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

# March 19, 2008

The City Council of the City of Grand Junction convened into regular session on the 19<sup>th</sup> day of March 2008 at 7:08 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Gregg Palmer, Bruce Hill, Doug Thomason, Linda Romer Todd, and Council President Jim Doody. Also present were City Manager Laurie Kadrich, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Doody called the meeting to order. Councilmember Hill led in the Pledge of Allegiance.

#### Citizen Comments

There were none.

# CONSENT CALENDAR

Councilmember Beckstein read the items on the Consent Calendar, and then moved to approve the Consent Calendar. It was seconded by Councilmember Thomason, and carried by roll call vote to approve Consent Items #1 through #4.

# 1. <u>Setting a Hearing Zoning the Ford Annexation, Located at 2036 Broadway</u> [File #ANX-2007-375]

Request to zone the 4.06 acre Ford Annexation, located at 2036 Broadway in the Redlands, to R-4, Residential – 4 units/acre Zoning District in anticipation of future residential development.

Proposed Ordinance Zoning the Ford Annexation to R-4, Residential – 4 units/acre, Located at 2036 Broadway

#### 2. Juniata Reservoir Spillway Modification Design Services

Request is being made by the City of Grand Junction Water Department to Award Buckhorn Geotech, Inc. of Montrose, Colorado the Design Services Contract for modifying the spillway at Juniata Reservoir.

<u>Action:</u> Authorize the City Manager to Sign a Design Services Contract with Buckhorn Geotech, Inc., in the Amount of \$61,745.00

#### 3. Contract to Purchase Property at 821 27 Road

Negotiations by City staff with the owners of 821 27 Road have been completed and a contract to purchase the property has been signed by both parties.

Resolution No. 41-08—A Resolution Ratifying the Contract to Purchase Real Property Located at 821 27 Road from Janice Jones

Action: Adopt Resolution No. 41-08

# 4. Contract to Purchase Property at 2856 Patterson Road

Negotiations by City staff with the owners of 2856 Patterson Road have been completed and a contract to purchase the property has been signed by both parties.

Resolution No. 42-08—A Resolution Ratifying the Contract to Purchase Real Property Located at 2856 Patterson Road from Chris and Angela Walter

Action: Adopt Resolution No. 42-08

# ITEMS NEEDING INDIDIVUAL CONSIDERATION

# Mesa County Animal Services Contract

The City of Grand Junction has an ongoing, annually renewable agreement with Mesa County for the control of dogs within the City limits. The City pays the County a percentage of the Animal Services budget based upon the City's percentage of total calls for service. The estimated budget for Animal Control Services in 2008 is \$736,567.00. The City's share of that estimated budget for 2008 is 38.1%, or \$280,632.00. Payments will be made to the County on a quarterly basis.

In addition to the cost of Animal Control Services, this contract includes \$227,200 for capital expansion of the shelter which is planned for 2008. This amount will also be paid on a quarterly basis in conjunction with the payment for Animal Control Services.

Laurie Kadrich, City Manager, introduced the topic. Since 1983, the City and the County have worked together to provide animal shelter services to the community. The City pays a percentage to the County to provide the service. The contract will authorize the payment for 2008. In addition, Mesa County will be expanding and relocating their facility and have met with City Staff on the design. The City's portion of the new facility is \$227,200.

Councilmember Palmer moved to approve and authorize the Mayor to Sign the 2008 Agreement for Animal Control Services which includes a Capital Improvement Expenditure of \$227,200 and the total amount of the Annual Agreement being \$468,113.00. Councilmember Coons seconded the motion. Motion carried.

# Public Hearing—Power Motive Growth Plan Amendment, Located at 763 23 <sup>1</sup>/<sub>2</sub> Road [File #GPA-2008-011]

The applicants request that a 2-acre lot bearing a single family resident unit revert back to the previous Growth Plan Designation of Commercial/Industrial from the current designation of Estate which was applied in 2005. The property is located at 763 23  $\frac{1}{2}$  Road.

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

Lori V. Bowers, Senior Planner, reviewed the item. She described the site location, the future land use designation and the current zoning. She then reviewed the history of the parcel. It has been changed back and forth to residential. Ms. Bowers described what might happen to the property if the Growth Plan is approved. Ms. Bowers noted that the North Central Valley Plan indicates this area to be non-residential but the Plan has not been updated in over five years. The property was meant to act as a buffer for the area. Goals and policies can be met on both sides. There were twenty letters received against the Growth Plan Amendment and there was a letter from the applicant as to the reason for the Growth Plan Amendment. Staff recommended denial and the Planning Commission recommended denial after a lot of discussion.

Jana Gerow, Development Construction Services, was representing the applicant. She reviewed the location, the site, and the surrounding uses. She had photos of the properties and structures in the area. The property has had quite a history. She reviewed the goals and policies of the Growth Plan and how the request meets those goals and policies. It was their contention that the request does meet the goals and policies of the Growth Plan.

Ms. Gerow then asked a Power Motive representation to address the City Council.

Matt Binder, 2644 Central Drive, Grand Junction, was representing the applicant Power Motive. He described the growth of the company and how it is currently landlocked. They would like to park equipment on the property in question. He listed some benefits the company is bringing to the community. He felt that the use would still act as a buffer to the residential area.

Ms. Gerow stated they did hold a neighborhood meeting and there were some in opposition. She has some people in favor present that will speak tonight. She entered an email to Lori Bowers into the record (attached). The email refers to the promise to build a barrier wall between the industrial property which was never built and is no longer being required. Now only commercial buyers are interested in the property. She offered that Power Motive will provide a buffer along the north end to buffer the use from the residential uses. She asked the City Council to consider approval of this request.

Council Presidential Doody asked that those in favor come forward. He will take three of each at a time.

Toni Heiden Moran, 2676 Catalina Drive, said she has been tracking the history of this property and it was her feeling that 23 ½ Road should be considered the buffer. This property being commercial will not impact the schools. The positive thing is that the pictures show a mix of properties in the 23 ½ Road area. The proposed use of this property will be an enhancement. One of the complaints they heard was the nature of a 24 hour operation. Power Motive only operates during the day. The landscape buffer and fencing will hide the equipment from public view.

Bob Colony, 39 West Pagosa, is involved with the property as a personal representative to get the change made and is involved in the sale which has been difficult due to the current designation. He agreed that 23 ½ Road is a buffer.

Kathy Tomkins, 2327 H Road, north of H Road, has observed this piece of property. This property has been on the market quite a while. It does need to be changed back to industrial and it will be an asset to the neighborhood.

Council President Doody asked for three against the Growth Plan Amendment.

Dick Pennington, 780 23 7/10 Rd, said the City and the County have always taken the neighborhood into consideration and this piece was always considered a buffer. In 2000 Webb Crane annexed and then in 2002 Webb Crane was issued a Planned Development permit with conditions. He listed the conditions which were not completed due to Webb Crane's bankruptcy. Then Hansen Equipment bought the property and stated this property would stay residential to act as a buffer. In January, 2008, Power Motive held a neighborhood meeting. A vote was taken and no one wanted to change the designation. What was described by Mr. Colony, not being able to sell, will then be the case for the next property. The equipment being sold by Power Motive is very large and nothing will stop the smoke and fumes getting sucked into the houses. He read what the corresponding zoning of I-1 would allow. A change to any of those uses could occur without additional approval except for a site plan (administrative) approval. He referred to several of the neighbors that have health problems that are being affected by these commercial activities. He pointed out that those in favor are realtors that have a financial gain and they do not live in the area. He said the change would be terrible for the neighbors.

Ron Gray, 2360 H Road, thought granting this change will move the problem from one property owner to five property owners. Twenty-five feet of landscaping is not enough buffer from industrial to residential. There was supposed to be employee housing constructed in there and that could still happen or perhaps a light duty or other business use.

Jose Salgado, 766 23 ½ Road, just bought his land to have a nice home, not expecting to have a commercial property right across from him. Kenworth was already there but he didn't realize he would have noise and smoke in his yard. His child has asthma and the smoke will affect him. He asked that they not approve the change.

Council President Doody asked if there were any more people in favor. There was none. They continued with those opposed.

Douglas Murphy, 768 23 ½ Road, has been there thirty years and he has fought every time to keep equipment from his living room window view. The equipment sticks up above any buffer and the fumes affect him.

Alan Pennington, 782 23 7/10 Road, owns rental units across from the property. It would not be industrial there now if the two acre buffer had stayed as a buffer. He said he hopes they won't approve the change.

Nancy Miller, 2363 H Road, has lived there 25 years and wants to keep the character of the neighborhood and keep the growth in tune with that. Everyone knows there will be growth but would like to keep it moderate. Walls and buffering will not preserve the nature of the neighborhood. There may be a new high school in the area which will increase drivers. The area has not quite been planned accordingly.

Frances Hayes, lives in Fruita but owns property in the area (2351 H Road), stated she bought the property as potential for her family but cannot build more than one house on 3.7 acres. People who buy in an estate area expect to be able to go outside and enjoy the outdoors. The house has been neglected on the subject property. "Estate" should mean something.

There were no additional comments.

The public hearing was closed at 8:09 p.m.

Jana Gerow, Development Construction Services, representing the applicant, said it is a mixed use area and agrees it is a challenge. Many of the concerns expressed relate to another property operated by Kenworth. These industrial sites have been there for several years, Kenworth for ten years. Power Motive is a different type of business for the neighborhood. Their only intent for the property is to park equipment which is large. The fact that the North Central Valley Plan has not been updated is a concern. The immediate neighbors have not opposed the proposal.

Council President Doody asked about what zoning they will pursue. Ms. Gerow said they would be willing to pursue commercial rather than industrial and then apply for a Conditional Use Permit (CUP) for the proposed use.

Councilmember Todd asked what buffering is required for commercial. Ms. Gerow said an eight foot buffer and a wall.

Councilmember Todd asked if there is more buffering required under industrial. She asked if the applicant would be willing to buffer twenty–five feet to which Matt Binder of Power Motive answered from the audience absolutely.

Councilmember Thomason asked if a CUP stays with the property. Ms. Bowers said a CUP runs with the property unless the use ceases for a year.

City Attorney Shaver clarified that if the allowed use under the CUP ceases, then the CUP expires.

Councilmember Palmer asked what other uses are allowed on commercially zoned property. Ms. Bowers said under a C-1 zoning, assembly and food products but manufacturing would require a CUP, retail sales, drive thru need a CUP, farm implement and equipment, display and storage, retail sales with outdoor sales and storage need a CUP. City Attorney Shaver suggested the uses under C-2 be reviewed. Ms. Bowers said outdoor storage is an allowed use under C-2.

Councilmember Todd pointed out that the commercial uses are higher traffic and would be allowed if the property were to be sold. Ms. Bowers concurred.

Councilmember Hill reviewed the criteria. He agreed that the criteria could be met either way. As part of growing community, these conflicts come up. But the question is what is to be done with this property. Looking at criteria for a Growth Plan Amendment, things have changed but not enough to change the character of the neighborhood. He agreed that one criteria was being met, but the others he did not feel are being met.

Councilmember Todd is familiar with the property; the property doesn't lend itself to building houses on it. She stated that they can't impose the requirement to build employee housing on the current owner. The property seems to have changed regularly. She is in favor of changing the designation and then look at the zoning when that comes back to Council.

Councilmember Palmer said the request is a significant change. He indicated he was sorry there has been so much change on this property. He did not see a reason for overriding the Planning Commission recommendation. He would vote to keep it Estate.

Councilmember Thomason said looking at the land use map, making the change makes sense. He would support the change.

Councilmember Coons said it truly is a transition neighborhood and this property fits in both categories. Power Motive has good intentions and understands the proposed use but she is concerned about the next owner. Until the North Central Valley Plan is updated, which is past due, she is reluctant to make that change without going through the planning process.

Councilmember Beckstein referred to the report. It concerns her that it was designated Estate and thinks all the change created the problem. She supports the change back.

Councilmember Todd asked how the change previously took place. Councilmember Palmer said it happened at a Council meeting. Councilmember Hill said it was for the purpose of buffering.

Ms. Bowers explained the progression of the change. The mistake was made in 1997, when the County issued a CUP for Webb Crane to use for low storage. Then they annexed into the City and the Growth Plan designation was changed and left the house for a buffer. Hanson then bought the property and subdivided the property in order to sell the property as an Estate lot. It sold and was a conforming use. The change back is not a total reversion.

Councilmember Coons asked if the County made the mistake by issuing the CUP. Ms. Bowers said yes.

Councilmember Beckstein asked when it was annexed. Ms. Bowers said when it was still Webb Crane. It was zoned Planned Development with one of the benefits being the house would be employee housing and it would act as a buffer. Then Hanson bought the property and they had to amend the Planned Development or revert it to a straight zone and it went back to Estate.

Council President Doody agreed with Councilmember Thomason, Beckstein, and Todd.

Resolution No. 36-08—A Resolution Amending the Growth Plan of the City of Grand Junction to Designate Approximately 2 acres for Property Located at 763 23 ½ Road from Estate back to Commercial/Industrial

Councilmember Thomason moved to adopt Resolution No. 36-08. Councilmember Todd seconded the motion. Councilmembers Beckstein, Thomason, Todd and Council President Doody voted in favor.

City Attorney Shaver said a super majority vote is required so the vote will not be sufficient to make the change. Motion failed with Councilmembers Hill, Palmer, and Coons voting NO. A supermajority was required to override the Planning Commission recommendation.

Council President Doody called a recess at 8:43 p.m.

The meeting reconvened at 8:51 p.m.

#### Public Hearing—Below-Senatore-Stone Annexation and Zoning, Located at 209 <sup>1</sup>/<sub>2</sub> and 221 Red Mesa Heights Road [File #ANX-2007-373

Request to annex 2.95 acres, located at 209 ½ and 221 Red Mesa Heights Road to R-2 (Residential 2 du/ac). The Below-Senatore-Stone Annexation consists of 2 parcels, is a 2 part serial annexation and includes portions of Hwy 340 (Broadway) and Red Mesa Heights Road rights-of-way.

The public hearing was opened at 8:52 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She described the request, the site, and the location. She asked that the staff report and the attachments be entered into the record. The annexation meets the criteria and the Planning Commission recommended approval of the annexation and zoning. The representative is present if there are any questions.

Vince Popish, Independent Survey, representing the applicants, stated they are in complete harmony with the report but can answer questions.

Councilmember Todd asked if the neighborhood is built corresponding to the requested zoning. Mr. Popish said it depended on which direction but in this vicinity there are R-2 densities and that was recommended by the Planning Department. They have no problem with that zoning.

There were no public comments.

The public hearing was closed at 8:55 p.m.

#### a. Accepting Petition

Resolution No. 37-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Below-Senatore-Stone Annexations No. 1 and No. 2, Located at 209 ½ and 221 Red Mesa Heights Road and Including Portions of Highway 340 and Red Mesa Heights Rights-of-Way is Eligible for Annexation

#### b. Annexation Ordinances

Ordinance No. 4196—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Below-Senatore-Stone Annexation No. 1, Approximately 0.43 acres, Located at 209 ½ Red Mesa Heights Road and Including Portions of Highway 340 and Red Mesa Heights Rights-of-Way

Ordinance No. 4197—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Below-Senatore-Stone Annexation No. 2, Approximately 2.52 acres, Located at 209 ½ and 221 Red Mesa Heights Road

#### c. Zoning Ordinance

Ordinance No. 4198—An Ordinance Zoning the Below-Senatore-Stone Annexation to R-2, Located at 209 <sup>1</sup>/<sub>2</sub> and 221 Red Mesa Heights Road

Councilmember Palmer moved to adopted Resolution No. 37-08, and adopt Ordinance Nos. 4196, 4197, and 4198 and ordered them published. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

#### Public Hearing—Sage Hills Annexation and Zoning, Located at 3115 ½ and 3117 D ½ Road and Two Unaddressed Parcels on D ½ Road [File #ANX-2007-363]

Request to annex and zone 14.55 acres, located at 3115  $\frac{1}{2}$  and 3117 D  $\frac{1}{2}$  Road and two unaddressed parcels on D  $\frac{1}{2}$  Road to R-5 (Residential 5 du/ac). The Sage Hills Annexation consists of 4 parcels and is a two part serial annexation.

The public hearing was opened at 8:57 p.m.

Justin T. Kopfman, Associate Planner, reviewed this item. He described the request, the site, and the location. The Planning Commission recommended approval. He asked that the Staff report and the attachments be entered into the record and recommended approval noting the applicant is in the audience.

The applicant concurred with Staff but could answer questions.

There were no public comments.

The public hearing was closed at 8:59 p.m.

#### a. Accepting Petition

Resolution No. 38-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Sage Hills Annexation, No. 1 and No. 2, Located at 3115  $\frac{1}{2}$  and 3117 D  $\frac{1}{2}$  Road and Two Parcels with No Address on D  $\frac{1}{2}$  Road is Eligible for Annexation

#### b. Annexation Ordinances

Ordinance No. 4199—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sage Hills Annexation No. 1, Approximately 4.92 acres, Located at 3115  $\frac{1}{2}$  and 3117 D  $\frac{1}{2}$  Road and Two Parcels with No Address on D  $\frac{1}{2}$  Road

Ordinance No. 4200—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sage Hills Annexation No. 2, Approximately 9.63 acres, Located at 3115  $\frac{1}{2}$  and 3117 D  $\frac{1}{2}$  Road and Two Parcels with No Address on D  $\frac{1}{2}$  Road

# c. Zoning Ordinance

Ordinance No. 4201—An Ordinance Zoning the Sage Hills Annexation to R-5 (Residential 5 du/ac), Located at 3115  $\frac{1}{2}$  and 3117 D  $\frac{1}{2}$  Road and Two Unaddressed Parcels on D  $\frac{1}{2}$  Road

Councilmember Todd moved to adopt Resolution No. 38-08, and adopt Ordinance Nos. 4199, 4200, and 4201 and ordered them published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

# Public Hearing—Lusk Annexation, Located at 2105 South Broadway [File #ANX-2007-368]

Request to annex 8.53 acres, located at 2105 South Broadway. The Lusk Annexation consists of one parcel.

The public hearing was opened at 9:00 p.m.

David Thornton, Principal Planner, reviewed this item. He described the site, and the location. He asked that the Staff report and the attachments be entered into the record and recommended approval. He noted that the zoning will follow a Growth Plan Amendment that will come forward later.

The applicant was present but had nothing to add.

There were no public comments.

The public hearing was closed at 9:02 p.m.

# a. Accepting Petition

Resolution No. 39-08—A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Lusk Annexation, Located at 2105 South Broadway is Eligible for Annexation

#### b. Annexation Ordinance

Ordinance No. 4202—An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Lusk Annexation, Approximately 8.53 acres, Located at 2105 South Broadway

Councilmember Palmer moved to adopt Resolution No. 39-08, and adopt Ordinance No. 4202 and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

# Public Hearing—Vacation of Public Right-of-Way, 7<sup>th</sup> and Main North/South Alley [File #VR-2007-222]

Request to vacate the north/south alley located between North 7<sup>th</sup> Street and North 8<sup>th</sup> Street on the north side of Main Street. The applicant is requesting to vacate the alley in order to use the adjacent property to the east for a future mixed-used development.

The public hearing was opened at 9:03 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She described the request, the site, and the location. Currently the Mesa County office buildings are to the north, Blue Moon is adjacent to the alley location, and the adjacent properties are all commercial. The request meets the criteria of the Zoning and Development Code. Staff states the existing telephone line will need to be relocated.

Joe Carter with Ciavonne, Roberts, and Associates, 222 N. 7<sup>th</sup> Street, representing the applicant, had nothing to add but could answer questions. There were none.

There were no public comments.

The public hearing was closed at 9:05 p.m.

Councilmember Palmer asked about the vacation being anticipated during the 7<sup>th</sup> Street improvements when the street cut was eliminated.

Tim Moore, Public Works and Planning Director, said it was unique as the same property owners own both sides of the alley so he as Director made that decision to avoid having to reconstruct the improvements. If the vacation is not approved, then the curb cut could be reinstalled.

Councilmember Palmer affirmed that it is not the practice to anticipate such actions.

City Manager Kadrich said whenever possible these vacations should come forward before the construction so the Council is making those decisions.

Councilmember Palmer asked about drainage. Ms. Costello said that when the property is developed that will be addressed.

Councilmember Coons moved to adopt Ordinance No. 4203, and ordered it published. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

# 2008 Grand Junction / Mesa County Stormwater Management Manual (SWMM)

The 1996 Grand Junction/Mesa County Stormwater Management Manual (SWMM) has been updated in order to comply with the new regional stormwater engineering design criteria, local stormwater drainage policies and engineering design specifications. This update meets new federal and state stormwater regulation mandates for construction sites.

Tim Moore, Public Works and Planning Director, introduced this item. He explained the history of the project. It is primarily an engineering document and will be used for construction. It is a joint effort and has been adopted across the valley. He then explained how it will be implemented and used. In late 2005, a group of government entities had an extensive public process and particularly the engineering community most recently. They have had a number of training opportunities for the engineering and

development community. The plan is to have the manual effective July 1. A project in progress can finish under the old manual. Any project started after July 1 will fall under the new manual. Both water quality and quantity will be reviewed.

Councilmember Thomason asked how frequently the manual is updated. Mr. Moore said they will review it at the end of the year and look at changes next year through roundtables. Changes will be ongoing. This was a significant change since Grand Junction was designated as a phase II community.

Councilmember Coons asked if the changes will affect homeowners. Mr. Moore said it will in the future. There will be a requirement to monitor detention basins. Homeowners now maintain those basins but there will be some water quality requirements where there will be annual inspections. The HOA's will be responsible for the testing. The 5-2-1 Authority staff will be monitoring that testing.

Council President Doody noted this is an unfunded mandate. Mr. Moore concurred and advised it is not inexpensive.

Councilmember Hill expressed appreciation of the Staff work that went into development of this manual. He noted this manual can serve as a template for the smaller communities. The valley is surrounded by federal lands from which stormwater flows into this community. That stormwater is not mitigated by the federal government this community is responsible for taking care of it.

Councilmember Hill moved to adopt Resolution No. 40-08. Councilmember Coons seconded the motion. Motion carried by roll call vote.

#### Non-Scheduled Citizens & Visitors

There were none.

#### Other Business

Councilmember Todd complimented Director Tim Moore about the improvements made at the Planning Department customer service window.

#### <u>Adjournment</u>

The meeting adjourned at 9:25 p.m.

Stephanie Tuin, MMC City Clerk

#### Dear Lori;

We are composing this letter to express our personal opinion of the rezoning of this residencial property. We have had this property on the market since August of 2007, the only offers we have had is that of commerical buyers. When we purchased this property we were informed that there would be a barrier wall built between our property and Hanson International, both on the south and west property lines. The purposed barrier wall on the south side was never built. When Power Motive bought their portion of land from Hanson Int'l , the city no longer required the building of the south wall. Prior to Power Motive owning the land, we at least viewed a big open commercial lot, now we look at huge backhoes, trackhoes, cats and all other industrial equipment out our back windows, not exactly residential beauty. Backyards are usually for the purpose of relaxing, possibly entertaining and enjoying the peaceful (view)! The few trees that were somewhat of a barrier, they proceeded to cut down which open even more view of the machinery. There are however a few trees remaining on our property, none of which block the commercial operation to the south or west of us.

We feel that our residential property would be better suited for commercial use as the majority of surrounding properties are already commercial. We do have the constant traffic behind our house from Hanson International, which is on the west side, open 24 hours a day seven days a week. Kenworth, located south east of our property also open very late, with the constant noise of horns, refridgeration units running and beeping as they back up, diesel engine surging, etc.

When we listed our property for sale, we had immediate commercial interest because of the location. We had one viewing of our property for residential purpose. Once the perspective buyer viewed the location and properties adjacent, they felt there was no need to proceed with the inside viewing. One can only surmise the surrounding commercial properties left no curb appeal for the perspective residential buyer.

Thank you in advance for your consideration of the rezoning of the above said property.

Sincerely,

(Mr.) Darwin W. Neufeld DWN/dwr

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3/18/2008