

**GRAND JUNCTION CITY COUNCIL
TWO RIVERS CONVENTION CENTER, 159 MAIN STREET
AGENDA**

WEDNESDAY, APRIL 5, 2000, 7:30 P.M.

CALL TO ORDER

Pledge of Allegiance
Invocation - Steve Johnson
Living Hope Evangelical Free Church

PROCLAMATIONS / RECOGNITIONS

PROCLAMATION DECLARING APRIL 11, 2000 AS "BARBERSHOP QUARTET DAY" IN THE CITY OF GRAND JUNCTION

***PROCLAMATION DECLARING APRIL 11, 200 AS "ALTRUSA AWARENESS DAY" IN THE CITY OF GRAND JUNCTION

APPOINTMENTS

***APPOINTMENT TO THE DOWNTOWN DEVELOPMENT AUTHORITY

PRESENTATION OF APPOINTMENT CERTIFICATES TO NEWLY APPOINTED BOARD MEMBERS

GRAND JUNCTION HOUSING AUTHORITY

BOARD OF APPEALS

ALTERNATE TO GRAND JUNCTION PLANNING COMMISSION

RIDGES ARCHITECTURAL CONTROL COMMITTEE

CITIZEN COMMENTS

*** * * CONSENT CALENDAR * * ***

1. **Minutes of Previous Meeting**

[Attach 1](#)

Action: Approve the Minutes of the Special Meetings March 7 and March 13, 2000 and the Regular Meeting March 15, 2000

2. **July 4th Fireworks Celebration Agreement**

[Attach 2](#)

In October, 1999 the Women's Chamber of Commerce notified the City that they were no longer going to conduct the annual fireworks display in Lincoln Park. Knowing the display was an important community event that needed to continue, City Council asked the Parks and Recreation staff to search for a primary sponsor.

Action: Authorize the City Manager to Enter into a 3-Year Agreement with 2-Year Renewal Option with KJCT to Sponsor the July 4th Fireworks in Lincoln Park and Suplizio Field

Staff presentation: Don Hobbs, Assistant Parks & Recreation Director

3. **Western Colorado Golf Foundation and Rocky Mountain Open**

[Attach 3](#)

The Western Colorado Golf Foundation addressed the Parks and Recreation Advisory Board on February 24, 2000 with an update on their 3-year effort to form a non-profit, tax exempt foundation to run the Rocky Mountain Open. The WCGF is an outgrowth of the 1999 Rocky Mountain Open Committee.

Action: Authorize the City Manager to Enter into an Agreement with the Western Colorado Golf Foundation to Run the Rocky Mountain Open Golf Tournament

Staff presentation: Joe Stevens, Parks & Recreation Director

4. **2000 U.S. Department of Justice Local Law Enforcement Block Grant**

[Attach 4](#)

The Police Department has been awarded a Federal Block Grant in the amount of \$54,815. An in-kind match of \$6,091 from existing or new funds will be required for the expenditure of these Federal funds.

Action: Authorize the City Manager to Accept the Federal Block Grant in the Amount of \$54,815

Staff presentation: Lt. Bob Knight, Police Department

5. **24 Road and G Road Bridge Widening Project**

[Attach 5](#)

The following bids were received on March 21, 2000:

| | |
|--|----------------|
| United Companies, Grand Junction | \$1,236,595.50 |
| Elam Construction, Grand Junction | \$1,323,821.20 |
| M.A. Concrete Construction, Grand Junction | \$1,401,533.30 |
| Engineer's Estimate | \$1,187,150.00 |

Action: Award Contract for 24 Road and G Road Bridge Widening Project to United Companies in the Amount of \$1,236,595.50

Staff presentation: Tim Moore, Public Works Manager

6. **1999B and 2000 Alley Improvement Districts** [Attach 6](#)

The following bids were received on March 28, 2000:

| <u>Contractor</u> | <u>From</u> | Bid Amount |
|-------------------------|-------------|-------------------|
| Mays Concrete | Grand Jct | \$292,830.00 |
| M.A. Concrete | Grand Jct | \$294,728.50 |
| Reyes Construction | Grand Jct | \$377,196.16 |
| G&G Paving | Grand Jct | \$400,150.25 |
| R.W. Jones Construction | Fruita | \$450,857.50 |
| Engineer's Estimate | | \$296,290.00 |

Action: Award Contract for 1999B and 2000 Alley Improvement Districts to Mays Concrete, Inc. in the Amount of \$292,830.00

Staff presentation: Tim Moore, Public Works Manager

7. **Concrete Repairs for Overlay Streets** [Attach 7](#)

The following bids were received on March 28, 2000:

| <u>Contractor</u> | <u>From</u> | Bid Amount |
|---------------------------------|----------------|-------------------|
| Reyes Construction, Inc | Grand Junction | \$248,160.70 |
| G&G Paving Construction, Inc. | Grand Junction | \$249,000.00 |
| Precision Paving & Construction | Grand Junction | \$314,609.00 |
| Engineer's Estimate | | \$304,216.00 |

Action: Award Contract for Concrete Repairs for Overlay Streets to Reyes Construction, Inc. in the Amount of \$248,160.70

Staff presentation: Tim Moore, Public Works Manager

8. **Rules and Procedures for Pre-Qualification of Contractors**

[Attach 8](#)

In cooperation with the Western Colorado Contractor's Association and the Associated Builders and Contractors Association, Public Works staff has prepared and is proposing adoption of Rules and Procedures for Pre-qualification of Contractors.

Resolution No. 26-00 – A Resolution Adopting Rules and Procedures to Pre-Qualify Contractors to Bid on City Public Works and Utility Projects

**Action: Adopt Resolution No. 26-00*

Staff presentation: Tim Moore, Public Works Manager

9. **Setting a Hearing on Hart Annexation Located at 3015 E 1/2 Road**

[File #ANX-2000-010]

[Attach 10](#)

The 5.75-acre Hart Annexation area consists of land owned solely by the applicant, Shirley Hart, and a portion of 30 Road right-of-way. The applicant has signed a petition for annexation.

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

Resolution No. 28-00 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation and Exercising Land Use Control – Hart Annexation Located at 3015 E ½ Road and Including a Portion of 30 Road Right-of-Way

**Action: Adopt Resolution No. 28-00 and Set a Hearing on May 17, 2000*

b. **Set a Hearing on Annexation Ordinance**

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Hart Annexation, Approximately 5.75 Acres, Located at 3015 E ½ Road and a Portion of 30 Road Right-of-Way

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 17, 2000

Staff presentation: Lisa Gerstenberger, Senior Planner

10. **Setting a Hearing on H.B.C.R.S. Annexation Located at 2620 G Road**

[File #ANX-2000-028]

[Attach 11](#)

The 10.6-acre H.B.C.R.S. Annexation area consists of two parcels of land. There are no existing structures on the site. The owners of the properties have signed a petition for annexation.

a. Referral of Petition for Annexation, Setting a Hearing and Exercising Land Use Control and Jurisdiction

Resolution No. 29–00 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation and Exercising Land Use Control – H.B.C.R.S. Annexation Located at 2620 G Road

**Action: Adopt Resolution No. 29–00 and Set a Hearing on May 17, 2000*

b. Set a Hearing on Annexation Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, H.B.C.R.S. Annexation, Approximately 10.6 Acres, Located at 2620 G Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 17, 2000

Staff presentation: Kathy Portner, Planning Manager

11. **Setting a Hearing on Reinking Annexations No. 1, No. 2 and No. 3 Located at 541 20 1/4 Road** [File #ANX-2000-030] [Attach 12](#)

The 13-acre Reinking Annexation area consists of one parcel of land, approximately 7.71 acres in size. The remaining acreage is comprised of right-of-way along South Broadway and 20 ¼ Road. There are no existing structures on the site. Once additional right-of-way is dedicated and the required detention pond area is subtracted from the site, 6.81 acres remain for developing an 11 lot single family subdivision. The owner of the property has signed a petition for annexation.

a. Referral of Petition for Annexation, Setting a Hearing and Exercising Land Use Control and Jurisdiction

Resolution No. 30–00 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation and Exercising Land Use Control – Reinking Annexations No. 1, No. 2 and No. 3 Located at 541 20 ¼ Road

**Action: Adopt Resolution No. 30–00 and Set a Hearing on May 17, 2000*

b. Set Hearings on Annexation Ordinances

- (1) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Reinking Annexation No. 1, Approximately 0.96 Acres, Located at 541 20 ¼ Road
- (2) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Reinking Annexation No. 2, Approximately 7.66 Acres, Located at 541 20 ¼ Road
- (3) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Reinking Annexation No. 3, Approximately 4.38 Acres, Located at 541 20 ¼ Road

Action: Adopt Proposed Ordinances on First Reading and Set Hearings for May 17, 2000

Staff presentation: Kathy Portner, Planning Manager

12. **Setting a Hearing on Grand Junction Bible Missionary Church Annexation Located at the Southwest Corner of I-70 and 26 ½ Road (2648 Cottonwood Drive)** [File #ANX-2000-038] [Attach 13](#)

The 1.45-acre Grand Junction Bible Missionary Church area consists of one parcel of land and portions of Cottonwood Drive and 26 ½ Road. A new church structure is proposed on the vacant site.

a. Referral of Petition for Annexation, Setting a Hearing and Exercising Land Use Control and Jurisdiction

Resolution No. 31-00 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation and Exercising Land Use Control – Grand Junction Bible Missionary Church Annexation Located at the Southwest Corner of I-70 and 26 ½ Road (2648 Cottonwood Drive)

**Action: Adopt Resolution No. 31-00 and Set a Hearing on May 17, 2000*

b. Set a Hearing on Annexation Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Grand Junction Bible Missionary Church Annexation, Approximately 1.45 Acres, Located at the Southwest Corner of I-70 and 26 ½ Road (2648 Cottonwood Drive)

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 17, 2000

Staff presentation: Bill Nebeker, Senior Planner

13. **Larchwood Inn Easements Vacations, Located at the Northwest Corner of 15th Street and Patterson Road and 2845 15th Street** [File #FPP-2000-023] [Attach 14](#)

In conjunction with a request to expand the Larchwood Inns Nursing Home, the applicant requests to vacate a 20-foot wide multi-purpose irrigation and drainage easement and a 44' x 40' ingress/egress easement. At its March 14, 2000 hearing the City Planning Commission recommended approval of this request.

- (1) Resolution No. 32-00 – A Resolution Vacating a Multi-Purpose Irrigation and Drainage Easement within Hilltop Subdivision No. 2 Located at the Northwest Corner of 15th Street and Patterson Road
- (2) Resolution No. 33-00 – A Resolution Vacating an Ingress-Egress Easement within Hilltop Subdivision No. 2 Located at the Northwest Corner of 15th Street and Patterson Road

**Action: Adopt Resolutions No. 32-00 and No. 33-00*

Staff presentation: Bill Nebeker, Senior Planner

14. **Setting a Hearing on Rezoning Proposed Lot 16, Ridge Point Filing 2 from PR-4 to RSF-2, Located East of High Ridge Drive at the East End of Hidden Valley Drive in The Ridges** [File #RZP-2000-007] [Attach 15](#)

The applicant has requested to rezone a portion of a 50.4-acre parcel in the Ridges, known as proposed Lot 16, Ridge Point Filing 2 from PR-4 to RSF-2. This proposed zoning is in accordance with the Growth Plan Future Land Use Map and the recently adopted zoning map. The PR-4 zoning on the remainder of the parcel (proposed Lots 1-15) will remain and by this Ordinance Council will be directly staff to make the necessary change to the Official Zoning Map.

Proposed Ordinance Rezoning Property to be Known as Lot 16, Ridge Point Filing 2, Located at the Southeast Corner of High Ridge Drive and Hidden Valley Drive in the Ridges, from PR-4 to RSF-2

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for April 19, 2000

Staff presentation: Bill Nebeker, Senior Planner

15. **Lamm v GNT Development and City Settlement Agreement** [Attach 16](#)

Once it is annexed, the City agrees to process a two-lot subdivision application for the part of the Lamm property lying west of Leach Creek, and to consider a minor street plan connecting the rest of the Lamm property via G ½ Road with G Road.

Action: Approve Lamm v GNT Development and City Settlement Agreement

Staff presentation: Dan Wilson, City Attorney

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

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

16. **Appeal of Final Plat/Plan for Skyler Subdivision Located at 2871 D Road** [File #FPP-2000-019] [Attach 17](#)

The surrounding property owners are requesting an appeal of the approval for Skyler Subdivision's Final Plat/Plan, consisting of 35 single family residential lots, located at 2871 D Road. The Planning Commission recommended approval of the Final Plat/Plan, subject to conditions, at the March 14, 2000 meeting.

Action: Decision on Appeal

Staff presentation: Patricia Parish, Associate Planner

17. **Public Hearing - White Willows Annexation Located at 2856 C 1/2 Road, 2851 and 2863 D Road** [File #ANX-2000-018] [Attach 18](#)

The 40.41-acre White Willows Annexation area consists of three parcels of land. The owners of the property have signed a petition for annexation as part of a request for preliminary plat approval.

a. Resolution Accepting Petition

Resolution No. 34-00 – A Resolution Accepting Petitions for Annexation, Making Certain Findings, Determining that Property Known as White Willows Annexation is Eligible for Annexation, Located at 2856 C ½ Road, 2851 and 2863 D Road and Including Portions of the D Road and Florida Street Rights-of-Way

**Action: Adopt Resolution No. 34-00*

b. Annexation Ordinance

Ordinance No. 3240 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, White Willows Annexation, Approximately 40.41 Acres, Located at 2856 C ½ Road, 2851 and 2863 D Road and Including Portions of the D Road and Florida Street Rights-of-Way

**Action: Adopt Ordinance No. 3240 on Second Reading*

Staff presentation: Bill Nebeker, Senior Planner

18. **NON-SCHEDULED CITIZENS & VISITORS**
19. **OTHER BUSINESS**
20. **ADJOURNMENT**

Attach 1

**JOINT HEARING OF THE
GRAND JUNCTION CITY COUNCIL
GRAND JUNCTION PLANNING COMMISSION
PROPOSED ZONING & DEVELOPMENT CODE
MARCH 7, 2000 MINUTES**

The specially scheduled joint hearing of the Grand Junction City Council and Grand Junction Planning Commission convened at 7:04 p.m. on March 7, 2000 and was held at Two Rivers Convention Center.

Representing the Grand Junction City Council were: Gene Kinsey (Mayor/Council President) and Councilmembers Reford Theobald, Jack Scott, Earl Payne, Cindy Enos-Martinez and Janet Terry. Representing the Grand Junction Planning Commission were: John Elmer (Chairman) and Commissioners Joe Grout, Terri Binder, Dr. Paul Dibble, James Nall, Nick Prinster and Jerry Ainsworth. (Note: Commissioner Ainsworth arrived after the vote to remove the salvage yard section from consideration.) Asst. City Manager/Acting Community Development Director Dave Varley, City Attorney Dan Wilson, Asst. City Attorney John Shaver, and City Planning Manager Kathy Portner were also present. Other staff present included Ivy Williams, Bill Nebeker and Scott List. Terri Troutner was present to record the minutes.

Council President Kinsey indicated that due to the controversy surrounding the salvage yard section of the *Development Code*, that section would be pulled from consideration and would be subject to another 60-day review. The extended timeframe would allow City staff to meet with salvage yard owners, et al., to discuss relevant issues. This drew strong objection from the salvage owners, their representatives, and the public. As a concession, Dean VanGundy (1018 S. 5th Street, Grand Junction) was given the opportunity to make a statement as representative for his business and other salvage yard owners.

Mr. VanGundy felt that the section should be opened to the public for discussion. He'd brought in an expert from Arizona who could provide important testimony. Councilmember Terry said that citizen testimony was considered more important than testimony received from paid experts.

PLANNING COMMISSION MOTION: (Commissioner Grout) "Mr. Chairman, on section 4.3.D regarding salvage yards, I move that we table the section for the following reasons: 1) provisions in the existing *Zoning and Development Code* addressing salvage yards in similar uses shall remain in full force and effect until the City Council adopts the replacement of section 4.3.D dealing with salvage yards, and it is expected that the new section dealing with salvage yards will be studied for approximately 60

days and then considered for adoption by the City Council. When the new provisions addressing salvage yards are adopted, the provisions in the prior Code shall then be repealed as will be noted in the ordinance adopting the new salvage yard provisions.”

Commissioner Binder seconded the motion.

A vote was called and the motion passed unanimously by a vote of 6-0.

CITY COUNCIL MOTION: (Councilmember Theobald) “I would move approval of the Planning Commission recommendation.”

Councilmember Terry seconded the motion.

A vote was called and the motion passed unanimously by a vote of 6-0.

CONSIDERATION OF THE PROPOSED ZONING MAP

The following information represents a synopsis of City Council/Planning Commission discussion and changes proposed for the City of Grand Junction *Zoning and Development Map*, as outlined by Kathy Portner and contained in the March 6, 2000 Staff Review.

1. The Community Hospital property, located on the northwest corner of 1st Street and Patterson Road, was changed from B-1 to PD to reflect the recently approved plan for the property.
2. **The Northridge Filing #3 property has a proposed zoning of RSF-4. The owner, Dr. Merkel, wanted to retain a PD zoning on the property. A letter had been submitted.**
3. **The Hall property on the east side of 24 ½ Road, north of F ¼ Road was changed to PD to reflect the ODP, which had been approved for the property.**
4. **The PD zoning for the Brookside Subdivision, located at the northwest corner of F ½ and 30 Roads, was extended to the parcel to the west, which is the parcel directly north of the extension of Oxbow and Broken Spoke.**

5. The following zones were recommended for properties on the west side of 12th Street, between Horizon Drive and G Road: parcel 009, RSF-4; parcels 003 and 010, RMF-5 zoning; and parcels 061, 062 and 941, RMF-8 zoning. This was consistent with an alternative proposal submitted by area neighbors. Ms. Portner said that the increased density along 12th Street was consistent with previous City Council and Planning Commission discussions and the property owner's request. Staff agreed that the busy corridor warranted higher densities and had supported the request.
6. The parcel at the northeast corner of G Road and Victor Drive was changed from RSF-4 to RSF-2.
7. Properties bounded by 12th Street, Horizon Drive, Budlong Street, and Midway Avenue were changed from RMF-16 to RSF-4. The property owner, Dr. Merkel, opposed the RSF-4 zoning and had submitted a letter.
8. All of the Etter/Epstein property on the south side of Horizon Drive west of 27 ½ Road was changed to reflect PD zoning, including the triangular piece bounded by Horizon and Cliff Drives.
9. RSF-2 zoning had been recommended for property north of Crossroads Blvd. and east of 27 Road. The owner, Dr. Merkel, had submitted a letter stating his preference for PD zoning with a higher density or, perhaps, a commercial zone.
10. Zoning for the property located at 1101 Kimball Avenue was changed to I-2. Since an adjacent parcel was targeted by the City for park development, City Council and Planning Commission members determined that CSR and buffering requirements should apply to the I-2 zoned property; however, fencing/wall costs separating the industrial/public uses should be shared by both property owners. Clarification was given that while the CSR and buffering requirements would apply to all applicable parcels, specific focus and direction was being given to the subject property at this time. Staff was directed to include parks and other public uses in the adjacent use buffering table (buffering discussions were deferred, see Chapter 7).

PUBLIC COMMENTS

Doug Cleary (2691 Kimberly Drive, Grand Junction), representing neighbors who had signed the petition and form letters, expressed support for the alternative zoning plan as submitted previously to staff and later outlined in attorney Richard Krohn's letter. The alternative plan would provide a better transition while preserving property values.

Richard Krohn (744 Horizon Court, Ste. 300, Grand Junction), representing Gertrude and Walter Dalby, referenced a letter submitted on behalf of his clients, who owned parcels 061 and 062. He supported the alternative proposal and agreed that it made more sense than the City's proposal. The alternative, he said, still complied with *Growth Plan* recommendations, represented good infill, and provided for better transitioning.

Charles Reems (695 Cascade Drive, Grand Junction) supported the petition although his name was not on it. He preferred that the parcels be given lower-density zoning, given the unique "problems" associated with each lot, and suggested that any rezoning be deferred until such time as a plan was brought before the City for consideration. He expressed concern that traffic from higher density development would be directed onto Cascade Drive, a street not designed to handle such flows.

Margaret Moore (2679 Homestead Road, Grand Junction) clarified that Cascade Drive did not extend beyond Homestead Road as the map suggested.

DISCUSSION

Councilmember Terry referenced item 2 above and said that the property's RSF-4 zone was the most compatible for the area. The City did not support planned zones without corresponding plans. With regard to item 7, the covenants of that subdivision were more restrictive than the City's proposed zoning. With item 9, if the petitioner wanted to change the property's zoning to Commercial, he would have to take any such request through the normal planning/public hearing process. The current process addressed changes in intensity not changes in use.

Commissioner Dibble asked if discussions on the 24 Road corridor were being deferred pending completion of the 24 Road Corridor Study, to which Council President Kinsey replied affirmatively.

Councilmember Theobald went through the list of proposed changes as modified to ensure consensus, which was confirmed.

CONSIDERATION OF THE PROPOSED ZONING AND DEVELOPMENT CODE

CHAPTER ONE:

Section 1.18.A-D: Clarification provided by Dan Wilson. He recommended amending section 1.18.B to add the words at the end of the last sentence, "...but thereafter this *Code* shall apply throughout the project."

Council President Kinsey opened the hearing up for public comment but none was offered.

CHAPTER TWO:

Table 2.1, note 5, page 2: The threshold for required neighborhood meetings was changed from 25 lots to 35 lots.

Section 2.2.B.4.d, page 6: Delete “..to ???...”

Section 2.3.B.8.b.4, page 20: Replace “???” with “testimony” and change number 3 to number 1, and number 6 to number 2.

Section 2.2.D.3, page 8: Verbiage changed to read, “No person shall change the use of a structure or property to another principal use unless the Director has issued a permit therefore.

The change of use does not occur unless: (a) the *Code* requires more off-street parking than is available on the property; (b) the gross square footage of the structure has increased; or (c) there will be an increase in traffic from the change.”

Section 2.3.H, page 32: The review of condominium and lease holdings to establish zoning rights was retained, but the required review of all condominium plats was deleted.

Section 2.4.D.1, page 55: The warranty period for public improvements, where a developer has entered into a Development Improvements Agreement with the City, was changed from two years to one year.

PUBLIC COMMENTS

Creighton Bricker (3615 Ridge Drive, Grand Junction) referenced his handout dated March 7, 2000 denoting a number of typos and other errors. Given the volume of those errors, he wondered what adoption of the *Code* would mean.

Mr. Wilson said that in the event of an obvious gap, the City would go back to the “Blue Book” for precise language.

The following amendments were provided: Section 2.2.B.4.d, page 6, delete “..to ???...”; Section 2.3.B.8.b.4, page 20, replace “???” with “testimony” and change number 3 to number 1, and number 6 to number 2.

DISCUSSION

Commissioner Nall asked if there were any trip numbers associated with Section 2.2.D.3, page 8, to which Mr. Wilson replied negatively. He said that in the

presence of good data, any literal increases would be measured. In the absence of such data, national standards could be referenced. If the use changed and calculated to a higher use, that would represent the “trigger.” Ms. Portner added that the trigger only required the applicant to go through a Change of Use review.

CHAPTER THREE:

Table 3.2, page 2: The maximum lot coverage for Business, Commercial and Industrial zones was deleted.

Section 3.4, pages 17-29: The maximum district size for all non-residential zones was deleted.

Table 3.5, pages 31-36: Placed in the *Code* backwards; will be corrected.

Section 3.4.B.5: Add section g. to read, “For the purpose of rezones, consideration shall be given to locating the B-1 district at least 8/10 of a mile from another business or commercial zone district. The distance shall be measured between the closest boundaries of the two existing and proposed districts.”

Section 3.8.A.1: The last two sentences were deleted.

Section 3.8.B.1, the following verbiage was added at the end of the paragraph to read, “Maintenance or minor repair of a non-conforming structure or site is allowed.”

PUBLIC COMMENTS

Creighton Bricker (3615 Ridge Drive, Grand Junction) said that in Table 3.5, page 36, under Institutional & Civic, the section on Daycare, previous discussions included adding a footnote referencing that section to read, “Must comply with all state licensing requirements.” The footnote was not reflected in the current draft.

Mr. Wilson said that the City was obligated to follow State law anyway, so the requirement was implied even if omitted from the *Code*.

Karl Antunes (288 Pine Street, Grand Junction) asked that consideration of the entire Non-Conforming Use section (Section 3.8) be deferred and reviewed with the salvage yard section, since he felt that both sections were closely interrelated. Reroofing, he said, should be considered as maintenance on a non-conforming use.

Ms. Portner agreed that reroofing was more of a maintenance undertaking. Following discussion, the last two sentences of Section 3.8.A.1 were deleted. Under Section 3.8.B.1, the following verbiage was added at the end of the

paragraph to read, "Maintenance or minor repair of a non-conforming structure or site is allowed."

Councilmember Terry said that if review of the salvage yard section necessitated changes to the non-conforming use section, any such changes would be dealt with at that time.

CHAPTER FOUR:

Section 4.3.K, page 37: The Mineral Extraction section was modified to better define right-of-way use and improvements, extensions and permitted noise levels. The Use/Zone Matrix was not modified. Gravel pit operations would be permitted in RSF-R, IO, I-1, I-2 and CSR zones, with a CUP.

Section 4.3.O, page 50: The Group Living facility section was modified to clarify three types of living facilities and the requirements, based on number of residents. The Use/Zone Matrix was modified to include the modification.

Section 4.1.F, page 3: Add "...IN RESIDENTIAL ZONE DISTRICTS" to the section heading after the word "...VEHICLES." Delete subsections c. and d. in their entirety. In subsection e., add the words, "...or driveway..." after the word "street" and change the words "...forty-eight (48)..." to "seventy-two (72)..."

Section 4.1.I.11.d: Add the words "...for new development..." after the word "containers." The gating requirement would be subject to additional review.

Section 4.3.A.3.c (1): Amend verbiage to clarify that prior agricultural uses are protected, and that even with a gap of up to one year, the use is still protected.

PUBLIC COMMENTS

René Day (3134 Brownie Circle, Grand Junction) said that in her case she had an inoperable vehicle stored at her inlaws' home in the rear yard of their property. Was that allowed? Councilmember Theobold answered that as long as the vehicle was properly screened (e.g., covered by a tarp), she could continue to keep the vehicle at her inlaws' home as stated. Ms. Day asked about Section 4.1.I.4.c prohibiting the outdoor storage of vehicle parts. Could those parts be "screened" by virtue of placing a camper shell over them? Ms. Ivy Williams replied affirmatively.

Adell Larson (2508 Mt. Sopris, Grand Junction) said that the 48-hour notation contained in Section 4.1.F.1.e was too restrictive. The Heatheridge covenants, he said, allowed for up to 4 days of on-street parking. He also owned a house on a corner lot and, as a result, had fewer storage options. Given the *Code's* verbiage, he suggested that he could legally park 48 hours on one street frontage and 48 hours on the other. He noted that, if parked in his driveway, his RV would

extend 8 feet out into the street. Mr. Larson felt that the *Code* should be amended to allow for up to 4 days of on-street parking.

When clarification of on-street parking was requested by Commissioner Grout, Ms. Williams said that the *Code* limited storage of goods within a public right-of-way to 48 hours. The *Model Traffic Code* contained a 72-hour abandonment section.

Mr. Larson said that more than half the people in his subdivision would be in violation, based on the 48-hour restriction. It didn't make sense, he said, to impose a restriction that people couldn't or wouldn't comply with.

When Councilmember Theobald asked which took precedence—covenants or *Code*, Mr. Wilson said that the City did not recognize covenants since they represented a private contract between private parties.

Ray McGhghy (1826 O Road, Grand Junction) said that if enforcement was complaint-driven, it could create conflicts and inequities between neighbors. One neighbor might complain about an RV stored on the street, so the *Code* restriction would be applied to the RV's owner. Another neighbor may have no problem with the parked RV and therefore not complain, and so for that RV's owner, storage of the vehicle would be permitted. Some RV storage lots weren't open on the weekend, so pickup may occur on a Thursday or Friday.

John Colley (address and correct spelling of name unknown) felt that the entire outdoor storage section of the *Code* was unrealistic and should be pulled.

Mel Southam (1303 Main Street, Grand Junction) agreed that longer vehicles should be covered, and that the number of vehicles stored in a rear yard should not be restricted, regardless of whether or not the vehicle is operable. He supported screening any stored vehicles with 6-foot solid privacy fencing and supported lengthening the on-street storage time to 4 days. He also asked for clarification of the term "driveway." Did it mean the entire length of the driveway, or only that portion up to the sidewalk? Large RV's should be kept off the street, he said, to reduce safety hazards. He also thought that screening/fencing of refuse containers, as outlined in Sections 4.1.1.6.c and 4.1.1.11.d, was unreasonable and could create a number of problems for City and private trash collection businesses. He suggested replacing these sections with verbiage requiring only that trash collection areas be kept neat. Screening of trash collection areas, he added, could create sight distance problems, and placement of the City's trash receptacles in alleys away from rear property lines were creating safety hazards.

Councilmember Theobald agreed that the driveway issue should be addressed further at some point.

David Williamson (2742 Laguna, Grand Junction) said that he owned a number of RV's but had no access available to either his side or rear yards, so the only storage option available to him was in the front yard or on the street. He agreed that 48-hours was too restrictive, and he supported enforcement on a complaint-only basis. He noted the layout of his property and said he preferred that vehicles NOT be stored in the back yards of his neighbors.

Dino Lobato (1540 ½ White Avenue, Grand Junction) said that he had no alley or rear yard available to him. He had an inoperable vehicle on his lot but due to a recent disability, he couldn't afford to fix it up or have it towed. He wondered what he was to do. Also, his neighbors did not have driveways or garages and had no other options but to store their vehicles on the street.

Vern Jones (259 Laura Lee, Grand Junction) concurred with statements made by the previous speaker. This *Code* section, he said, was unfair to people who did not have the financial means to comply. With regard to Section 4.1.F.1.b, he noted that Wal-Mart and K-Mart chains, along with many fraternal organizations, offered courtesy parking to people traveling in RV's. This section would make that practice illegal. What about company arriving in RV's?

Richard Woods (124 Sherman Drive, Grand Junction) pointed out that many of the art objects currently on display in the City's Art on the Corner would be in violation of Section 4.1.1.4.c, since many of these sculptures included vehicle parts. He suggested that the section be deleted.

Lee Meredith (252 Laura Lee, Grand Junction) referenced Section 4.1.1.4.a said that the way the section was written, his son couldn't come over and ask for help in changing out a vehicle part.

Councilmember Theobald said that repairs could still be effected within the stated 48-hour period. Mr. Meredith said that even in that case, he would be unable to order in a part for the car or have off-site repairs made to a part if the vehicle remained on the property longer than 48 hours. Ms. Williams explained that the intent of the section was with regard to vehicle storage; however, complaints could be registered by neighbors if work was being done on the vehicle in the front yard and vehicle parts were stored, unscreened, within the front yard setback. This section, she said, was intended to address future repair or restoration.

Thomas Rose (535 Pierce Avenue, Grand Junction) said that in his case the City had issued him a building permit for construction of an RV storage driveway within his front yard setback. The 48-hour on-street parking restriction for RV's, he said, was unreasonable. He may take several days to get his camper ready for travel before actually moving the unit.

Councilmember Payne asked staff for clarification on the driveway permit. Ms. Portner said that typically the City did not ask the property owner about the intended purpose of a driveway.

Dixie Larson (2508 Mt. Sopris, Grand Junction) asked that the City Council and Planning Commission reconsider the outdoor storage section of the *Code*. As a proponent of personal property rights, she felt that people should be able to use their property as they want.

Robert Labaron (1525 N. 1st Street, Grand Junction) agreed that the 48-hour restriction for on-street RV parking was unreasonable. He also agreed that Sections 4.1.1.6.c and 4.1.1.11.d regarding dumpster screening needed further review and would create access issues for public and private trash haulers. With regard to Section 4.3.A.3.c (1), he felt that there would be problems with that section and wondered how agricultural rights would be protected.

Mr. Wilson said that the use 'first in' has the rights. Thus, if residential homes were constructed next to a property, which already contained a horse, the horse would be considered a prior non-conforming use and would be grandfathered in without having to comply with this section. If the horse was obtained after the housing units went in and complaints were lodged by the new property owners, the owners of the horse would have to comply with this *Code* section. Abandonment of the non-conforming use would be interpreted to have taken place after a one-year timeframe.

Council President Kinsey supported the inclusion of verbiage to clarify that prior agricultural uses are protected, and that even with a gap of up to one year, the use was protected. Mr. Labaron suggested not adopting the section until the section was amended, to prevent confusion and help prevent property owner disputes.

Councilmember Theobald wondered if the City could adopt or incorporate verbiage similar to the State's "Right-to-Farm Act," which many of Colorado's counties had used. Mr. Wilson said that something similar was available, and he offered to bring it before City Council for consideration. Chairman Elmer didn't see a problem since this section primarily addressed those residential properties being annexed into the City.

Julie Fisher (234 27 Road, Grand Junction) said that her family owns an auto wrecking yard. With regard to Section 4.1.1.11.d, she said that their trash hauler had refused on occasion to pick up their trash because the trash receptacle wasn't placed in a proper position. Screening requirements, she surmised, would only intensify their resistance to trash pickup.

Councilmember Theobald suggested that staff contact local trash haulers and solicit input on that section. He wondered if the City's Public Works Department

had had an opportunity to review the section. Ms. Portner said that while no Public Works input on the section had been received, over the years input had been received which suggested that while enclosing the trash receptacles/dumpsters would probably not be a problem, gating may be and should be subject to additional review. Enclosures for dumpsters already existed within the City limits. Ms. Portner suggested adding the words "...for new development..." after the word "containers" in Section 4.1.1.11.d.

Benjie Berg (2214 Avon Drive, Grand Junction) said that he recently bought 3 acres so that he could have a horse but could not yet afford to erect a fence. Given previous discussions, would he lose his horse ownership rights if someone built next to him? Ms. Portner said that in Mr. Berg's case, he could not have the horse fenced any closer than 100 feet from the nearest residence if those residential units went in after procurement of his horse. Ms. Williams added that if the horse was there first on Mr. Berg's property, the 100-foot restriction would not apply.

Ron Elliott (244 Chipeta Avenue, Grand Junction) said that since RV's were licensed vehicles, they should have the right of on-street parking anywhere and for any length of time. The 48-hour on-street restriction, he said, was unreasonable and was sure to generate a lot of complaints.

Ben Rose (2713 B ¾ Road, Grand Junction) objected to the inclusion of Section 4.1.1.4.c. He felt that the section should be deleted altogether.

Dennis Gustafson (1561 Highway 50, Grand Junction) said that he currently had an RV which sat sideways in front of his home. This was an improvement, he said, over the aesthetics of his house. In his case, he fixed up inoperable cars to give to charitable organizations and the poor and often had vehicles and miscellaneous parts stored on site. The Outdoor Storage of Vehicles and Residential Outdoor Storage sections would greatly impact him. He asked for consideration in reducing the amount of 'paperwork.'

Councilmember Theobald noted that Mr. Gustafson resided in a Commercial zone, and as such, restrictions on his property would be lessened with adoption of the new *Code*.

DISCUSSION

Councilmember Terry recalled previous conversations where research was to have been undertaken to ascertain whether gravel pit operations could be allowed uses in additional zones. Ms. Portner said that the original proponent had asserted that gravel pit operations should be at least a Conditional Use in all zones. Council President Kinsey said that the issue had been brought up in the context of a property's annexation. Ms. Portner said that in those instances, one option included placing a CSR zone on a property where mining was anticipated.

The CSR zone could extend through the life of the mining operation and could be applied in a variety of places.

Councilmember Terry supported the suggestion but wondered how the City would be reminded of this discussion.

When the discussion turned to identifying potential gravel extraction sites, Mr. Wilson said that data was available at state and county levels identifying potential resource areas. Chairman Elmer suggested attaching overlay districts to potential gravel extraction areas, research those areas further, and make determinations at that time.

Councilmember Theobald objected to adding gravel pit operations to the CSR zone district.

General discussion ensued over the Storage of Vehicles (Section 4.1.F) and Residential Outdoor Storage (Section 4.1.I) sections of the *Code*. Focus was given to the operability, ownership, and quantity of vehicles in one's possession, and screening of the property in a residential area. The definition of "screening" was reviewed (Chapter 9, page 44). Ivy Williams clarified that in the event a large RV was stored in the rear yard setback, the intent was that there would not necessarily be an expectation that the RV would be screened. Councilmembers and Planning Commissioners agreed that screening of large vehicles or objects over 6 feet in height via a fence taller than 6 feet was not desirable since a building permit and Conditional Use Permit would be necessary in such instances.

Ms. Williams said that corner lots could not use their side yard setbacks for outdoor storage. Ms. Portner clarified that corner lots still had two predefined front yards, one side yard and one rear yard setback.

Lengthy discussion ensued over the 48-hour on-street parking limitation for RV's. A compromise of 72 hours was reached. Commissioner Binder recalled that only one developer had submitted a plan providing for RV parking as a part of the development proposal. She thought it a good idea and wondered why the City didn't encourage this more often from developers.

CHAPTER 5:

No substantial changes.

Council President Kinsey opened up the hearing for public comment and discussion but there was none.

CHAPTER 6:

Section 6.5, page 13: The landscaping and buffering section was modified to clarify and correct. The perimeter landscaping requirement was deleted. Table 6-5 and Exhibit 6-5.B were inadvertently left out of the adoption draft and were later included in City Council and Planning Commissioner packets. Table 6-5 was modified to delete some requirements for buffering. The CSR zone district was proposed for inclusion into Table 6-5. A CSR zone district, when adjacent to any residential zone district, would not require any screening or buffering. Buffering requirements between the CSR and C-2 and I-O zones, I-1 and I-2 zones should be equivalent to the B (Business) zone, which is a 25-foot landscape strip. A more intensive zone district (starting with the C-1 zone district) would be required to provide screening/buffering adjacent to the CSR zone. A footnote would be added that gravel operations would be subject to buffering adjacent to residential zones as per the Gravel Operation section.

Section 6.5, page 30: Table 6.6 was modified for some uses to better define the parking requirements.

Section 6.5.B.6.a, page 14: Included to encourage irrigation and to give Ute Water a rationale for an exception.

Table 6.5.A, page 23: The word “deciduous” was deleted from the table and from footnotes 6 and 7.

PUBLIC COMMENTS

Creighton Bricker (3615 Ridge Drive, Grand Junction) referenced Table 6.5.A on page 23 and suggested that the word “deciduous” be deleted from both the table and footnotes 6 and 7. This met with general approval by both City Councilmembers and Planning Commissioners.

DISCUSSION

Councilmember Theobald urged elimination of the CSR zone district as a designation for gravel operations. CSR zone districts, he said, were typically “benign.” Gravel operations were typically very intense and very controversial uses, and inclusion of them in the CSR zone would change the tone of the zone.

Council President Kinsey agreed that while appearing inconsistent, a Conditional Use Permit was required for gravel pits in several different zones.

Ms. Portner said that CSR buffering requirements (between CSR and C-2 and I-O zones, I-1 and I-2 zones) should be equivalent to the B (Business) zone, which is a 25-foot landscape strip.

Councilmember Terry wondered if verbiage could be added to address the practicality of xeriscaping. Ms. Portner said that provisions in the *Code’s* landscaping section encouraged xeriscaping.

CHAPTER 7:

Section 7.1.H, page 13: The Ridgeline Protection Area maps were included with City Councilmember and Planning Commissioner packets.

Section 7.1.D.2.b(1): Delete the words, “...as defined by.”

Section 7.2.H.1.a: Add a comma after the word “Area” and delete the words, “...shown on Exhibit _____,”.

Council President Kinsey opened up the hearing for public comment but there was none.

CHAPTER 8:

No substantial changes.

Council President Kinsey opened up the hearing for public comment and discussion but there was none.

CHAPTER 9:

A memo outlining added and/or changed definitions to Chapter 9 was included with City Councilmember and Planning Commissioner packets. Staff had not had sufficient time to define all terms noted. Said definitions would be developed and brought back to City Council members and Planning Commissioners for future consideration.

Council President Kinsey opened up the hearing for public comment but there was none.

DISCUSSION

Councilmember Theobald suggested adding a definition for “storage.” Commissioner Dibble asked that a definition also be added for “watercourse.”

Commissioner Dibble hoped that some of the issues brought up during the process could be resolved following the *Code*’s adoption. He felt that staff’s work had just begun. Chairman Elmer agreed.

PLANNING COMMISSION MOTION: (Commissioner Grout) “Mr. Chairman, on Ordinance #3240 and Ordinance #3241, an ordinance to adopt the new *Zoning and Development Code* for the City of Grand Junction and an ordinance to adopt the new Zoning Maps as an integral part of the new *Zoning and Development Code*, I move that we forward a recommendation of approval to the City Council with the changes noted tonight.”

Commissioner Nall seconded the motion.

Mr. Wilson recommended enacting the new *Code* without repealing the old one since the City was not finished with it. He suggested amending the language to read, “...to enact the new *Zoning and Development Code* and it will supercede all portions, as appropriate, of the existing *Code*...”

When asked by Commissioner Grout if “adoption” of the new *Code* would be sufficient verbiage, Mr. Wilson agreed. Thus, the former motion was retained in its originally proposed form.

A vote was called and the motion passed unanimously by a vote of 7-0.

CITY COUNCIL MOTION: (Councilmember Terry) “Mr. Mayor, based upon the recommendation from the Planning Commission, I move that this Council adopt Ordinances #3240 and #3241, adopting the new *Zoning and Development Code* and the new Zoning Maps for the City of Grand Junction.”

Councilmember Scott seconded the motion.

When asked if the City Charter allowed for a simple voice vote versus a roll-call vote, Mr. Wilson said that either was acceptable.

A vote was called and the motion passed unanimously by a vote of 6-0.

The hearing was adjourned at 12:20 a.m.

Stephanie Nye, CMC
City Clerk

**GRAND JUNCTION CITY COUNCIL
AND
THE BOARD OF COMMISSIONERS FOR MESA COUNTY**

SPECIAL MEETING

March 13, 2000

The Grand Junction City Council and the Mesa County Commissioners convened into special session at Two Rivers Convention Center to solicit public comment for continued deliberation of the 201 Sewer Service Area boundary adjustments. President of the Council Gene Kinsey and Commission Chair Doralyn Genova convened the meeting at 7:02 p.m. Those present were Councilmembers Cindy Enos-Martinez, Earl Payne, Janet Terry, Jack Scott, Gene Kinsey and Jim Spehar, and County Commissioners Kathryn Hall, Doralyn Genova and Jim Baughman. Clerk for the Commissioners Bert Raley and City Clerk Stephanie Nye were also present.

**CONTINUATION OF DELIBERATION OF 201 SEWER SERVICE AREA
BOUNDARY ADJUSTMENTS**

Mayor Kinsey announced the status of the discussions. The two areas to be discussed are Orchard Mesa and Wildwood.

Utilities Manager Greg Trainor introduced the City and County officials as well as the staff present to address questions.

This is the third public hearing on these additions and deletions in the 201 Persigo Boundary. Since October 1999, the City Council and Board of County Commissioners have held three public hearings and have made several boundary adjustments to the 201 Sewer Service Area Boundary. Two areas remain awaiting a final determination: Wildwood area, bounded by S. Broadway, adjacent to Canyon View Subdivision, Country Meadows Subdivision on the east, and the Colorado National Monument on the west, and a portion of West Orchard Mesa, south of B Road, from 30 Road to 32 Road.

He reviewed briefly what has happened so far and referred to an updated map. Certified letters were sent to most of the property owners in the areas to be discussed and also surrounding properties immediately adjacent to these properties. A display ad was also published in The Daily Sentinel.

Mr. Trainor identified some specific problems that were brought up. For example Guy Stephens' property was split by the proposed adjusted 201 boundary and Mr. Stephens wanted to be either all in or all out.

Regarding the Wildwood Area: Although there was sentiment expressed by some land owners on December 13, 1999 to leave the Wildwood area in the 201 Sewer Service Area, the Growth Plan and the current zoning for the area are in conflict. The Growth Plan envisions densities of "rural" (5-35 units/acre) and "low density residential" (1/2 to 2 units/acre). The current County zoning is R-2, 4 units per acre.

If the area currently in the 201 boundary is deleted, no sewer would be available and the current R-2 zoning would not be implementable and the area would never be annexed. Thus, it would leave an enclave serviced by Mesa County and surrounding properties serviced by the City. Lower density to Growth Plan recommendations would be the only options available.

If allowed to remain within the 201 Area, new development would be annexable by the City. However, the land use decision would still remain to be made, either keeping the 4 units per acre densities or rezoning to the Growth Plan densities.

So there is sentiment on both sides. The issue is still open for discussion.

Councilmember Terry stated that at the last meeting it became clear that the decisions made on the 201 Boundary will affect the Master Plan. That decision will have to be ratified later.

Mayor Kinsey reiterated that areas left in the 201 Sewer Service Area will have sewer service and will be developed within the City boundaries.

Councilmember Terry added that the discussion of the development plan for the area will have to take place.

Commissioner Baughman restated that development will not trigger annexation, only a change in zoning. Councilmember Terry corrected him by stating that any public hearing development is what will trigger annexation. Commissioner Baughman clarified that sewer service to existing residences no longer triggers annexation. The others said that is correct.

Mayor Kinsey asked for public comments.

Michael Anton, 2111 Desert Hills Road, said he did not receive notification of this hearing. If the parcel comes out of the 201 and the owner wants to develop, he asked if they can still file an application for development. Mr. Trainor said yes, but if it comes out, sewer is not available. The developer could request the City and County to take them back in. It is not a right to come back in.

Councilmember Spehar said whether or not a parcel is in or out, a petition must be filed to get back into the 201. Commissioner Hall said there is an extra step to get it back in. Councilmember Scott said the application may or may not be turned down.

Mr. Anton said leaving it within the boundary will make it more dense, allowing the development of a large number of units. Commissioner Hall said it depends on the assigned zoning.

Mr. Anton said the Growth Plan states the area is rural and he agreed with the Growth Plan. He felt it should remain rural.

Councilmember Terry said it is one or the other. It would be difficult to split because the Persigo Agreement indicates that the 201 service area will be developed in urban densities. Rural and rural estate are not urban densities.

Mr. Anton would like to leave it in then and keep it at the estate designation. Councilmember Terry said it cannot be done without changing the Persigo Agreement.

Dawn Maiella, 2112 Desert Hills Road, said she had not received notice of the hearing or the December 13, 2000 hearing. She purchased her property knowing the Growth Plan designated the area as rural, and there was a reason for that designation. It is next to the Colorado Monument which does not need to be cluttered with homes. The wild creatures would be run out of the area with higher densities and extra traffic. She wanted to stay with the rural designation recommended by the Growth Plan.

Mayor Kinsey asked if she wanted it to be excluded from the 201. Ms. Maiella said yes.

Guy Stephens, 2157 S. Broadway, has lived there 30 years, and before the surrounding Monument Meadows Subdivision. The developer put a sewer plant in the middle of the road. It has spewed onto his property. He went to the County Commissioners to discuss the sewer plant. He was told a sewer district was planned for the area and would include his property, and asked him to wait. They finally got sewer out there and tore the treatment plant down but didn't do cleanup in the area. His house is not less than 400 feet from the sewer. Half of his 18-acre property is not included within the boundary. He would rather have half of his property within the boundary so he can hook up or sell it for a subdivision later. He is surrounded by subdivisions. He has been told his property would either be all in or all out of the boundary, but he would rather have the split than be deleted completely. The agricultural value of the area is nil. Mr. Stephens said he would prefer having his entire 18 acres stay within the 201 boundary.

Steve McCallum, 363 Granite Falls Lane, adjacent to the Stephens property, said he sold 70 acres and retained 50 acres. He asked if the 400-foot requirement is to the house or property line. He felt it would be advantageous to remain in the district for the availability of sewer. The property line is within 50 feet of the sewer line and the house is 1300 feet away. He could see no benefit to being removed. He would like to remain in the 201 district.

Commissioner Baughman said a benefit is to keep this area low density so it would not need sewer.

Councilmember Terry said the basis for that was that the Growth Plan which indicated low density. She answered Mr. McCallum's question that the 400 feet is from the property line.

Steve McCallum asked if he had a failure of his septic system and his property line is within 400 feet of the collected, would he be forced to hook up to the sewer system rather than be able to repair his system.

City Utilities Engineer Trent Prall said Mesa County and Grand Junction rules state 400 feet from the property line to the sewer. The Mesa County Health Department rule states 400 feet from the sewer to the residence through existing platted rights-of-way and easements. Since Mr. McCallum's property is currently in the County, he could repair his septic system. The City hasn't changed its rules because in most cases inside the City, the 400 feet apply to both the house and the property line.

Terry Dixon, 441 Wildwood Drive, appreciated those saying they want the Wildwood area to stay rural. Her family has owned the property for a long time. She felt the Growth Plan guidelines have ruined the Redlands area. The properties are no longer rural. It is urbanized with huge homes at the edge of the National Monument. She said property owners in the area are being told they need to keep the area rural in nature, although they are surrounded by huge homes. She echoed Mr. McCallum's statement in questioning what is the downside of leaving it within the 201 boundary. There is a problem with emergency services for little enclaves. By leaving this area in the 201, possibly going into the City later, would alleviate such emergency services problems. She said Mr. Ray Riley couldn't attend this hearing as he had a prior business engagement. Mr. Riley had asked either Ms. Dixon or Mr. McCallum to express his sentiment that he wished to remain within the 201.

Commissioner Baughman asked how much acreage is owned by Mr. Riley. Ms. Dixon said 70 acres.

Dick Ennis, 2108 Desert Hills Road, owns several properties in the area. He said the 201 is a catch 22 situation, a moot point. He felt he might as well keep it

consistent. He noted a consultant had been hired out of Denver to study open spaces and keeping certain areas rural. Suggestions were made on how to do that. Those recommendations are not being followed. The lift stations have blown sewage out into three homes, and more lift stations are being proposed. Some are proposed to raise sewage over 80 feet in height and run it approximately a mile across wetlands. He was also concerned with traffic. One particularly bad section is in front of Lynn Arnis's house, close to Wildwood where there is a 26-foot right-of-way. The golf course expansion and proposed new subdivisions in the Wildwood area will add traffic.

Mayor Kinsey asked Mr. Ennis to clarify his position. Mr. Ennis said he didn't want City sewer services and wanted to be excluded from the 201 area.

Councilmember Terry asked for some clarification on Mr. Ennis's comment of possibly converting some of his property into a conservation easement. Commissioner Genova said Mesa County has a track committee that is working on such easements.

Harley Jackson, 455 Wildwood, said he wants his cake and eat it too. He has five acres and five springs making it difficult to subdivide. He would like to be on the sewer so he wanted to stay within the 201 boundary.

Councilmember Spehar suggested resolving these areas one at a time.

Commissioner Baughman was in favor of leaving this area within the 201 boundary. Several large property owners want to be left in. The 201 boundary will eventually become the City of Grand Junction. It makes no sense to leave this area as a Mesa County island with the City surrounding on all sides. At some point this area will most likely become a part of the City of Grand Junction.

Commissioner Genova said most of the large property owners came forward tonight. She asked if staff knows how large Monument Meadows is. A member of the audience said there are 62 homes in the second filing, and probably 20 in the first filing.

Councilmember Spehar agreed with Commissioner Baughman. There are probably a few areas that will be in the city limits that will be at the 5 to 35 acre density. He suggested looking at the Persigo Agreement for these limited areas to make it economically feasible to provide sewer to the larger lots; thus allowing more rural densities where it's appropriate. He felt these properties should be left within the 201 boundary and look at other ways to deal with the economics of providing sewer service.

Mayor Kinsey said it is not entirely the economics of providing sewer service. It's the economics of providing all the other City services such as police, fire, trash, etc.

Councilmember Terry said the Master Plan shows this area as high density but it will be reviewed and revised. For that reason, she favored leaving this area out of the 201. As needs and land uses change and plans are revised and reviewed, she would consider adding it back in at a later time. She said not allowing less dense areas in the 201 area creates dilemmas. It has caused approval of things that might not have been approved if not constrained by the Persigo Agreement.

Councilmember Payne agreed with Councilmember Spehar and Commissioner Baughman. Open spaces will be provided by these large landowners. They will dictate the density. He favored leaving them in the 201.

Councilmember Scott said he had not heard of the recent sewer problems stated by Mr. Ennis and asked if there are plans to move one of the sewer lines to Desert Hills Road or one of the others in the area. Greg Trainor said a contractor is installing water lines in one of the new filings in The Seasons. He flushed his waterlines into the sewer and overwhelmed the lift station, flooding it out and a couple of homes. It was not the result of a faulty lift station. It was the fault of abnormal use.

Utilities Engineer Trent Prall said the Desert Hills lift station is part of Desert Hills Estates and was approved two months ago. A lift station is proposed in that subdivision that will eliminate The Seasons lift station. Trunk lines will be installed on Desert Hills Road going down to the lift station, and then lifting up to the new driving range on the Tiara Rado golf course. There is 80-feet of gain there, although that amount of gain is not uncommon for lift stations.

Councilmember Terry said she has been asked why the City is doing that. Is there another alternative, perhaps a closer connection. Trent Prall said a lift station would still be required. They could have come out through Monument Meadows Subdivision on S. Broadway on the south side of Riggs Hill. By doing so, the sewage flows back to the east and then northeast which is further from the sewer plant. Pumping to the west is a more direct route to the wastewater treatment plant. Mr. Trainor said it eliminates the Seasons lift station which is good because it minimizes the number of mechanical devices that are subject to failure. The goal is to maintain gravity service as much as possible.

Councilmember Scott asked if there is a capacity problem. Mr. Prall replied no. Upsizing that line has been approved to handle the flow from The Seasons and includes the potential from this area too, not at 4 units/acre but sufficient for the next 10 or 20 years.

Dick Ennis said a simple alternative would be still remove the failed lift station, but the new lift station would be moved to the golf course property and it would only rise 35 feet, the same rise as the existing lift station. The entire distance would be less than a quarter of the one-mile distance. There is no need to run

the line a longer distance. He felt it has to do with a financial commitment to a developer.

Upon motion by Commissioner Hall, seconded by Commissioner Baughman and carried unanimously, the Wildwood Area was left in the 201 Sewer System Area.

Upon motion by Councilmember Payne, seconded by Councilmember Spehar and carried with Councilmembers **KINSEY** and **TERRY** voting NO, the Wildwood Area was left in the 201 Sewer System Area.

RECESS

A five- minute recess was called at 8:10 p.m. Upon reconvening at 8:15, the same City Council and County Commission members were present.

Commission Chair Genova announced the topic of the next discussion. Orchard Mesa area (along B Road to Highway 6 & 50):

Mesa County Public Works Director Pete Baier referred to the map and clarified the topic for discussion. He recapped what has been previously done, the area left in Valle Vista and 400 feet north and south. He had information to respond to some of the questions regarding density and capacity, as well as high ground water and failed septics. There have been only four in this area since 1966. Some recent engineered septics have gone in. There was some question on who will actually serve the area, the City or the County. Regarding cost-effectiveness, the cost to run a mile of sewer line for the densities indicated would be \$70/ lineal foot (approximately \$350,000).

He reviewed the parameters of being left within the 201 boundary versus being deleted as with Wildwood discussed previously such as density and service. He said the Persigo Agreement would have to be modified if this area stays within the 201 boundary. He then introduced Mesa County Planning Director Linda Dannenberger.

Councilmember Terry asked if that development would then allow annexation. Mr. Baier said yes if new development occurred, it would trigger annexation.

Ms. Dannenberger reviewed the zoning in the area (County zoning AFT, 4 units/acre). The Land Use Plan designates this area as rural except for the Valle Vista Subdivision which is designated residential. The rural designation recommends 1 unit per 5 acres to 1 unit per 35 acres. The Orchard Mesa Plan takes precedence in this area under the County-wide Land Use Plan. The Orchard Mesa Plan has the same recommendation except for those subject to a density bonus which allows 1 unit per 2.5 acres. Otherwise, the zoning is agricultural.

Pete Baier pointed out this area has been 4 units per acre as of 1995, as a density, not zoned that way.

Linda Dannenberger said the Orchard Mesa Plan is being revisited and updated by both City and County staffs and open houses are scheduled in May, 2000, with plans for adoption by City Council and County Commissioners this summer.

Wayne Kennedy, 3154 XL Spur, Dilasha Acres Subdivision, asked what the diagonal line on the plat running through the Orchard Mesa green area signifies. Pete Baier said the white is the 400 feet on either side of the Valle Vista line. The Persigo Agreement included that area within the 201 boundary mainly because of the Health Department requirements and the fact that Valle Vista Subdivision is currently being served by sewer.

Wayne Kennedy said his property is in that area, although the others in his development are not. Mr. Baier said the larger lots are in an engineered subdivision excluding the Dilasha Acres Subdivision.

Steve Kline, Dilasha Acres, said he is building a house. The subdivision has an engineered septic system. He said most of the soil is clay and sticky, and impermeable to water. He wondered how long his septic system will last. He said, being long-sighted, there may be people with failing septics without other options. He would like to be able to get on sewer at a later time if necessary.

Lloyd Elliot, 3126 B Road, said there is a high water table in Dilasha Acres. His septic system is failing. There are 50 houses from 31 Road to 32 Road and more in proposed subdivisions. Mr. Elliot presented a letter from Mr. Hellman, 3105 B Road, owner of 40 acres in the area, saying he can't attend this meeting due to illness. The letter cited the high water table and asked for reconsideration of being deleted from the 201 area. Mr. Hellman is currently on the sewer system and wanted to remain within the 201 boundary. Pete Baier clarified that the few homes (four) that are hooked up to sewer won't be removed from the 201 area.

Mike Randbell, 3113 A ½ Road, said one of the adjoining property owners tried to install an engineered septic system instead of running to the sewer, and it was next to impossible. Mr. Randbell is on septic now but he wanted to go on sewer down the road. The entire area has a high water table and there is no advantage to taking it out of the 201. He felt it is possible to stifle development by not approving the proposals rather than taking away sewer. The density can still be controlled. He felt it hurts nothing to leave it in, and he wanted to stay within the 201 boundary.

Mayor Kinsey clarified that being inside the 201 boundary does not mean sewer service will be provided any time soon. The 201 is also the Urban Growth

boundary and it will establish the future city limits, which is important for future planning.

Councilmember Terry said it's not simple. The agreement is an intergovernmental agreement between the City and County that laid out the parameters of development which is urban density. The parameters are defined by the sewer boundary. The boundary line is very important because within that boundary will be urban level density. When those densities develop, they will then be annexed to the City, and the City must be able to serve those properties when they annex. The City cannot serve an area so far away from the city boundaries. It will cost the City taxpayers a sizeable amount to service those developments.

Mike Randbell said a lot of people have purchased land to possibly develop and that is their retirement, and they have rights to do that. Government entities have restricted many property owners and now their property is going to be a burden. There is easy traffic access to Highway 50 in the area, as well as 32 Road, which is important when considering development. It's not that far from the city line and growth is going that direction.

Gretchen Sigafoos, 3079 A ½ Road, has lived there for 23 years. When she originally moved there she was outside the 201 boundary and was happy. When the Valle Vista problem came up and needed to be solved, she was thrown into the 201. She would like to be back out of the 201. They are selling their property but will still be living in the area. If the area goes back into the 201, they will have 4 units/acre with no control over the density of development taking place south of A ½ Road. She definitely wanted to stay out of the 201 sewer service area.

Commissioner Genova said the area is not currently zoned that way. Ms. Sigafoos said it is proposed. The current zone is AFT.

Tim Bevan, 3112 A ½ Road, said the new line bisects his house. He is currently on the sewer, but not on the list for inclusion or deletion. He wants all of his property to stay in the 201 sewer district. Commissioner Genova said they need to adjust the boundary, and Mr. Bevan won't be removed.

Mayor Kinsey reiterated there is no intention of taking anyone currently on the Valle Vista line out of the 201.

Rich Senko, 3108 A ½ Road, said he is in the same situation as Tim Bevan. Half of his property is included, he's already connected to the sewer, although his house is not in. He connected to the Valle Vista sewer line in 1996 when he built his home. He has dedicated an easement across the north end of his property for the sewer line. He had no preference of being in over being out. His only concern was that all of his property be either in or out of the 201. Commissioner Genova said Mr. Senko's property is in.

Jim Rooks, 155 31 Road, said he is the largest property owner in the area with 220 acres. He wanted to be left in the 201 area. He said 400 feet has been taken off both the north side and the east side of his property. Part of his property is within the boundary and part is out. He would like to be left in the 201 sewer service area.

Councilmember Scott asked how many acres encompass the entire white area on the map. Mr. Rooks estimated 450 acres.

Brian Harris, spoke representing his parents who reside at 3026 A ½ Road. In 1980 they understood they were inside the 201 boundary and voted for the sewer plant. They are served by a four-lane road in the area. B Road is within one and one-quarter miles of a four-lane road so access for development and service is better than it is on the Redlands. The fire station is within four miles. They have better fire protection than the Redlands. They wanted their 5-acre property to stay in the 201 service area.

Tom Nielsen, 130 30 ¾ Road, said he appreciated receiving the notice regarding tonight's meeting. He was not interested in being in the 201 sewer area. There have been only four failed systems in the area and it doesn't seem to be a real problem. People that want to live in these areas don't consider it a burden or they would live elsewhere. The Valle Vista situation was an emergency. If no sewer service is provided, there will still be a demand for property in that area.

Anna Boyles, 2134 B Road, wanted to get on the sewer. The water table is high in the area. She is under 400 feet from the sewer but can't get sewer. She is in the 201 area and wants to stay in. Pete Baier said the physical improvements are not there, but the manhole is in the road and the sewer line turns the other direction.

Tom Matthews asked for clarification on whether this area is currently in the 201 area. The Commissioners and Councilmembers assured Mr. Matthews it is in the 201 service area. The discussion tonight is whether or not to delete the area.

Jim Elsberry, 229 Radan, a board member of Orchard Mesa Sanitation District, said nobody will be upset if the area is not annexed. He is on sewer and he is outside the City, and he personally likes it that way. He said it's not the sewer that dictates the density in this area. To be fair to Orchard Mesa residents they need to understand that being inside the 201 area doesn't mean their properties are about to be annexed or that a certain density will occur. The Planning and Development Department decides. The number of houses per acre is set by the Orchard Mesa Plan for the future of Orchard Mesa. He questioned why the area would have to be annexed.

Councilmember Terry said new development in the 201 area, according to the Persigo Agreement between Mesa County and the City of Grand Junction, will

annex to the City. New development is what determines the annexation. According to the joint agreement, any property that develops will annex to the City. It is not the Planning Department that decides.

Mr. Elsberry said if the City is bound to annexation, then that's the direction it must go.

Commissioner Hall said it doesn't impact existing subdivisions.

Mr. Elsberry said he is in favor of leaving the district as big as it needs to be, only to serve those that need the service.

Jim Rooks, 155 31 Road, said the accurate acreage of the area is 800 acres. Regarding comments on the high water table in the area, he said there is an irrigation system being installed for water use off the Orchard Mesa irrigation system. The floor of the canal was dry when they dug a 2 ½-foot hole for the irrigation system. To pour their structure they are having to use a sump pump to keep the water out in order to build the structure. There is definitely a high water table problem.

Cleo Rooks, 155 31 Road, said they have no immediate plans, but the people who are subdividing in the area, their water drains to the northwest on Orchard Mesa and under her land. They have already used a portion of their acreage to provide drainage for the underground water, and it will continue to get worse as new subdivisions go in.

Steve Kline, 3158 XL Spur, asked if anyone in this area is being assessed taxes for this service. Councilmember Terry said no, it is funded entirely by user fees.

Wayne Kennedy, 3154 XL Spur, asked for the average cost of sewer. Deborah Davis, Orchard Mesa Sanitation District, said they charge \$12.25/ month, a tap fee is \$1500, and installation is \$750. The installation fee brings their line to the property owner's line. Any lines on the owner's property are paid for by the property owner.

Discussion then took place between the Commissioners and Council.

Commissioner Hall said the Orchard Mesa Plan and Comprehensive Land Use Plan are in conflict. Since the Orchard Mesa Plan will be updated soon, she recommended it be left as it is until the new Orchard Mesa plan is complete. There is no consensus in that area which is the purpose of neighborhood plans. She recommended leaving it as it is until the plan is complete.

Mayor Kinsey asked Commissioner Hall if she was suggesting following the neighborhood plan and giving up the decision by this board. Commissioner Hall

said every decision made by the County Commissioners in that area follows the Orchard Mesa Plan.

Councilmember Spehar said Tom Nielsen is right. The B Road line was supposed to solve the Valle Vista problem only, not to increase density. The effort was to retain the area as agricultural, and the Valle Vista line was not to promote density. He felt it would be appropriate to delete that area. He felt the high water table in the area might discourage high density development in the area.

Mayor Kinsey agreed with Councilmember Spehar. As a city resident, he was somewhat offended that individuals want to live out in the country on a septic system, but want the security of a sewer system provided by the City. Those that want to reside on the edge of the boundary should not want to be rescued by the City/County sewer service.

Councilmember Terry said the City never recognized this area as being within the City's 201 boundary.

Commissioner Baughman said it is evident this area is a high water table area and sewer needs to be available and increased density is not desirable. He would like to come up with some way to let existing residents have the sewer availability and a density limit for this area.

Mayor Kinsey said it is too expensive to run a line out there to rescue the current ten houses. High density development is the only thing that would make it feasible. He didn't want to offer false hope to anyone.

Commission Chair Genova agreed with making no decision tonight, and rework the Orchard Mesa Plan first.

Commissioner Hall sympathized with the City's position on density, but thought they should let the neighborhood decide its own fate.

Councilmember Terry said normally she would agree with that approach. She felt there should be some self-determination in all land use decisions. She asked about the cost again.

Jim Elsberry said all of those lines are Orchard Mesa Sanitation's lines. They would also foot the bill with the help of their customers. He said there is no additional cost to anyone in Grand Junction if lines are connected to subdivisions within the 201 boundary.

Councilmember Terry asked if this area is in the Orchard Mesa Sanitation District. Mr. Elsberry said no.

Commissioner Hall said it would then be the City's responsibility.

Mesa County Administrator Bob Jasper said the Orchard Mesa Sanitary Sewer District has been going out on a contract basis.

Mayor Kinsey asked Pete Baier to repeat the estimated capital construction costs. Mr. Baier restated it will cost approximately \$350,000 to run a line one mile.

Commission Chair Genova asked Linda Dannenberger to again state when plans to revisit the Orchard Mesa Plan are to begin. Ms. Dannenberger said they plan to start open house in May, with a public meeting in June, then adoption in June or July, 2000.

Commission Chair Genova agreed with Commissioner Hall.

Commissioner Baughman said there has not been enough information provided to vote on a deletion tonight. He felt it was worth waiting until the Orchard Mesa Plan is revisited.

Commission Chair Genova said during the scheduled round table discussions, the citizens need to look at the real cost to them.

Commissioner Hall asked Jim Rooks if most of his acreage is agriculture. Mr. Rooks said he is currently farming 150 to 160 acres of the total 220 acres. He said the rest of the area is smaller parcels. He will continue to farm as long as he can get a decent price.

Commissioner Hall explained people have moved out there because they want to be away from people, and when sewer is put in, it will be a subdivision. Everywhere sewer goes in, higher density is allowed so it is bought up and developed into high density. Sewer creates high density.

Brian Harris said the big owners could subdivide their property, but the rest of the parcels would not be able to be subdivided as they are too small.

Commissioner Baughman said development could still take place on five-acre parcels with many more septic tanks in an area that already has major problems.

Gretchen Sigafos, 3097 A ½ Road and 131 31 Road, said the people wanting to get out of the 201 area are those residing in the hash-marked area. She reminded those present that if it stays in the 201 service area, the hash-marked area will be developed first. It is also closest to 30 Road where the sewer currently exists. Those speaking to get in are not affected by the hash-marked area. They are all north or east of A ½ Road. She again stated she would like to get out of the 201 service area.

Mayor Kinsey felt some direction needs to be given to those that work on the neighborhood plan.

Councilmember Spehar said higher density will make the City's fire protection problem worse, as well as other services. He felt the City shouldn't be chasing the planning process with services. The City should be setting some direction.

Councilmember Scott agreed with the County Commissioners to wait until July when the Orchard Mesa Plan is updated.

Councilmember Payne agreed to wait until July. He could see no reason to rush into a decision.

Councilmember Enos-Martinez couldn't see how the City can serve those people properly if they are kept in.

Councilmember Terry agreed. She also agreed with Councilmember Spehar the density shouldn't be there. The City can't afford to install the lines or serve the residents. She would have to vote to take it out of the 201.

Commissioner Hall said those concerns can be an important part of the planning process.

Councilmember Enos-Martinez said it's not fair to take areas in and not be able to serve them.

Councilmember Spehar said it gives them an unrealistic expectation.

Commissioner Hall said the City needs to participate in the planning of that hash-marked area along the highway because it is a part of the entrance to the City and the City should have input on how it will look.

It was noted the Orchard Mesa Plan is five years old, and needs updating.

Mike Randbell said holding off on a decision will give people in the area an opportunity to attend the meetings for discussion. People need to look hard at the money issues.

County Administrator Bob Jasper said it is good if both Council and the Commission would give staff direction to put the resolution together, leaving this area out.

Upon motion by Councilmember Spehar, seconded by Councilmember Terry and carried with Councilmember **SCOTT** voting **NO**, the area under discussion was deleted from the 201 service area and it will not be developed at a high density.

Upon motion by Commissioner Hall, seconded by Commissioner Baughman and carried unanimously, this portion of the Orchard Mesa area, 201 amendment, the portion from B Road south to Highway 50 be held in abeyance until the planning process is complete in July, 2000.

Commissioner Baughman agreed there shouldn't be high density in that area.

Commission Chair Genova said staff is directed to draft a resolution to make those decisions final.

ADJOURNMENT

The meeting was adjourned at 9:45 p.m.

Stephanie Nye, CMC
City Clerk

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

March 15, 2000

The City Council of the City of Grand Junction, Colorado, convened into regular session the 15th day of March, 2000, at 7:30 p.m. at Two Rivers Convention Center. Those present were Cindy Enos-Martinez, Earl Payne, Jack Scott, Jim Spehar, Janet Terry, Reford Theobald, and President of the Council Gene Kinsey. Also present were City Manager Mark Achen, City Attorney Dan Wilson, and City Clerk Stephanie Nye.

Council President Kinsey called the meeting to order and Councilmember Payne led in the Pledge of Allegiance. The audience remained standing during the invocation by Joe M. Jones, Redlands Pentecostal Church of God.

PROCLAMATIONS / RECOGNITIONS

PROCLAMATION DECLARING APRIL 2-8, 2000 AS "THE WEEK OF THE TARTAN"
IN THE CITY OF GRAND JUNCTION

APPOINTMENTS TO THE RIDGES ARCHITECTURAL REVIEW COMMITTEE

Upon motion by Councilmember Spehar, seconded by Councilmember Terry and carried, Tom Zender was appointed to the Ridges Architectural Review Committee and Frank Rinaldi and Neal Sampson were appointed as alternates.

APPOINTMENTS TO THE GRAND JUNCTION HOUSING AUTHORITY

Upon motion by Councilmember Terry, seconded by Councilmember Spehar and carried, Erin Ginter and Cory Hunt were appointed to five-year and four-year terms respectively on the Grand Junction Housing Authority.

APPOINTMENT OF SECOND ALTERNATE TO THE PLANNING COMMISSION

Upon motion by Councilmember Payne, seconded by Councilmember Terry and carried, Bill Putnam was appointed as second alternate to the Planning Commission.

APPOINTMENT TO THE PLANNING COMMISSION BOARD OF APPEALS

Upon motion by Councilmember Scott, seconded by Councilmember Enos-Martinez, Creighton Bricker was appointed to the Planning Commission Board of Appeals.

It was suggested by Councilmember Terry that the name of the Planning Commission Board of Appeals be changed to the Board of Appeals to relieve some confusion.

CITIZEN COMMENTS

Keith Fowler, an Orchard Mesa resident, addressed Council concerning the U.S. Postal Service closing an office on Orchard Mesa. A post office branch has been located at the Orchard Mesa City Market store for the past 16 years. The residents of that area depend on their service and do not want to see it taken away from them. The Orchard Mesa area is growing and needs the office. The U.S. Postal Service contracts Mr. Procopio to provide these services and apparently there is a problem with the contract.

He has discussed this with office staff of Representative McInnis, and Senators Allard and Campbell. He plans to appear before the County Commissioners on March 20, 2000 to request this postal station be preserved. He asked the City Council to intervene somehow and help solve the dispute between the U.S. Postal Service and the contractor. He presented a letter to Council for review.

Mr. Fowler submitted a petition with approximately 1200 names requesting that the service be retained. The petition was left on a counter in the Orchard Mesa postal branch for signing. He realized this matter is not within Council's authority, but thought if he talked to enough entities it could influence the postal service to reconsider an agreement.

Councilmember Theobald said since Mr. Procopio is the contractor for all the contract stations in the valley, there may be other branch offices that will also be affected.

Councilmember Payne was concerned with additional traffic that will impact the 5th Street viaduct, 4th Street and White Avenue, with customers going to the main post office on 4th Street in Grand Junction. There is also insufficient parking near the main post office.

Mr. Fowler provided names of contacts at the state and federal level.

Mr. Procopio said City Market rents him his space for one-quarter of the normal market value, so it is not a question of economics. His seven contracts with the U.S. Postal Service provide that every two years an increase can be requested with any substantiated costs that have been incurred over the previous two years which can amend the lease. He said it is not a problem with the local postmaster. He has been losing out-of-pocket money with the operation over the past two years. He waited until after the past holiday season to resume negotiations. The current contract that has been offered by the U.S. Postal Service will still cause

him to lose money, and it is not acceptable. He said the issue is keeping the service for the Orchard Mesa residents. He said this problem does not affect the other contract stations, only the Orchard Mesa location. Normally, the postal service will put out a new bid immediately for a new contract. That was not done in this case.

The postal service decided they would have no type of service at all at the Orchard Mesa location. The local postmaster told Mr. Procopio that they will have to add a clerk at the downtown post office to do the business that currently takes place at the Orchard Mesa station.

Mayor Kinsey felt the Orchard Mesa station is needed. The City Council does not want to get involved in business negotiations. He felt Council can indicate in writing their support for continued service in that area.

Councilmember Terry said being an advocate for Grand Junction's citizens is always appropriate. She felt Councilmember Payne's traffic impact issue is a specific point to bring out.

CONSENT ITEMS

Upon motion by Councilmember Terry, seconded by Councilmember Scott and carried by roll call vote, the following Consent Items #1-11 were approved:

1. **Minutes of Previous Meetings**

Action: Approve the Minutes of the Regular Meeting February 16, 2000, Special Meetings February 22 and February 23, 2000, and Regular Meeting March 1, 2000

2. **Artwork for the New City Hall Entrance Lobby**

On January 26 and March 6 the Commission, plus three local artists, a representative from City Hall, and two Council members reviewed proposals from 14 Colorado artists for aerial artwork in the City Hall entrance lobby, and selected an artist to commission.

Action: Authorize the City Manager to Sign the Contract to Commission George Peters and Melanie Walker to Create a Work of Art for the City Hall Entrance Lobby for an Amount Not to Exceed \$50,000

3. **Funding Support to Local Organizations for Art and Cultural Events/Projects/ Programs**

On February 23 and 28 the Commission reviewed 25 requests from local organizations and agencies for financial support, per Commission criteria and guidelines, and recommends that the City Council approve funding for

19 art and cultural events and projects. The Commission recommends supporting the following:

Recommended for full funding:

| | |
|---|--------|
| Grand Valley Community Theater "Brigadoon" musical | \$1500 |
| Institute of Dancing Arts costumes for elder care facilities performances | \$1500 |
| Grand Junction Downtown Association Art & Jazz Festival | \$1000 |
| Grand Junction Senior Theatre Annual Talent Showcase | \$1000 |
| Western Colorado Center for the Arts Summer Art Camp for kids | \$ 900 |
| Thunder Mt. Camera Club slide presentation at the Avalon | \$ 750 |
| Advocates for Children's Enrichment Creede Repertory Performances | \$ 500 |
| Bookcliff Barbershop Harmony Chorus Regional Convention/Performance | \$ 500 |
| Very Special Arts GJ Festival for Developmentally Disabled Adults | \$ 500 |
| Valley Wide PTA Annual Reflections Student Art Exhibit | \$ 400 |
| Western Colorado Botanical Gardens portable VCR/TV purchase | \$ 300 |

Recommended for partial funding (requests in parentheses):

| | |
|--|----------|
| Theatre Works' Shakespeare in the Park "Twelfth Night" production (\$10,000) | \$4900 |
| Grand Junction Musical Arts Association/GJ Symphony opening concert (\$3500) | \$2000 |
| Italian Cultural Society Second Annual Festival Italiano concerts (\$3500) | \$2000 |
| Museum of Western Colorado Pride of the Valley Art Festival (\$3000) | \$2000 |
| Celtic Festival & Highland Games (\$5000) | \$1500 |
| Friends of the Mesa County Public Library ethnic theme programs (\$1615) | \$1000 |
| Brush & Palette Club workshop/annual exhibit (\$3000) | \$ 750 |
| Grand Valley Blacksmith Guild monthly programs/Pride of the Valley (\$1370) | \$ 500 |
| Total | \$23,500 |

***Action:** Approve Commission Recommendations for Arts and Cultural Events/ Projects/Programs*

4. Pitkin Avenue Waterline Replacement Project

The following bids were received on March 6, 2000:

| | |
|---|--------------|
| Mountain Valley Contracting, Grand Junction | \$161,531.95 |
| M. A. Concrete Construction, Grand Junction | \$179,649.60 |
| R. W. Jones, Fruita | \$223,812.50 |
| Engineer's Estimate | \$172,426.00 |

***Action:** Award Contract for Pitkin Avenue Waterline Replacement Project to Mountain Valley Contracting in the Amount of \$161,531.95*

5. Kannah Creek Water Treatment Plant

The following bids were received on March 6, 2000:

| | |
|--|-------------|
| Filter Tech Systems, Inc., Commerce City, CO | \$57,075.00 |
| U.S. Filter, Ames, IA | \$75,587.00 |
| Engineer's Estimate | \$92,000.00 |

Action: Award Contract for Kannah Creek Water Treatment Plant to Filter Tech Systems, Inc. in the Amount of \$57,075.00

6. **2000 Waterline Replacement Project**

The following bids were received on March 7, 2000:

| | |
|---|--------------|
| Mountain Valley Contracting, Grand Junction | \$282,721.40 |
| Taylor Constructors, Grand Junction | \$288,811.00 |
| M. A. Concrete Construction, Grand Junction | \$329,820.30 |
| Skyline Contracting, Inc., Grand Junction | \$341,238.20 |
| R. W. Jones, Fruita | \$397,912.26 |
| Engineer's Estimate | \$309,042.00 |

Action: Award Contract for 2000 Waterline Replacement Project to Mountain Valley Contracting in the Amount of \$282,721.40

7. **North Avenue Curb, Gutter and Sidewalk Replacement, First Street to 29 Road**

The following bids were received on March 7, 2000:

| | |
|-------------------------------------|--------------|
| R. W. Jones, Fruita | \$219,749.00 |
| Reyes Construction, Grand Junction | \$208,306.00 |
| G & G Paving, Grand Junction | \$172,580.00 |
| Precision Paving, Grand Junction | \$172,345.00 |
| Mays Concrete, Inc., Grand Junction | \$168,471.50 |
| Engineer's Estimate | \$179,107.72 |

Action: Award Contract for North Avenue Curb, Gutter and Sidewalk Project to Mays Concrete, Inc. in the Amount of \$168,471.50

8. **Independent Ranchmen's Ditch/Leech Creek Floodplain Study and Revision of FEMA Floodplain Mapping**

One bid was received for a design contract for the Independent Ranchmen's Ditch/Leech Creek Floodplain Study and application to revise FEMA Floodplain Mapping.

Action: Award Contract for the Design of Independent Ranchmen's Ditch/Leech Creek Floodplain Study to ICON Engineering, Inc. of Englewood, CO, in the Amount of \$52,647 and the Application to Revise FEMA Floodplain Mapping and Transfer \$56,647 from the General Fund Contingency to the Project Account

9. **Setting a Hearing on Miller Annexations No. 1, No. 2 and No. 3 Located at 2978 Gunnison Avenue** [File #ANX-2000-037]

The 2.29-acre Miller Annexation area consists of one parcel of land (Lot 8, Banner Industrial Park Subdivision); 0.16 acres of right-of-way from 30 Road (for a distance of 100 feet) to Gunnison Avenue; then 0.58 acres of the right-of-way of Gunnison Avenue to the subject parcel (approximately 13,355 feet). The owners of the property have signed a petition for annexation and a request for site plan review.

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

Resolution No. 24-00 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexations and Exercising Land Use Control – Miller Annexations No. 1, No. 2 and No. 3 Located at 2978 Gunnison Avenue

Action: Adopt Resolution No. 24-00 and Set a Hearing on May 3, 2000

b. **Set a Hearing on Annexation Ordinance**

- (1) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Miller Annexation No. 1, Approximately 0.16 Acres, Located at 2978 Gunnison Avenue
- (2) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Miller Annexation No. 2, Approximately 0.58 Acres, Located at 2978 Gunnison Avenue
- (3) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Miller Annexation No. 3, Approximately 1.55 Acres, Located at 2978 Gunnison Avenue

Action: Adopt Proposed Ordinances on First Reading and Set a Hearing for May 3, 2000

10. **Vacating Easements Located at the Northwest Corner of Patterson Road and First Street (Community Hospital Medical Park-Single Day Surgery Center)** [File #FP-2000-020]

Resolution to vacate several utility and irrigation easements which are no longer required due to property being replatted for the Community Hospital Single Day Surgery Center, located at the northwest corner of Patterson Road and First Street.

Resolution No. 25–00 – A Resolution Vacating Utility and Irrigation Easements for the Community Hospital Site Located at the Northwest Corner of Patterson Road and First Street

Action: Adopt Resolution No. 25–00

11. **Live Scan/Mug System for Police Department**

This is a sole source purchase of one Live Scan/Mug System from Digital Biometrics, Inc. in the amount of \$86,000 installed.

Action: Approve Sole Source Purchase of One Live Scan/Mug System from Digital Biometrics, Inc. in the Amount of \$86,000 Installed

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

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

NONE

OTHER BUSINESS

Issue on Museum Funding

Councilmember Scott said City Council has pledged \$300,000 in funding for the Museum of Western Colorado. In addition, Council has pledged \$100,000/year if there is extra sales tax revenue. He felt the idea of the Museum moving out of Grand Junction has no bearing on these pledges.

Councilmember Theobold could see no reason to rush a decision on this funding. Since the Museum has made it clear they are considering the move, he wanted to wait and see if the move takes place.

Councilmember Scott disagreed. The Museum needs the funds.

Councilmember Theobold disagreed that the Museum needs the funds. They recently told City Council they have a several hundred thousand surplus. Money is not an issue.

Councilmember Terry said they may have a surplus but they have given City Council a list of pending projects that are not funded.

Councilmember Theobold said he was not disputing the fact that there are things the Museum could do with the money. His point was that none of the projects are

on a short timeframe, and none are urgent. They are all part of the overall picture of the Museum's expansion, etc. He felt it would be prudent of Council to wait and see what the Museum is going to do with their existing lease on a building that the City specifically purchased for the Museum's use.

Councilmember Enos-Martinez said the funds requested were for the expansion of the Museum that is located on 4th Street as opposed to Dinosaur Valley Museum. She was not in favor of moving Dinosaur Valley.

Councilmember Terry said one of the Museum board members said once the offer on the building in Fruita has been settled, they intend to come to the City Council and the Downtown Development Authority to discuss the matter. During her discussions she suggested they consider the possibility of still maintaining some presence downtown. She said there seemed to be a willingness to resolve the issues.

Councilmember Theobald said if negotiations between the Museum and Fruita fail, Fruita is going to want to find another lessee for their building.

Councilmember Scott said discussion has taken place since January, 2000 and it is now March. He felt Council should decide to give the funding, or not.

Councilmember Payne said the Museum's surplus is being used in planning for the next phase of the Museum expansion. The Museum said they would come before City Council before final negotiations with Fruita. Such negotiations could possibly take 30 to 90 days. He felt since Council approved the funding for the Museum expansion program only, it should be finalized. He felt a decision should be made tonight.

Councilmember Theobald said Council was told at the recent breakfast with the Museum that the money they're wanting from the City will go to something they already have on their wish list, but if they don't get the money from the City, the net result is going to be a reduction in their endowment from the bequest by an equivalent amount of money, not a change in the Museum.

Councilmember Scott said that has nothing to do with this. Council has made a pledge and Council should live up to it.

Councilmember Theobald resented Councilmember Scott's implication that the fact that he did not want to make a decision tonight to be going against his word or anyone else's word. He wants to make a decision when the Museum has made their decision.

Councilmember Spehar felt the City has made this pledge to the Museum for a specific purpose and they are fulfilling their part of the bargain in the expansion project. In general, pledges made by the City, the County and others to the

Museum were meant to put the Museum on a sound financial basis for the future. He was comfortable with honoring the commitment.

Upon motion by Councilmember Payne, seconded by Councilmember Scott and carried with Councilmembers **THEOBOLD** and **KINSEY** voting **NO**, the \$100,000 pledge to the Museum of Western Colorado for the year 2000 was honored and will go into effect immediately.

Councilmember Theobold hoped the Museum will honor the spirit of their commitment to the downtown area.

Councilmember Scott recommended Council tell the Museum of Western Colorado they are not in favor of them moving to Fruita.

Councilmember Terry said the Museum has indicated they want to come back to Council and talk about their offer and other possibilities. She felt before sending an official message, Council owes them the courtesy of listening to the proposal. Councilmember Spehar agreed.

City Manager Mark Achen was directed to contact the Museum of Western Colorado and notify them of Council's decision.

House Bill 1223 – Growth Bill

Councilmember Terry updated Council on HB 1223. It came out of the House with a lot of unfriendly amendments that indicated several Statewide mandates. The intent of Senate Sponsor Norma Anderson was to reintroduce it into the Senate, eliminating all of the amendments and putting it back into final form. The final form included some friendly amendments that have been agreed upon with the REAs in the State. It was heard at the Senate Local Government Committee on March 14, 2000 and passed with a vote of 4 to 3. It will then go to the Senate Agriculture Committee on March 16, 2000. If it passes committee, it will go to the Senate Floor probably the end of next week. This is the last growth bill that's alive in the Legislature.

EXECUTIVE SESSION

Upon motion by Councilmember Spehar, seconded by Councilmember Earl Payne and carried, the meeting adjourned into Executive Session at 8:13 p.m. to discuss personnel, property negotiations and an update on some attorney/client items.

ADJOURNMENT

The meeting adjourned at 8:13 p.m.

Stephanie Nye, CMC
City Clerk

Attach 2

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| <i>CITY COUNCIL</i> | | |
|------------------------|--|--|
| Subject: | July 4th Fireworks Celebration Agreement | |
| Meeting Date: | April 5, 2000 | |
| Date Prepared: | March 17, 2000 | |
| Author: | Don Hobbs | Asst. Director, Parks & Rec |
| Presenter Name: | Don Hobbs | Asst. Director, Parks & Rec |
| | Workshop | <input checked="" type="checkbox"/> Formal Agenda |

Subject:

July 4th Fireworks Celebration Agreement

Action Request:

Recommend that the City Council authorize the City Manager to enter into a three-year agreement with two-year renewal option with KJCT to sponsor the July 4th fireworks in Lincoln Park and Suplizio Field.

Summary:

In October of 1999 the Women's Chamber of Commerce notified the City that they were no longer going to conduct the annual fireworks display in Lincoln Park. Knowing the display was an important community event that needed to continue, City Council asked the Parks and Recreation staff to search for a primary sponsor.

Background Information:

Two area companies specializing in event coordination and promotion were contacted along with every organization that had helped sponsor the event with the Women's Chamber. Neither area promoter believed it was an event they were interested in but did recommend the Parks and Recreation Department get in touch with local media and see if any were interested. A request for proposals was prepared and mailed to these media groups; KREX, KKCO, KJCT, Cumulus broadcasting (MIX 104.3, 95 ROCK, KEKB 99.9, L A Zets 1230 AM), KSTR, K-JOY/KNZZ, KPRN, KMSA, The Daily Sentinel, Palisade Tribune, and Fruita Times. Two proposals were returned and one phone call indicating interest in continued support was received. Cumulus' proposal offered \$5,000 worth of

advertising and the services of Ed Chandler, one of their top DJs, as emcee. The Daily Sentinel, who has been a continuing sponsor throughout the years, called and indicated that while they weren't in a position to sponsor the entire event they were very interested in continuing their sponsorship. KJCT was the only group that proposed to sponsor and conduct the entire event. It is also their desire to enter into a long-term agreement with the City.

In a subsequent meeting KJCT staff outlined their plans to conduct the event. KJCT hopes to evaluate the level of the fireworks display and in 2000 they will be working closely with the same fireworks company that has been used in the past. A number of pre-fireworks entertainment ideas are under consideration but it is KJCT's plan to greatly enhance this portion of the stadium show. Promotion of the event will be key to their success and KJCT has expressed interest in working with past sponsors to promote the program. KJCT also plans to do live shots from the stadium as well as tape the entire show for later viewing by shut-ins and others who couldn't attend. It is anticipated that the admission charged at the gate will remain comparable to previous years.

Budget:

KJCT will be responsible for the cost of running the event (e.g. fireworks display, entertainment, advertising, etc.). The City will continue to be a co-sponsor of the event and will provide the stadium, Parks and Recreation staff services and Fire and Police Department services at no charge.

Action Requested/Recommendation:

It is recommended that the City Council authorize City Manager to enter into a three-year agreement with two-year renewal option with KJCT to sponsor the July 4th fireworks in Lincoln Park and Suplizio Field.

| | | | | | |
|------------------------------|-------------------------------------|----|--------------------------|-----|---------|
| Citizen Presentation: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes | If Yes, |
| Name: | | | | | |
| Purpose: | | | | | |

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| Report results back to Council: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes | When: | |
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| Placement on Agenda: | <input checked="" type="checkbox"/> | Consent | <input type="checkbox"/> | Indiv. Consideration | <input type="checkbox"/> | Workshop |
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Attach 3

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| <i>CITY COUNCIL</i> | | |
|------------------------|---|--|
| Subject: | Western Colorado Golf Foundation and Rocky Mountain Open | |
| Meeting Date: | April 5, 2000 | |
| Date Prepared: | March 17, 2000 | |
| Author: | Joe Stevens | Parks & Recreation Director |
| Presenter Name: | Joe Stevens | Parks & Recreation Director |
| | Workshop | X Formal Agenda |

Subject:

Western Colorado Golf Foundation and the Rocky Mountain Open

Summary:

It is recommended that the City Council authorize the City manager to enter into an agreement with the Western Colorado Golf Foundation (WCGF) for the expressed purpose of running the Rocky Mountain Open Golf Tournament. The term of the agreement will be for 3 years, 2000, 2001, and 2002. If both parties agree, the tournament may be extended for an additional 2 years through the 2004 RMO tournament. The WCGF is an outgrowth of the 1999 Rocky Mountain Open (RMO) Committee. In 1999, the RMO Committee worked with the City in promoting a most successful event.

Background Information:

The Western Colorado Golf Foundation addressed the Parks and Recreation Advisory Board at the February 24, 2000 Parks Board meeting giving the Board an update on their 3 year effort to form a non-profit, tax exempt foundation to run the Rocky Mountain Open. One avenue the Western Colorado Golf Foundation wants to use, as a means to fund and achieve their goal is the "ownership" and sponsorship of the Rocky Mountain Open Pro/AM Golf Tournament. The Parks Board requested that staff discuss possibilities with representatives of the Western Colorado Golf Foundation and bring a recommendation back to the Board for further consideration.

The City of Grand Junction is appreciative of The Western Colorado Golf Foundation's efforts to promote, organize and perpetuate the Rocky Mountain Open as the oldest professional-amateur golf tournament in the State of Colorado.

On March 16,2000 the Parks and Recreation Advisory Board recommended that the City of Grand Junction enter into an agreement with the Western Colorado Golf Foundation that will insure the continuity of the RMO tournament at Lincoln Park and Tiara Rado golf courses as follows:

1. The City's head golf professional will serve as a member of the Rocky Mountain Open (RMO) Committee.
2. The City will waive green fees on pro-am day (Thursday).
3. The Western Golf Foundation agrees to pay the City the following green fees for the RMO (includes Friday, Saturday and Sunday): 2000, \$7,000; 2001, \$8,392; 2002, \$8,713; 2003, \$8,686; 2004, \$9034.
4. The City will charge the prevailing rate for motorized cart rental (currently \$20.00/cart).
5. The City (head golf professional) will be responsible for tournament pairings, handicap verification, collecting motorized cart rental fees, score boards, scoring and pro-shop staffing. The City (golf course superintendent) will be responsible for course preparation and maintenance.
6. The Western Colorado Golf Foundation agrees to purchase RMO amateur prizes for tournament participants from the pro shops at Lincoln Park and/or Tiara Rado golf courses.
7. The Western Colorado Golf Foundation agrees to collect green fees and gift certificate money for the RMO on behalf of the City. Money from the RMO due the City will be remitted within 30 days of the tournament's conclusion. Remittance not received within 30 days will be charged a minimum of 1%/month on the outstanding balance.
8. The Western Colorado Golf Foundation agrees to reimburse the City \$4,212 for 88 pros and 120 amateurs for RMO green fees not received by the City in 1999. The City agrees to discount the actual amount owed the City (\$8,424). This action can be partially justified since \$3,095 was not claimed in gift certificates but the money was paid to the City. The balance (\$1,117) is merely recommending that the RMO Committee and the City agree to split the cost 50/50 for 1999 by discounting a portion of the mark-up on merchandise for 1999. Without the cooperation of both entities, the 1999 event would not have achieved its high level of success and this gesture in effect acknowledges that "spirit of cooperation".
9. The RMO Committee will be responsible for advertising, soliciting sponsors, collecting entry fees, prize money for professional golfers, awards ceremony, pre-tournament festivities, volunteers, and coordination with the operators of the Pinion Grill at Lincoln Park and Tiara Rado.
10. During the term of the agreement, the RMO cannot be moved to another golf course(s) without the City's authorization.

11. On all RMO promotions, the City of Grand Junction shall be named as a co-sponsor.

Budget:

If the agreement runs for 5 years, \$41,825 will be collected from green fees which is based on 90% capacity. Under the old pro-shop concession agreement (5% of gross sale) merchandise and carts would generate about \$6,385. Since the City now owns and operates pro-shop merchandise sales and motorized cart rentals, the net approximates \$32,000 annually from the RMO. Revenues will exceed city expenditures for the event, promote golf, showcase city facilities, and meet objectives of the 10-year business plan.

Action Requested/Recommendation:

It is recommended that the City Council authorize the City Manager to enter into an agreement with the Western Colorado Golf Foundation to run the Rocky Mountain Open Golf Tournament.

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| Citizen Presentation: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes | If Yes, |
| Name: | | | | | |
| Purpose: | | | | | |

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| Report results back to Council: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes | When: | |
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| Placement on Agenda: | <input checked="" type="checkbox"/> | Consent | <input type="checkbox"/> | Indiv. Consideration | <input type="checkbox"/> | Workshop |
|-----------------------------|-------------------------------------|---------|--------------------------|----------------------|--------------------------|----------|

Attach 4

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| <i>CITY COUNCIL</i> | | |
|------------------------|---|-------------------------------|
| Subject: | Dept. of Justice Local Law Enforcement Block Grant | |
| Meeting Date: | April 5, 2000 | |
| Date Prepared: | March 10, 2000 | |
| Author: | Robert Knight | Lt., Police Department |
| Presenter Name: | Robert Knight | Lt., Police Department |
| | Workshop | X Formal Agenda |

Subject: 2000 U.S. Department of Justice Local Law Enforcement Block Grant

Summary: The Police Department has been awarded a Federal Block Grant in the amount of \$54,815. Permission is being requested of the City Council to authorize the City Manager to accept the award. An in-kind match of \$6,091 from existing or new funds will be required for the expenditure of these Federal funds.

Background Information: Local Law Enforcement Block grants were established in 1997 and allocated to jurisdictions exceeding 10,000 population. The amount of the award is based upon the last three year average crime statistics reported to the Federal Bureau of Investigation by the local entities. The funds are to be used to improve the delivery of law enforcement services in the community either through the procurement of support equipment or the hiring of additional police officers for specific purposes. These funds are to supplement, not supplant, existing local funds. These funds are to be spent within a 24-36 month time frame upon the acceptance of the award by the local jurisdiction.

The police department received the first block grant award of \$52,216 in 1997. These funds were used to complete the purchase of the automated finger print identification system (AFIS). A second grant of \$56,325 was award in 1998 and will be used in 2000 to purchase a server for the records management system and to upgrade some outdated computer wiring systems within the police building. What remains from this 1998 award will be added to the 2000 award to supplement the purchase of a document imaging component needed for the records management system.

Budget: In kind match of \$6,091

Action Requested/Recommendation: Recommend City Council authorize the City Manger to accept this block grant.

Note: This is the first year this award process is being conducted electronically by the U.S. Department of Justice. The City Manager's acceptance for award purposes, if granted, will be indicated in a check block on an internet document and forwarded to the U.S. Department of Justice. For documentation purposes, it is suggested the City Manager's approval be recorded either by including a copy of the minutes of the council meeting and/or initialing a print-out of the internet document. A copy of the approval, in whatever format granted, will be retained in the grant files maintained by the police department for ready reference if requested by the Department of Justice.

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| Citizen Presentation: | <input type="checkbox"/> | No | <input type="checkbox"/> | Yes | If Yes, |
| Name: | | | | | |
| Purpose: | | | | | |

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| Report results back to Council: | <input type="checkbox"/> | No | <input type="checkbox"/> | Yes | When: | |
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| Placement on Agenda: | <input checked="" type="checkbox"/> | Consent | <input type="checkbox"/> | Indiv. Consideration | <input type="checkbox"/> | Workshop |
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LLEBG Applicant Award Review

Applicant Information

Please ensure that uppercase and lowercase have been used in your Applicant Information fields; not all uppercase or all lowercase letters. You may use the "Accept with Change" function below to make any needed corrections. **If** you have provided only a post office box, please use the "Accept with Change" function to provide a street address.

Applicant Jurisdiction Name: Grand Junction City

Jurisdiction OJP Vendor Number: 846001592

Jurisdiction Address Line 1: 250 N 5th Street

Line 2:

City: Grand

State: Junction
Colorado

ZIP: 81501

Jurisdiction CEO: Mr. Mark

Jurisdiction CEO Title: Achen
City

FY 1999 Award Information

* FY 1999 LLEBG Final Award Information: \$54,815

Matching Amount: \$6,091

Special Conditions: **Click here** to review the special conditions associated with this Award. This component is **NOT** an official government document, but may be printed for use as a reference tool in your internal working files. You will be able to print the official Award page and special conditions once you accept your Award.

* This amount will represent any eligible amount calculated for FY 1999 plus any needed adjustment related to FY 1998 Award amount.

Applicant Award Review Decision Options

0 Accept

This function will result in an immediate acceptance of the FY 1999 LLEBG Award and its corresponding special conditions.

Acceptance of this Award and special conditions **DOES NOT** result in an automatic payment of block grant funds. BIA requires that all grantees return to the Grants Management System (GMS) in late January to begin the Request For Drawdown (RFD) phase of the Award process. Please take time over the next several months to plan a detailed budget and comply with your special conditions.

0 Accept with Change

This function will provide you with the ability to correct and/or update the spelling of your jurisdiction's name and mailing address. BIA will consider these adjustments an "Accept with Change" and will require no additional information from you to accept this Award.

0 Change Chief Executive Information - Requiring Additional BJA Review/Approval

This function allows you to make changes to the Chief Executive's (CE) name and title. BJA will consider this to be a "Change Requiring Additional BIA Review/Approval." Once you have submitted your changes, BIA will not provide you with any additional notification, so please remember to come back into this system to see if your Award documents have been re-approved and they are ready for your acceptance. Please allow 3-5 days for BIA to approve any changes.

0 Decline

This function will result in an immediate reallocation of your jurisdiction's FY 1999 funds to the FY 2000 LLEBG Program funding pool. Once declined, a jurisdiction cannot reapply for FY 1999 funding.

Declining FY 1999 funding will in no way affect a jurisdiction's eligibility for future LLEBG Program funding cycles.

Attach 5

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| <i>CITY COUNCIL</i> | | |
|------------------------|--|-----------------------------|
| Subject: | Award of Construction Contract for the 24 Road and G Road Bridge Widening Project | |
| Meeting Date: | April 5, 2000 | |
| Date Prepared: | March 30, 2000 | |
| Author: | Mike Curtis | Project Engineer |
| Presenter Name: | Tim Moore | Public Works Manager |
| | Workshop | X Formal Agenda |

Subject: Award of a Construction Contract for the **24 Road and G Road Bridge Widening Project** to United Companies of Mesa County, Inc. in the amount of **\$1,236,595.50**.

Summary: Bids were received and opened on March 21, 2000 for the 24 Road and G Road Bridge Widening Project. The low bid was submitted by United Companies of Mesa County, Inc. in the amount of **\$1,236,595.50**.

Background Information: This project consists of the 24 Road Widening and the G Road Bridge Widening. The 24 Road Widening Project includes installation of a storm drainage system; installation of curb and gutter on the east side of the roadway; installation of a center turn lane median and curb, gutter and sidewalk on the west side of the roadway along Stop N Save; widening of the existing two lane roadway to three lanes (two lanes plus a center turn lane); and addition of a 4 foot paved shoulder on the east side of the roadway and an 8 foot wide gravel shoulder on the west side of the roadway. The road section has been designed so two additional lanes and curb, gutter and sidewalk can be added to the west edged of the three-lane section in the future. In addition G Road will be widened to a three-lane section from 24 Road east to the new entrance to Canyon View Park. Curb, gutter and sidewalk will be constructed along the north side of G Road from the intersection with 24 Road to the new entrance. The G Road Widening Project includes widening of the bridge over the North Fork of Leach Creek from two lanes to three lanes including sidewalk and a railing on both sides.

The project will be constructed in two phases. The first phase includes widening of 24 Road from the north side of F-1/2 Road to Canyon View Park, intersection improvements at 24 Road and G Road, widening of the G Road Bridge, and widening of G Road and construction of the new entrance into Canyon View Park. 24 Road will be closed from the north side of F-1/2 Road to immediately

south of the entrance into Canyon View Park. G Road will be closed from 23-1/2 Road to 24-1/2 Road. After the first phase of construction is complete, the newly constructed sections of 24 Road and G Road including the new entrance into Canyon View Park will be open for traffic. The second phase included widening of 24 Road from the north side of F-1/2 Road to the north side of Patterson Road and intersection improvements at F-1/2 Road, Leland Avenue, and Patterson Road. 24 Road will be closed from the north side of F-1/2 Road to the north side of Patterson Road.

Work is scheduled to begin on or about April 17, 2000 and continue for 21 weeks with an anticipated completion date of September 13, 2000.

The following bids were received for this project:

| <u>Contractor</u> | <u>From</u> | Bid Amount |
|-----------------------------|-------------|-------------------|
| United Companies | Grand | \$1,236,595.50 |
| Elam Construction | Grand | \$1,323,821.20 |
| M. A. Concrete Construction | Grand | \$1,401,533.30 |
| Engineer's Estimate | | \$1,187,150.00 |

Budget: \$1,336,916.00

Project Costs:

| | |
|---|-----------------------|
| Traffic signal/detour signing (Estimate) | \$11,000.00 |
| Construction | 1,236,595.50 |
| Right-of-way/easement acquisition (Estimate) | 36,637.50 |
| Design | 26,900.00 |
| City Inspection and Administration (Estimate) | <u>66,000.00</u> |
| Total Project Costs | \$1,377,133.00 |

Funding:

| | |
|----------------------|------------------------------|
| 2011 Fund | \$1,232,916.00 |
| Mesa County Funding | <u>104,000.00</u> |
| Total Funding | <u>\$1,336,916.00</u> |
| Balance remaining | <u>(\$40,217.00)</u> |

Staff proposes that the shortfall of \$40,217.00 be transferred from a surplus of approximately \$160,000.00 in the Horizon Drive Reconstruction Project.

Action Requested/Recommendation: City Council motion authorizing the City Manager to execute a Construction Contract for the 24 Road and G Road Bridge Widening Project with United Companies of Mesa County, Inc. in the amount of **\$1,236,595.50**.

| | | | | |
|------------------------------|-------------------------------------|----|--------------------------|-----|
| Citizen Presentation: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes |
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| Report results back to Council: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes | When: | |
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| Placement on Agenda: | <input checked="" type="checkbox"/> | Consent | <input type="checkbox"/> | Indiv. Consideration | <input type="checkbox"/> | Workshop |
|----------------------|-------------------------------------|---------|--------------------------|----------------------|--------------------------|----------|

Attach 6

CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION

| CITY COUNCIL | | |
|-----------------|---|----------------------|
| Subject: | Award of Construction Contract for 1999B Alley Improvement District and 2000 Alley Improvement District | |
| Meeting Date: | April 5, 2000 | |
| Date Prepared: | March 30, 2000 | |
| Author: | T. Kent Harbert | Project Engineer |
| Presenter Name: | Tim Moore | Public Works Manager |
| | Workshop | X Formal Agenda |

Subject: Award of a Construction Contract for **1999B Alley Improvement District and 2000 Alley Improvement District** to **Mays Concrete, Inc.** in the amount of **\$292,830.00.**

Summary: Bids were received and opened on March 28, 2000, for the **1999B Alley Improvement District and 2000 Alley Improvement District** construction project. The low bid was submitted by **Mays Concrete, Inc.** in the amount of **\$292,830.00.**

Background Information: This contract includes the reconstruction of two remaining alleys from the 1999B Alley Improvement District and the five alleys in the 2000 Alley Improvement District. All seven alleys are in residential areas. The sewer lines will be replaced in three of the alleys. The construction generally consists of the installation of 6-inch thick concrete alleys. The width varies between 12 and 16 feet depending upon the existing right-of-way width and physical restrictions in each of the locations. The alleys to be reconstructed are:

| <u>Alley</u> | <u>Length</u> | <u>Width</u> | <u>Sewer</u> |
|--|---------------|--------------|--------------|
| <u>1999B Alley Improvement District</u> | | | |
| Grand/Ouray Alley 22 nd St. to 23 rd St. | 279' | 16' | none |
| 22 nd /23 rd Alley Grand/Ouray Alley to Ouray Ave | 310' | 16' | none |
| <u>2000 Alley Improvement District</u> | | | |
| Chipeta/Gunnison Alley 2 nd St. to 3 rd St. | 448' | 15' | 481' – 8" |

| | | | |
|--|------|-----|------------|
| Rood/ White Alley 10 th St. to 11 th St. | 427' | 15' | none |
| Colorado/Main Alley 11 th St. to 12 th St | 489' | 16' | 473' – 8" |
| 16 th /17 th Alley Grand Ave. to Ouray Ave. | 401' | 14' | none |
| 18 th /19 th Alley Grand Ave. to Ouray Ave. | 410' | 12' | 421' – 15" |

The alleys and sewer line replacements were designed by City staff.

Work is scheduled to begin on or about April 24 and continue for 13 weeks with an anticipated completion date of July 25.

The following bids were received for this project:

| <u>Contractor</u> | <u>From</u> | Bid Amount |
|---------------------|-------------|-------------------|
| Mays Concrete | Grand Jct | \$292,830.00 |
| M.A. Concrete | Grand Jct | \$294,728.50 |
| Reyes Construction | Grand Jct | \$377,196.16 |
| G&G Paving | Grand Jct | \$400,150.25 |
| R.W. Jones Constr. | Fruita | \$450,857.50 |
| Engineer's Estimate | | \$296,290.00 |

Budget:

Alley Improvement District – Fund 2011

Project Costs:

| | |
|---|---------------|
| Construction | \$182,171 |
| Design (estimate) | 9,000 |
| Alley Improvement District Administration | 8,000 |
| City Inspection and Administration (Estimate) | <u>15,000</u> |
| Total Project Costs | \$214,171 |

Funding: 2000 A.I.D. budget \$320,000

Remaining Balance in A.I.D. budget: \$105,829

Sewer Line Replacements – Fund 905

Project Costs:

| | |
|---|--------------|
| Construction | \$110,659 |
| Design (estimate) | 1,000 |
| City Inspection and Administration (Estimate) | <u>5,000</u> |
| Total Project Costs | \$116,659 |

Funding: 2000 Sewer Line Replacement budget \$148,093

Remaining Balance in Sewer Line Replacement budget: \$31,434

It is anticipated that a second Alley Improvement District will be formed for this year, since there are enough funds remaining in the budget for the construction of some additional alleys.

Action Requested/Recommendation: City Council motion authorizing the City Manager to execute a Construction Contract for the **1999B Alley Improvement District and 2000 Alley Improvement District** with **Mays Concrete, Inc.** in the amount of **\$292,830.00**.

| | | | | |
|-----------------------|-------------------------------------|----|--------------------------|-----|
| Citizen Presentation: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes |
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| Report results back to Council: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes | When: | |
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| Placement on Agenda: | <input checked="" type="checkbox"/> | Consent | <input type="checkbox"/> | Indiv. Consideration | <input type="checkbox"/> | Workshop |
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Attach 7

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| CITY COUNCIL | | |
|-----------------------------------|---------------------------------------|--|
| Subject: | Award of Construction Contract | |
| Meeting Date: | April 5, 2000 | |
| Date Prepared: | March 29, 2000 | |
| Author: | James H. Taylor | Project Engineer |
| Presenter Name: | Tim Moore | Public Works Manager |
| <input type="checkbox"/> Workshop | <input checked="" type="checkbox"/> X | <input type="checkbox"/> Formal Agenda |

Subject: Award of a Construction Contract for **CONCRETE REPAIRS FOR OVERLAY STREETS** to **Reyes Construction, Inc.** in the amount of **\$248,160.70**.

Summary: Bids were received and opened on March 28, 2000 for CONCRETE REPAIRS FOR OVERLAY STREETS. The low bid was submitted by **Reyes Construction, Inc** in the amount of **\$248,160.70**.

Background Information: This project consists of replacing damaged sections of concrete curb, gutter and sidewalk prior to the annual street maintenance project on streets scheduled for asphalt overlays. The work also includes installation of new sidewalk and curb ramps where needed.

This concrete work will take place on 14 streets throughout that City and will be completed prior to the 2000 Asphalt Overlay Project. The locations are tabulated below:

LOCATION

Orchard Ave – 28 Road to 28¼ Road
 Colorado Ave – 11th Street to 12th Street
 5th Street – Glenwood Ave. to E. Sherwood Dr.
 25th Street – Bunting Ave. to Elm Ave.
 Belford Ave – 24th Street to 28 Road
 23rd Street – North Ave to 24th Street
 Rood Ave – 12th Street to 13th Street

LOCATION

South Ave – 2nd Street to 5th Street
 Chipeta Ave – 5th Street to 7th Street
 22nd Street – Orchard Ave to Bookcliff Ave
 Hall Ave – 28 Road to 28¼ Road
 Mesa Ave – 28 Road to Hall Ave
 Balsum Ct – West Mesa Ave to Cul-de-sac
 Elm Ave – 25th Street to 28 Road

Work is scheduled to begin on or about April 17, 2000 and continue for 12 weeks with an anticipated completion date of July 3, 2000.

The following bids were received for this project:

| <u>Contractor</u> | <u>From</u> | Bid Amount |
|---------------------------------|--------------------|-------------------|
| Reyes Construction, Inc, | Grand Junction, CO | \$248,160.70 |
| G&G Paving Construction, Inc. | Grand Junction, CO | \$249,000.00 |
| Precision Paving & Construction | Grand Junction, CO | \$314,609.00 |
| Engineer's Estimate | | \$304,216.00 |

Budget: This Project will be funded from several sources. The majority of the funding will come Contract Street Maintenance, Fund 2011-F00400

Project Costs:

| | |
|---|------------------|
| Construction Contract to Reyes Construction | \$248,160.70 |
| Engineering Costs to Date | 6,000.00 |
| City Inspection and Administration (Estimate) | <u>15,000.00</u> |
| Total Project Costs | \$269,160.70 |

Project Funding:

| <u>CAPITAL FUND PROJECT</u> | <u>2000 BUDGET</u> | <u>AMT REQUIRED THIS CONTRACT</u> | <u>ENCUMBERE D TO DATE</u> | <u>BALANCE</u> |
|-------------------------------------|--------------------|---|------------------------------------|----------------|
| Contract Street Maintenance | \$1,356,370 | \$164,047 | \$519,981 | \$672,342 |
| Curb, Gutter & Sidewalk | \$363,829 | \$70,736 | \$280,287 | \$12,806 |
| New Sidewalk | \$156,000 | \$10,955 | \$143,213 | \$1,832 |
| Accessibility Improvements | \$50,000 | \$20,220 | \$29,780 | \$0 |
| Water Fund 301 | | <u>\$3,203</u> | | |
| Total Project Costs | | \$269,161 | | |

The Contractor is required to furnish 100% Performance and Payment Bonds.

Two local companies will provide subcontracting for this Project; Superior Traffic Control for traffic control and G&G Paving for excavation and patching.

Action Requested/Recommendation: City Council motion authorizing the City Manager to execute a Construction Contract for the **CONCRETE REPAIRS FOR OVERLAY STREETS**, with **Reyes Construction, Inc.** in the amount of **\$248,160.70**.

| | | | | |
|-----------------------|-------------------------------------|----|--------------------------|-----|
| Citizen Presentation: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes |
|-----------------------|-------------------------------------|----|--------------------------|-----|

| | | | | | | |
|---------------------------------|-------------------------------------|----|--------------------------|-----|-------|----------------------|
| Report results back to Council: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes | When: | <input type="text"/> |
|---------------------------------|-------------------------------------|----|--------------------------|-----|-------|----------------------|

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|----------------------|-------------------------------------|---------|--------------------------|----------------------|--------------------------|----------|
| Placement on Agenda: | <input checked="" type="checkbox"/> | Consent | <input type="checkbox"/> | Indiv. Consideration | <input type="checkbox"/> | Workshop |
|----------------------|-------------------------------------|---------|--------------------------|----------------------|--------------------------|----------|

Attach 8

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| <i>CITY COUNCIL</i> | | |
|------------------------|---|-----------------------------|
| Subject: | Pre-qualification of Contractors | |
| Meeting Date: | April 5, 2000 | |
| Date Prepared: | March 30, 2000 | |
| Author: | Don Newton | City Engineer |
| Presenter Name: | Tim Moore | Public Works Manager |
| | Workshop | X Formal Agenda |

Subject: A Council resolution adopting of Rules and Procedures to pre-qualify contractors to bid on City Public Works and Utility projects.

Summary: In cooperation with the Western Colorado Contractor's Association and the Associated Builders and Contractors Association, Public Works staff has prepared and is proposing adoption of Rules and Procedures for Pre-qualification of Contractors.

Background Information: Over the past two years, Public Works staff has been meeting with local contractor associations to improve the City's Construction Contract Documents, Bid Documents, Construction Specifications, Standard Details and Construction Administration Procedures. One of the quality issues identified by this group is the need for a process for pre-qualifying contractors to bid on Public Works and Utility projects. The purpose for such pre-qualification would be to assure that each contractor has the necessary equipment, personnel, experience and financial capability to perform the type and size of project that it intends to bid.

Staff has obtained a copy of the Colorado Department of Transportation's (CDOT) pre-qualification program and modified the State rules, procedures and application form to meet the City's need.

The proposed process would pre-qualify contractors for the type of work and size (in dollars) of projects, on which they will be allowed to bid. The categories of pre-qualification are for contracts less \$750,000 and contracts of \$750,000 or greater.

A committee consisting of City Staff will determine pre-qualification. The proposed committee members included the City Engineer, Utility Engineer, Construction Supervisor and the Auditor. This Committee will meet once each

quarter to review contractor applications for pre-qualification. Pre-qualification will expire and must be renewed each year.

The City will accept CDOT pre-qualification in lieu of pre-qualification through the City's application and review process.

Budget: No fees are currently proposed for application or renewal of contractor pre-qualification. Such fees are allowed in the Rules and may be proposed after the actual costs of the program have been determined.

Action Requested/Recommendation: City Council resolution adopting Rules and Procedures to pre-qualify contractors to bid on City Public Works and Utility projects.

| | | | | | |
|------------------------------|-------------------------------------|----|--------------------------|-----|---------|
| Citizen Presentation: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes | If Yes, |
| Name: | | | | | |
| Purpose: | | | | | |

| | | | | | | |
|--|--------------------------|----|--------------------------|-----|--------------|--------------------------|
| Report results back to Council: | <input type="checkbox"/> | No | <input type="checkbox"/> | Yes | When: | <input type="checkbox"/> |
|--|--------------------------|----|--------------------------|-----|--------------|--------------------------|

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|-----------------------------|-------------------------------------|---------|--------------------------|----------------------|-------------------------------------|----------|
| Placement on Agenda: | <input checked="" type="checkbox"/> | Consent | <input type="checkbox"/> | Indiv. Consideration | <input checked="" type="checkbox"/> | Workshop |
|-----------------------------|-------------------------------------|---------|--------------------------|----------------------|-------------------------------------|----------|

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

**A RESOLUTION ADOPTING
RULES AND PROCEDURES TO PRE-QUALIFY CONTRACTORS
TO BID ON CITY PUBLIC WORKS AND UTILITY PROJECTS**

RECITALS:

The City of Grand Junction, in cooperation with the Western Colorado Contractor's Association and the Associated Builders and Contractors Association, has developed Rules and Procedures for Pre-qualification of Contractors who desire to bid on City Public Works and Utilities projects.

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

Adopts the Rules and Procedures for Pre-qualification of Contractors attached as Exhibit 1.

PASSED and ADOPTED this _____ day of _____, 2000.

President of the Council

Attest:

City Clerk

EXHIBIT 1

CITY OF GRAND JUNCTION DEPARTMENT OF PUBLIC WORKS AND UTILITIES

RULES AND PROCEDURES FOR PRE-QUALIFICATION OF CONTRACTORS

Section

1.0 Purpose

This Administrative Policy sets forth rules and procedures to be followed by the Public Works and Utilities Department (Department). The policy establishes procedures to prequalify a contractor who desires to submit bids for construction of Public Works and/or Utility Projects, for revoking and suspending such prequalification.

1.02 Responsibility

It shall be the responsibility of the Prequalification Committee to administer the Rules and Procedures.

The Pre-qualification Committee shall consist of, but not limited to, the City Engineer, the Utility Engineer, the Construction Supervisor and the Auditor. The City, the Department and its employees accept no responsibility or liability should other agencies or entities rely upon Department pre-qualification.

1.20 Pre-qualification Application

Contractors that are currently prequalified by the Colorado Department of Transportation (CDOT), shall presumptively be considered pre-qualified by the City. CDOT prequalification is not binding or conclusive on the City. Proof of CDOT prequalification shall be submitted to the City each year and unless or until the City notifies the Contractor that its CDOT pre-qualification is not accepted it may assume that it is pre-qualified

A contractor desiring to submit a bid for a public project, and is not pre-qualified by the Colorado Department of Transportation (CDOT), is required to file a prequalification application with the Department. Application forms are available at the Department's temporary address at 515 28 Road. The completed form can be mailed to the

Department of Public Works and Utilities, 250 N. 5th Street, Grand Junction, Colorado 81501 or faxed to 970-256-4022.

The Pre-qualification Committee will meet quarterly, during the first week of each quarter, at a time and place determined by the Director of Public Works and Utilities (Director), to review pre-qualification applications, applications for renewal and other business. Additional meetings may be scheduled when set by the Director.

A joint venture may apply for prequalification in the name of the joint venture or each member may apply for pre-qualification separately and submit a bid as a joint venture if all members are pre-qualified. A joint venture will be considered prequalified to the highest financial level of prequalification of any of the individual parties to the venture so long as that individual holds at least a 50 percent share of the joint venture. For purposes of these rules a Joint Venture may be referred to as a contractor.

An application for special prequalification required under an invitation for bids shall be submitted and considered in accordance with the terms, conditions, procedures and time frame specified in the invitation.

The City may charge an application fee, not to exceed the cost of processing and reviewing prequalification application. The fee shall be uniform and uniformly applied if imposed.

1.21 Application Requirements

Forms and copies of the Rules may be obtained from the Administration Office of the Public Works and Utilities Department. The application may be supplemented by the contractor as determined necessary to ensure that the City is provided all necessary or required information in order to determine the type of work for which the contractor is qualified to submit bids. Applicants for prequalification shall supply the following information:

- (a) The name, address, phone number and type of organization (individual, partnership, corporation, joint venture of one or more entities, etc.) of the contractor seeking prequalification;
- (b) The name, address and phone number of the registered agent if the contractor is a corporation;
- (c) The contract size in dollars and the general type of work for which the contractor seeks prequalification (e.g., street construction,

concrete curb, gutter, and sidewalk, earthwork, structures, paving, underground utilities, etc.);

- (d) Experience of the contractor in past construction work including the number of years experience in each type of work and a listing of all construction contracts performed in the past three years;
- (e) Any denial or revocation of pre-qualification or removal of the contractor from a bidding list within the last six years, by the federal government, CDOT, any state agency or unit of the local government within Colorado or of another state, together with an explanation of the denial, revocation or removal;
- (f) Disclosure of any contract(s) that the contractor has failed to complete within the last six years;
- (g) The principal officers and supervisors of the contractor and their type and length of experience;
- (h) Ownership of the contractor including any affiliates and subsidiaries;
- (i) List of equipment owned by the contractor or available through leases;
- (j) A financial statement prepared in compliance with generally accepted accounting practices and standards that includes a complete report of the contractors financial resources, liabilities, equipment and personnel.
The statement shall be reviewed by a licensed CPA in accordance with review standards published by the American Institute of Certified Public Accountants.
- (k) A statement as to whether the contractor or any company officer or affiliate or officer thereof, has been convicted of bid related crimes or violations within the past six years in any jurisdiction, and the current status of any such company or officer; and
- (l) A statement as to whether: 1) the contractor, 2) any director, officer, partner, joint venture, stockholder of five percent or more of the contractor, has received notice of intent to debar or has been barred or is affiliated with another person who is under notice of intent to debar or has been debarred, by jurisdiction and the current status of any such debarment action.

1.22 Pre-qualification Procedure

The following procedure shall govern approval and disapproval of prequalification, other than instances where the contractor is subject to debarment, which shall be processed in accordance with the provisions of other rules.

- (a) The contractor shall submit the application and supporting information to the City. Until all inquiries of the Prequalification Committee, relative to the application, have been answered, the prequalification application will not be considered complete and not reviewed unless/until complete.
- (b) The City Auditor will contact the applicant to make an appointment to review the contractor's financial statement. The Auditor shall review the financial statement with the applicant or its designated representative when the contractor requests such review in writing. The contractor shall retain the financial statement reviewed by the Auditor for three years from the date of the being pre-qualified.
- (c) The Pre-qualification Committee shall have given written approval or by certified mail, return receipt requested, written notice of intent to disapprove pre-qualification to the contractor, within seven calendar days of review of the complete pre-qualification application. In the event of notice of intent to disapprove prequalification, the Prequalification Committee shall give a written statement of reasons and identify to the contractor the right of appeal to the Director of the Department.
- (d) The contractor may appeal a notice of intent to disapprove prequalification to the Director. Any such appeal by the contractor must be in writing and must be received by the Director within forty-five calendar days of the date the contractor received the notice. If no appeal is received as provided herein, the notice of intent to disapprove prequalification shall become final.
- (e) A hearing shall be commenced within forty-five calendar days of receipt of an appeal. The hearing shall generally be conducted and the decision shall generally be issued in accordance with the State Administrative Procedure Act (APA), 24-4105, C.R.S., Et. Seq. At the hearing, the contractor shall present any information it feels warrants prequalification subject to any evidentiary ruling made concerning relevancy and admissibility. The contractor shall bear the burden of going forward and the burden of persuasion in any appeal of a denial of pre-qualification.

1.23 **Criteria for Granting Prequalification**

The Department may prequalify a contractor to bid on a particular public project, or annually on public projects of a particular size, a particular kind, or both, based on an evaluation of the following criteria:

- (a) Whether the contractor has equipment available to accomplish the type of work on which it intends to bid;
- (b) Whether the contractor has trained personnel available to perform the type of work on which it intends to bid;
- (c) Whether the contractor has an organization and technical staff with the size, training, experience, and capability to accomplish the type of work on which it intends to bid;
- (d) Whether the contractor has the financial capability to perform the work on which it intends to bid as evidenced by financial solvency greater than or equal to the pre-qualification level for which they are applying. A contractor's financial statement demonstrating ratios in the following ranges will presumptively be considered to be adequate;
 - 1) Total Current Assets to Total Current Liabilities of greater than 1.0;
 - 2) Cash and Accounts Receivable to Total Current Liabilities of greater than 1.0;
 - 3) Net Fixed Assets to Net Worth of less than 2.3; and
 - 4) Total Liabilities to Net Worth of less than 4.0

If these ratios are not met by a contractor, the Pre-qualification Committee may consider other factors concerning the financial capability of the contractor, including, but not limited to irrevocable lines of credit and other financial guarantees;

- (e) Whether the contractor has demonstrated experience in the type of work on which it intends to bid;
- (f) Whether the contractor has demonstrated performance on past City contracts including, but not limited to, compliance with all contract terms and specifications, satisfactory quality of workmanship, and consistent on-time performance.

- (g) Whether the contractor is in any jurisdiction under notice of debarment, debarred or subject to debarment or revocation of pre-qualification is pending.
- (h) Whether the contractor has made false, deceptive or fraudulent statements in the application for prequalification or any other information submitted to CDOT and/or the City.
- (i) In the case of a special prequalification for a particular project, any additional criteria which the Prequalification Committee.

1.24 Effect of Prequalification

Prequalification constitutes authority for a contractor to submit bids on public projects for which the contractor has the personnel, equipment and experience to undertake. The responsibility of a low bidder on a specific project will be independently evaluated prior to award based on prequalification, required bid documents and other criteria determined by the City.

1.25 Continuing Prequalification Requirements

A contractor intending to submit bids shall, in accordance with Section 1.20 through 1.23, prequalify at least once a year. Prequalification shall expire one year from the date of issue. Applications for renewal will be reviewed at the quarterly meetings of the Prequalification Committee. A determination that a contractor is pre-qualified may be reviewed by the Prequalification Committee at any time, at the Department's discretion and on its own action without notice to the contractor.

Contractors shall notify the Department in writing immediately upon any significant decrease in their fiscal or workmanship qualifications, or of any action taken in any jurisdiction against the contractor or an affiliate of the contractor precluding its ability to bid on, perform work for or otherwise in any manner participate fully completely and competently in public projects.

1.26 Summary Suspension and Revocation of Prequalification

The prequalification Committee may revoke or summarily suspend prequalification if it is reasonably determined that:

- (a) The contractor or affiliate of the contractor is declared in default on any contract and/or a judgment is entered against the contractor or affiliate by a court of competent jurisdiction.

- (b) The contractor or affiliate of the contractor has made false, deceptive or fraudulent statements on its application for prequalification, in any documents connected with a bid, including his performance capability statement or in any other information submitted to the Department or in the course of any statement disclosure, hearing or process associated with prequalification;
- (c) The contractor has failed to report any significant decreases in capabilities or limitations on bidding or performing work in accordance with Section 1.25;
- (d) The contractor or an affiliate of the contractor acts or fails to act such that a lack of integrity in contract-related matters is shown or may reasonably be concluded; or
- (e) The contractor no longer meets the criteria contained in Section 1.23.

1.27 Summary Suspension and Revocation Procedures

The following procedures shall govern any revocation or summary suspension of prequalification.

- (a) Anyone may contact the City concerning information warranting revocation of prequalification of a contractor as set forth in the criteria of Sections 1.23 and 1.26. If the Prequalification Committee becomes aware of information warranting revocation of prequalification of a contractor; revocation of prequalification may be initiated by sending a notice of intent to revoke prequalification or of summary suspension of prequalification or of both. Notice shall be sent to the contractor by certified mail, return receipt requested. The notice shall include a written statement citing general support for revocation of pre-qualification. The notice shall include the contractor's the right of appeal to the Department Director.
- (b) If the Pre-qualification Committee has reasonable grounds to believe that the public health, welfare or safety imperatively requires summary suspension of pre-qualification, the Committee may summarily suspend, upon written notice, a contractor's pre-qualification. The summary suspension shall be for a temporary period of time generally not to exceed 45 days, prior to completion of the procedures in subsections (c) and (d) of this section.
- (c) The contractor may appeal a notice of intent to revoke prequalification or of summary suspension of prequalification. Any

such appeal by the contractor must be written and must be received by the Department Director within thirty calendar days of the date the contractor received the notice. If no appeal is received as provided herein, the contractor's prequalification shall be revoked in accordance with the notice.

- (d) When an appeal is received, a hearing shall be commenced within forty-five calendar days. The hearing shall generally be conducted and the decision shall generally be issued in accordance with the State Administrative Procedure Act (APA), 24-4-105. C.R.S., Et. Seq. (as amended). At the hearing, the contractor shall present information in support of its position subject to any evidentiary rulings made concerning relevancy and admissibility. At the hearing, the cause for revocation of prequalification must be established by the City by a preponderance of the evidence. The City shall bear the burden of going forward and the burden of persuasion in any suspension/revocation proceedings.

1.28 New Application Required

In the event of disapproval of prequalification or revocation of prequalification, the status subject to a finding otherwise by a court of competent jurisdiction, shall continue until the contractor submits new information which is determined by the Prequalification Committee and/or the Department Director to address the grounds for disapproval or revocation.

Any termination of prequalification as part of any debarment action shall continue in effect for City purpose for the duration of the term of debarment and until such time as the contractor reapplies for prequalification in accordance with the provisions of these standards.

Attach 9

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| <i>CITY COUNCIL</i> | | |
|------------------------|-----------------------------------|-----------------------------|
| Subject: | City Hall Employee Parking | |
| Meeting Date: | April 5, 2000 | |
| Date Prepared: | March 30, 2000 | |
| Author: | Tim Moore | Public Works manager |
| Presenter Name: | Same | |
| | Workshop | X Formal Agenda |

Subject: Offsite parking for City Hall employees.

Summary: Review of a lease agreement with the First Assembly of God Church at 5th and Grand Ave. for City Hall employee parking.

Background Information: **The City recognizes the need to provide employee parking when the new City Hall is opened in July 2000. As a result, staff has discussed options with several property owners in the downtown area including the school district. Most recently, favorable discussions with the First Assembly of God Church located at 5th and Grand Ave. have resulted in a proposed lease agreement with the following terms:**

1. A seven (7) year lease (maximum amount the Church Board can approve without a vote of the congregation) with two-7 year extensions approved by both parties.
2. The City designs and builds a 60 space parking lot at the corner of 5th and Grand at the City's cost (+/- \$140K). Church pays for utilities (i.e. water and electricity).
3. If the Church wants to end the lease at the end of any of the 7 year terms, then the Church would pay back the City the value of the parking improvements which would be amortized over the life of the improvements (i.e. 20 years). This value is based upon the cost of the improvements and what we would expect to pay for leasing spaces. In other words, it would take the city leasing 60 spaces at today's market for 20 years to equal the value of the actual parking improvements. This provision in the lease provides some payback to the city for our investment if the term is less than 20 years and provides the Church the flexibility with the property they are after.
4. The City would have a first right of refusal on the entire property.

The proposed lease agreement will be presented for your review at the Monday workshop.

Budget: The 2000 CIP Budget includes \$200K for offsite City Hall employee parking improvements.

Action Requested/Recommendation: Approve the lease agreement with the First Assembly of God Church.

| | | | | | | | |
|------------------------------|--------------------------|-----------|-------------------------------------|----------|--------------------------|------------|----------------|
| Citizen Presentation: | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | X | <input type="checkbox"/> | Yes | If Yes, |
| Name: | | | | | | | |
| Purpose: | | | | | | | |

| | | | | | | | | |
|--|--------------------------|-----------|-------------------------------------|----------|--------------------------|------------|--------------|--------------------------|
| Report results back to Council: | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | X | <input type="checkbox"/> | Yes | When: | <input type="checkbox"/> |
|--|--------------------------|-----------|-------------------------------------|----------|--------------------------|------------|--------------|--------------------------|

| | | | | | | | |
|-----------------------------|-------------------------------------|----------|----------------|--------------------------|-----------------------------|--------------------------|-----------------|
| Placement on Agenda: | <input checked="" type="checkbox"/> | X | Consent | <input type="checkbox"/> | Indiv. Consideration | <input type="checkbox"/> | Workshop |
|-----------------------------|-------------------------------------|----------|----------------|--------------------------|-----------------------------|--------------------------|-----------------|

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

A RESOLUTION ADOPTING THE
AGREEMENT BETWEEN
ASSEMBLY OF GOD CHURCH
AND
CITY OF GRAND JUNCTION
FOR OFFSITE PARKING FOR CITY HALL EMPLOYEES

RECITALS:

The City of Grand Junction, in cooperation with the First Assembly of God Church at 5th and Grand Avenue, have entered into an agreement for offsite parking for City Hall employees.

Whereas, the City recognizes the need to provide employee parking when the new City Hall is opened in July 2000.

Whereas, the lease would be a seven year lease between the City and First Assembly of God Church.

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

That the City Council approves the resolution adopting the Agreement with First Assembly of God Church at 5th and Grand Avenue for City Hall employee parking.

PASSED AND ADOPTED this _____ day of _____, 2000.

President of the Council

Attest:

City Clerk

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| CITY COUNCIL | | | |
|------------------------|--------------------------------------|-----------------------|----------------------|
| Subject: | Hart Annexation, ANX-2000-010 | | |
| Meeting Date: | April 5, 2000 | | |
| Date Prepared: | April 5, 2000 | | |
| Author: | Lisa Gerstenberger | Senior Planner | |
| Presenter Name: | As above | As above | |
| | Workshop | X | Formal Agenda |

Subject: Resolution for Referral of Petition to Annex/First reading of the annexation ordinance/Exercising land use jurisdiction immediately for the Hart Annexation located at 3015 E 1/2 Road and a portion of 30 Road right-of-way.

Summary: The Hart Annexation area consists of 5.75 acres of land. The owners of the properties have signed a petition for annexation.

Background Information: See attached

Budget: N/A

Action Requested/Recommendation: It is recommended that City Council approve the resolution for the referral of petition to annex, first reading of the annexation ordinance and exercise land use immediately for the Hart Annexation and set a hearing for May 17, 2000.

| | | | | | |
|------------------------------|----------|----|--|-----|---------|
| Citizen Presentation: | X | No | | Yes | If Yes, |
| Name: | | | | | |
| Purpose: | | | | | |

| | | | | | | |
|--|----------|----|--|-----|--------------|--|
| Report results back to Council: | X | No | | Yes | When: | |
|--|----------|----|--|-----|--------------|--|

| | | | | | | |
|-----------------------------|----------|---------|--|----------------------|--|----------|
| Placement on Agenda: | X | Consent | | Indiv. Consideration | | Workshop |
|-----------------------------|----------|---------|--|----------------------|--|----------|

AGENDA TOPIC: Resolution for referring a petition/First reading of the annexation ordinance/Exercising land use jurisdiction immediately for the Hart Annexation located at 3015 E ½ Road. (ANX-2000-010)

SUMMARY: The 5.75 acre Hart Annexation area consists of land owned solely by the applicant, Shirley Hart, and a portion of 30 Road right-of-way. The applicant has signed a petition for annexation.

| <i>BACKGROUND INFORMATION</i> | | | |
|-------------------------------------|--------------|--|------------|
| Location: | | 3015 E Road | |
| Applicants: | | Shirley Hart, Owner Mark D. Young, Representative | |
| Existing Land Use: | | Residential/Vacant | |
| Proposed Land Use: | | Residential | |
| Surrounding Land Use: | North | Residential | |
| | South | Grand Valley Canal | |
| | East | Residential | |
| | West | Residential/Vacant | |
| Existing Zoning: | | County R-2 (4 units per acre) | |
| Proposed Zoning: | | RSF-4 | |
| Surrounding Zoning: | North | County R-2 (4 units per acre) | |
| | South | Grand Valley Canal | |
| | East | County R-2 (4 units per acre) | |
| | West | County R-2 (4 units per acre) | |
| Growth Plan Designation: | | Residential Medium/Low: 2-3.9 units per acre | |
| Zoning within density range? | | X | Yes |
| | | | No |

ACTION REQUESTED: Approval of the resolution for the referral of the petition, first reading of the annexation ordinance and exercising of land use jurisdiction immediately for the Hart Annexation and setting a hearing for May 17, 2000.

STAFF ANALYSIS:

ANNEXATION:

The applicant is requesting annexation of property located northeast of the current City limits. This annexation consists of annexing 5.75 acres of land.

It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Hart Annexation is eligible to be annexed because of compliance with the following:

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

The following annexation schedule is being proposed:

| <i>ANNEXATION SCHEDULE</i> | |
|----------------------------|---|
| April 5th | Referral of Petition to Annex and First Reading of Annexation Ordinance (30 Day Notice) |
| April 11th | Planning Commission considers Zone of Annexation |
| May 3rd | First Reading on Zone of Annexation by City Council |
| May 17th | Public hearing on Annexation and Zone of Annexation by City Council |
| June 18th | Effective date of Annexation and Zoning |

RECOMMENDATION:

Approval

HART ANNEXATION SUMMARY

| | |
|---------------------------------------|---|
| File Number: | ANX-2000-010 |
| Location: | 3015 E 1/2 Road |
| Tax ID Number: | 2943-093-00-027 |
| Parcels: | 1 |
| Estimated Population: | 2 |
| # of Parcels (owner occupied): | 1 |
| # of Dwelling Units: | 1 |
| Acres land annexed: | 5.75 acres for annexation area |
| Developable Acres Remaining: | 5.4 acres |
| Right-of-way in Annexation: | Approximately .35 acres |
| Previous County Zoning: | County R-2 (4 units per acre) |
| Proposed City Zoning: | (RSF-4) Residential Single-family not to exceed 4 units per acre |
| Current Land Use: | Residential/Vacant |
| Future Land Use: | Residential |
| Values: | Assessed: = \$ 3,910 |
| | Actual: = \$ 40,100 |
| Census Tract: | 11 |
| Address Ranges: | 3015 E ½ Road |
| Special Districts: | Water: Clifton Water District |
| | Sewer: Central Grand Valley Sewer |
| | Fire: Clifton Fire |
| | Drainage: |
| | School: |
| | Pest: District 51 |

**NOTICE OF HEARING
ON PROPOSED ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO**

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 5th day of April, 2000, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO.

**A RESOLUTION
REFERRING A PETITION TO THE CITY COUNCIL
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
SETTING A HEARING ON SUCH ANNEXATION,
AND EXERCISING LAND USE CONTROL**

HART ANNEXATION

**LOCATED AT 3015 E 1/2 ROAD
AND INCLUDING A PORTION OF 30 ROAD RIGHT-OF-WAY**

WHEREAS, on the 5th day of April, 2000, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

**PERIMETER BOUNDARY LEGAL DESCRIPTION
HART ANNEXATION**

A parcel of land situate in the in the SW 1/4 of Section 9, the SE 1/4 of Section 8 and in the NW 1/4 of Section 16 all in Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the W 1/4 corner of Section 9; thence N 90°00'00" E along the north line of the NW 1/4 SW 1/4 of said Section 9 a distance of 49.00 feet to the True Point of Beginning of the parcel described herein; thence N 90°00'00" E along the north line of said NW 1/4 SW 1/4 a distance of 942.50 feet to a point; thence leaving said north line S 00°00'00" W a distance of 980.20 feet to a point on the northerly right of way line for Grand Valley Canal; thence along the northerly right of way line for said Grand Valley Canal the following 4 courses:

N 34°11'25" W a distance of 174.55 feet;

N 41°24'49" W a distance of 142.30 feet;

N 50°45'53" W a distance of 89.01 feet;

N 65°52'10" W a distance of 35.43 feet;

thence leaving said northerly right of way line N 00°08'56" W a distance of 657.32 feet to a point; thence S 90°00'00" W along a line 1.00 feet south of and parallel with the north line of the NW 1/4 SW 1/4 of said Section 9 a distance of 646.30 feet to a point; thence S 00°00'00" W a distance of 24.00 feet to a point; thence S 45°00'00" W a distance of 14.14 feet to a point on the east right of way line for 30

Road; thence S 00°00'00" E along said east right of way line a distance of 964.77 feet to a point; thence leaving said east right of way line S 90°00'00" W a distance of 40.00 feet to a point on the west line of the NW 1/4 SW 1/4 of said Section 9; thence S 00°00'00" E along the west line of said NW 1/4 SW 1/4 a distance of 320.00 feet to the S 1/16 corner on the west line of said Section 9; thence N 90°00'00" E along the north line of the SW 1/4 SW 1/4 of said Section 9 a distance of 40.00 feet to a point on the east right of way line for said 30 Road; thence along said east right of way line S 00°15'00" E a distance of 946.80 feet to a point on the northerly right of way line for I-70B; thence along the northerly right of way line for said I-70B the following 2 courses:

N 30°19'00" W a distance of 19.96 feet;

S 89°45'00" W a distance of 29.00 feet;

thence S 00°15'00" E along a line 1.00 feet east of and parallel with the west line of the SW 1/4 SW 1/4 of said Section 9 a distance of 390.30 feet to a point on the south line of said SW 1/4 SW 1/4; thence S 00°00'00" E along a line 1.00 feet east of and parallel with the west line of the NW 1/4 NW 1/4 of Section 16 a distance of 24.07 feet to a point; thence along a line 6.00 feet north of and parallel with the southerly right of way line for I-70B the following 3 courses:

N 90°00'00" E a distance of 387.72 feet;

N 72°52'00" E a distance of 351.09 feet;

N 72°50'00" E a distance of 2000.00 feet;

thence S 17°10'00" E a distance of 5.00 feet to a point; thence along a line 1.00 feet north of and parallel with the southerly right of way line for said I-70B the following 3 courses:

S 72°50'00" W a distance of 2000.00 feet;

S 72°52'00" W a distance of 351.85 feet;

S 90°00'00" W a distance of 389.47 feet to a point on the west line of the NW 1/4 NW 1/4 of said Section 16;

thence N 00°00'00" W along the west line of said NW 1/4 NW 1/4 a distance of 29.07 feet to the northwest corner of said Section 16; thence N 00°15'00" W along the west line of the SW 1/4 SW 1/4 of Section 9 a distance of 395.30 feet to a point; thence leaving said west line N 89°45'00" E a distance of 39.00 feet to a point; thence N 00°15'00" W along a line 1.00 feet west of and parallel with the east right of way line for 30 Road a distance of 923.53 feet to a point; thence S 90°00'00" W a distance of 40.00 feet to a point; thence N 00°15'00" W along a line 1.00 feet west of and parallel with the east line of the SE 1/4 SE 1/4 of Section 8 a distance of 1.00 feet to a point on the north line of said SE 1/4 SE 1/4; thence N 00°00'00" W along a line 1.00 feet west of and parallel with the east line of the NE 1/4 SE 1/4 of said Section 8 a distance of 321.00 feet to a point; thence N 90°00'00" E a distance of 40.00 feet to a point; thence N 00°00'00" W along a line 1.00 feet west of and parallel with the east right of way line for said 30 Road a distance of 964.18 feet to a point; thence N 45°00'00" E a distance of 14.14 feet to a point; thence N 00°00'00" E a distance of 24.59 feet to the point of beginning.

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a

hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

1. That a hearing will be held on the 17th day of May, 2000, in the Two Rivers Convention Center located at 159 Main Street, Grand Junction, Colorado, at 7:30 p.m. to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED this 5th day of April, 2000.

Attest:

President of the Council

City Clerk

NOTICE IS FURTHER GIVEN that a hearing will be held in accordance with the Resolution on the date and at the time and place set forth in the Resolution.

City Clerk

Published:

April 7, 2000
April 14, 2000
April 21, 2000
April 28, 2000

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

**HART ANNEXATION
APPROXIMATELY 5.75 ACRES
LOCATED AT 3015 E ½ ROAD AND A PORTION OF 30 ROAD RIGHT-OF-
WAY**

WHEREAS, on the 5th day of April, 2000, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 17th day of May, 2000; and

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

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

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

**PERIMETER BOUNDARY LEGAL DESCRIPTION
HART ANNEXATION**

A parcel of land situate in the in the SW 1/4 of Section 9, the SE 1/4 of Section 8 and in the NW 1/4 of Section 16 all in Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the W 1/4 corner of Section 9; thence N 90°00'00" E along the north line of the NW 1/4 SW 1/4 of said Section 9 a distance of 49.00 feet to the True Point of Beginning of the parcel described herein; thence N 90°00'00" E along the north line of said NW 1/4 SW 1/4 a distance of 942.50 feet to a point; thence leaving said north line S 00°00'00" W a distance of 980.20 feet to a point on the northerly right of way line for Grand Valley Canal; thence along the northerly right of way line for said Grand Valley Canal the following 4 courses:

N 34°11'25" W a distance of 174.55 feet;

N 41°24'49" W a distance of 142.30 feet;

N 50°45'53" W a distance of 89.01 feet;

N 65°52'10" W a distance of 35.43 feet;
 thence leaving said northerly right of way line N 00°08'56" W a distance of 657.32 feet to a point; thence S 90°00'00" W along a line 1.00 feet south of and parallel with the north line of the NW 1/4 SW 1/4 of said Section 9 a distance of 646.30 feet to a point; thence S 00°00'00" W a distance of 24.00 feet to a point; thence S 45°00'00" W a distance of 14.14 feet to a point on the east right of way line for 30 Road; thence S 00°00'00" E along said east right of way line a distance of 964.77 feet to a point; thence leaving said east right of way line S 90°00'00" W a distance of 40.00 feet to a point on the west line of the NW 1/4 SW 1/4 of said Section 9; thence S 00°00'00" E along the west line of said NW 1/4 SW 1/4 a distance of 320.00 feet to the S 1/16 corner on the west line of said Section 9; thence N 90°00'00" E along the north line of the SW 1/4 SW 1/4 of said Section 9 a distance of 40.00 feet to a point on the east right of way line for said 30 Road; thence along said east right of way line S 00°15'00" E a distance of 946.80 feet to a point on the northerly right of way line for I-70B; thence along the northerly right of way line for said I-70B the following 2 courses:
 N 30°19'00" W a distance of 19.96 feet;
 S 89°45'00" W a distance of 29.00 feet;
 thence S 00°15'00" E along a line 1.00 feet east of and parallel with the west line of the SW 1/4 SW 1/4 of said Section 9 a distance of 390.30 feet to a point on the south line of said SW 1/4 SW 1/4; thence S 00°00'00" E along a line 1.00 feet east of and parallel with the west line of the NW 1/4 NW 1/4 of Section 16 a distance of 24.07 feet to a point; thence along a line 6.00 feet north of and parallel with the southerly right of way line for I-70B the following 3 courses:
 N 90°00'00" E a distance of 387.72 feet;
 N 72°52'00" E a distance of 351.09 feet;
 N 72°50'00" E a distance of 2000.00 feet;
 thence S 17°10'00" E a distance of 5.00 feet to a point; thence along a line 1.00 feet north of and parallel with the southerly right of way line for said I-70B the following 3 courses:
 S 72°50'00" W a distance of 2000.00 feet;
 S 72°52'00" W a distance of 351.85 feet;
 S 90°00'00" W a distance of 389.47 feet to a point on the west line of the NW 1/4 NW 1/4 of said Section 16;
 thence N 00°00'00" W along the west line of said NW 1/4 NW 1/4 a distance of 29.07 feet to the northwest corner of said Section 16; thence N 00°15'00" W along the west line of the SW 1/4 SW 1/4 of Section 9 a distance of 395.30 feet to a point; thence leaving said west line N 89°45'00" E a distance of 39.00 feet to a point; thence N 00°15'00" W along a line 1.00 feet west of and parallel with the east right of way line for 30 Road a distance of 923.53 feet to a point; thence S 90°00'00" W a distance of 40.00 feet to a point; thence N 00°15'00" W along a line 1.00 feet west of and parallel with the east line of the SE 1/4 SE 1/4 of Section 8 a distance of 1.00 feet to a point on the north line of said SE 1/4 SE 1/4; thence N 00°00'00" W along a line 1.00 feet west of and parallel with the east line of the NE 1/4 SE 1/4 of said Section 8 a distance of 321.00 feet to a point; thence N 90°00'00" E a distance of 40.00 feet to a point; thence N 00°00'00" W along a line 1.00 feet west of and

parallel with the east right of way line for said 30 Road a distance of 964.18 feet to a point; thence N 45°00'00" E a distance of 14.14 feet to a point; thence N 00°00'00" E a distance of 24.59 feet to the point of beginning.

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

INTRODUCED on first reading on the 5th day of April, 2000.

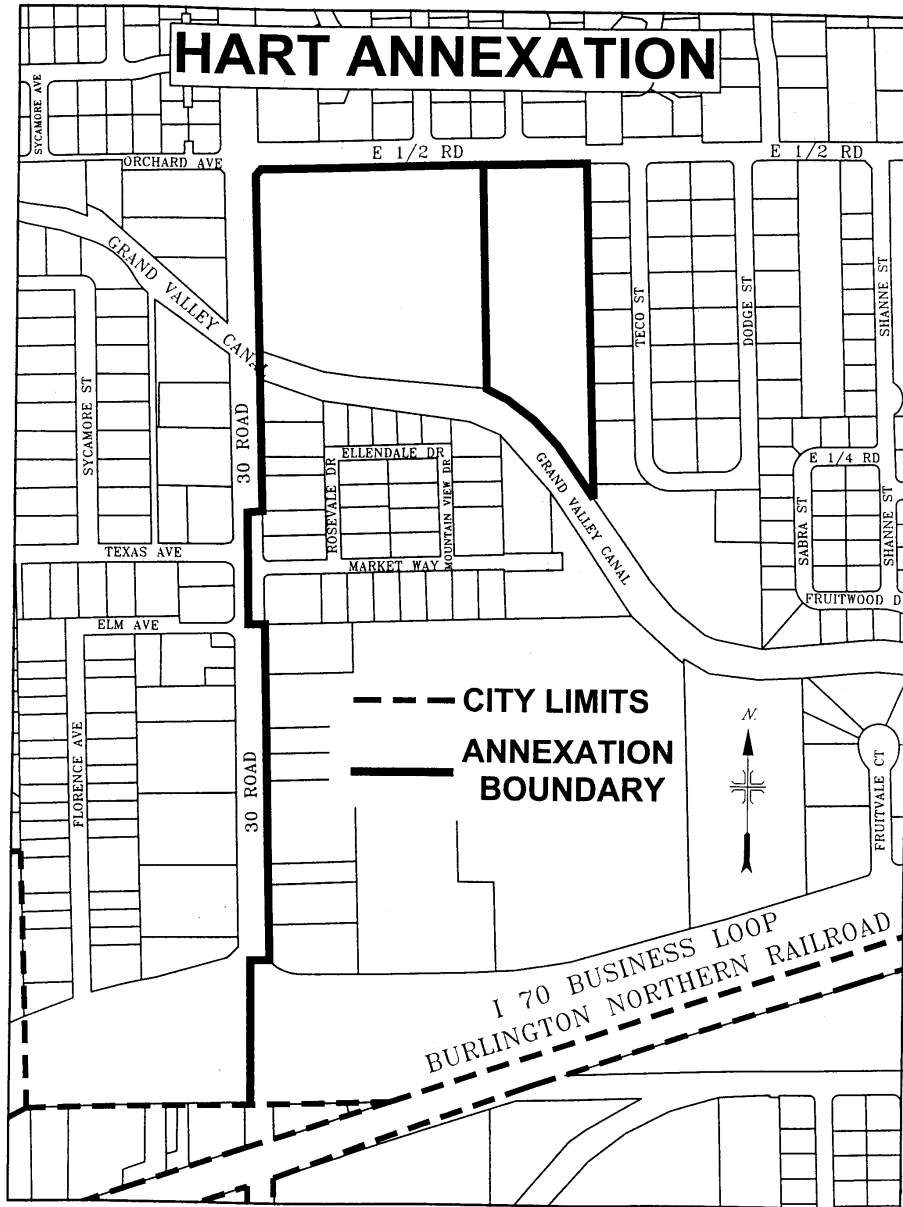
ADOPTED and ordered published this ____ day of _____, 2000.

Attest:

President of the Council

City Clerk

HART ANNEXATION



Attach 11

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| <i>CITY COUNCIL</i> | | | |
|------------------------|------------------------------|--------------------------|----------------------|
| Subject: | H.B.C.R.S. Annexation | | |
| Meeting Date: | April 5, 2000 | | |
| Date Prepared: | March 24, 2000 | | |
| Author: | Joe Carter | Associate Planner | |
| Presenter Name: | Kathy Portner | Planning Manager | |
| | Workshop | X | Formal Agenda |

Subject: Resolution for Referral of Petition to Annex/**First** reading of the annexation ordinance/Exercising land use jurisdiction immediately for the H.B.C.R.S. Annexation located at 2620 G Road.

Summary: The 10.6-acre H.B.C.R.S. Annexation area consists of two parcels of land. There are no existing structures on the site. The owners of the properties have signed a petition for annexation.

Background Information: See Attached

Budget: N/A

Action Requested/Recommendation: It is recommended that City Council **approve** the resolution for the referral of petition to annex, first reading of the annexation ordinance and exercise land use immediately for the H.B.C.R.S. Annexation and set a hearing for May 17, 2000.

| | | | | |
|------------------------------|----------|-----------|------------|----------------|
| Citizen Presentation: | X | No | Yes | If Yes, |
| Name: | | | | |
| Purpose: | | | | |

| | | | | | |
|--|----------|-----------|------------|--------------|--|
| Report results back to Council: | X | No | Yes | When: | |
|--|----------|-----------|------------|--------------|--|

| | | | | |
|-----------------------------|----------|----------------|-----------------------------|-----------------|
| Placement on Agenda: | X | Consent | Indiv. Consideration | Workshop |
|-----------------------------|----------|----------------|-----------------------------|-----------------|

AGENDA TOPIC: Resolution for Referral of Petition to Annex/**First** reading of the annexation ordinance/Exercising land use jurisdiction immediately for the H.B.C.R.S. Annexation located at 2620 G Road.

SUMMARY: The 10.6-acre H.B.C.R.S. Annexation area consists of two parcels of land. There are no existing structures on the site. The owners of the properties have signed a petition for annexation.

| <i>BACKGROUND INFORMATION</i> | | | |
|-------------------------------------|--------------|--|------------|
| Location: | | 2620 G Road | |
| Applicants: | | Sam Baldwin, Owner Ted Ciavonne, Representative | |
| Existing Land Use: | | Vacant Field | |
| Proposed Land Use: | | Residential | |
| Surrounding Land Use: | North | Vacant | |
| | South | Residential | |
| | East | Residential | |
| | West | Residential | |
| Existing Zoning: | | R1-B (County) – 2 units per acre. | |
| Proposed Zoning: | | RSF-5 | |
| Surrounding Zoning: | North | R1-B (Mesa County) – 2 units per acre | |
| | South | R1-B (Mesa County) – 2 units per acre | |
| | East | RSF-4 (City) – 4 units per acre | |
| | West | R1-B (Mesa County) – 2 units per acre | |
| Growth Plan Designation: | | Residential Medium: 4 to 7.9 units per acre | |
| Zoning within density range? | | X | Yes |
| | | | No |

ACTION REQUESTED: It is recommended that City Council **approve** the resolution for the referral of petition to annex, first reading of the annexation ordinance and exercise land use immediately for the H.B.C.R.S. Annexation and set a hearing for May 17, 2000.

Staff Analysis:

ANNEXATION:

This annexation area consists of annexing 10.6 acres of land. The property is now being annexed into the City of Grand Junction.

It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the H.B.C.R.S. Annexation is eligible to be annexed because of compliance with the following:

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

The following annexation schedule is being proposed.

| <i>ANNEXATION SCHEDULE</i> | |
|----------------------------|--|
| April 5th | Referral of Petition to Annex & 1 st Read (30 Day Notice) |
| April 11th | Planning Commission considers Zone of Annexation |
| May 3rd | First Reading on Zoning by City Council |
| May 17th | Public hearing on Annexation and Zoning by City Council |
| June 18th | Effective date of Annexation and Zoning |

RECOMMENDATION:

Approval

H.B.C.R.S. ANNEXATION SUMMARY

| | |
|---------------------------------------|--|
| File Number: | ANX-2000-028 |
| Location: | 2620 G Road |
| Tax ID Number: | 2701-353-00-068 & 2701-353-00-025 |
| Parcels: | 2 |
| Estimated Population: | 0 |
| # of Parcels (owner occupied): | 0 |
| # of Dwelling Units: | 0 |
| Acres land annexed: | 10.6 acres for annexation area |
| Developable Acres Remaining: | 10.6 acres |
| Right-of-way in Annexation: | No right-of-way annexed |
| Previous County Zoning: | County R1-B (2 units per acre) |
| Proposed City Zoning: | (RSF-5) Residential Single-family not to exceed 5 units per acre |
| Current Land Use: | Vacant |
| Future Land Use: | Residential |
| Values: | Assessed: = \$ 27,470 |
| | Actual: = \$ 94,730 |
| Census Tract: | 10 |
| Address Ranges: | Between 2612 G Road and 2630 G Road (even #'s only) |
| Special Districts: | Water: Ute Water |
| | Sewer: |
| | Fire: Grand Junction Rural Fire Grand Junction Drainage District |
| | Drainage: |
| | School: |
| | Pest: District 51 |

**NOTICE OF HEARING
ON PROPOSED ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO**

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the [5th day of April, 2000](#), the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO.

**A RESOLUTION
REFERRING A PETITION TO THE CITY COUNCIL
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
SETTING A HEARING ON SUCH ANNEXATION,
AND EXERCISING LAND USE CONTROL**

H.B.C.R.S. ANNEXATION

LOCATED at [2620 G Road](#)

WHEREAS, on the 5th day of April, 2000, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

A parcel of land situate in the SW 1/4 SW 1/4 of Section 35, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the southeast corner of the SW 1/4 SW 1/4 of Section 35; thence N 00°00'00" W along the east line of said SW 1/4 SW 1/4 a distance of 30.00 feet to the southwest corner of Lot 6, Block 4 of Sunset Terrace Replat Subdivision and True Point of Beginning of the parcel described herein; thence S 90°00'00" W along a line 30.00 feet north of and parallel with the south line of the SW 1/4 SW 1/4 of said Section 35 a distance of 603.40 feet to a point; thence N 00°00'00" W a distance of 352.00 feet to a point; thence S 90°00'00" W a distance of 55.85 feet to a point; thence N 18°42'28" E a distance of 466.13 feet to a point on the north line of the south 823.50 feet of the SW 1/4 SW 1/4 of said Section 35; thence N 90°00'00" E along the north line of the south 823.50 feet of said SW 1/4 SW 1/4 a distance of 509.74 feet to the northeast corner of the south 823.50 feet of said SW 1/4 SW 1/4; thence S 00°00'00" W along the east line of the SW 1/4 SW 1/4 of said Section 35 (said east line also being the west boundary line for Sunset Terrace Replat Subdivision) a distance of 793.50 feet to the point of beginning.

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a

hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

1. That a hearing will be held on the 17th day of May, 2000, in Two Rivers Convention Center, 159 Main Street, Grand Junction, Colorado, at 7:30 p.m. to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED this ___ day of _____, 2000.

Attest:

President of the Council

City Clerk

NOTICE IS FURTHER GIVEN that a hearing will be held in accordance with the Resolution on the date and at the time and place set forth in the Resolution.

City Clerk

| <i>PUBLISHED</i> |
|-----------------------|
| April 7, 2000 |
| April 14, 2000 |
| April 21, 2000 |
| April 28, 2000 |

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

H.B.C.R.S. ANNEXATION

APPROXIMATELY 10.6 ACRES

LOCATED AT 2620 G ROAD

WHEREAS, on the 5th day of April, 2000 the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 17th day of May, 2000; and

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

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

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

A parcel of land situate in the SW 1/4 SW 1/4 of Section 35, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the southeast corner of the SW 1/4 SW 1/4 of Section 35; thence N 00°00'00" W along the east line of said SW 1/4 SW 1/4 a distance of 30.00 feet to the southwest corner of Lot 6, Block 4 of Sunset Terrace Replat Subdivision and True Point of Beginning of the parcel described herein; thence S 90°00'00" W along a line 30.00 feet north of and parallel with the south line of the SW 1/4 SW 1/4 of said Section 35 a distance of 603.40 feet to a point; thence N 00°00'00" W a distance of 352.00 feet to a point; thence S 90°00'00" W a distance of 55.85 feet to a point; thence N 18°42'28" E a distance of 466.13 feet to a point on the north line of the south 823.50 feet of the SW 1/4 SW 1/4 of said

Section 35; thence N 90°00'00" E along the north line of the south 823.50 feet of said SW 1/4 SW 1/4 a distance of 509.74 feet to the northeast corner of the south 823.50 feet of said SW 1/4 SW 1/4; thence S 00°00'00" W along the east line of the SW 1/4 SW 1/4 of said Section 35 (said east line also being the west boundary line for Sunset Terrace Replat Subdivision) a distance of 793.50 feet to the point of beginning.

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

INTRODUCED on first reading on the 5th day April, 2000.

ADOPTED and ordered published this ____ day of _____, 2000.

Attest:

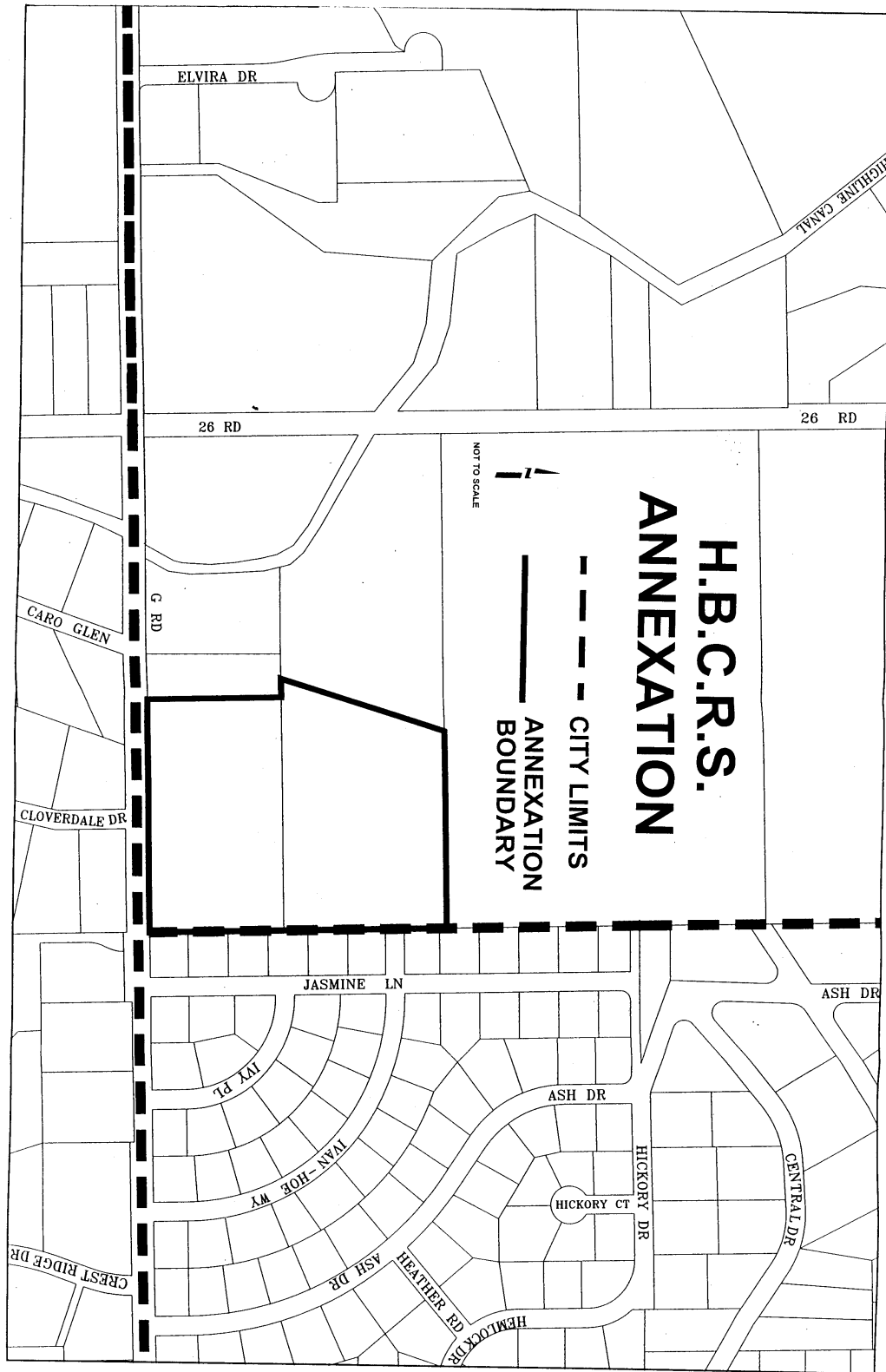
President of the Council

City Clerk

PERIMETER BOUNDARY LEGAL DESCRIPTION
H.B.C.R.S. ANNEXATION

A parcel of land situate in the SW 1/4 SW 1/4 of Section 35, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the southeast corner of the SW 1/4 SW 1/4 of Section 35; thence N 00°00'00" W along the east line of said SW 1/4 SW 1/4 a distance of 30.00 feet to the southwest corner of Lot 6, Block 4 of Sunset Terrace Replat Subdivision and True Point of Beginning of the parcel described herein; thence S 90°00'00" W along a line 30.00 feet north of and parallel with the south line of the SW 1/4 SW 1/4 of said Section 35 a distance of 603.40 feet to a point; thence N 00°00'00" W a distance of 352.00 feet to a point; thence S 90°00'00" W a distance of 55.85 feet to a point; thence N 18°42'28" E a distance of 466.13 feet to a point on the north line of the south 823.50 feet of the SW 1/4 SW 1/4 of said Section 35; thence N 90°00'00" E along the north line of the south 823.50 feet of said SW 1/4 SW 1/4 a distance of 509.74 feet to the northeast corner of the south 823.50 feet of said SW 1/4 SW 1/4; thence S 00°00'00" W along the east line of the SW 1/4 SW 1/4 of said Section 35 (said east line also being the west boundary line for Sunset Terrace Replat Subdivision) a distance of 793.50 feet to the point of beginning.



Attach 12

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| CITY COUNCIL | | | |
|------------------------|----------------------------|--------------------------|----------------------|
| Subject: | Reinking Annexation | | |
| Meeting Date: | April 5, 2000 | | |
| Date Prepared: | March 29, 2000 | | |
| Author: | Lori V. Bowers | Associate Planner | |
| Presenter Name: | Kathy Portner | Planning Manager | |
| | Workshop | X | Formal Agenda |

Subject: Resolution for Referral of the Annexation Petition/ **First** reading of the annexation ordinance/Exercising land use jurisdiction immediately for the Reinking Annexation located at 541 20 ¼ Road.

Summary: The 13-acre Reinking Annexation area consists of one parcel of land, approximately 7.71 acres in size. The remaining acreage is comprised of right-of-way along South Broadway and 20 ¼ Road. There are no existing structures on the site. Once additional right-of-way is dedicated and the required detention pond area is subtracted from the site, 6.81 acres remain for developing an 11 lot single family subdivision. The owner of the property has signed a petition for annexation.

Background Information: See Attached

Budget: N/A

Action Requested/Recommendation: It is recommended that City Council **approve** the resolution for the referral of the annexation petition, approve on first reading the annexation ordinance and exercise land use jurisdiction immediately for the Reinking Annexation and set a hearing for May 17, 2000.

| | | | | |
|------------------------------|----------|-----------|------------|----------------|
| Citizen Presentation: | X | No | Yes | If Yes, |
| Name: | | | | |
| Purpose: | | | | |

| | | | | | |
|--|----------|-----------|------------|--------------|--|
| Report results back to Council: | X | No | Yes | When: | |
|--|----------|-----------|------------|--------------|--|

| | | | | |
|-----------------------------|----------|----------------|-----------------------------|-----------------|
| Placement on Agenda: | X | Consent | Indiv. Consideration | Workshop |
|-----------------------------|----------|----------------|-----------------------------|-----------------|

AGENDA TOPIC: Resolution for Referral of the Annexation Petition/ First reading of the annexation ordinance/Exercising land use jurisdiction immediately for the Reinking Annexation located at 541 20 ¼ Road.

SUMMARY: The 13-acre Reinking Annexation area consists of one parcel of land, approximately 7.71 acres in size. The remaining acreage is comprised of right-of-way along South Broadway and 20 ¼ Road. There are no existing structures on the site. Once additional right-of-way is dedicated and the required detention pond area is subtracted from the site, 6.81 acres remain for developing an 11 lot single family subdivision. The owner of the property has signed a petition for annexation.

| <i>BACKGROUND INFORMATION</i> | | | |
|-------------------------------------|--------------|---|------------|
| Location: | | 541 20 ¼ Road | |
| Applicants: | | Dr. Roger F Reinking, Owner Mr. Mike Joyce, Representative | |
| Existing Land Use: | | Vacant field | |
| Proposed Land Use: | | Residential | |
| Surrounding Land Use: | North | Residential | |
| | South | Residential | |
| | East | Residential | |
| | West | Residential | |
| Existing Zoning: | | R1-B (County) – 2 units per acre. | |
| Proposed Zoning: | | RSF-2 | |
| Surrounding Zoning: | North | R1-B (Mesa County) – 2 units per acre | |
| | South | R1-B (Mesa County) – 2 units per acre | |
| | East | R1-B (Mesa County) – 2 units per acre | |
| | West | R1-B (Mesa County) – 2 units per acre | |
| Growth Plan Designation: | | Residential Low: 2 to 4 units per acre | |
| Zoning within density range? | | X | Yes |
| | | | No |

ACTION REQUESTED: It is recommended that City Council approve the resolution for the referral of the annexation petition, approve on first reading the

annexation ordinance and exercise land use jurisdiction immediately for the Reinking [Annexation](#) and set a hearing for [May 17, 2000](#).

Staff Analysis:

ANNEXATION:

This annexation area consists of annexing 13 acres of land. The request for annexation comes from a request to subdivide this 7.71 acre parcel for single family development. A preliminary plan is currently under review. The property is now being annexed into the City of Grand Junction.

It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Reinking [Annexation](#) is eligible to be annexed because of compliance with the following:

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

The following annexation schedule is being proposed.

| <i>ANNEXATION SCHEDULE</i> | |
|-----------------------------|--|
| April 5th | Referral of Petition to Annex & 1 st Read (30 Day Notice) |
| April 11th | Planning Commission considers Zone of Annexation |
| May 3rd | First Reading on Zoning by City Council |
| May 17th | Public hearing on Annexation and Zoning by City Council |
| June 18th | Effective date of Annexation and Zoning |

RECOMMENDATION:

[Approval](#)

REINKING. ANNEXATION SUMMARY

| | |
|---------------------------------------|---|
| File Number: | ANX-2000-030 |
| Location: | 541 20 ¼ Road |
| Tax ID Number: | 2947-223-00-159 |
| Parcels: | 1 |
| Estimated Population: | 25.3 |
| # of Parcels (owner occupied): | 0 |
| # of Dwelling Units: | 0 |
| Acres land annexed: | 13 acres for annexation area |
| Developable Acres Remaining: | 6.81 acres |
| Right-of-way in Annexation: | 1800 feet along South Broadway (N/S direction) 1272 feet along South Broadway (E/W direction) 789 feet along 20 ¼ Road |
| Previous County Zoning: | County R1-B (2 units per acre) |
| Proposed City Zoning: | (RSF-2) Residential Single-family not to exceed 2 units per acre |
| Current Land Use: | Vacant |
| Future Land Use: | Residential |
| Values: | Land: = \$1220 |
| | Improvements: = \$0 |
| Census Tract: | 1402 |
| Address Ranges: | 535-539 20 ½ Road / 2017 – 2024 Reinking Court |
| Special Districts: | Water: Ute Water |
| | Sewer: |
| | Fire: City of Grand Junction Fire |
| | Drainage & Irrigation: Redlands Water & Power |
| | School: District 51 |
| | Pest: |

**NOTICE OF HEARING
ON PROPOSED ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO**

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the [5th day of April, 2000](#), the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO.

**A RESOLUTION
REFERRING A PETITION TO THE CITY COUNCIL
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
SETTING A HEARING ON SUCH ANNEXATION,
AND EXERCISING LAND USE CONTROL**

REINKING ANNEXATIONS NO. 1, NO. 2 AND NO. 3

LOCATED at [541 20 1/4 Road](#)

WHEREAS, on the 5th day of April, 2000, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

PERIMETER BOUNDARY LEGAL DESCRIPTION REINKING ANNEXATION

A serial annexation comprising Reinking Annexation No. 1, Reinking Annexation No. 2 and Reinking Annexation No. 3

REINKING ANNEXATION NO.1

A parcel of land situate in the SW 1/4 and in the SE 1/4 of Section 22, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the CS 1/16 corner of said Section 22; thence S 00°54'20" E along the north-south centerline of said Section 22 a distance of 447.60 feet to a point; thence leaving said north-south centerline S 89°05'40" W a distance of 30.00 feet to a point on the west right of way line for 20 1/2 Road (South Broadway); thence N 00°54'20" W along the west right of way line for said 20 1/2 Road (South Broadway) a distance of 15.00 feet to a point; thence leaving said west right of way line N 89°05'40" E a distance of 15.00 feet to a point; thence N 00°54'20" W along a line 15.00 feet west of and parallel with the north-south centerline of said Section 22 a distance of 1347.43 feet to a point; thence N 89°05'40" E a distance of 55.00 feet to a point on the east right of way line for said 20 1/2 Road (South Broadway); thence S 00°54'20" E along said east right of way line a distance of 531.54 feet to a point; thence leaving said east right of way line N 89°52'20" W a distance of 40.00 feet to a point on the north-south centerline of said Section 22; thence S 00°54'20" E along said north-south centerline a distance of 384.00 feet to the point of beginning.

REINKING ANNEXATION NO. 2

A parcel of land situate in Section 22, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the CW 1/16 corner of Section 22; thence N 01°10'14" W a distance of 20.00 feet to a point on the north right of way line for South Broadway; thence along the north right of way line for South Broadway the following 3 courses:

N 89°40'40" E a distance of 298.75 feet to a point;

N 00°53'16" W a distance of 20.00 feet to the southwest corner of Lot 12, Block 1 of Saddleback Subdivision;

N 89°40'40" E a distance of 973.50 feet to the southeast corner of Lot 1 of S & G Minor Subdivision;

thence N 89°40'40" E a distance of 33.00 feet to a point on the east line of the NW 1/4 of said Section 22; thence S 00°53'16" E along the east line of said NW 1/4 a distance of 20.00 feet to a point; thence N 89°33'32" E a distance of 40.00 feet to a point; thence S 00°54'20" E a distance of 45.00 feet to the northwest corner of Lot 1 of The Overlook Subdivision; thence S 00°54'20" E along the east right of way line for 20 1/2 Road (South Broadway) a distance of 362.13 feet to a point; thence leaving east right of way line S 89°05'40" W a distance of 55.00 feet to a point; thence S 00°54'20" E along a line 15.00 feet west of and parallel with the east line of the SW 1/4 of said Section 22 a distance of 1347.43 feet to a point; thence S 89°05'40" W a distance of 15.00 feet to a point on the west right of way line for said 20 1/2 Road (South Broadway); thence along said west right of way line the following 13 courses:

N 00°54'20" W a distance of 54.08 feet to a point;

S 89°16'40" W a distance of 10.00 feet to a point;

N 00°54'20" W a distance of 148.99 feet to a point;

N 89°16'40" E a distance of 10.00 feet to a point;

N 00°54'20" W a distance of 120.06 feet to a point;

20.94 feet along the arc of a curve to the left, having a radius of 20.00 feet, a delta of 60°00'00" and a long chord bearing N 30°54'20" W a distance of 20.00 feet;

N 00°54'20" W a distance of 207.02 feet to a point;

S 69°42'20" E a distance of 10.73 feet to a point;

N 00°54'20" W a distance of 801.37 feet to a point;

S 89°16'40" W a distance of 10.00 feet to a point;

N 00°54'20" W a distance of 235.00 feet to a point;

N 89°16'40" E a distance of 10.00 feet to a point;

N 00°54'20" W a distance of 125.21 feet to the northeast corner of Lot 1, Block 1 of Tiara Rado Subdivision; thence along the south right of way line for South Broadway the following 7 courses:

S 89°40'40" W a distance of 300.54 feet to a point;

S 00°09'20" E a distance of 10.00 feet to a point;

S 89°40'40" W a distance of 372.71 feet to a point;

20.94 feet along a curve concave to the southwest, having a radius of 20.00 feet, a delta angle of 60°00'00" and a long chord bearing N 60°19'20" W a distance of 20.00 feet;

S 89°40'40" W a distance of 87.44 feet to a point;

S 00°09'20" E a distance of 10.00 feet to a point;

S 89°40'40" W a distance of 467.50 feet to the northwest corner of Lot 3, Block 3 of said Tiara Rado

Subdivision; thence S 00°09'20" E along the east right of way line for 20 1/4 Road a distance of 789.73 feet to a point; thence leaving the east right of way line for said 20 1/4 Road N 89°47'20" W a distance of 55.00 feet to a point on the west right of way line for said 20 1/4 Road; thence leaving said west right of way line N 89°47'20" W a distance of 273.53 feet to a point; thence N 00°09'54" E a distance of 532.43 feet to a point; thence N 89°37'40" E a distance of 270.55 feet to a point on the west right of way line for said 20 1/4 Road; thence along the west right of way line for said 20 1/4 Road the following 3 courses:

N 00°09'20" W a distance of 85.38 feet to a point;

N 89°50'40" E a distance of 15.00 feet to a point;

N 00°09'20" W a distance of 208.72 to a point on the north line of the NW 1/4 SW 1/4 of said Section 22;

thence N 89°50'40" E along the north line of said NW 1/4 SW 1/4 a distance of 10.00 feet to the CW 1/16 corner of said Section 22 and point of beginning.

REINKING ANNEXATION NO. 3

A parcel of land situate in the SW 1/4 of Section 22, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the CW 1/16 corner of Section 22; thence S 89°50'40" W along the north line of the NW 1/4 SW 1/4 of said Section 22 a distance of 10.00 feet to a point; thence along the west right of way line for 20 1/4 Road the following 3 courses:

S 00°09'20" E a distance of 208.72 feet to a point;

S 89°50'40" W a distance of 15.00 feet to a point;

S 00°09'20" E a distance of 85.38 feet to a point;

thence leaving the west right of way line for 20 1/4 Road S 89°37'40" W a distance of 270.55 feet to the True Point of Beginning of the parcel described herein; thence S 00°09'54" W a distance of 532.43 feet to a point; thence N 89°47'20" W a distance of 360.00 feet to a point; thence N 00°10'00" E a distance of 528.76 feet to a point; thence N 89°37'40" E a distance of 360.00 feet to the point of beginning.

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

1. That a hearing will be held on the 17th day of May, 2000, in Two Rivers Convention Center, 159 Main Street, Grand Junction, Colorado, at 7:30 p.m. to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED this ___ day of _____, 2000.

Attest:

President of the Council

City Clerk

NOTICE IS FURTHER GIVEN that a hearing will be held in accordance with the Resolution on the date and at the time and place set forth in the Resolution.

City Clerk

| <i>PUBLISHED</i> |
|-----------------------|
| April 7, 2000 |
| April 14, 2000 |
| April 21, 2000 |
| April 28, 2000 |

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

REINKING ANNEXATION NO. 1

APPROXIMATELY 0.96 ACRES

LOCATED AT 541 20 ¼ ROAD

WHEREAS, on the 5th day of April, 2000 the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 17th day of May, 2000; and

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

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

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

REINKING ANNEXATION NO.1

A parcel of land situate in the SW 1/4 and in the SE 1/4 of Section 22, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the CS 1/16 corner of said Section 22; thence S 00°54'20" E along the north-south centerline of said Section 22 a distance of 447.60 feet to a point; thence leaving said north-south centerline S 89°05'40" W a distance of 30.00 feet to a point on the west right of way line for 20 1/2 Road (South Broadway); thence N 00°54'20" W along the west right of way line for said 20 1/2 Road (South Broadway) a distance of 15.00 feet to a point; thence leaving said west right of way line N 89°05'40" E a distance of 15.00 feet to a point; thence N 00°54'20" W along a line 15.00 feet west of and parallel with the north-south centerline of said Section 22 a distance of 1347.43 feet to a point; thence N 89°05'40" E a distance of 55.00 feet to a point on the east right of way line for said 20 1/2 Road (South Broadway);

thence S 00°54'20" E along said east right of way line a distance of 531.54 feet to a point; thence leaving said east right of way line N 89°52'20" W a distance of 40.00 feet to a point on the north-south centerline of said Section 22; thence S 00°54'20" E along said north-south centerline a distance of 384.00 feet to the point of beginning.

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

INTRODUCED on first reading on the 5th day April, 2000.

ADOPTED and ordered published this day of , 2000.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

**REINKING ANNEXATION NO. 2
APPROXIMATELY 7.66 ACRES
LOCATED AT 541 20 ¼ ROAD**

WHEREAS, on the 5th day of April, 2000, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 17th day of May, 2000; and

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

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

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

REINKING ANNEXATION NO.2

A parcel of land situate in Section 22, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the CW 1/16 corner of Section 22; thence N 01°10'14" W a distance of 20.00 feet to a point on the north right of way line for South Broadway; thence along the north right of way line for South Broadway the following 3 courses:

N 89°40'40" E a distance of 298.75 feet to a point;

N 00°53'16" W a distance of 20.00 feet to the southwest corner of Lot 12, Block 1 of Saddleback Subdivision;

N 89°40'40" E a distance of 973.50 feet to the southeast corner of Lot 1 of S & G Minor Subdivision;

thence N 89°40'40" E a distance of 33.00 feet to a point on the east line of the NW 1/4 of said Section 22; thence S 00°53'16" E along the east line of said NW 1/4 a distance of 20.00 feet to a point; thence N 89°33'32" E a distance of 40.00 feet to a point; thence S 00°54'20" E a distance of 45.00 feet to the northwest corner of Lot 1

of The Overlook Subdivision; thence S 00°54'20" E along the east right of way line for 20 1/2 Road (South Broadway) a distance of 362.13 feet to a point; thence leaving east right of way line S 89°05'40" W a distance of 55.00 feet to a point; thence S 00°54'20" E along a line 15.00 feet west of and parallel with the east line of the SW 1/4 of said Section 22 a distance of 1347.43 feet to a point; thence S 89°05'40" W a distance of 15.00 feet to a point on the west right of way line for said 20 1/2 Road (South Broadway); thence along said west right of way line the following 13 courses:

N 00°54'20" W a distance of 54.08 feet to a point;
S 89°16'40" W a distance of 10.00 feet to a point;
N 00°54'20" W a distance of 148.99 feet to a point;
N 89°16'40" E a distance of 10.00 feet to a point;
N 00°54'20" W a distance of 120.06 feet to a point;
20.94 feet along the arc of a curve to the left, having a radius of 20.00 feet, a delta of 60°00'00" and a long chord bearing N 30°54'20" W a distance of 20.00 feet;

N 00°54'20" W a distance of 207.02 feet to a point;
S 69°42'20" E a distance of 10.73 feet to a point;
N 00°54'20" W a distance of 801.37 feet to a point;
S 89°16'40" W a distance of 10.00 feet to a point;
N 00°54'20" W a distance of 235.00 feet to a point;
N 89°16'40" E a distance of 10.00 feet to a point;
N 00°54'20" W a distance of 125.21 feet to the northeast corner of Lot 1, Block 1 of Tiara Rado Subdivision; thence along the south right of way line for South Broadway the following 7 courses:

S 89°40'40" W a distance of 300.54 feet to a point;
S 00°09'20" E a distance of 10.00 feet to a point;
S 89°40'40" W a distance of 372.71 feet to a point;
20.94 feet along a curve concave to the southwest, having a radius of 20.00 feet, a delta angle of 60°00'00" and a long chord bearing N 60°19'20" W a distance of 20.00 feet;
S 89°40'40" W a distance of 87.44 feet to a point;
S 00°09'20" E a distance of 10.00 feet to a point;
S 89°40'40" W a distance of 467.50 feet to the northwest corner of Lot 3, Block 3 of said Tiara Rado

Subdivision; thence S 00°09'20" E along the east right of way line for 20 1/4 Road a distance of 789.73 feet to a point; thence leaving the east right of way line for said 20 1/4 Road N 89°47'20" W a distance of 55.00 feet to a point on the west right of way line for said 20 1/4 Road; thence leaving said west right of way line N 89°47'20" W a distance of 273.53 feet to a point; thence N 00°09'54" E a distance of 532.43 feet to a point; thence N 89°37'40" E a distance of 270.55 feet to a point on the west right of way line for said 20 1/4 Road; thence along the west right of way line for said 20 1/4 Road the following 3 courses:

N 00°09'20" W a distance of 85.38 feet to a point;
N 89°50'40" E a distance of 15.00 feet to a point;
N 00°09'20" W a distance of 208.72 to a point on the north line of the NW 1/4 SW 1/4 of said Section 22;

thence N 89°50'40" E along the north line of said NW 1/4 SW 1/4 a distance of 10.00 feet to the CW 1/16 corner of said Section 22 and point of beginning.

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

INTRODUCED on first reading on the 5th day of April , 2000.

ADOPTED and ordered published this day of , 2000.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

REINKING ANNEXATION NO. 3

**APPROXIMATELY 4.38 ACRES
LOCATED AT 541 20 1/4 ROAD**

WHEREAS, on the 5th day of April, 2000, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 17th day of May, 2000; and

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

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

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

REINKING ANNEXATION NO. 3

A parcel of land situate in the SW 1/4 of Section 22, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the CW 1/16 corner of Section 22; thence S 89°50'40" W along the north line of the NW 1/4 SW 1/4 of said Section 22 a distance of 10.00 feet to a point; thence along the west right of way line for 20 1/4 Road the following 3 courses:

S 00°09'20" E a distance of 208.72 feet to a point;

S 89°50'40" W a distance of 15.00 feet to a point;

S 00°09'20" E a distance of 85.38 feet to a point;

thence leaving the west right of way line for 20 1/4 Road S 89°37'40" W a distance of 270.55 feet to the True Point of Beginning of the parcel described herein; thence S 00°09'54" W a distance of 532.43 feet to a point; thence N 89°47'20" W a

distance of 360.00 feet to a point; thence N 00°10'00" E a distance of 528.76 feet to a point; thence N 89°37'40" E a distance of 360.00 feet to the point of beginning.

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

INTRODUCED on first reading on the 5th day of April, 2000.

ADOPTED and ordered published this day of , 2000.

Attest:

President of the Council

City Clerk

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| CITY COUNCIL | | |
|-----------------------------------|--|--|
| Subject: | Grand Junction Bible Missionary Church Annexation | |
| Meeting Date: | April 5, 2000 | |
| Date Prepared: | March 29, 2000 | |
| Author: | Bill Nebeker | Senior Planner |
| Presenter Name: | Bill Nebeker | Senior Planner |
| <input type="checkbox"/> Workshop | <input checked="" type="checkbox"/> X | <input type="checkbox"/> Formal Agenda |

Subject: Resolution [for Referral of Petition](#) to Annex/**First** reading of the annexation ordinance/Exercising land use jurisdiction immediately for the Grand Junction Bible Missionary Church Annexation located at the southwest corner of I-70 and 26 ½ Road (2648 Cottonwood Drive); File ANX-2000-038.

Summary: [The 1.45-acre Grand Junction Bible Missionary Church area consists of one parcel of land and portions of Cottonwood Drive and 26 ½ Road. A new church structure is proposed on the vacant site.](#)

Background Information: [See Attached](#)

Budget: [N/A](#)

Action Requested/Recommendation: It is recommended that City Council [approve](#) the resolution for the referral of petition to annex, first reading of the annexation ordinance and exercise land use immediately for the Grand Junction Bible Missionary Church Annexation [and set a hearing for May 17, 2000.](#)

| | | | | |
|------------------------------|---------------------------------------|-----------------------------|------------------------------|---------|
| Citizen Presentation: | <input checked="" type="checkbox"/> X | <input type="checkbox"/> No | <input type="checkbox"/> Yes | If Yes, |
| Name: | | | | |
| Purpose: | | | | |

| | | | | | |
|--|---------------------------------------|-----------------------------|------------------------------|--------------|--|
| Report results back to Council: | <input checked="" type="checkbox"/> X | <input type="checkbox"/> No | <input type="checkbox"/> Yes | When: | |
|--|---------------------------------------|-----------------------------|------------------------------|--------------|--|

| | | | | |
|-----------------------------|---------------------------------------|----------------------------------|---|-----------------------------------|
| Placement on Agenda: | <input checked="" type="checkbox"/> X | <input type="checkbox"/> Consent | <input type="checkbox"/> Indiv. Consideration | <input type="checkbox"/> Workshop |
|-----------------------------|---------------------------------------|----------------------------------|---|-----------------------------------|

AGENDA TOPIC: : Resolution for Referral of Petition to Annex/First reading of the annexation ordinance/Exercising land use jurisdiction immediately for the Grand Junction Bible Missionary Church Annexation located at the southwest corner of I-70 and 26 ½ Road (2648 Cottonwood Drive)

SUMMARY: The 1.45-acre Grand Junction Bible Missionary Church area consists of one parcel of land and portions of Cottonwood Drive and 26 ½ Road. A new church structure is proposed on the vacant site.

| <i>BACKGROUND INFORMATION</i> | | | |
|-------------------------------------|--------------|--|-----------|
| Location: | | SW Corner I-70 & 26 ½ Road (2648 Cottonwood Drive | |
| Applicants: | | Robert Barker for GJBM Church | |
| Existing Land Use: | | Vacant | |
| Proposed Land Use: | | Church | |
| Surrounding Land Use: | North | I-70 | |
| | South | Single family residential | |
| | East | Single family residential | |
| | West | Single family residential | |
| Existing Zoning: | | R1-B (County) – 2 units per acre. | |
| Proposed Zoning: | | RSF-2 | |
| Surrounding Zoning: | North | AFT (Mesa County) – 5 acre lots | |
| | South | R1-B (Mesa County) – 2 units per acre | |
| | East | RSF-2 (City) – 2 units per acre | |
| | West | R1-B (Mesa County) – 2 units per acre | |
| Growth Plan Designation: | | Residential Medium Low: 2 to 4 units per acre | |
| Zoning within density range? | | X | No |

ACTION REQUESTED: It is recommended that City Council approve the resolution for the referral of petition to annex, first reading of the annexation ordinance and exercise land use immediately for the Grand Junction Bible Missionary Church Annexation and set a hearing for May 17, 2000.

Staff Analysis:

ANNEXATION:

This annexation area consists of annexing 1.45 acres of land. The property is now being annexed into the City of Grand Junction.

It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the GRAND JUNCTION BIBLE MISSIONARY CHURCH Annexation is eligible to be annexed because of compliance with the following:

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

The following annexation schedule is being proposed.

| <i>ANNEXATION SCHEDULE</i> | |
|----------------------------|--|
| April 5th | Referral of Petition to Annex & 1 st Read (30 Day Notice) |
| April 11th | Planning Commission considers Zone of Annexation |
| May 3rd | First Reading on Zoning by City Council |
| May 17th | Public hearing on Annexation and Zoning by City Council |
| June 18th | Effective date of Annexation and Zoning |

RECOMMENDATION:

Approval

GRAND JUNCTION BIBLE MISSIONARY CHURCH ANNEXATION SUMMARY

| | |
|---------------------------------------|---|
| File Number: | ANX-2000-038 |
| Location: | SW Cor I-70 & 26 ½ Rd (2648 Cottonwood Dr) |
| Tax ID Number: | 2701-352-02-009 |
| Parcels: | 1 |
| Estimated Population: | 0 |
| # of Parcels (owner occupied): | 0 |
| # of Dwelling Units: | 0 |
| Acres land annexed: | 1.45 for annexation area |
| Developable Acres Remaining: | 0.77 acres |
| Right-of-way in Annexation: | 0.75 acres (Cottonwood Dr & 26 ½ Rd) |
| Previous County Zoning: | County R1-B (2 units per acre) |
| Proposed City Zoning: | (RSF-2) Residential Single-family not to exceed 2 units per acre |
| Current Land Use: | Vacant |
| Future Land Use: | Church |
| Values: | Assessed: = \$ 11,180 |
| | Actual: = \$ 11,180 |
| Census Tract: | 10 |
| Address Ranges: | Between 2646 and 2648 Cottonwood Drive (even #'s only) |
| Special Districts: | Water: Ute Water |
| | Sewer: City of Grand Junction |
| | Fire: Grand Junction Rural Fire |
| | Drainage: Grand Valley Water Users |
| | School: District 51 |
| | Pest: |

**NOTICE OF HEARING
ON PROPOSED ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO**

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the [5th day of April, 2000](#), the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO.

**A RESOLUTION
REFERRING A PETITION TO THE CITY COUNCIL
FOR THE ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO,
SETTING A HEARING ON SUCH ANNEXATION,
AND EXERCISING LAND USE CONTROL**

GRAND JUNCTION BIBLE MISSIONARY CHURCH ANNEXATION

LOCATED at **SW CORNER I-70 & 26 ½ Rd (2648 COTTONWOOD DRIVE)**

WHEREAS, on the 5th day of April, 2000, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

A parcel of land situate in the NE 1/4 and in the NW 1/4 of Section 35, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the C 1/4 corner of Section 35; thence N 00°01'30" E along the north – south centerline of said Section 35 a distance of 397.60 feet to the True Point of Beginning of the parcel described herein; thence S 76°56'00" W a distance of 33.88 feet to the northeast corner of Lot 3 of North Rolling Acres Filing No. Two Subdivision; thence along the southeasterly right of way line for Cottonwood Drive the following 2 courses:

1) 81.08 feet along the arc of a curve concave to the southeast, having a radius of 131.35 feet, a delta angle of 35°21'59" and a long chord bearing S 66°30'56" W a distance of 79.80 feet to a point;

2) S 49°01'30" W a distance of 128.32 feet to a point;

thence crossing Cottonwood Drive N 40°58'30" W a distance of 56.00 feet to the southwest corner of Lot 9 of North Rolling Acres Subdivision; thence N 34°18'29" W along the westerly line of said Lot 9 a distance of 167.57 feet to a point on the southeasterly right of way line for Interstate 70; thence along the southeasterly right of way line for said Interstate 70 the following 2 courses:

1) N 70°32'30" E a distance of 174.24 feet to a point;

2) N 69°32'00" E a distance of 125.00 feet to a point;

thence N 69°21'56" E a distance of 90.62 feet to a point; thence N 71°36'00" E a distance of 43.94 feet to a point on the southeasterly right of way line for said Interstate 70; thence S 11°30'30" W along said southeasterly right of way line a distance of 209.00 feet to a point; thence continuing along said southeasterly right of way line N 89°40'00" W a distance of 32.00 feet to the point of beginning.

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

1. That a hearing will be held on the 17th day of May, 2000, in Two Rivers Convention Center, 159 Main Street, Grand Junction, Colorado, at 7:30 p.m. to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED this ___ day of _____, 2000.

Attest:

President of the Council

City Clerk

NOTICE IS FURTHER GIVEN that a hearing will be held in accordance with the Resolution on the date and at the time and place set forth in the Resolution.

City Clerk

| <i>PUBLISHED</i> |
|-----------------------|
| April 7, 2000 |
| April 14, 2000 |
| April 21, 2000 |
| April 28, 2000 |

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

GRAND JUNCTION BIBLE MISSIONARY CHURCH ANNEXATION

APPROXIMATELY 1.45 ACRES

LOCATED at SW CORNER I-70 & 26 ½ Rd (2648 COTTONWOOD DRIVE)

WHEREAS, on the 5th day of April, 2000 the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 17th day of May, 2000; and

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

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

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

A parcel of land situate in the NE 1/4 and in the NW 1/4 of Section 35, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the C 1/4 corner of Section 35; thence N 00°01'30" E along the north – south centerline of said Section 35 a distance of 397.60 feet to the True Point of Beginning of the parcel described herein; thence S 76°56'00" W a distance of 33.88 feet to the northeast corner of Lot 3 of North Rolling Acres Filing No. Two Subdivision; thence along the southeasterly right of way line for Cottonwood Drive the following 2 courses:

- 3) 81.08 feet along the arc of a curve concave to the southeast, having a radius of 131.35 feet, a delta angle of 35°21'59" and a long chord bearing S 66°30'56" W a distance of 79.80 feet to a point;

4) S 49°01'30" W a distance of 128.32 feet to a point;
thence crossing Cottonwood Drive N 40°58'30" W a distance of 56.00 feet to the southwest corner of Lot 9 of North Rolling Acres Subdivision; thence N 34°18'29" W along the westerly line of said Lot 9 a distance of 167.57 feet to a point on the southeasterly right of way line for Interstate 70; thence along the southeasterly right of way line for said Interstate 70 the following 2 courses:
3) N 70°32'30" E a distance of 174.24 feet to a point;
4) N 69°32'00" E a distance of 125.00 feet to a point;
thence N 69°21'56" E a distance of 90.62 feet to a point; thence N 71°36'00" E a distance of 43.94 feet to a point on the southeasterly right of way line for said Interstate 70; thence S 11°30'30" W along said southeasterly right of way line a distance of 209.00 feet to a point; thence continuing along said southeasterly right of way line N 89°40'00" W a distance of 32.00 feet to the point of beginning.

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

INTRODUCED on first reading on the 5th day April, 2000.

ADOPTED and ordered published this ___ day of _____, 2000.

Attest:

President of the Council

City Clerk

PERIMETER BOUNDARY LEGAL DESCRIPTION
GRAND JUNCTION BIBLE MISSIONARY CHURCH ANNEXATION

A parcel of land situate in the NE 1/4 and in the NW 1/4 of Section 35, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the C 1/4 corner of Section 35; thence N 00°01'30" E along the north – south centerline of said Section 35 a distance of 397.60 feet to the True Point of Beginning of the parcel described herein; thence S 76°56'00" W a distance of 33.88 feet to the northeast corner of Lot 3 of North Rolling Acres Filing No. Two Subdivision; thence along the southeasterly right of way line for Cottonwood Drive the following 2 courses:

5) 81.08 feet along the arc of a curve concave to the southeast, having a radius of 131.35 feet, a delta angle of 35°21'59" and a long chord bearing S 66°30'56" W a distance of 79.80 feet to a point;

6) S 49°01'30" W a distance of 128.32 feet to a point;

thence crossing Cottonwood Drive N 40°58'30" W a distance of 56.00 feet to the southwest corner of Lot 9 of North Rolling Acres Subdivision; thence N 34°18'29" W along the westerly line of said Lot 9 a distance of 167.57 feet to a point on the southeasterly right of way line for Interstate 70; thence along the southeasterly right of way line for said Interstate 70 the following 2 courses:

5) N 70°32'30" E a distance of 174.24 feet to a point;

6) N 69°32'00" E a distance of 125.00 feet to a point;

thence N 69°21'56" E a distance of 90.62 feet to a point; thence N 71°36'00" E a distance of 43.94 feet to a point on the southeasterly right of way line for said Interstate 70; thence S 11°30'30" W along said southeasterly right of way line a distance of 209.00 feet to a point; thence continuing along said southeasterly right of way line N 89°40'00" W a distance of 32.00 feet to the point of beginning.

Attach 14

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| <i>CITY COUNCIL</i> | | | |
|------------------------|---|-----------------------|----------------------|
| Subject: | Larchwood Inn Easements Vacation | | |
| Meeting Date: | April 5, 2000 | | |
| Date Prepared: | March 29, 2000 | | |
| Author: | Bill Nebeker | Senior Planner | |
| Presenter Name: | Bill Nebeker | Senior Planner | |
| | Workshop | X | Formal Agenda |

Subject: Larchwood Inn Easements Vacation located at the northwest corner of 15th Street and Patterson Road and 2845 15th Street; File #FPP-2000-023.

Summary: In conjunction with a request to expand the Larchwood Inns Nursing home, the applicant requests to vacate a 20-foot wide multi-purpose, irrigation and drainage easement and a 44' X 40' ingress/egress easement. At its March 14, 2000 hearing the City Planning Commission found that the vacation conforms with Section 8-3 on the Zoning and Development Code and recommended approval of this request.

Background Information: [See Attached](#)

Budget: [N/A](#)

Action Requested/Recommendation: It is recommended that City Council [adopt the attached](#) resolution.

| | | | | | |
|------------------------------|----------|-----------|--|------------|----------------|
| Citizen Presentation: | X | No | | Yes | If Yes, |
| Name: | | | | | |
| Purpose: | | | | | |

| | | | | | | |
|--|----------|-----------|--|------------|--------------|--|
| Report results back to Council: | X | No | | Yes | When: | |
|--|----------|-----------|--|------------|--------------|--|

| | | | | | | |
|-----------------------------|----------|----------------|--|-----------------------------|--|-----------------|
| Placement on Agenda: | X | Consent | | Indiv. Consideration | | Workshop |
|-----------------------------|----------|----------------|--|-----------------------------|--|-----------------|

AGENDA TOPIC: Larchwood Inn Easements Vacation located at the northwest corner of 15th Street and Patterson Road and 2845 15th Street; File #FPP-2000-023.

SUMMARY: In conjunction with a request to expand the Larchwood Inns Nursing home, the applicant requests to vacate a 20-foot wide multi-purpose, irrigation and drainage easement and a 44' X 40' ingress/egress easement. At its March 14, 2000 hearing the City Planning Commission found that the vacation conforms with Section 8-3 on the Zoning and Development Code and recommended approval of this request.

| <i>BACKGROUND INFORMATION</i> | | | |
|-------------------------------------|--------------|--|------------|
| Location: | | NW Corner 15 th Street and Patterson Road (2845 15 th Street) | |
| Applicants: | | Jon Jiles for J.H.S., LLC owner Don Pettygrove Nichols Associates, rep. Glade Hamilton, Larchwood Inns | |
| Existing Land Use: | | 80 bed nursing home on north half, vacant on south half | |
| Proposed Land Use: | | 24 bed wing addition & 1560 sq. ft. therapy on north half, no change on south half | |
| Surrounding Land Use: | North | single family homes | |
| | South | Townhomes | |
| | East | single family homes | |
| | West | apartments, office | |
| Existing Zoning: | | Planned Business | |
| Proposed Zoning: | | No change | |
| Surrounding Zoning: | North | RSF-8 | |
| | South | RSF-8 | |
| | East | RSF-8 | |
| | West | Planned Business | |
| Growth Plan Designation: | | Residential High 12+ units per acre | |
| Zoning within density range? | | X | Yes |
| | | | No |

ACTION REQUESTED: Adopt resolution.

Staff Analysis:

The owner of Larchwood Inns Nursing home, located on Lot 2, Hilltop Subdivision No. 2, has acquired lots 3 and 4 of the same subdivision, located along Patterson Road and plans on expanding the facility. To allow for the expansion the three lots are being replatted into one and a 20-foot wide multi-purpose, irrigation and drainage easement located along the northern portion of lots 3 and 4 must be vacated. The purpose of the easements are to provide interconnectivity across private lots for utilities, drainage and irrigation. Since the lots will now be owned in common the easements are no longer necessary. There are no public facilities located in the easements to be vacated

Hilltop Subdivision No. 2 also dedicated a 44' X 40' ingress and egress easement at the common lot line of lots 3 and 4 on Patterson Road for shared access. With the replat the shared access is no longer needed. The TEDS manual currently prohibits a driveway at this location due to spacing concerns from 15th Street.

At its March 14, 2000 hearing the Planning Commission found that the easement vacation conforms to the criteria in Section 8-3 in the Zoning and Development Code as follows:

- 8-3-1 LANDLOCKING – The proposal does not landlock any parcel of land. All lots have street frontage.
- 8-3-2 RESTRICTIVE ACCESS - The proposal does not restrict access to any parcel that such access is unreasonable, economically prohibitive, and reduces or devalues any property affected by the proposed vacation. Access is available to the parcels per standards in the TEDS manual.
- 8-3-3 QUALITY OF SERVICES - The proposal does not have any adverse impacts on the health, safety, and/or welfare of the general community, and does not reduce the quality of public services provided to any parcel of land. The property is in common ownership and alternate easements are provided at the perimeter of the site, where necessary, to provide for utility, irrigation and drainage purposes.
- 8-3-4 ADOPTED PLANS & POLICIES - The proposal does not conflict with adopted plans and policies.
- 8-3-5 BENEFITS TO CITY OR COUNTY - The proposal provides benefits to the City in general by allowing greater flexibility in the development of this parcel.

Recommendation: Approval

CITY OF GRAND JUNCTION

Resolution No. _____

VACATING A MULTI-PURPOSE, IRRIGATION AND DRAINAGE EASEMENT
WITHIN HILLTOP SUBDIVISION NO 2 LOCATED AT THE NORTHWEST
CORNER OF 15TH STREET AND PATTERSON ROAD

Recitals.

The owner of Larchwood Inns Nursing home, located on Lot 2, Hilltop Subdivision No. 2, has acquired lots 3 and 4 of the same subdivision, located along Patterson Road and plans on expanding the facility. To allow for the expansion the three lots are being replatted into one and a 20-foot wide multi-purpose, irrigation and drainage easement located along the northern portion of lots 3 and 4 must be vacated. The purpose of the easements are to provide interconnectivity across private lots for utilities, drainage and irrigation. Since the lots will now be owned in common the easements are no longer necessary. There are no public facilities located in the easements to be vacated

At its March 14, 2000 hearing the Planning Commission found that the easement vacation conforms to the criteria in Section 8-3 in the Zoning and Development Code and recommends approval of the vacation. Community Development File #FPP-2000-023 outlines the specific findings of the Commission.

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

City Council finds that the vacation meets the criteria set forth in Section 8-3 of the Grand Junction Zoning and Development Code and in accordance therewith the following described easements are hereby vacated:

A parcel of land subject to a multi-purpose, irrigation and drainage easement across the north 20 feet of Lots 3 and 4, Hilltop Subdivision No. 2, Grand Junction, Mesa County, Colorado, more particularly described by metes and bounds as follows:

Commencing at the SE Corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1, T.1S, R.1W, Ute Principal Meridian, a 3 inch aluminum cap monument (MCSM #715-2) from which the SW Corner of Section 1, a 2.5 inch brass cap monument (MCSM #60-1) bears N89°47'30"W a distance of 1322.37 feet as determined by GPS measurement, with all subsequent bearings relative thereto;

then N 00°05'45"E for 264.70 feet; then N 89°54'06"W for 60 feet to the true Point of Beginning; then along the following four courses which represent the boundary of the easement being vacated:

1. N 89°54'06"W for 468.17 feet;
2. N 00°12'30"E for 20.00 feet;
3. S89°54'06"E for 468.17 feet;
4. S00°05'45"E for 20.00 feet to the True Point of Beginning.

INTRODUCED for FIRST READING and PUBLICATION this day of 2000.

PASSED on SECOND READING this day of , 2000.

ATTEST:

City Clerk

President of City Council

CITY OF GRAND JUNCTION

Resolution No. _____

VACATING AN INGRESS-EGRESS EASEMENT
WITHIN HILLTOP SUBDIVISION NO 2 LOCATED AT
THE NORTHWEST CORNER OF 15TH STREET AND PATTERSON ROAD

Recitals.

The owner of Larchwood Inns Nursing home, located on Lot 2, Hilltop Subdivision No. 2, has acquired lots 3 and 4 of the same subdivision, located along Patterson Road and plans on expanding the facility. To allow for the expansion the three lots are being replatted into one and a 44' x 40' ingress-egress easement between the common boundary of lots 3 and 4 along Patterson Road is proposed for vacation. The purpose of the easement was to provide shared access from one curb cut on Patterson Road. With the replat the shared access is no longer needed. Also the City's Transportation Engineering Design Standards manual prohibits a driveway at this location due to spacing concerns from 15th Street.

At its March 14, 2000 hearing the Planning Commission found that the easement vacation conforms to the criteria in Section 8-3 in the Zoning and Development Code and recommends approval of the vacation. Community Development File #FPP-2000-023 outlines the specific findings of the Commission.

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

City Council finds that the vacation meets the criteria set forth in Section 8-3 of the Grand Junction Zoning and Development Code and in accordance therewith the following described easements are hereby vacated:

A parcel of land subject to a 44' X 40' ingress-egress easement located in the SW Corner of Lot 3 and the SE corner of Lot 4, Hilltop Subdivision No. 2, Grand Junction, Mesa County, Colorado, more particularly described by metes and bounds as follows:

Commencing at the SE Corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1, T.1S, R.1W, Ute Principal Meridian, a 3 inch aluminum cap monument (MCSM #715-2) from which the SW Corner of Section 1, a 2.5 inch brass cap monument (MCSM #60-1) bears N89°47'30"W a distance of 1322.37 feet as determined by GPS measurement, with all subsequent bearings relative thereto;

then N 89°47'30"W for 275.09 feet; then N 00°05'54"E for 50.00 feet to the true Point of Beginning; then along the following four courses which represent the boundary of the easement being vacated:

5. N 89°47'30"W for 44 feet;
6. N 00°05'54"E for 40 feet;
7. S89°47'30"E for 44 feet;
8. S00°05'54"W for 40 feet to the True Point of Beginning.

INTRODUCED for FIRST READING and PUBLICATION this day of 2000.

PASSED on SECOND READING this day of , 2000.

ATTEST:

City Clerk

President of City Council

Attach 15

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| <i>CITY COUNCIL</i> | | | |
|------------------------|------------------------------------|-----------------------|----------------------|
| Subject: | Ridge Point Filing 2 Rezone | | |
| Meeting Date: | April 5, 2000 | | |
| Date Prepared: | March 29, 2000 | | |
| Author: | Bill Nebeker | Senior Planner | |
| Presenter Name: | Bill Nebeker | Senior Planner | |
| | Workshop | X | Formal Agenda |

Subject: Rezone from PR-4 to RSF-2 on proposed Lot 16, Ridge Point Filing 2, located east of High Ridge Drive at the east end of Hidden Valley Drive in The Ridges; File # RZP-2000-007.

Summary: The applicant has requested to rezone a portion of a 50.4 acre parcel in the Ridges, known as proposed Lot 16, Ridge Point Filing 2 from PR-4 to RSF-2. This proposed zoning is in accordance with the Growth Plan Future Land Use Map and the recently adopted zoning map. The PR-4 zoning on the remainder of the parcel (proposed Lots 1-15) will remain and by this Ordinance Council will be directing staff to make the necessary change to the Official Zoning Map.

Background Information: [See Attached](#)

Budget: [N/A](#)

Action Requested/Recommendation: Adopt ordinance on first reading and schedule a hearing for April 19, 2000.

| | | | | | |
|------------------------------|----------|-----------|--|------------|----------------|
| Citizen Presentation: | X | No | | Yes | If Yes, |
| Name: | | | | | |
| Purpose: | | | | | |

| | | | | | | |
|--|----------|-----------|--|------------|--------------|--|
| Report results back to Council: | X | No | | Yes | When: | |
|--|----------|-----------|--|------------|--------------|--|

| | | | | | | |
|-----------------------------|----------|----------------|--|-----------------------------|--|-----------------|
| Placement on Agenda: | X | Consent | | Indiv. Consideration | | Workshop |
|-----------------------------|----------|----------------|--|-----------------------------|--|-----------------|

AGENDA TOPIC: Rezone from PR-4 to RSF-2 on proposed Lot 16, Ridge Point Filing 2, located east of High Ridge Drive at the east end of Hidden Valley Drive in The Ridges; File # RZP-2000-007.

SUMMARY: The applicant has requested to rezone a portion of a 50.4 acre parcel in the Ridges, known as proposed Lot 16, Ridge Point Filing 2 from PR-4 to RSF-2. This proposed zoning is in accordance with the Growth Plan Future Land Use Map and the recently adopted zoning map. The PR-4 zoning on the remainder of the parcel (proposed Lots 1-15) will remain and by this Ordinance Council will be directing staff to make the necessary change to the Official Zoning Map.

| <i>BACKGROUND INFORMATION</i> | | | |
|-------------------------------------|--------------|---|------------|
| Location: | | East of High Ridge Drive and east end of Hidden Valley Drive | |
| Applicants: | | Ted Munkres, Owner & Applicant | |
| Existing Land Use: | | Vacant | |
| Proposed Land Use: | | Residential | |
| Surrounding Land Use: | North | Vacant & single family residential | |
| | South | single family residential | |
| | East | single family residential | |
| | West | single family residential | |
| Existing Zoning: | | PR-4 | |
| Proposed Zoning: | | RSF-2 (on proposed lot 16) | |
| Surrounding Zoning: | North | County R-2 & City RSF-2 | |
| | South | County R-2 | |
| | East | City RSF-2 | |
| | West | City PR-4 | |
| Growth Plan Designation: | | Residential Low: ½ to 2 acres per lot | |
| Zoning within density range? | | X | Yes |
| | | | No |

ACTION REQUESTED: Adopt ordinance on first reading and schedule a hearing for April 19, 2000.

Staff Analysis

Rezone: The applicant is proposing to rezone a portion of a 50.4-acre parcel in the Ridges from PR-4 to RSF-2. The entire parcel was zoned PR-4 upon annexation into the City as part of the Ridges. The parcel, which is legally described as Lot 7 Ridge Point Filing 1, will be resubdivided into Lots 1-16, Ridge Point Filing 2. This ordinance rezones proposed Lot 16, which is 44.05-acres in size, from PR-4 to RSF-2. Lot 16 is proposed for future development at a later date. On March 14, 2000 the Planning Commission approved a preliminary plan for development on proposed Lots 1-15 which will remain zoned PR-4.

The new zoning map adopted on March 7, 2000 and effective on April 22, 2000, will rezone the entire parcel including lots 1-15 to RSF-2. By this Ordinance Council will be directing staff to make the necessary change to the Official Zoning Map to retain the PR-4 zoning on Lots 1-15 of the proposed subdivision.

The City Planning Commission found that the zoning conforms with Section 4-4-4 of the Grand Junction Zoning and Development Code and recommended approval of this rezone request at its March 14, 2000 hearing. Community Development Department File #RZP-2000-007 outlines the specific findings of the Commission.

PLANNING COMMISSION RECOMMENDATION: Approval.

drawing 2

drawing 3

drawing 4

CITY OF GRAND JUNCTION

Ordinance No. _____

REZONING PROPERTY
TO BE KNOWN AS LOT 16, RIDGE POINT FILING 2
LOCATED AT THE SOUTHEAST CORNER OF HIGH RIDGE DRIVE
AND HIDDEN VALLEY DRIVE IN THE RIDGES FROM PR 4 TO RSF-2

Recitals.

The applicant is proposing to rezone a portion of a 50.4-acre parcel in the Ridges from PR-4 to RSF-2. The entire parcel was zoned PR-4 upon annexation into the City as part of the Ridges. The parcel, which is legally described as Lot 7 Ridge Point Filing 1, will be resubdivided into Lots 1-16, Ridge Point Filing 2. This ordinance rezones proposed Lot 16, which is 44.05-acres in size, from PR-4 to RSF-2. Lot 16 is proposed for future development at a later date. On March 14, 2000 the Planning Commission approved a preliminary plan for development on proposed Lots 1-15 which will remain zoned PR-4.

The new zoning map adopted on March 7, 2000 and effective on April 22, 2000, will rezone the entire parcel including lots 1-15 to RSF-2. By this Ordinance Council will be directing staff to make the necessary change to the Official Zoning Map to retain the PR-4 zoning on Lots 1-15 of the proposed subdivision.

The City Planning Commission found that the zoning conforms with Section 4-4-4 of the Grand Junction Zoning and Development Code and recommended approval of this rezone request at its March 14, 2000 hearing. Community Development Department File #RZP-2000-007 outlines the specific findings of the Commission.

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

City Council finds that the requested rezone meets the criteria as set forth in Section 4-4-4 of the Grand Junction Zoning and Development Code and in accordance therewith the following described parcels are hereby rezoned from PR 4 to RSF-2:

A parcel of land in the State of Colorado, County of Mesa described as follows:

Commencing at the West 1/16 corner of Sections 16 and 24 from whence the ¼ corner of Sections 16 and 21 Bears S89°31'51"E, 1297.55 feet for a Basis of Bearing all Bearings hereon related thereto. Thence S89°31'51"E, 518.55 feet

to the POINT OF BEGINNING. Thence S89°31'51"E, 549.01 feet: thence S19°56'12"E., 1260.80 feet: thence N75°59'13"W, 181.07 feet: thence S17°28'04"W, 190.91 feet; thence S11°34'38"E, 116.24 feet: thence S27°48'16"E, 81.73 feet: thence S32°59'15"W, 121.31 feet to the beginning of a horizontal curve; thence along said curve to the right with a radius of 332.96 feet and a length of 137.53 feet, whose chord bears S44°49'15"E, 136.56 feet: thence S56°39'15"W, 249.63 feet to the beginning of a horizontal curve: thence along said curve to the right with a radius of 590.02 feet and a length of 142.67 feet, whose chord bears S63°34'54"E, 142.33 feet; thence S70°30'32"W, 210.30 feet to the beginning of a horizontal curve; thence along said curve to the right with a radius of 135.71 feet and a length of 118.44 feet, whose chord bears N84°29'17"W, 114.72 feet; thence N59°29'07"W, 149.89 feet to the beginning of a horizontal curve: thence along said curve to right with a radius of 128.78 feet and a length of 116.87 feet, whose chord bears N33°29'09"W, 112.90 feet to the beginning a non radial horizontal curve; thence along said curve to the left with a radius of 50.1 feet and a length of 127.82 feet, whose chord bears N20°43'12"W, 95.75 feet; thence N66°03'01"W, 322.02 feet: thence N00°23'38"E, 243.34 feet to the Northwest 1/16 corner of Section 21; thence N00°30'35"E, 660.78 feet; thence S89°29'25"E, 3.41 feet to the beginning of a horizontal curve; thence along said curve to the right with a radius of 125.00 feet and a length of 14.77 feet, whose chord bears S88°27'12"E, 14.76 feet to the beginning of reverse curve; thence along said curve to the left with a radius of 300.00 feet and a length of 85.30 feet, whose chord bears N86°47'11"E, 85.1 feet to the beginning of a reverse curve: thence along said curve to the right with a radius of 20.00 feet and a length of 29.71 feet, whose chord bears S58°48'16"E, 27.05 feet; thence N73°44'42"E, 44.1 feet; thence S16°%15'18"E, 81.44 feet to the beginning of a horizontal curve; thence along said curve to the right with a radius of 222.00 feet and a length of 76.15 feet, whose chord bears S06°25'43"E, 75.77 feet; thence N48°10'27"E, 573.67 feet; thence N21°27'55"E, 152.74 feet; thence N31°%31'53"W, 346.76 feet to the POINT OF BEGINNING.

INTRODUCED for FIRST READING and PUBLICATION this day of 2000.

PASSED on SECOND READING this day of 2000.

ATTEST:

City Clerk

President of City Council

Attach 16

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| <i>CITY COUNCIL</i> | | |
|------------------------|---|------------------------|
| Subject: | Settlement of Lamm v. GNT Development and City | |
| Meeting Date: | April 5, 2000 | |
| Date Prepared: | March 29, 2000 | |
| Author: | Dan Wilson | City Attorney |
| Presenter Name: | Dan Wilson | City Attorney |
| | Workshop | x Formal Agenda |

Summary: Once it is annexed, the City agrees to process a two lot subdivision application for the part of the Lamm property lying west of Leach Creek, and to consider a minor street plan connecting the rest of the Lamm property via G 1/2 with G road.

Background Information: William Ela, retired district court judge, mediated a settlement agreement resolving this lawsuit on March. The basic facts and terms, as they relate to the City are:

1. Via a 1980 contract Lamm was to obtain street access through the Wilson Ranch development to the Lamm property located south of G 1/2 road and east of Wilson Ranch.
2. Lamm must apply to the county for a boundary line adjustment to create a separate tax parcel for the portion of the property which is west of Leach Creek.
3. Once the west part is a separate parcel, Lamm applies for annexation to the City and asks to subdivide, with access off the end of Ranch Court (which is the northeastern part of Wilson Ranch filing 4)..
4. To provide for a second access via G road, the City agrees to consider a minor street plan indicating a through connection to G road. If Council approves the settlement agreement, Public Works would prepare the maps for the street plan and present the idea to the Planning Commission for its consideration.
5. The 26th house and every additional house must be sprinklered.
6. If Lamm can buy a small triangle of the southeastern part of Lot 7 (which is part of the current access easement), the City would accept the offer of dedication.

Budget: None

Action Requested/Recommendation: Motion to Ratify the Settlement Agreement.

| | | | | | |
|------------------------------|-------------------------------------|----|--------------------------|-----|---------|
| Citizen Presentation: | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | Yes | If Yes, |
| Name: | | | | | |
| Purpose: | | | | | |

| | | | | | | |
|--|--------------------------|----|--------------------------|-----|--------------|----------------------|
| Report results back to Council: | <input type="checkbox"/> | No | <input type="checkbox"/> | Yes | When: | <input type="text"/> |
|--|--------------------------|----|--------------------------|-----|--------------|----------------------|

| | | | | | | |
|-----------------------------|-------------------------------------|---------|--------------------------|----------------------|--------------------------|----------|
| Placement on Agenda: | <input checked="" type="checkbox"/> | Consent | <input type="checkbox"/> | Indiv. Consideration | <input type="checkbox"/> | Workshop |
|-----------------------------|-------------------------------------|---------|--------------------------|----------------------|--------------------------|----------|

DISTRICT COURT, MESA COUNTY, COLORADO
CIVIL ACTION NO 96 CV 468

SETTLEMENT AGREEMENT

MARION B. LAMM,

Plaintiff,

v.

GNT DEVELOPMENT CORP., a Colorado corporation, JOSEPH SKERL and
LESLIE SKERL, husband and wife, and the CITY OF GRAND JUNCTION, and
JOHN DOES 1-20,

Defendants.

Plaintiff and defendants GNT Development Corp. and the City of Grand Junction,
with the assistance of mediator the Honorable William Ela, have settled their
claims entirely under the terms below.

These parties intend that the Court approve this Settlement Agreement as an
Order dismissing this action, with prejudice.

1. Lamm will apply to Mesa County to create a separate parcel of all of her property which lies west of the geographical center line of Leach Creek, as shown by a blue highlighter on the attached Exhibit A as area B (hereinafter the "West Parcel").
2. By the last day of September, 2001, if at all pursuant to this Settlement Agreement, Lamm will apply to the City for annexation of the West Parcel and Lamm shall, concurrently with Lamm's petition to annex, apply to subdivide the West Parcel into two single family dwelling lots. Lamm may apply for one additional single family lot, however, there is no understanding nor other basis to assume that a third lot would be approved.
3. Regarding any application to subdivide or annex, or to adopt a minor street plan, Lamm acknowledges that the City may only agree to review and process such a request; the City cannot, and does not, make any promises or assurances.
4. Lamm desires to acquire from the Adams parties who own lot 7 of block 2 of Wilson Ranch filing No. 4, the area designated in yellow highlight on Exhibit A as area A (the "Street Easement"), in fee simple, however Lamm is not obligated to do so. The City has no duty or responsibility regarding any such efforts or expenses of Lamm to obtain the Street Easement.

5. After annexation, the City agrees to accept such dedication as a street right-of-way: if the offer of dedication is made by April 1, 2003; and, if the owners the West Parcel are obligated to maintain and be responsible for the Street Easement until, if ever, the Street Easement is improved as a public street; and, if Lamm and/or the owner of Lot 7 applies to subdivide the Street Easement concurrently with the application to subdivide the West Parcel, and the City approves the creation of the Street Easement. Upon dedication of the Street Easement to the City and until such time, if ever, as the Street Easement is improved as a public street, title to all portions of the West Parcel shall be subject to the then owners' duty and obligation to maintain and be responsible for the Street Easement; such duty and obligation should be detailed as a condition of the creation of the Street Easement and by means of a City approved recorded instrument, which may be part of a covenant.
6. The City agrees to consider at a public hearing a street plan which shows a public street connection from the southern half of the Lamm property to a then existing public street, such as G Road, in order to satisfy the two access requirement for a subdivision of that portion of Lamm's property lying east of Leach Creek.
7. Lamm shall record this Settlement Agreement, upon Court approval hereof, and may record any City approved street plan in order to provide notice to the public of the existence of the street plan.
8. Upon residential development of the "Lamm Property" (as shown on Exhibit A), until the two (2) access requirement has been met, the 26th dwelling and each dwelling thereafter shall be sprinklered.
9. This agreement will be presented to the City Council at its regular meeting on April 5, 2000 and will bind the parties and be presented to the Court for its approval if the Council ratifies the City Attorney's signature on this agreement made March 23, 2000.
10. This Mediation Settlement Memorandum is made effective as of March 23, 2000.

GRIFF, LARSON LAICHE & VOLKMANN

By _____

Thomas C. Volkman
422 White Avenue, Suite 323
Grand Junction CO 81501
Telephone: (970) 245-8021

Attorney for Plaintiff
MARION B. LAMM

CITY OF GRAND JUNCTION

By _____

City Attorney
250 North 5th Street
Grand Junction, CO 81501
Telephone: (970) 244-1508
Attorney for Defendant
CITY OF GRAND JUNCTION

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| <i>CITY COUNCIL</i> | | |
|------------------------|---|-----------------------------|
| Subject: | Appeal of Final Plat/Plan for Skyler Subdivision | |
| Meeting Date: | April 5, 2000 | |
| Date Prepared: | March 20, 2000 | |
| Author: | Patricia Parish | Associate Planner |
| Presenter Name: | Patricia Parish | Associate Planner |
| | Workshop | X Formal Agenda |

Subject: Appeal of an approval for the Final Plat/Plan for Skyler Subdivision; File #FPP-2000-019.

Summary: The surrounding property owners are requesting an appeal of the approval for Skyler Subdivision’s Final Plat/Plan, consisting of 35 single family residential lots, located at 2871 D Road. The Planning Commission recommended approval of the Final Plat/Plan, subject to conditions, at the March 14, 2000 meeting.

Background Information: The surrounding property owners are requesting an appeal of the decision due to traffic concerns on D Road, 9th Street and 30 Road railroad crossings. The Planning Commission approved Skyler Subdivision’s Final Plat/Plan on the consent agenda at the March 14, 2000. The public, Planning Commission nor staff initiated any comment at that meeting.

Budget: N/A

Action Requested/Recommendation: Decision on the appeal of the Final Plat/Plan approval.

| | | | |
|------------------------------|---|---|---------|
| Citizen Presentation: | <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes | If Yes, |
| Name: | Ray Rickard, representative | | |
| Purpose: | Represent the applicant, Darren Davidson, through the application process. | | |

| | | | | |
|--|--|------------------------------|--------------|--|
| Report results back to Council: | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes | When: | |
|--|--|------------------------------|--------------|--|

| | | | |
|-----------------------------|----------------------------------|--|-----------------------------------|
| Placement on Agenda: | <input type="checkbox"/> Consent | <input checked="" type="checkbox"/> Indiv. Consideration | <input type="checkbox"/> Workshop |
|-----------------------------|----------------------------------|--|-----------------------------------|

AGENDA TOPIC: Appeal of the approval for the Final Plat/Plan for Skyler Subdivision located at 2871 D Road; File # FPP-2000-019.

SUMMARY: The Petitioner was granted Final Plat/Plan approval to develop 35 single-family lots on approximately 9.92 acres in a PR-4 zone district at the March 14, 2000 Planning Commission meeting. The plan includes the active open space approved during preliminary plan review. The Petitioner had complied with the preliminary plan conditions with the design of the most recent filing and staff recommended approval of the Final Plat/Plan for Skyler Subdivision subject to conditions.

| <i>BACKGROUND INFORMATION</i> | | |
|---------------------------------|--------------|---|
| Location: | | 2871 D Road |
| Applicants: | | Darren Davidson, Owner Ray Rickard, Developer Richard Atkins, Representative |
| Existing Land Use: | | Vacant Farmland |
| Proposed Land Use: | | Residential |
| Surrounding Land Use: | North | Vacant Farmland, State Home |
| | South | |
| | East | Vacant Farmland, Single Family Residential |
| | West | Vacant Farmland (Proposed White Willow Subdivision) |
| Existing Zoning: | | PR-4 (Planned Residential with a density not to exceed 4 units per acre) Effective Annexation date: 12/19/99 |
| Proposed Zoning: | | No Change |
| Surrounding Zoning: | North | PE (Planned Educational – County) |
| | South | AFT (Agricultural Forestry Transitional-County) |
| | East | AFT (Agricultural Forestry Transitional-County) |
| | West | AFT (Agricultural Forestry Transitional-County) |
| Growth Plan Designation: | | Residential Medium Low – 2 to 4 units per acre. Skyler Subdivision’s density is |

| | | | |
|------------------------------|----------------------|-----|----|
| | 3.53 units per acre. | | |
| Zoning within density range? | X | Yes | No |

ACTION REQUESTED: Decision on the appeal of the Final Plat/Plan approval.

STAFF ANALYSIS:

Conformance with Preliminary Plan:

The Planning Commission approved the preliminary plat/plan for Skyler Subdivision at its regular meeting on October 12, 1999. Listed below are the conditions of approval (*italicized*), with a note following each condition explaining how it has been satisfied:

1. Petitioner is attempting to secure an easement across adjacent property to allow stormwater discharge into the No Name Drain. If the easement is obtained, the Petitioner will eliminate the retention pond and replace it with a combination of one to two residential lots and a detention pond.

The Petitioner has secured an easement from the adjacent property owner and reconfigured the preliminary plan (originally showing 33 lots with two retention ponds) to show 35 single family lots and one detention pond.

2. The active open space should read as Tract B, Common Open Space and state that Tract A (the detention pond) and Tract B will be deeded to the Homeowner's Association for ownership at the time of recordation of the Final Plat.

The Petitioner has referenced this on the Final Plat. A landscape easement has been included to represent the landscape strip along D Road at the entrance to the project. The responsibility of maintenance for these tracts is referenced in the CCR's provided by the developer.

3. The General Report must indicate a more specific development schedule with proposed beginning and ending timeframes for construction.

The Petitioner has included a timetable in the general plan as follows:
 Streets – March 2000
 Sewer – April 2000
 Domestic Water – April 2000
 Landscaping – May 2000

4. At the October 12, 1999 Planning Commission, the question of who would be responsible for construction of the active Common Space was

raised. The Planning Commission agreed that the responsibility should fall upon the developer of the subdivision.

The Petitioner has shown the construction detail of the Common Space facilities and landscaping, and has included the cost of these items in the detail list within the Development Improvements Agreement.

Final Plat/Plan:

Skyler Subdivision consists of 35 lots, an active common open space tract and a detention pond. The open space area covers a .38 landscaped acre and will include a covered picnic area with a barbecue and basketball court. Bulk requirements for this subdivision are as follows:

| BULK REQUIREMENTS | |
|----------------------------|----------------|
| yard setback | |
| yard (principal structure) | |
| yard (accessory structure) | seamless width |
| yard (principal structure) | |
| yard (accessory structure) | |
| coverage | |
| num Lot Area | Square Feet |
| num Street Frontage | |
| num Lot Width at Structure | |
| num Height | |

Community Development Fees that apply to this project are as referenced in Attachment "A" below.

Findings of Review:

Staff has verified that Skyler Subdivision's application for a Final Plat/Plan meets the requirements of Section 6-8 of the Zoning and Development Code. Review agencies' concerns have been met or were made a condition of approval. The Final Plat has been modified by the Petitioner to reflect improvements in design or changes which have occurred since the time of Preliminary Plan review and approval. The Planning Commission approved this project subject to staff's recommendation below.

Findings of Appeal

The appeal filed by neighboring property owners is in compliance with Section 2-2-2C(3) of the Zoning and Development Code and based on traffic concerns along D Road, 9th Street and 30 Road railroad crossings. The appeal letter is signed by Jack Buford, Paul Maupin, Robert and Kathleen Woodward, Mildred Rutherford and Jim Cardin.

The issue was not brought up at the Planning Commission meeting and the project was included in the Consent Agenda items without objection from the public, Planning Commission or the staff.

When the property was annexed from the County (Effective Annexation Date: 12/19/99) the existing zone was PR-8, double the density of the current zone of PR-4 assigned to the property in the City. No traffic concerns were voiced at the Annexation and Preliminary Plat/Plan meeting held on October 12, 1999.

STAFF'S RECOMMENDATION: Uphold the Planning Commission approval with conditions:

1. Petitioner shall submit an updated title report (less than thirty days old) to the Community Development Department prior to recording of the Final Plat.
2. The CCR's shall be modified to clearly state the HOA's responsibility to maintain the required landscaping installed by the developer, as per the approved landscape plan.
3. Petitioner shall submit a modified D.I.A. estimate to reflect changes made to the gravel turn-around area at the south end of the site, active open space and D Road landscaping.
4. Petitioner shall submit a modified Final Drainage Study, Grading Plan and Storm Water Management Plan, Detention Pond and Storm Drain Plan and Profile, Skyler Street Centerline Plan and Profile, and Sewer and Water Plan as per direction by the City Development Engineering Department.
5. Petitioner shall submit a deed to be recorded with the Final Plat deeding Tracts A and B to the HOA.
6. Let the Petitioner be on notice that the proposed subdivision sign may have to be relocated outside the site distance triangle but within the landscape easement when D Road is reconstructed.
7. Petitioner shall provide proof of recorded easements across adjacent property to the south, in order to satisfy requirements of Central Grand Valley Sanitation District, Ute Water Conservancy District and Grand Junction Drainage District prior to recording Final Plat.
8. Dedication language and other Final Plat technicalities shall be reviewed and approved prior to Final Plat recording.

PLANNING COMMISSION MOTION: Approved, subject to staff's recommendation.

Attachment "A"

| COMMUNITY DEVELOPMENT FEES | |
|---|-------------------------|
| <i>Due at time of filing plat:</i> | |
| Open Space Fee | \$225 / lot |
| Development Improvements Guarantee | \$378,088.75 (estimate) |
| Copy Fees (plat) | \$22.50 / page |
| Recording Fees (mylar) | \$10 / page |
| Recording Fees (page of CCR's, DIA) | \$5 / page |
| <i>Due at time of planning clearance for lots:</i> | |
| Planning Clearance Fee | \$10 |
| Transportation Capacity Payment | \$500 / lot |
| School Impact Fee | \$292 / lot |

Attach 18

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

| CITY COUNCIL | | |
|--------------------------|---------------------------------|--|
| Subject: | White Willows Annexation | |
| Meeting Date: | April 5, 2000 | |
| Date Prepared: | March 29, 2000 | |
| Author: | Bill Nebeker | Senior Planner |
| Presenter Name: | Bill Nebeker | Senior Planner |
| <input type="checkbox"/> | Workshop | <input checked="" type="checkbox"/> Formal Agenda |

Subject: Annexation of the property to be subdivided as White Willows Subdivision generally located at 2856 C ½ Road, 2851 and 2863 D Road; #ANX-2000-018.

Summary: Resolution for Acceptance of the Petition to Annex and second reading of the annexation ordinance for the White Willows Annexation located at 2856 C ½ Road, 2851 and 2863 D Road and including portions of D Road and Florida Street rights-of-way. The 40.41-acre White Willows Annexation area consists of three parcels of land. The owners of the properties have signed a petition for annexation as part of a request for preliminary plat approval.

Background Information: [See Attached](#)

Budget: [N/A](#)

Action Requested/Recommendation: It is recommended that City Council approve the resolution for the acceptance of the annexation petition and pass on second reading the annexation ordinance for the White Willows Annexation.

| | | | | | |
|------------------------------|-------------------------------------|----|--|-----|---------|
| Citizen Presentation: | <input checked="" type="checkbox"/> | No | | Yes | If Yes, |
| Name: | | | | | |
| Purpose: | | | | | |

| | | | | | |
|--|-------------------------------------|----|--|-----|--------------|
| Report results back to Council: | <input checked="" type="checkbox"/> | No | | Yes | When: |
|--|-------------------------------------|----|--|-----|--------------|

| | | | | | |
|-----------------------------|--|---------|-------------------------------------|----------------------|----------|
| Placement on Agenda: | | Consent | <input checked="" type="checkbox"/> | Indiv. Consideration | Workshop |
|-----------------------------|--|---------|-------------------------------------|----------------------|----------|

AGENDA TOPIC: Annexation of the property to be subdivided as White Willows Subdivision generally located at 2856 C ½ Road, 2851 and 2863 D Road; #ANX-2000-018.

SUMMARY: Resolution for Acceptance of the Petition to Annex and second reading of the annexation ordinance for the White Willows Annexation located at 2856 C ½ Road, 2851 and 2863 D Road and including portions of D Road and Florida Street rights-of-way. The 40.41-acre White Willows Annexation area consists of three parcels of land. The owners of the properties have signed a petition for annexation as part of a request for preliminary plat approval.

| BACKGROUND INFORMATION | | | |
|-------------------------------------|--------------|--|------------|
| Location: | | 2856 C ½ Road, 2851 and 2863 D Road | |
| Applicants: | | Robert J. & Marvelle F. Smith; Patricia B. McBride; & The Patnode Family Trust, Owners Gene Patnode, Applicant | |
| Existing Land Use: | | Agricultural/Vacant/Single Family | |
| Proposed Land Use: | | Residential | |
| Surrounding Land Use: | North | Vacant & agricultural | |
| | South | Residential, agricultural & vacant | |
| | East | Agricultural & vacant (Skyler Subdivision) | |
| | West | Single family residential | |
| Existing Zoning: | | AFT (County) – 5 acre lot minimum | |
| Proposed Zoning: | | RSF-4 – 4 units per acre | |
| Surrounding Zoning: | North | PE (Mesa County) – Planned Education | |
| | South | AFT (Mesa County) – 5 acre lot minimum | |
| | East | PR-4 (City) – 4 units per acre | |
| | West | R1-B (Mesa County) – 2 units per acre | |
| Growth Plan Designation: | | Residential Med Low: 2 to 4 units per acre | |
| Zoning within density range? | | X | Yes |
| | | | No |

ACTION REQUESTED: It is recommended that City Council [approve](#) the resolution for the acceptance of petition to annex, adopt annexation ordinance on second reading.

Staff Analysis:

ANNEXATION:

This annexation area consists of annexing 40.41 acres of land including portions of the D Road and Florida Street rights-of-way. . Florida Street is proposed to be vacated with the preliminary subdivision request. The actual acreage of the White Willows Subdivision property is 39.56 acre. The property is now being annexed into the City of Grand Junction.

It is my professional opinion, based on my review of the petition and my knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the White Willows Annexation is eligible to be annexed because of compliance with the following:

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

The zone of annexation request was continued to the April 11, 2000 Planning Commission hearing due to traffic concerns on D Road. Once the Planning Commission has made a recommendation on the zone of annexation, the ordinance will be forwarded to the City Council within the 90 days as allowed by law.

RECOMMENDATION: Approval

| <i>ANNEXATION SCHEDULE</i> | |
|----------------------------|--|
| March 1st | Referral of Petition to Annex & 1 st Read (30 Day Notice) |
| tba | Planning Commission considers Zone of Annexation |
| tba | First Reading on Zoning by City Council |
| April 5th | Public hearing on Annexation and Zoning by City Council |

| | |
|------------------------|---|
| May 7, 2000 | Effective date of Annexation and Zoning |
|------------------------|---|

WHITE WILLOWS ANNEXATION SUMMARY

| | | |
|---------------------------------------|---|---|
| File Number: | ANX-2000-018 | |
| Location: | 2856 C ½ Road, 2851 and 2863 D Road | |
| Tax ID Number: | 2943-191-00-006, 2943-191-00-136, 2943-191-00-043 | |
| Parcels: | 3 | |
| Estimated Population: | 3 | |
| # of Parcels (owner occupied): | 0 | |
| # of Dwelling Units: | 2 (existing homes will be removed and replaced with 126 lot subdivision) | |
| Acres land annexed: | 40.41 acres for annexation area including | |
| Developable Acres Remaining: | 39.56 acres | |
| Right-of-way in Annexation: | 0.85 acres of ROW | |
| Previous County Zoning: | AFT (County) – 5 acre lot minimum | |
| Proposed City Zoning: | (RSF-4) Residential Single-family not to exceed 4 units per acre | |
| Current Land Use: | Agricultural/vacant/residential | |
| Future Land Use: | Residential | |
| Values: | Assessed: | = \$ 18,670 |
| | Actual: | = \$ 160,360 |
| Census Tract: | 8 | |
| Address Ranges: | Between 2851 and 2875 D Road (odd #'s only) | |
| Special Districts: | Water: | Ute Water |
| | Sewer: | Central Grand Valley Sanitation |
| | Fire: | Grand Junction Rural Fire |
| | Drainage: | Grand Junction Drainage District |
| | School: | District 51 |
| | Pest: | |

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. __-00

**A RESOLUTION ACCEPTING PETITIONS FOR ANNEXATION, MAKING
CERTAIN FINDINGS, DETERMINING THAT PROPERTY KNOWN AS**

WHITE WILLOWS ANNEXATION

IS ELIGIBLE FOR ANNEXATION

Located at 2856 C ½ Road, 2851 and 2863 D Road and including portions of D Road and Florida Street Rights-of-Way

WHEREAS, on the 1st day of March 2000, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

A parcel of land situate in the SE 1/4 of Section 18 and in the NE 1/4 of Section 19, all in Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the S 1/4 corner of Section 18; thence N 00°00'32" W along the west line of the SW 1/4 SE 1/4 of said Section 18 a distance of 28.00 feet to a point; thence N 90°00'00" E along a line 28.00 feet north of and parallel with the south line of said SW 1/4 SE 1/4 a distance of 989.27 feet to a point; thence leaving said line S 00°05'25" E a distance of 28.00 feet to a point on the south line of the SW 1/4 SE 1/4 of said Section 18; thence leaving said south line S 00°05'25" E a distance of 1328.45 feet to a point on the south line of the NW 1/4 NE 1/4 of Section 19; thence N 89°52'58" W along the south line of said NW 1/4 NE 1/4 a distance of 331.40 feet to a point; thence crossing Florida Street S 00°00'00" W a distance of 40.00 feet to the northeast corner of Lot 7 of Bevier Subdivision; thence S 00°00'00" W along the east line of said Lot 7 a distance of 525.43 feet to the approximate centerline of a Drain; thence along said approximate centerline the following 2 courses:

- 1) S 76°29'02" W a distance of 336.14 feet;
- 2) S 79°07'28" W a distance of 185.34 feet to a point on the south line of the N 1/2 of Lot 8 of Bevier Subdivision;

thence N 89°52'58" W along the south line of the N 1/2 of said Lot 8 a distance of 128.66 feet to a point; thence leaving said south line N 00°00'00" W a distance of 137.00 feet to a point; thence N 89°52'58" W a distance of 22.50 feet to a point on the west line of the SW 1/4 NE 1/4 of said Section 19; thence N 00°00'00" W along the west line of said SW 1/4 NE 1/4 a distance of 543.00 feet to the CN 1/16 corner of said Section 19 (said CN 1/16 corner also being the southeast

corner of Lot 6, Block 1 of Pine Estates Filing No.2); thence N 00°00'00" W along the west line of the NW 1/4 NE 1/4 of said Section 19 a distance of 1326.42 feet to the N 1/4 corner of said Section 19 and point of beginning, containing 40.41 acres more or less.

WHEREAS, a hearing on the petition was duly held after proper notice on the 5th day of April, 2000; and

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

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

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

ADOPTED this ____ day of _____, 2000.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

WHITE WILLOWS ANNEXATION

APPROXIMATELY 40.41 ACRES

**LOCATED AT 2856 C ½ ROAD, 2851 AND 2863 D ROAD AND INCLUDING
PORTIONS OF D ROAD AND FLORIDA STREET RIGHTS-OF-WAY**

WHEREAS, on the 1st day of March 2000, the City Council of the City of Grand Junction considered a petition for the annexation of the following described territory to the City of Grand Junction; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 5th day of April, 2000; and

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

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

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

A parcel of land situate in the SE 1/4 of Section 18 and in the NE 1/4 of Section 19, all in Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the S 1/4 corner of Section 18; thence N 00°00'32" W along the west line of the SW 1/4 SE 1/4 of said Section 18 a distance of 28.00 feet to a point; thence N 90°00'00" E along a line 28.00 feet north of and parallel with the south line of said SW 1/4 SE 1/4 a distance of 989.27 feet to a point; thence leaving said line S 00°05'25" E a distance of 28.00 feet to a point on the south line of the SW 1/4 SE 1/4 of said Section 18; thence leaving said south line S 00°05'25" E a distance of 1328.45 feet to a point on the south line of the NW 1/4 NE 1/4 of Section 19; thence N 89°52'58" W along the south line of said NW 1/4 NE 1/4 a distance of 331.40 feet to a point; thence crossing Florida Street S

00°00'00" W a distance of 40.00 feet to the northeast corner of Lot 7 of Bevier Subdivision; thence S 00°00'00" W along the east line of said Lot 7 a distance of 525.43 feet to the approximate centerline of a Drain; thence along said approximate centerline the following 2 courses:
3) S 76°29'02" W a distance of 336.14 feet;
4) S 79°07'28" W a distance of 185.34 feet to a point on the south line of the N 1/2 of Lot 8 of Bevier Subdivision;
thence N 89°52'58" W along the south line of the N 1/2 of said Lot 8 a distance of 128.66 feet to a point; thence leaving said south line N 00°00'00" W a distance of 137.00 feet to a point; thence N 89°52'58" W a distance of 22.50 feet to a point on the west line of the SW 1/4 NE 1/4 of said Section 19; thence N 00°00'00" W along the west line of said SW 1/4 NE 1/4 a distance of 543.00 feet to the CN 1/16 corner of said Section 19 (said CN 1/16 corner also being the southeast corner of Lot 6, Block 1 of Pine Estates Filing No.2); thence N 00°00'00" W along the west line of the NW 1/4 NE 1/4 of said Section 19 a distance of 1326.42 feet to the N 1/4 corner of said Section 19 and point of beginning, containing 40.41 acres more or less.

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

INTRODUCED on first reading on the 1st day of March, 2000.

ADOPTED and ordered published this ___ day of _____, 2000.

Attest:

President of the Council

City Clerk

