamation be able to enjoin the development notwithstanding Council's approval of the subdivision. Mr. Wilson said this would be better addressed at a later date when more information is obtained, but felt Council must move forward on this item with a condition that the Public Works Staff require that the developer not unreasonably burden the Grand Valley Water Users' and the Bureau of Reclamation's prior right. It will be an engineering solution.

Mr. Ward Scott, 253 W. Fallen Rock Road, representing the developer John Davis, said the water arrives at the development co-mingled. Grand View Subdivision's irrigation run-off and stormwater discharges to the same ditch at the northwest corner of the property. They propose to put the waters in a pipe that

discharges it to the southeast corner. Dawn Subdivision's stormdrain goes into the same pipe, but it is a relative matter rather than absolute. Mr. Scott said it is impossible to discharge at the elevation the Grand Valley Water Users is requiring. The issues between the City, the Grand Valley Water Users and the Bureau of Reclamation are complex, legalistic and important. The City Staff has said the current design is acceptable and meets all requirements. Mr. Scott asked Council to approve the design and remove this condition of approval.

Mr. Scott answered questions of the City Attorney by saying there is no written record of easement from the title company with regard to the Grand Valley Water Users or the Bureau of Reclamation. The ditch is located approximately ten feet east of the current amended road right-of-way which is occurring by vacation of an unneeded 10 foot section of right-of-way. The developer has agreed to relocate the irrigation retention facility from the northeast corner to the southeast corner.

Mr. Dick Proctor, Manager for the Grand Valley Water Users Association located at 500 S. 10th Street, submitted a letter for the record (attachment #2) from the Bureau of Reclamation. In March and April, 1995, the Bureau of Reclamation directed the Association not to accept any storm run-off water off impervious surfaces into their irrigation or drainage facilities. The Association is following the direction of the Bureau of Reclamation. This is not the first time this has come to the attention of City Staff. Last fall, Mr. Gerald Williams, representing the City, was informed that the City would have to work with the Bureau of Reclamation for approval to discharge into the drainage ditch. Mr. Proctor suggested directing the stormwater run-off into the detention pond, then letting the City deal with the Bureau of Reclamation in answering that concern, pipe the drain ditch and leave the flow characteristics as is, in an enclosed pipe. That's how the two pipes proposal developed. City Staff wants a pipe that gains elevation by one foot. It's almost a flat pipe that directs the water into the retention pond which is a concern to the Water Users because it will not pick up the required seepage water which is taken care of now by the open drain ditch. The position of the Bureau of Reclamation is that the drain ditch has an easement across the property that Dawn Subdivision now owns, but the function of the ditch is the property of the United States. Approval is required from the Bureau of Reclamation to run storm water run-off water into the ditch.

City Attorney Dan Wilson asked if the Bureau of Reclamation's engineers have looked at the design or if they have depended on

the expertise of the Water Users to evaluate the specifics of the proposal? Mr. Proctor said they relied on Mr. Proctor's review of the plans and Gerald Williams' report on the detention pond. However, the design required of Dawn Subdivision by City Staff is different than what was designed by Gerald Williams to take the water into the retention pond.

Mr. Proctor said the change by the Bureau of Reclamation in April of 1995 is a westwide policy; it is not specific to Grand Junction, Colorado. The function of the drain is the property of the United States and the Bureau of Reclamation's approval is required to accept the stormwater run-off into it. Councilmember Graham asked what harm to the Water Users Association would ensue if the project goes forward without the specific approval of the Bureau of Reclamation? Mr. Proctor said the Water Users Association could be directed to go to court to stop it. He would like to avoid that. He hoped these issues would be addressed at the June 20 meeting.

Mr. Ward Scott said the City controls the developer. The developer has met all the requirements of Staff and is ready to begin the project. He asked that the condition be removed and the plan be approved.

Councilmember Baughman asked if the City's retention pond discharges into the ditch? Public Works Manager Mark Relph said yes.

There were no other comments. The hearing was closed.

Upon motion by Councilmember Graham, seconded by Councilmember Mantlo and carried by roll call vote, the reconsideration of the Planning Commission approval of the final plat of the Dawn Subdivision was denied, and the final plat of the Dawn Subdivision was approved without any further requirement that the developer take any action to obtain approval from the Grand Valley Water Users Association, and such approval is also subject to the requirement that the developer not unduly burden any existing easements or right-of-way on the affected premises.

RECESS

Mayor Afman declared a ten-minute recess at 9:40 p.m. Upon reconvening, all five members of Council were present.

PUBLIC HEARING - ORDINANCE NO. 2928 REZONING PROPERTY LOCATED AT 1501 AND 1507 WHITE AVENUE AND 1506 AND 1510 ROOD AVENUE IN THE EAST MAIN STREET ADDITION FROM RMF-32 TO RSF-8 [FILE #RZ-96-86]

This request is being made in conjunction with a proposal to replat a parcel to create a vacant lot. The rezoning conforms with the existing land use and the preferred alternative of the Growth Plan. The benefit to the public as a result of this zone change will be greater stability of the neighborhood by eliminating speculation for multi-family uses in this predominantly single family area.

A hearing was held after proper notice. This item was reviewed by Bill Nebeker, Community Development Department. There are two reasons for proposing the rezone. The City is the applicant. Larry Rasek owns a home that straddles two lots and wants to do a lot line adjustment. By rezoning the property it gives Mr. Rasek a reduced setback so he is able to make the other lot a little larger. This rezone helps implement the preferred alternative for the Growth Plan which designates this area for residential medium densities of 4 to 7.9 dwelling units per acre. Staff recommends the rezone because it is consistent with the land use in the area.

The five lots have single-family homes on them and are zoned for multi-family. When there is a less restrictive zone than the existing land use there is a potential for that area to slowly evolve to that zone over time. It can sometimes downgrade the neighborhood. The five property owners want to rezone their property to RSF-8. The City supports the rezone and that is why it became the applicant. One property owner was not in favor of the rezone as he felt it would negatively affect his property value. Staff recommends approval of the rezone.

Councilmember Graham asked if this could be perceived as "spot zoning"? Mr. Nebeker said no, because it is adjacent to RSF-8 to the west. It is a continuation of the RSF-8. The overall benefit is to bring the zoning in conformance with the land use.

Councilmember Graham asked if the criteria in Section 4-4-4 of the Zoning & Development is met in this rezone? Mr. Nebeker said it was. The criteria is listed in the Staff report.

Mr. Larry Rasek, 415 Mesa Court, one of the petitioners, felt the development will be an improvement to the neighborhood.

There were no other comments. The hearing was closed.

Councilmember Maupin said his house is located one-half block from the location of the rezone, and agreed it will be a great improvement to the neighborhood.

Upon motion by Councilmember Mantlo, seconded by Councilmember

Baughman and carried by roll call vote, Ordinance No. 2928 was adopted on second reading and ordered published.

PUBLIC HEARING - ORDINANCE NO. 2929 AMENDING SECTION 4-3-4 USE/ZONE MATRIX OF THE ZONING AND DEVELOPMENT CODE OF THE CITY OF GRAND JUNCTION SAND AND GRAVEL STORAGE IN I-1; METAL/STONE/MONUMENT WORKS IN I-1; CONCRETE AND ASPHALT PLANTS IN I-1 AND I-2; HEAVY EQUIPMENT STORAGE IN I-1, I-2, AND PZ [FILE #TAC-96-1.8]

Amend Section 4-3-4 (USE/ZONE MATRIX) of the Zoning and Development Code to allow Sand and Gravel Storage in I-1 with a Conditional Use Permit; Metal/Stone/Monument Works in I-1 with a Conditional Use Permit; Concrete and Asphalt Plants in I-1 and I-2 with a Conditional Use Permit; and Heavy Equipment Storage in I-1, I-2 and PZ as an allowed use.

This item was reviewed by Dave Thornton, Community Development Department. As a result of Staff working on the River Road Annexation over the past several months and the zoning, Staff considered the current matrix in the Zoning and Development Code, realizing there were some uses that needed to be amended. Staff looked at the zoning issues for the River Road Corridor, specifically the uses in the area which are gravel extraction type uses, and light industrial uses in the 390 acre area that was recently annexed. Changes are being recommended in the use/zone matrix to accommodate some of the uses in the area.

There were no comments. The hearing was closed.

Councilmember Baughman asked what is metal work? Mr. Thornton said a good example would be cutting, storing and selling iron and pipe like Bonner Pipe & Supply.

Upon motion by Councilmember Baughman, seconded by Councilmember Maupin and carried by roll call vote, Ordinance No. 2929 was adopted on second reading and ordered published.

PUBLIC HEARING - ORDINANCE NO. 2930 ZONING THE RIVER ROAD ANNEXATION TO I-1 [FILE #ANX-96-13]

The City recently annexed the 390 acre River Road Annexation located west of the Redlands Parkway and south of River Road to the Colorado River. These lands require a City zoning designation following the annexation. Staff is proposing Light Industrial (I-1) zoning for the River Road Annexation.

A hearing was held after proper notice. Dave Thornton, Community

Development Department, reviewed this item. After many months of meeting with the property owners, Mr. Thornton felt most of the issues have been resolved by the adoption of Ordinance No. 2929.

Staff is proposing Light Industrial (I-1) zoning for the entire 390 acres. One alternative looked at was to zone all existing industrial uses so that they would be conforming. That would require applying heavy industrial and light industrial zoning to the area in a patchwork fashion. The I-1 zone allows for the majority of the existing land uses within the River Road Annexation area either as an allowed use or with a special or conditional use permit. Applying one zone district to this industrial area is important for consistency in zoning and the long term establishment of compatibility between adjacent and neighboring land uses. Applying heavy industrial zoning to this corridor is not appropriate due to its high visibility to the I-70 Business Loop and entry into the City and its proximity to the riverfront. The City has spent a lot of public dollars in recent years to clean up the riverfront along 5th Street, and does not want to do that in the future along this section of the river corridor. Many of the property owners within the area object to allowing just any industry in this area, therefore incorporating a heavy industrial zoning would not be appropriate.

A second option regarding zoning for Memo's Auto Salvage would be zoning everything I-1 except the Memo's Auto Salvage property which would be zoned Planned Industrial (PI) with those uses and final site plan as approved by Mesa County. Mesa County approved a final plan for Memo's Auto Salvage as part of the PUD zoning in 1990. Various conditions and a final site plan were part of that approval. The downside of this option is the loss of 100% of the consistency of having one zone, and results in a spot zone of PI.

Mr. John Gormley, attorney practicing at 225 N. 6th Street, Suite #620, representing Memo's Auto Salvage, said his client opposes Staff's recommendation of Option A which zones the entire area I-1. They prefer Option B which zones all properties I-1 except Memo's Auto Salvage which would be zoned PI. The owners felt they were being singled out with I-1 zoning which is unfair. Other heavy uses are allowed in I-1. Mr. Gormley understood it is general policy for the City to grant the same zoning when annexed into the City as what it was in the County.

Mr. Gormley referred to the Vested Property Rights Act in C.R.S. 24-6-101 (*et. seq.*). Section 105 arguably prevents the City from changing the zoning of his client's property without compensating them for the investment in the PUD process. The City Attorney is

not willing to concede this Statute applies to home rule cities. He quoted Section 105: "A vested property right, once established as provided in this Article, precludes any zoning or land use action by a local government" (which includes a home rule city) "or pursuant to an initiated measure which would alter, impair, prevent, diminish, impose a moratorium on development, or otherwise the development or use of the property as set forth on a site specific plan." Mr. Gormley felt zoning the property as PI, with the site requirements the County adopted, is a "win-win" situation for his clients and the City. As a non-conforming use, the City loses its right to enforce the conditions that are set forth in the site plan. If approved as a PI zone with the conditions set forth in the PUD from the County, the City can enforce the maintenance and land-scaping requirements and have an opportunity to work with the owners and lessee making sure the property can be buffered. It allows Memo's Auto Salvage to remain a legal use and retain the added value that the zoning they obtained affords them. His clients would like to see Option B adopted as it is not a significant change from the consistency policy.

Councilmember Graham asked Mr. Gormley what advantages his clients would receive over Fear's by allowing the one exception to the I-1 zoning? Mr. Gormley said Fear's would still have the right to continue to be a non-conforming use to the extent that they have that status presently. They are limited in their ability to do things. He felt this request would not place Memo's any higher than Fear's.

Councilmember Graham asked for justification for allowing heavy industrial usage in an area which is otherwise all I-1. Mr. Gormley answered by saying it is a policy decision on Staff's part that they believe the other uses are not so heavily industrial and would permit them in an I-1 zone anywhere throughout the City with a conditional use permit.

Mr. James Tuttle, President of Tuttle Corp., 1306 12 Road, 81524, lessee of Memo's Auto Salvage, said one of the reasons he purchased this business is because of the zoning that had been allowed. He felt Option B is the better zone.

There were no other comments. The hearing was closed.

Councilmember Baughman asked what the zoning was on the present wrecking yard that is located directly across Highway 6 & 50 (Trade Center). Mr. Thornton said it was zoned I-1 or C-2. He thought it was I-1 which would mean the establishment is non-conforming. It was "grandfathered" when annexed a few years ago.

It would also be non-conforming under C-2. Councilmember Baughman did not feel the Trade Center was a wrecking yard. Mr. Thornton said it appears the entire site is being used as a salvage type of operation but probably has auto repair also. Mr. Thornton said he has seen no advertising regarding the business conducted at that location.

It was moved by Councilmember Baughman and seconded by Councilmember Maupin that Ordinance No. 2930 be adopted with Option B allowing Memo's Auto Salvage to be PI.

Councilmember Graham wished to amend the motion to include the uses in the final site plan as previously approved by Mesa County in County File #C8-90. Councilmember Baughman and Councilmember Maupin agreed to the amendment.

City Attorney Dan Wilson clarified that the motion will be approving Option B which means Memo's Auto Salvage will be legal and can sell to whomever. The conditions will track with the sale.

Roll was called on the amended motion with the following result:

AYE: BAUGHMAN, GRAHAM, MANTLO, MAUPIN, AFMAN.

The motion carried.

FIRELINE UPGRADE ADDENDUM XII (AMENDED) FOR THE RIVER ROAD AREA

City Council approved the first draft of this agreement on June 5, 1996 authorizing a fireline upgrade between Redlands Parkway and 23 Road (Reach #1). This amended addendum will supersede the previous approval to include Reach #1 plus 23 Road to Railhead (Reach #2).

This item was reviewed by Trent Prall, City Utility Engineer. The addendum will supersede the previous addendum and the City will agree to pay for two-thirds of the improvements on the portion running from 23 Road northwesterly to Railhead Subdivision. The additional revenues drop the payback year from year 13 to year 3. The total estimated cost of the upgrades is \$107,000. The original annexation report indicated the City's share for the fire protection would be approximately \$150,000. Staff recommends Council approve this item.

Upon motion by Councilmember Mantlo, seconded by Councilmember Maupin and carried, the Mayor was authorized to sign Fireline Upgrade Addendum XII as amended.

PUBLIC HEARING - ORDINANCE NO. 2931 ZONING THE EDWARDS ANNEXATION
(381 AND 383 SOUTH REDLANDS ROAD) TO PR-4.3 AND RSF-4
[FILE #ANX-96-69]

Staff recommends zoning the Edwards Annexation RSF-4 and PR-4.3. The Planned Residential zone is necessary to accommodate an existing duplex which is not allowed in an RSF-4 zone.

A hearing was held after proper notice. Dave Thornton, Community Development Department, reviewed this item. Two single family lots have been created as part of the recently Little Rock Subdivision which are proposed RSF-4. The existing duplex is proposed at PR-4.3 with each unit being under potential separate ownership. The rezone was requested by the property owner.

There were no public comments. The hearing was closed.

Upon motion by Councilmember Maupin, seconded by Councilmember Mantlo and carried by roll call vote, Ordinance No. 2931 was adopted on second reading and ordered published.

PUBLIC HEARING - ASSESSMENTS ON ALLEY IMPROVEMENT DISTRICT NO. ST-
95 - ORDINANCE NO. 2932 APPROVING THE ASSESSABLE COST OF THE
IMPROVEMENTS MADE IN AND FOR ALLEY IMPROVEMENT DISTRICT NO. ST-
95, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE
NO. 178, ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS
AMENDED; APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR
TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; ASSESSING THE
SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL
ESTATE IN SAID DISTRICT; APPROVING THE APPORTIONMENT OF SAID COST
AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID
ASSESSMENT

Reconstruction of six alleys has been completed in accordance with the Resolution Creating Alley Improvement District ST-95. This ordinance assesses the property owners. On assessments, a public hearing is held at first and second readings.

A hearing was held after proper notice. Tim Woodmansee, City Property Agent, was present to answer questions of Council. There were no comments. The hearing was closed.

Upon motion by Councilmember Baughman, seconded by Councilmember Maupin and carried by roll call vote, Ordinance No. 2932 was adopted on second reading and ordered published.

PUBLIC HEARING - ASSESSMENTS ON HIGHWAY 6 & 50 SANITARY SEWER

IMPROVEMENT DISTRICT NO. SS-37-94 - ORDINANCE NO. 2933 APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR SANITARY SEWER IMPROVEMENT DISTRICT NO. SS-37-94, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED; APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; APPROVING THE APPORTIONMENT OF SAID COST AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENT

Construction of sanitary sewer lines in U.S. Highway 6 & 50 corridor between 24 1/2 Road and 25 1/4 Road has been completed in accordance with the Resolution Creating Sanitary Sewer Improvement District No. SS-37-94.

A hearing was held after proper notice. Tim Woodmansee, City Property Agent, was present to answer questions of Council. There were no public comments. The hearing was closed.

City Property Agent Tim Woodmansee said typically the City does not pay any project costs for sewer improvement districts. In this case, the person circulating the petition specifically requested Council to participate because of the commercial impact in the area. It has opened up potential for development and increased revenue to the City through sales tax. Council deliberated and agreed to participate by paying one-third of the cost.

Upon motion by Councilmember Maupin, seconded by Councilmember Baughman and carried by roll call vote, Ordinance No. 2933 was adopted on second reading and ordered published.

PUBLIC HEARING - ASSESSMENTS ON MAYS SANITARY SEWER IMPROVEMENT DISTRICT NO. SS-40-95 - ORDINANCE NO. 2934 APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR SANITARY SEWER IMPROVEMENT DISTRICT NO. SS-40-95, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED; APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; APPROVING THE APPORTIONMENT OF SAID COST AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENT

Construction of sanitary sewer lines in Mays Subdivision has been completed in accordance with the Resolution Creating Sanitary Sewer Improvement District No. SS-40-95.

A hearing was held after proper notice. Tim Woodmansee, City Property Agent, was present to answer questions of Council.

There were no public comments. The hearing was closed.

Upon motion by Councilmember Mantlo, seconded by Councilmember Graham and carried by roll call vote, Ordinance No. 2934 was adopted on second reading and ordered published.

PUBLIC HEARING - ORDINANCE NO. 2935 ANNEXING TERRITORY TO THE CITY OF GRAND JUNCTION, COLORADO - 3D SYSTEMS ANNEXATION, APPROXIMATELY 20.8 ACRES, LOCATED AT 805 FALCON WAY [FILE #ANX-96-104]

3D Systems Corporation, property owners have requested to join their property to the City of Grand Junction. Staff requests that City Council approve on second reading the 20.8 acre 3D Systems Annexation.

A hearing was held after proper notice. Dave Thornton, Senior Planner, was present to answer questions of Council.

There were no comments. The hearing was closed.

Upon motion by Councilmember Maupin, seconded by Councilmember Baughman and carried by roll call vote, Ordinance No. 2935 was adopted on second reading and ordered published.

ADJOURNMENT

Upon motion by Councilmember Maupin, seconded by Councilmember Mantlo and carried, the meeting was adjourned at 10:53 p.m.

Stephanie Nye, CMC/AAE
City Clerk

ATTACHMENT #1

June 19, 1996

To: Grand Junction City Council

This correspondence is in regards to the proposed "Hacienda" development. As a parent of children who attend Appleton Elementary School, the density of "Hacienda" would greatly impact student numbers. Appleton is 75 years old, with small, outdated core facilities (and septic system). It is already overcrowded and a development of this size/density will create serious problems with no immediate solutions. Any development in this area creates difficulties for Appleton, let alone a massive 460 unit project. Our children will suffer the consequences with overcrowded classrooms and more busing to surrounding schools that can ill afford the surplus. Please address the density of this proposed project as quality of our children's education is at stake.

Thank you,

/s/ Christine Duffey
2489 H Road
Grand Junction CO 81505

ATTACHMENT #2

United States Department of the Interior

BUREAU OF RECLAMATION

Upper Colorado Region
Western Colorado Area Office

Northern Division
2764 Compass Drive
P.O. Box 60340
Grand Junction CO 81506-8785

WCN-ASchroeder Jul 19 1996
PRJ-15-00
LND-5.00

City of Grand Junction
City Council
250 N. 5th Street
Grand Junction CO 81501-2668

Subject: Reconsideration of Planning Commission Approval of Final Flat, Dawn Subdivision (File No. PP-96-117), Item 16, June 19, 1996 Council Meeting (Drain D, Grand Valley Project, Colorado)

Dear Council Members:

Reclamation supports the Planning Commission's requirement that the Grand Valley Water users Association (Association) approve of the design and specifications for piping of the drain ditch along the west side of the Dawn Subdivision. The Association, as our agent and the operator of the Grand valley Reclamation Project, has the responsibility and the right to ensure that any piping of project facilities meets criteria to protect the purposes for which those facilities were constructed.

The ditch in question is Drain D; a feature of the Grand Valley Reclamation Project. It was constructed by Reclamation in the early 1900's and is owned by the United States of America. The drain was designed to carry administrative waste water, irrigation tail water, and ground water drainage. Those purposes must be protected. Any changes to the facilities or their uses must be approved by the Association and Reclamation.

The Association is under contract with Reclamation to operate and maintain the Grand Valley Project. We rely on the Association to protect project facilities from damage by proposed actions which may adversely affect the facilities' functions. As urbanization of the area continues, the Association has been

under increased pressure to maintain project facilities for project purposes.

The issue of approval of design and specifications for piping of project facilities is just one of several regarding third-party use of project facilities which have arisen due to urbanization of the valley. We are meeting with Grand Junction's City Attorney on June 20 to discuss some of these issues and try to find a solution that benefits all parties.

If you have any questions concerning this letter or the June 20 meeting, please contact Alan Schroeder at 248-0692.

Sincerely,

/s/ David W. Mutz
Northern Division Manager

cc: Mr. Dick Proctor
Grand Valley Water Users Association
500 South Tenth Street
Grand Junction CO 81501

Ms. Kristen Ashbeck
City of Grand Junction
Community Development
250 North 5th Street
Grand Junction CO 81501-2668