

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

**WEDNESDAY, MAY 3, 2000, 7:30 P.M.**

**CALL TO ORDER**

Pledge of Allegiance

Invocation - Scott Hogue, First Baptist Church

**PROCLAMATIONS / RECOGNITIONS**

PROCLAMATION DECLARING MAY, 2000, AS "TEEN COURT MONTH" IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING MAY 13, 2000, AS "GRAND JUNCTION LETTER CARRIERS STOCK THE COMMUNITY FOOD BANKS DAY" IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING MAY 14-22, 2000 AS "EMERGENCY MEDICAL SERVICES WEEK" IN THE CITY OF GRAND JUNCTION

**ELECTION OF MAYOR AND MAYOR PRO TEMPORE**

**CITIZEN COMMENTS**

**\*\*\* CONSENT CALENDAR \*\*\***

1. **Minutes of Previous Meeting**

[Attach 1](#)

*Action: Approve the Minutes of the Regular Meeting April 19, 2000*

2. **City Hall Artwork for Elevator Atrium Lobby**

[Attach 2](#)

The Commission recommends that City Council approve the purchase of two sculptures for the City Hall elevator atrium lobby, a six-foot rendition of Ute Leader Chief Ouray by Grand Junction artist Pat Olson created in about twenty layers of stainless steel (similar in style to the former Country Jam singers statue) and a six-foot bronze entitled "Contemplation" by Denver artist Dennis Sohoki.

*Action: Approve Purchase of Two City Hall Sculptures in the Amount of \$16,500*

Staff presentation: Allison Sarmo, Cultural Arts Coordinator

3. **Setting a Hearing on Amendment to Animal Control Ordinance**

[Attach 3](#)

On November 22, 1999, Mesa County amended its Animal Control regulations, partly in response to Senate Bill 99-112 and partly to make administrative changes, as the regulations have not been updated since 1992. This ordinance is a response to these changes.

Proposed Ordinance Amending Chapter 6, Article III of the Code of Ordinances of the City of Grand Junction, Colorado

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

Staff presentation: Stephanie Rubenstein, Staff Attorney

4. **Disposal of Fire Apparatus**

[Attach 4](#)

The Colorado EMS Foundation provided three 1999 E-One Fire Engines and one 1999 SVI Heavy Rescue unit to the City in March 2000. The new units replaced a 1991 KME Fire Engine, 1983 Pirsch Fire Engine, and 1975 Mack Heavy Rescue Unit. The Colorado EMS Foundation has requested that the City consider donation of the 1983 Pirsch Fire Engine to Gateway Fire Department and the 1975 Mack Heavy Rescue unit to Palisade Fire Department.

*Action: Direct the City Manager to Dispose of Used Fire Apparatus by:*

- (1) *The Sale of One 1991 KME Fire Engine*
- (2) *Donation of a 1983 Pirsch Fire Engine to Gateway Fire Protection District*
- (3) *Donation of a 1975 Mack Support Unit to Palisade Fire Department*

Staff presentation: Rick Beaty, Fire Chief

5. **Bunting Avenue Storm Drain Project Materials**

[Attach 5](#)

The following bids were received on April 27, 2000:

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
Grand Junction Pipe and Supply	Grand Junction	\$52,343.96
Engineer's Estimate		\$52,317.68

*Action: Award Contract for Concrete Pipe and Related Materials for the Bunting Avenue Storm Drain Project to Grand Junction Pipe and Supply Company in the Amount of \$52,343.96*

Staff presentation: Tim Moore, Public Works Manager

6. **Purchase of Five Half-Ton Pickup Trucks for the Public Works Department**

[Attach 6](#)

The following bids were received on April 20, 2000:

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
Hellman Motor Company	Delta, CO	\$82,275
Western Slope Auto Company	Grand Junction, CO	\$81,725

*Action: Award Contract for the Purchase of Five New 2000 Model SWB Regular Cab Half-Ton 4x2 Pickup Trucks to Western Slope Auto Company in the Amount of \$81,725 for the Public Works Department*

Staff presentation: Tim Moore, Public Works Manager

7. **Intent to Create Alley Improvement District No. ST-00, Phase B**

[Attach 7](#)

A petition has been submitted requesting a Local Improvement District be created to reconstruct the east-west alley from 10<sup>th</sup> to 11<sup>th</sup> Streets, Colorado to Ute Avenues. This petition has been signed by 59% of the owners of the properties that would be assessed. The proposed resolution is the first step in the formal process of creating the proposed Improvement District. A hearing to allow public comment is scheduled for June 7, 2000.

Resolution No. 36-00 – A Resolution Declaring the Intention of the City Council of the City of Grand Junction, Colorado, to Create within Said City Alley Improvement District No. ST-00, Phase B, Authorizing the City Engineer to Prepare Details and Specifications for the Same, and Giving Notice of a Hearing

*\*Action: Adopt Resolution No. 36-00 and Set a Hearing for June 7, 2000*

Staff presentation: Rick Marcus, Real Estate Technician

8. **Setting a Hearing on Zoning Hart Annexation RSF-4, Located at 3015 E 1/2 Road** [File #ANX-2000-010]

[Attach 8](#)

The Hart Annexation area consists of 5.75 acres and is proposed for development as a 15 lot single family subdivision known as Challinor

Estates. The proposed Zone of Annexation for the property is RSF-4, Residential Single Family with a density not to exceed 4 units per acre. The proposed density is in keeping with the goals of the Growth Plan.

Proposed Ordinance Zoning Hart Annexation RSF-4

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

Staff presentation: Lisa Gerstenberger, Senior Planner

9. **Setting a Hearing on Zoning Reinking Annexations No. 1, No. 2 and No. 3 RSF-2, Located at 541 20 1/4 Road** [File #ANX-2000-030]

[Attach 9](#)

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. The requested zoning is RSF-2, Residential Single Family, not to exceed 2 units per acre. This is consistent with the Growth Plan for this area.

Proposed Ordinance Zoning Reinking Annexation RSF-2

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

Staff presentation: Lori Bowers, Associate Planner

10. **Setting a Hearing on Zoning H.B.C.R.S. Annexation RMF-5, Located at 2620 G Road** [File #ANX-2000-028] [Attach 10](#)

The 10.6-acre H.B.C.R.S. Annexation area consists of two parcels of land. The owners of the properties have signed a petition for annexation. The proposed zoning for the property is RMF-5.

Proposed Ordinance Zoning H.B.C.R.S. Annexation to RMF-5

*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 Zoning Grand Junction Bible Missionary Church Annexation RSF-2, Located at the Southwest Corner of I-70 and 26 1/2 Road (2648 Cottonwood Drive)** [File #ANX-2000-038] [Attach 11](#)

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 zone of annexation of RSF-2 is consistent with the County Zoning, the Growth Plan Future Land Use Map and surrounding densities. A new church structure is proposed on the vacant site.

Proposed Ordinance Zoning Grand Junction Bible Missionary Church Annexation to RSF-2

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

Staff presentation: Bill Nebeker, Senior Planner

12. **Setting a Hearing on Zoning White Willows Annexation RSF-2, Located at 2856 C 1/2 Road, 2851 and 2863 D Road** [File #ANX-2000-018] [Attach 12](#)

The applicant requests a zone of annexation to RSF-4 for a 39.56-acre parcel to develop White Willows Subdivision. At its April 11, 2000 hearing, the Planning Commission denied the preliminary plan for the subdivision and denied the request for RSF-4 zoning, but recommended approval of RSF-2 zoning for the previously annexed parcels. The applicant has appealed the denial and the RSF-2 zone change. The appeal will be heard at the May 17, 2000 City Council hearing.

Proposed Ordinance Zoning White Willows Annexation RSF-2

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

Staff presentation: Bill Nebeker, Senior Planner

13. **Setting a Hearing on Godby Annexations No. 1 and No. 2, Located at the Northwest Corner of F 1/2 and 30 1/2 Roads (3048 F 1/2 Road)** [File #ANX-2000-063] [Attach 13](#)

The applicant proposes to annex a 9.3-acre parcel into the City of Grand Junction. The annexation consists of one parcel of land and portions of F ½ Road. The application has been filed in conjunction with a minor subdivision request for two lots.

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

Resolution No. 37-00 – 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 – Godby Annexation, a Serial Annexation Comprising Godby Annexation No. 1 and Godby Annexation No. 2, Located at the Northwest Corner of F ½ and 30 ½ Roads (3048 F ½ Road)

*\*Action: Adopt Resolution No. 37-00 and Set a Hearing on June 7, 2000*

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

- (1) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Godby Annexation No. 1, Approximately 0.50 Acres Located Exclusively in the F ½ Road Right-of-way East of 30 Road
- (2) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Godby Annexation No. 2, Approximately 10.11 Acres Located at the Northwest Corner of F ½ Road and 30 ½ Road, Including Portions of the F ½ Road and Unplatted 30 ½ Road Rights-of-Way

*Action: Adopt Proposed Ordinances on First Reading and Set a Hearing for June 7, 2000*

Staff presentation: Bill Nebeker, Senior Planner

~~14. **Setting a Hearing on Mercer Annexation Located at 2884 and 2884 1/2 Highway 50** [File #ANX-2000-059] [Attach 14](#)~~

~~The Mercer Annexation consists of 1.638 acres along Highway 50 on Orchard Mesa. The parcel has 2 existing single family structures which will be subdivided to create 2 single lots in a residential RSF-4 zone. The owners of the parcel are requesting an annexation.~~

**Removed per Joe Carter**

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

~~Resolution No. 38-00 – 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 – Mercer Annexation Located at 2884 and 2884 ½ Highway 50~~

~~*\*Action: Adopt Resolution No. 38-00 and Set a Hearing on June 7, 2000*~~

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

~~Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Mercer Annexation, Approximately 1.638 Acres Located at 2884 and 2884 ½ Highway 50~~

~~*Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for June 7, 2000*~~

~~Staff presentation: Joe Carter, Associate Planner~~

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

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

14. **Public Hearing – Miller Annexations No. 1, No. 2 and No. 3 Located at 2978 Gunnison Avenue** [File #ANX-2000-037] [Attach 15](#)

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. The Planning Commission is recommending the zoning of I-1 (light industrial) to accommodate their gymnastics building with a special use permit.

**a. Resolution Accepting Petition**

Resolution No. 39-00 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as Miller Annexations No. 1, No. 2 and No. 3 is Eligible for Annexation, Located at 2978 Gunnison Avenue

~~*\*Action: Adopt Resolution No. 39-00*~~

**b. Annexation Ordinances**

- (1) Ordinance No. 3243 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Miller Annexation No. 1, Approximately 0.16 Acres, Located at 2978 Gunnison Avenue

- (2) Ordinance No. 3244 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Miller Annexation No. 2, Approximately 0.58 Acres, Located at 2978 Gunnison Avenue
- (3) Ordinance No. 3245 – An 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 Ordinances No. 3243, No. 3244 and No. 3245 on Second Reading*

Staff presentation: Lori Bowers, Associate Planner

15. **Public Hearing - Zoning Miller Annexation I-1, Located at 2978 Gunnison Avenue** [File #ANX-2000-037] [Attach 16](#)

The 2.29-acre Miller Annexation area consists of one parcel of land. The Planning Commission is recommending the zoning of I-1 (Light Industrial) to accommodate the applicant's gymnastics building with a special use permit.

Ordinance No. 3246 – An Ordinance Zoning the Miller Annexation to a Light Industrial (I-1) District

*\*Action: Adopt Ordinance No. 3246 on Second Reading*

Staff presentation: Lori Bowers, Associate Planner

16. **Public Hearing - First Supplemental Appropriation for 2000** [Attach 17](#)

The request is to appropriate specific amounts for several of the City's accounting funds as specified in the ordinance. Over 96% of the \$5.3 million in revisions are carry-forward requests. A composite listing of the new appropriation request is provided. The standard carry-forward items are capital equipment and capital improvement projects. Amounts for operating expenditures are generally not allowed to be carried forward, the exceptions being incomplete contractual obligations, expenses directly linked to grants or donations and for specific projects (i.e. to complete the Zoning Code Revision).

Ordinance No. 3247 – An Ordinance Making Supplemental Appropriations to the 2000 Budget of the City of Grand Junction

*\*Action: Adopt Ordinance No. 3247 on Second Reading*

17.\*\*\***Septic System Elimination Program (SSEP)** [Attach 18](#)



Staff wants to revisit previous discussions regarding a program eliminating over 1800 septic systems within the Persigo 201 area. The main issue of debate is cost and whether or not a contribution from the Persigo Sewer Fund would be appropriate. A contribution would help encourage residents to participate in a local improvement district to bring sewer to their property line and eliminate potential public health threats from failing septic systems.

Resolution No. 38-00 – A Joint City and County Resolution Establishing Septic System Elimination Program

*\*Action: Adopt Resolution No. 38-00 and Direct Staff on Appropriateness of Underwriting Proposed Local Improvement Districts*

Staff presentation: Greg Trainor, Utilities Manager

18. **NON-SCHEDULED CITIZENS & VISITORS**
19. **OTHER BUSINESS**
20. **EXECUTIVE SESSION** to discuss property negotiations
21. **ADJOURNMENT**

## Attach 1

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

April 19, 2000

The City Council of the City of Grand Junction, Colorado, convened into regular session the 19th day of April, 2000, at 7:33 p.m. at Two Rivers Convention Center. Those present were Cindy Enos-Martinez, Earl Payne, Jim Spehar, Janet Terry, Reford Theobold, and President of the Council Gene Kinsey. Councilmember Jack Scott was absent. 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 Enos-Martinez led in the Pledge of Allegiance. The audience remained standing during the invocation by Eldon Coffey, retired minister.

#### **PROCLAMATION DECLARING APRIL 20, 2000 AS "ARBOR DAY" IN THE CITY OF GRAND JUNCTION**

#### **PROCLAMATION DECLARING THE WEEK OF APRIL 30 TO MAY 6, 2000 AS "MUNICIPAL CLERKS WEEK" IN THE CITY OF GRAND JUNCTION**

#### **PRESENTATION OF APPOINTMENT CERTIFICATE TO NEWLY APPOINTED DOWNTOWN DEVELOPMENT AUTHORITY BOARD MEMBER**

PJ McGovern was present to receive his certificate.

#### **CONSENT ITEMS**

Upon motion by Councilmember Payne, seconded by Councilmember Terry and carried by roll call vote with Councilmember **THEOBOLD ABSTAINING** on Item 14, the following Consent Calendar items 1 through 15 were approved:

1. **Minutes of Previous Meeting**

*Action: Approve the Minutes of the Regular Meeting April 5, 2000*

2. **Mesa County Animal Control Agreement for 2000**

The City has an ongoing, annually renewable agreement with Mesa County for the control of dogs within the City limits. The City pays Mesa County a percentage of the Animal Control budget based upon the City's percent of total calls for service. The City's share of the budget for 2000 is 42.12% (\$173,059). Payments are made to the County on a quarterly basis. The

amount requested for the 2000 contract includes an additional \$33,059 from contingency.

*Action: Authorize the City Manager to Sign the Mesa County Animal Control Agreement for 2000 in the Amount of \$173,059 and \$33,059 in Contingency Funds be Authorized to Increase the 2000 Budget*

3. **Setting a Hearing on the First Supplemental Appropriation for 2000**

The request is to appropriate specific amounts for several of the City's accounting funds as specified in the ordinance. Over 97% of the \$5.1 million in revisions are carry-forward requests. The standard carry-forward items are capital equipment and capital improvement projects. Amounts for operating expenditures are generally not allowed to be carried forward, the exceptions being incomplete contractual obligations, expenses directly linked to grants or donations and for specific projects (e.g. to complete the Zoning Code Revision).

Proposed Ordinance Making Supplemental Appropriations to the 2000 Budget of the City of Grand Junction

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

4. **Electronic Filing and Remittance of Taxes to the City**

After months of analysis by the Colorado Municipal League, they are recommending the City's participation in an electronic tax filing program. This program will conveniently allow any vendor who is required to collect the City's taxes (sales, use, and lodging taxes) to file and pay electronically.

*Action: Authorize the City Manager to Sign the Service Agreement with NationTax Online, Inc. to Provide Electronic Filing and Payment Services to Vendors who Collect the City of Grand Junction Taxes*

5. **Common Area Furniture for New City Hall**

Staff is requesting authorization for the City Manager to sign a contract between the City and Office Outfitters & Planners, Inc. to purchase and install the common area furniture for the new City Hall. The amount of the contract is \$159,900, and was determined after completion of a competitive bid process.

*Action: Authorize the City Manager to Sign a Contract between the City and Office Outfitters & Planners, Inc. in the Amount of \$159,900 for the Purchase and Installation of the Common Area Furniture for New City Hall*

6. **Aggregate Material for 2000 Street Maintenance**

Request to purchase aggregate material (3/4" road base and 3/8" rock chips). White Water Building Materials provided aggregate material in 1999 and has offered to extend to the City the same competitive aggregate prices for last year. The total contract price, based on an estimate from the Public Works Street Department, shall not exceed \$67,625.

*Action: Authorize Contract Extension for Aggregate Materials for 2000 Street Maintenance to White Water Building Materials in an Amount Not to Exceed \$67,625*

7. **Road Oil for 2000**

The CDOT contract was competitively bid for emulsions for the year 2000. The various emulsion products "Road Oil" purchased on this contract are used in special street maintenance and chip seal projects during the summer.

*Action: Award Contract for Emulsion and Road Oil to Koch Performance Asphalt in an Amount Not to Exceed \$61,280 in Cooperation with CDOT*

8. **Kannah Creek Water System Improvements – Materials Procurement**

The following bids were received on April 11, 2000:

<u>Contractor</u>	<u>City</u>	<u>Bid</u>
Grand Junction Pipe	Grand Junction, CO	\$ 80,618.21
Waterwork Sales	Grand Junction, CO	\$ 83,145.80
Engineers Estimate		\$ 83,119.00

*Action: Award Contract for Kannah Creek Water System Improvements - Material Procurement - to Grand Junction Pipe in the Amount of \$80,618.21*

9. **Building Inspection Services**

Since 1988, the City has contracted with Mesa County under the present arrangement where the County performs all building inspection functions within the City for the amount of fees that the County collects from building permit fees. The contract is for a 2-year term.

*Action: Approve Contract with Mesa County for Building Inspection Services*

10. **Establishing Development Fees**

This resolution re-establishes the existing development impact fees and review fees that were previously contained in the Zoning and Development Code.

Resolution No. 26-00 – A Resolution Establishing Development Fees

*Action: Adopt Resolution No. 26-00*

11. **Setting a Hearing on Headstart Annexation Located at 3093 E 1/4 Road**  
[File #ANX-2000-062]

The 0.88-acre Headstart Annexation area consists of one parcel. There are no existing structures on the site. The applicant is proposing a day school for the children of migrant workers. The owners of the property have signed a petition for annexation.

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

Resolution No. 27-00 – 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 – Headstart Annexation Located at 3093 E ¼ Road

*Action: Adopt Resolution No. 27-00 and Set a Hearing on June 7, 2000*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Headstart Annexation, Approximately 0.88 Acres Located at 3093 E ¼ Road

*Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for June 7, 2000*

12. **Setting a Hearing on Zoning Miller Annexation I-1, Located at 2978 Gunnison Avenue** [File #ANX-2000-037]

The 2.29-acre Miller Annexation area consists of one parcel of land. The Planning Commission is recommending the zoning of I-1 (Light Industrial) to accommodate the applicant's gymnastics building with a special use permit.

Proposed Ordinance Zoning the Miller Annexation to a Light Industrial (I-1) District

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

13. **New Restroom Facility at Stocker Stadium/Suplizio Field**

The project consists of construction of a new restroom facility beneath the concrete stands at Stocker Stadium. The construction includes the required upgrade to the current electrical system. Bids were received and opened on April 13, 2000. The low bid is to be determined.

*Action: Award Contract for New Restroom Facility at Stocker Stadium/Suplizio Field*

14. **City Hall Employee Parking**

Review of lease agreement with the First Assembly of God Church at 5<sup>th</sup> Street and Grand Avenue for City hall employee parking.

Resolution No. 35-00 Adopting the Lease Agreement between Assembly of God Church and City of Grand Junction for Offsite Parking for City Hall Employees

*Action: Adopt Resolution No. 35-00*

15. **Red Canyon Trunk Extension – Sole Source Request**

RBI is the contractor currently constructing the golf course and public works infrastructure for the development of Redlands Mesa south of the Ridges. Staff is recommending a sole source contract in the amount of \$105,388 to RBI in order to minimize construction delays to the project and take advantage of bid prices that are consistent with other City sewer work.

*Action: Award Contract for the Red Canyon Trunk Extension to RBI from Glenwood Springs, Colorado, in the Amount of \$105,388*

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

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

**PUBLIC HEARING - REZONING PROPOSED LOT 16, RIDGE POINT FILING 2 FROM PR-4 TO RSF-2, AND REQUEST TO MODIFY PUBLIC STREET STANDARD, LOCATED EAST OF HIGH RIDGE DRIVE AT THE EAST END OF HIDDEN VALLEY DRIVE IN THE RIDGES [FILE #RZP-2000-007]**

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. 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. The applicant has also requested to reduce the public street standard by four feet to allow a sidewalk on only one side of the proposed street.

The hearing opened at 7:44 p.m.

Mayor Kinsey explained the zoning and street standards will be discussed separately.

Ted Munkres, developer, 121 Chipeta Avenue, reviewed this request. Through thoughtful planning, research and engineering a plan has been developed for Ridge Point Subdivision. He discussed Lot 16, consisting of 44 + acres. The current zoning is PR-4, and has been for the past six years. The recently adopted land use map changes the zoning and although he questions whether it can be changed in the middle of development, he is not opposed. In a land use meeting on January 25, 2000 he was told the new map would reflect any approved plan. They now have an approved plan so Mr. Munkres assumed the map will reflect that plan. The rezone is consistent with the growth plan.

Bill Nebeker, Senior Planner, Community Development Department, reviewed this item. He gave Council the background and history. The applicant filed an Outline Development Plan two years ago. The existing zoning on the entire parcel is PR-4. It was rezoned with the Ridges Annexation. The developer applied for an Outline Development Plan on the larger area and a Preliminary Plan on the smaller area. Staff focused on the larger area (Lot 16) because a Planned Zone requires a plan for the whole parcel in order to split off a section for development. This area has a lot of constraints such as topography and street capacity. After about a year, it was determined the application should be withdrawn and then rezone Lot 16 to RSF-2 to eliminate it from the Outline Development Plan. A Preliminary Plan was then submitted for the remaining site and is currently zoned PR-4. That plan went before the Planning Commission and was approved with conditions, only realizing recently that the future land use map (becoming effective Saturday, April 22, 2000) showed the entire parcel as RSF-2. The proposal today instructs staff to retain the PR-4 zoning for the planned parcel and the rest to be rezoned to RSF-2.

Councilmember Terry asked for clarification on previous discussions on whether the PR-4 would be acceptable. Mr. Nebeker read a transcript of the minutes verifying that the map would be changed to coincide with the plan.

Councilmember Theobald restated that because there was an application pending, the property (entire 20 acres) would be zoned PR-4 on the future zoning map, but

only if a plan was approved through the development process. Mr. Nebeker said it would only be retained on the portion for which the plan was approved (the smaller acre portion).

City Manager Mark Achen said the intent in January was if the plan was approved, the map would reflect such approval. However, the question is what was meant by "if approved" and "when" that occurred. The meeting was January 25, 2000, the new zoning map final action was March 7, 2000. The "plan" was not "approved" until the Planning Commission meeting on March 14, 2000.

Councilmember Terry said what was said was not reflected on the zoning map. Bill Nebeker confirmed it was not. City Manager Achen said it's because nothing was approved when the zoning map was adopted.

Councilmember Theobald said the zoning map reflects RSF-2 effective April 22, 2000. He said the only way it will change from RSF-2 to PR-4 is if Council approves a zoning of RSF-2 for Lot 16, and by default, PR-4 then remains on the remaining 15 lots. Bill Nebeker said that's because the ordinance is written that way. Council could instruct Staff to retain the PR-4 zoning on the smaller portion rather than approve the ordinance.

City Attorney Dan Wilson said if Council did nothing tonight, RSF-2 will apply to the entire 50 acres. The default will be the RSF-2. An ordinance is required to retain the PR-4 zoning that will be consistent with the plan approved by the Planning Commission.

Councilmember Theobald said if this were tabled for two weeks, the new map takes effect, and the ordinance would instead be a rezoning ordinance to PR-4 rather than RSF-2. City Attorney Wilson agreed.

Councilmember Payne asked what will happen automatically on Saturday. The new zoning map will be in effect and the entire parcel, Lots 1 through 16, will be RSF-2 zoning.

City Manager Achen said because of the timing and sequence, it is confusing as to the appropriate action the applicant should be requesting or Staff should be processing. Council has already taken action on this property effective Saturday. Until Saturday, there is an existing zoning that is different than the action previously taken by Council. Tonight's action taken by Council will not be effective until May 21, 2000 so the appropriate action is to retain the PR-4 zoning on Lots 1 through 15. If action is taken tonight to rezone Lot 16, it has no effect because the entire parcel has already been changed to RSF-2. City Attorney Wilson said the ordinance was written a month and a half ago when the timing wasn't apparent. The ordinance needs to say the zoning map officially approved will be amended to rezone Lots 1-15 to PR-4 consistent with the Plan approved by the Planning



Commission two weeks ago. The ordinance would be re-written to reflect it's a change from RSF-2 to the Planned Zone.

Councilmember Terry said it is a Growth Plan amendment, and Council hasn't had it presented that way.

City Manager Achen asked if there is parcel to rezone to PR-4. City Attorney Wilson said not until the map is in effect. Until the zoning is consistent with the plan, the plan subdivides Lots 1-15, leaving Lot 16. If Council denies the zoning or takes no action, the plan is ineffective.

Councilmember Theobold said the item before Council is a rezone to RSF-2 for Lot 16. Council cannot discuss the appropriateness of PR-4 zoning on Lots 1-15 because it's not before Council.

City Attorney Wilson said it needs to be determined what notice was given, because the net effect is to change the zoning of Lots 1 through 15 to PR-4. If legal notice has been given, Council can amend the ordinance for final publication. If the notice described the entire property, Lots 1-16 inclusive, it is okay. If the notice only described Lot 16, then the public was not on notice that the City was rezoning Lots 1-15. If Lots 1-15 are not being rezoned as of Saturday, it is RSF-2, inconsistent with the plan. This is the potential dilemma. Mr. Wilson will determine legal sufficiency of the notice.

Senior Planner Bill Nebeker said the notice described the entire parcel with wording that only the larger lot (Lot 16) is being rezoned.

Councilmember Theobold said there are legal issues on what can be discussed. The zoning will default on Saturday. PR-4 was presented as an option but was not going to happen without discussion. It is contrary to the Growth Plan and Council has not seen any Growth Plan amendment. Councilmember Theobold explained to the audience that this issue is not typical. Council just went through a new code and new zoning with this project caught in the middle, which is the reason for the confusion. He didn't want to delay this meeting since people are attending for this specific item. But he suggested postponing this item to the next meeting when Council can deal with those issues on a more clear cut manner.

City Attorney Wilson said the notice is critical. If an additional notice is required, the item could be delayed two meetings for the first and second readings on a rewritten ordinance.

Councilmember Theobold suggested setting the item to a date certain so people won't have to come to back twice.

It was suggested the planning file on this item be retrieved to determine if proper public notice has been given.

## **RECESS**

A recess was taken at 8:14 p.m. to investigate the notice. Upon reconvening at 8:25 p.m. the six members of Council were present.

Mayor Kinsey clarified what the discussion will cover.

City Attorney Wilson said three pieces of information in the file don't agree. He gave his legal opinion on a less than perfect notice question. Both the Planning Commission legal notice and the City Council notice are required, separate is the plan itself showing how the lots are actually laid out. The Planning Commission legal notice did not recognize that the new zoning map was going forward. The notice focused on the rezone of Lot 16. The discussion at the meeting was on the zoning of both parts of the property. The notice for the Council addresses both parcels in the recitals. He read the second paragraph that discusses the retention of the PR-4 zoning: "The new zoning map adopted on March 7, 2000, effective April 22, 2000, will rezone the entire parcel, including Lots 1-15, to RSF-2. By this ordinance Council would be directing Staff to make the change to that map to retain PR-4 zoning." That paragraph accurately describes tonight's issue. Because of that paragraph, Mr. Wilson said it was his opinion that Council has jurisdiction and can go forward with the hearing tonight. The notice is sufficient to allow Council to take no action, or not adopt the ordinance, then Lots 1 through 15 will be zoned to RSF-2 on Saturday, April 22, 2000, as well as Lot 16. If Council adopts the ordinance then Lots 1 through 15 will be retained as PR-4.

Councilmember Theobald asked, if challenged, what is the worst case scenario. City Attorney Wilson said there is no risk in doing nothing or voting the ordinance down. If Council adopts the ordinance and it is challenged by Rule 106, or some other rule that could overturn Council's decision, and a judge rules against Council, the parcel would revert back to RSF-2 zoning.

Councilmember Spehar asked if Mr. Wilson's opinion means Council can hear testimony on Lots 1 through 15. City Attorney Wilson said yes.

Councilmember Theobald restated it is not the details of the plan but the density that is the issue. City Attorney Wilson agreed.

Councilmember Terry assumed a hearing will be conducted on both zoning issues so Council can go forward. Councilmember Spehar agreed.

Councilmember Theobald suggested letting the petitioner start again since things have changed.

Ted Munkres, developer, 121 Chipeta Avenue, clarified he can talk about the density of the plan, not road standards. City Manager Achen said the street standards would be discussed after Council acts on the rezoning issue.

Councilmember Theobald said the topographical limitations can affect density so he asked Mr. Munkres to address that.

Mr. Munkres showed an overhead of the plan showing where the houses will be built, but did not show the open space. This was the original plan for the entire property with 214 units planned. The subject site (Lot 16) was anticipated to have 48 units on it and they have cut it back to 15. He showed pictures of how the homes will fit on the property, as well as pictures of the landscaping. Issues have been brought up that they are going to have smaller homes in the area. The range of the homes is 1991 to 2437 square feet on adjacent lots. In the proposed subdivision, a home planned for Lot 11 is 2327 square feet. The homes will be comparable and compatible with the existing homes in the neighborhood. The density is currently at 2.14 units per acre and on Saturday, without further action, the density will be 2 units per acre. With that in mind, he showed Council the open space with the planned clustering effect on the top of the ridge.

Councilmember Payne asked what is the smallest home planned. Mr. Munkres said wherever the market draws them. They don't have a minimum size home planned and no covenants have been adopted. That normally occurs at final plat.

Councilmember Payne asked if it is possible the homes will be 1200 to 1400 square feet. Mr. Munkres said he didn't think that size would work there and didn't think that's where the market is. The covenants probably will not allow a home of that size.

Mayor Kinsey said Mr. Munkres mentioned adding additional acreage makes the density RSF-2. He wondered why Mr. Munkres is going to the trouble of developing a planned development. Mr. Munkres said because they always addressed the PR-4. That is the current zone, and that is what was addressed. Changing the zoning in an existing subdivision will create non-conformance housing in that subdivision.

Councilmember Spehar asked if Council can make that change adding additional acreage to the plan. City Attorney Wilson said Council might be able to because the notice gave Council jurisdiction over the whole 50 acres. It's where the line is drawn between the PR and the RSF-2. It is a minor amendment especially because the additional property will remain open space (undevelopable ground).

Mr. Munkres said they have superimposed the actual slope on the study of the house design. The slope is actually less than what the houses were designed for. The side setbacks are 5 feet consistent with the adjacent projects, front setbacks are 15 foot for the house, 20 feet for the garage, thus creating a nicer streetscape.

Councilmember Spehar said the Ridges guidelines prohibit building on 30% slopes. He asked Mr. Munkres if he anticipates building on 30% slopes. Mr. Munkres said a concession has been made to build only single level at street level if he is allowed to build patios and decks on those slopes of 30% or greater.

Councilmember Theobald asked if the Planning Commission has authority to grant that waiver. City Attorney Wilson said if Council approves the zoning then the plan is also being approved, which includes the decks and patios. He said Council can say they approve the PR-4, but do not approve this issue. He said Council can disapprove of the patios.

Councilmember Theobald said if there is no encroachment allowed and a prohibition on building two stories, then what would be done. Mr. Munkres said he would have to reduce the size of the home rather than shrinking the setback. He said they don't want to reduce the front setback.

Councilmember Enos-Martinez was concerned with the separation distance of homes.

Mr. Munkres said the setbacks are the same as Ridge Point 1 which is adjacent to this property.

Councilmember Enos-Martinez asked if it can be assumed there will be no drainage problems. Mr. Munkres said yes. They have to address drainage on every property and demonstrate they can drain to the street before any building permit can be issued. They gutter all the homes, take the downspouts down and pipe them away from the house, so that typically is not a big issue.

Councilmember Theobald said the setbacks mean the homes could be as little as 10 feet apart. Mr. Munkres said that is correct. It is the same as homes on High Ridge Drive. He had slides showing the difference between the looks of the low profile homes versus the two-stories.

Bill Nebeker said when Staff evaluated the application, the question was raised whether a Growth Plan amendment was needed. The existing zoning was PR-4, covering the entire Ridges area, with some higher density and some lower. The current City policy is to honor existing zoning so that's why no Growth Plan amendment was required. Staff did not prepare specific findings for retaining the PR-4 zoning on the site since the zoning was existing. Staff was opposed to any development on 30% or greater slopes. The Planning Commission thought there were good reasons to allow decks and columns in that area so the houses would have the lower profiles up on the hill.

Mayor Kinsey asked for some differences in terms of ability to cluster and setbacks that would affect PR-4 versus RSF-2. Mr. Nebeker said this property would be

difficult to develop under RSF-2. It is easier to develop under PR zoning. The RSF zone has set lot sizes and setbacks. The Ridges is zoned PR-4 because it gives flexibility. It is easy to make it PR-2. The developer has done as much clustering as possible.

City Manager Mark Achen said the straight zone of RSF has more rigid bulk standards. If it was RSF-2, the setbacks would get bigger and the density would be 13, but there wouldn't be room for 13 because of the topography.

Bill Nebeker said there are clustering provisions in the RSF-2 zone in the new Code, so there is still a potential of bringing them together.

Councilmember Theobald said the loss is going to PR-2.

Councilmember Theobald asked Mr. Nebeker to clarify the setbacks. Bill Nebeker said the setbacks are the same in the adjacent subdivision but the houses are actually built further apart.

Councilmember Enos-Martinez asked if the city engineers had looked at this area. Public Works Manager Tim Moore said yes, specific to drainage and transportation. The drainage meets the City's standards for retention and release, and uses a network of streets.

Bill Nebeker said Rick Dorris, City Development Engineer, looked at this site, saying due to rocky nature and steep slopes, they are currently getting a lot of run off from that site. He said Mr. Dorris was doubtful that by adding structures, the runoff would increase, because they would be putting in some lawns up front and collecting the drainage on the street and putting it down at more appropriate places. The drainage will be looked at carefully at final plat before a building permit is issued. If an analysis indicates it's increasing the current runoff, some type of retention facility will be required. City Manager Achen said there is little risk if they are all the same elevation and it is draining off the hill behind the houses. Tim Moore said Staff thinks the elevations will be pretty consistent but the study at final plat will verify that.

City Attorney Dan Wilson said if RSF-2 is approved on Lot 16 under the new code, future developments could take place in the valleys as opposed to on the ridges. A Planned Zone could have controlled that. With the straight zone there is the risk the developer can build in the bottoms where the habitat and wildlife is located. The conversion to a straight zone could create problems unthought of on the Ridges.

Mayor Kinsey then asked for public testimony.

Dean Lees, 388 High Ridge Drive, referred to various letters from neighbors that were provided to Council previously. They were not against the development of

Ridge Point #2, only against the 15 lots on this small ridge. He addressed overdevelopment in the area. He read from the general development standards. These standards require development to “blend harmoniously with surrounding areas.” Standards such as “land which is unsuitable for development because of geologic constraints.” These standards specifically address topographical constraints. He referred to a house that is already sliding off the ridge. He felt this proposal is in violation of the City’s standards. He suggested letting the developer correct the problems and propose a reasonable plan. He and his neighbors wanted to appeal, but received misinformation at the Planning Commission meeting regarding the appeal process. He handed out a packet of material to Council.

Bill Hilty, 396 High Ridge Drive, said the issue is the direction to allow the PR-4 zone to remain on Lots 1 to 15, in exception to the Growth Plan Future Land Use Map which takes effect April 22, 2000. He asked why have a growth plan if the Council allows an exception. He said the neighbors, as of January 25, 2000, had received no notice of the development proposal on this property. He urged Council to reject the January 25, 2000 decision which was made with incomplete information. He said retaining the PR-4 zoning for this ridge is not compatible with the adjacent areas which are zoned City RSF-2 and County R-2. The adjacent zoning of PR-4 inaccurately reflects the existing lower density. He said 6 lots in 700 feet of street versus 7 lots in 350 feet of street results in twice the density. The developer convinced the Planning Commission on March 14, 2000 that the High Ridge Subdivision has 5-foot side setbacks and 15-foot front setbacks as do the adjacent homes in High Ridge Drive. The Planning Commission agreed this development “could blend harmoniously with all uses and structures contained within surrounding areas in accordance with the Ridges amended final plan, point M(1).” In fact the High Ridge covenants have 10-foot side setbacks and 20-foot front setbacks. The lot sizes are so much larger on High Ridge Drive that side setback is hardly an issue. Mr. Hilty showed pictures of the development which did not depict harmonious blending. The issue is not what could have been on High Ridge Drive, but what is there and will always remain. He noted that 2.14 units per acre, as proposed, is not close to 2. The calculation includes 1.8 acres exceeding the 40% slope (acreage cannot be built on, cannot be fenced, cannot be planted on). The calculation also includes 2.1 acres of open space which cannot be developed because of topographical limitations. Subtracting 1.8 acres of steep slope and 2.1 acres of open space from 6.9 acres leaves 3 acres less than 40% slope. In reality this proposal is for 15 homes on 3.0 acres which is 5 units per acre and exceeds even PR-4 zoning. He felt the entire issue needs to go back to the Planning Commission for further consideration. Mr. Hilty was representing a large group of neighbors who are strongly against the rezone and development plan. Clustering on flat ground opens up areas for open space. Clustering here doesn’t help because the rest of the lot is undevelopable. He asked Council to not allow the rezone nor amend the official zoning map to allow Lots 1-15 to remain PR-4.

Councilmember Spehar asked if the City uses only buildable land in the calculation. City Attorney Wilson said the City uses all the land (gross acreage).

Dawn Walker, 388 High Ridge Drive, requested Council open up discussion to all the issues related to the development of Lots 1-15 rather than just considering the rezone. The entire issue is not being discussed because not one of the many citizens opposed to this project appealed the Planning Commission decision within the 3 days required by the Code. She has reviewed her notes and the video tape of the Planning Commission meeting noting there was no mention of the 3-day appeal period. She said Mr. Hilty went in person to the Community Development Department two days after the Planning Commission meeting, within the 3 day appeal period. He was told to wait until the following day and wait for City Council scheduling. No mention was made of a 3-day appeal period. When she found out through a different Community Development staff member, it was too late. They asked Bill Nebeker if they could file a delayed appeal. Mr. Nebeker then inquired of the Assistant City Attorney John Shaver whether the appeal could be extended. Mr. Shaver opined that the appeal period was over. Sixteen days after the Planning Commission, a discussion with Planning Commission Chairman John Elmer revealed that a 14-day appeal period existed for items referred to the City Council from the Planning Commission. An appeal dated March 26, 2000 was delivered to David Varley within the 14-day appeal period with a copy to Cindy Enos-Martinez. A copy was included in Council's packet. The confusing 3-day and 14-day appeal process has been corrected in the new Zoning Code. The City Council packet does include preliminary plan material; therefore, Ms. Walker felt it should be discussed.

Pam Sant, 386 High Ridge Drive, said both the developer and the Planning staff recognize this site is a narrow, steep ridge with significant topographical constraints. There should be no disturbance in areas with 30% or greater slopes. She showed pictures of houses in Columbine Village. They are close together and already have foundation problems. Eight of the homes are built on a moderate slope; the remaining homes are resting on relatively flat ridge tops and have no problems. The homes are only five or six years old and the foundations of three of the homes have moved downhill. Columbine Village also had engineered foundations. The financial hardship to these homeowners is insurmountable. She asked Council to lower the density.

Laura Farnsworth, 2421 Hidden Valley Drive, was concerned with the increase in traffic. Their area in the Ridges is an already congested area. Hidden Valley Drive has been declared a residential collector street capable of handling 3000 average daily trips. Hidden Valley Drive meets the width requirement but has no sidewalks or other walking areas. She questioned if it can handle the additional traffic. There are existing problems that need to be taken into consideration when conducting traffic studies for higher density new developments. Decreasing the amount of homes on the ridge to match the surrounding area would lessen the

impact of traffic to their neighborhood. She asked Council to consider these facts when determining the zoning for this area.

Scott Whitman, 389 High Ridge Drive, said Council's packet includes a list of 80 people that feel that density is the big issue. He was not opposed to the development of this ridge but felt the density is not compatible with the surrounding area.

Jill Hilty, 396 High Ridge Drive, said she and her neighbors welcome development that abides by the zoning regulations. Had their appeal been heard, Council would also be voting tonight on all of the issues addressed by the Planning Commission such as putting a portion of each home in the "no build" zone, putting a home on an existing trail, and the requirement of future developments looking like the surrounding area. There is a common driveway at the end of the ridge with four parking spots. The area is so narrow a road can't be put there. Eight cars backing out of four garages onto one driveway that has 4 cars parked on it could result in 12 cars on one driveway. That would be a disastrous situation. The issue is it doesn't meet the Ridges covenants which state future development must look like the surrounding areas. There are no common driveways in the Ridges. She asked Council if they must upset hundreds of homeowners just to put in a couple of extra houses on a short, narrow ridge poorly suited for the proposed development.

Joe Marucca, 395 High Ridge Drive, commended his neighbors for their presentations. He has lived at this address for 20 years. When he stands on this ridge he cannot envision 15 homes that will look like the proposed development. He felt that adding this on the ridge would be a travesty.

Bill Sant, 386 High Ridge, agreed with the neighbors. He was not against more neighbors. He felt it will cause many problems.

Steve Smith, 2412 Hidden Valley Drive, moved to the area in December, 1999 from Littleton, Colorado to have the quality of life that was not available in Littleton. The corner they live on currently is very dangerous. There is a lot of traffic in the area traveling at a rapid space. There have been two occasions when they were almost hit when backing out of their property. The proposed density will increase the traffic on their road. He opposed the development.

John Crawford, 2408 Dogwood Court, Bray & Company Realtors, spoke on behalf of Ted Munkres saying Mr. Munkres is honest and straightforward and a person of integrity. He believes Ridge Point #2 will blend in and be an asset to the community. It is a well planned project. Originally 48 units were planned for the area where he is now planning 15 units. Hidden Valley Drive also adjoins Ridge Point 2 and has a much higher density than what is planned for Ridge Point 2. Ridge Point 1 has duplexes, tri-plexes and fourplexes. Regarding Columbine Village, Mr. Crawford knew of only one structural problem that had a Ute Water



leak under it. Columbine Village was also zoned with zero lot lines. Ridge Point 2 will not have zero lot lines. He felt Mr. Munkres will do a good job on the development.

Teresa Osborn, 385 Ridge Circle Drive, moved into the Ridges knowing of the higher density which allowed her to live there comfortably for 14 years. She felt the proposed development is the result of a lot of planning and looking toward the future. She felt all levels of housing are needed in the area. She felt all the concerns have been addressed by the builder. She did not think Mr. Munkres was the original planner of Columbine Village. He was the second holder of the property. She spoke highly of past and current developments planned by Mr. Munkres. He has put a lot of work and time into this project. She felt the development is absolutely appropriate.

Minda Mason, 391 High Ridge Drive, spoke regarding of the issue of whether this developer is interested in keeping in mind the good intentions of the neighborhood, and showed a picture of 43 piles of dirt that was dumped at the end of High Ridge Drive on April 6, the day after the last City Council meeting that adopted the first reading of the ordinance adopting the rezone. The Ridges area has many trails and this dirt has blocked the trail that is used by many of the residents on a daily basis. Paragraph M(3) of the amended final plan says existing trails will be preserved. She felt the preservation of the trails should be monitored in the future when discussing development.

Rebuttal - Ted Munkres, 121 Chipeta Avenue, discussed the trail saying he purposely put dirt there to block the trail to stop four-wheelers and jeeps driving all over the project and tearing it up. No trespassing signs were posted but were ignored. They don't want the liability. Columbine Village was planned and subdivided by others and he built it. It was zero lot line property and he separated the structures for single-family homes. They were dealing with 40' x 80' lots making it difficult to get much space between the houses. Many residents enjoy living in Columbine Village. The units are low maintenance with spectacular views. There is only one house with a foundation problem and Mr. Munkres purchased that house back. The traffic study indicates that High Ridge Drive and Hidden Valley Drive are not at issue for the traffic. The traffic is at the intersection of Ridge Way and Ridges Boulevard. That is where the limitation on traffic is and that's also why the traffic study is allowing only 52 units before requiring additional traffic accesses. The Ridges is a composite of densities, which is part of the advantages of that area. He said Ridge Point is not out of line as it is relatively low density compared to properties that are very close on Hidden Valley Drive. There are houses in Ridge Point I that are 5 feet off the setback line and two other houses to be built that are 5 feet and 10 feet off the property line. The setbacks vary, so four out of the six houses in between will be tighter.

Councilmember Spehar said if the issue of building on 30% slopes is strictly enforced, is reduced density another alternative. Mr. Munkres said it is. However,

the two-story would allow a patio or deck in the less than 30% slope area with very little disturbance to the area. Mr. Munkres stated that 30% or greater was selected arbitrarily when guidelines for the Ridges were drafted. The Uniform Building Code allows building on slopes 33 1/3% before mitigation is required and up to 45% possible. Building can take place on slopes although it depends on how it's engineered.

Councilmember Spehar thought patios were not allowed although decks on piers were allowed. Mr. Munkres agreed. He was happy with that.

There were no other public comments. The hearing was closed at 10:03 p.m.

Council discussion then took place.

Councilmember Terry felt the engineering requirements are greater on this proposal than projects in the past. She wanted the audience to understand that past requirements have not always been sufficient.

City Attorney Wilson said during the new code discussion, City staff was aware of other subdivisions that have issues. Specific requirements and engineering solutions have worked. The new Code reemphasizes those standards.

Mark Relph, Public Works & Utilities Director referred to the problem in Cobblestone Ridges, where grading needed to be considered to allow drainage onto other lots. That has not been looked at in detail. Recently Staff has discussed with Bob Lee, Chief Building Inspector for Mesa County, and Mike Monegar, new regulations regarding overlot grading. It is common practice for cities to require plans showing how individual lots will drain. The Public Works Department is trying to schedule meetings with the Homebuilders Association to draft such requirements. They are not ready to present anything to Council just yet, although experience shows such overlot grading requirement is necessary in an area like this.

Councilmember Terry asked for a definition of overlot grading. Mark Relph said the preliminary and final plats will show topographical lines, how much fill will be used, where cuts will be made and where the water will go when the house is built.

Councilmember Enos-Martinez thought, when building on a ridge line and on a slope, it's hard to do the proper grading. Mark Relph said it is more challenging, but it can be done.

Councilmember Terry confirmed that the concept is in place on this development. Mr. Relph said yes.

Councilmember Theobald appreciated hearing from several individuals that said they were not against development. Development and the plan are not issues

tonight. Poorly engineered foundations, homes on stilts, nor public use of open space are not issues. Mr. Munkres's reputation, past zonings or plans, and the number of opponents are not issues. He was not uncomfortable with a PR-4 zone in general, but on a property with the topographical constraints and unbuildable ground into the calculation for gross density makes him uncomfortable. The visual density of 5 to the acre, or more, and some of the setbacks in the plan, seems incompatible. If something is inconsistent with the Growth Plan, it shouldn't be a plan like this.

Councilmember Payne echoed Councilmember Theobold's statements. It is a tough decision. He thanked those that spoke tonight. He could not go along with the request.

Councilmember Enos-Martinez was uncomfortable with the zoning and putting that many units on this property as well as the slopes and topography issues.

Councilmember Spehar was concerned with the confusion on the appeal process. He felt Council met the spirit of that. He was glad Council worked out a way to do that. Regarding arbitrary standards, he felt once the line is drawn, one must adhere. The traffic standards are being met. It's an area of mixed density, and a difficult site to develop. He felt Council must adhere to the 30% slope standard. He was troubled by the common driveway issue. He felt it was an effort to advance the density. He recognized the economics have to work, but it is not Council's job to make that work. He agreed with the other members of Council to deny the zoning, and hope for a better plan in the future.

Councilmember Terry recognized the well thought out comments by the petitioner and the neighborhood residents. She had an open mind when considering this proposal with no preconceived notions. She had questions and concerns, and has been convinced it is not the right place for that density. She supported the mixed use in the Ridges, but couldn't support this density. She had two other issues she wished to bring up after voting on this item.

Mayor Kinsey said it is unfortunate about the confusion over the appeal process. He was also concerned about the drainage and traffic, etc. but sometimes planned zones are good things. However, the reason to use planned zones is there is some benefit to the community as a trade-off. He didn't see a community benefit in this proposal; therefore he could not support the planned zone.

**a. Rezoning Ordinance**

Ordinance No. 3243 – An 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

It was moved by Councilmember Theobold and seconded by Councilmember Payne that Ordinance No. 3243 and carried. The motion failed to pass.

**b. Modification of Public Street Standard**

Request to waive street standards to eliminate the sidewalk on one side of the street.

*Action: Decision on Waiver of Street Standards won't be addressed*

Councilmember Terry said the traffic problems can be addressed by City staff if the neighborhood will approach Public Works Director Mark Relph and Public Works Manager Tim Moore with requests.

Councilmember Terry said the appeal process must be published and announced. If it is not done, she suggested the appeal process time should be suspended.

Councilmember Spehar said the Community Development Director should work with the Planning Staff and Planning Commission to ensure that the publication and announcement takes place.

Mayor Kinsey said he would like to see an updated sheet with clear directions by next week.

Councilmember Theobold said since the Code has been rewritten, there may be more changes that need to be included in the update, and would like those included first.

City Manager Achen said mixed issues are resolved under the new Code because the plan comes forward with the zoning. Council has asked about this more than once and Staff still hasn't solved the problem.

Councilmember Spehar said he will be very resistive to Growth Plan amendments.

**ADJOURNMENT**

The meeting adjourned at 10:30 p.m.

Stephanie Nye, CMC  
City Clerk

**Attach 2**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
<b>Subject:</b>	<b>City Hall Artwork for Elevator Atrium Lobby</b>		
<b>Meeting Date:</b>	<b>Wednesday, May 3, 2000</b>		
<b>Date Prepared:</b>	<b>Wednesday, April 5, 2000</b>		
<b>Author:</b>	<b>Allison Sarmo</b>	<b>Cultural Arts Coordinator</b>	
<b>Presenter Name:</b>	<b>Allison Sarmo</b>	<b>Cultural Arts Coordinator</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** Purchase of artwork for the City Hall elevator atrium lobby.

**Summary:** The Commission recommends that City Council approve the purchase of two sculptures for the City Hall elevator atrium lobby, a six foot rendition of Ute leader Chief Ouray by Grand Junction artist Pat Olson created in about twenty layers of stainless steel (similar in style to the former Country Jam singers statue) and a six foot bronze entitled "Contemplation" by Denver artist Dennis Sohoki.

**Background Information:**

Invitations to submit artwork for City Hall were sent to over 300 Colorado artists, over 100 from Grand Junction and Western Colorado. The Commission reviewed slides and proposals for pieces of sculpture from 28 different Colorado sculptors, including eight from Grand Junction. Thought was given to the overall quality of each artists' work, selecting pieces which complement each other and the building, and price.

**Budget:** \$16,500 (\$13,913 from the 1% for the Arts program budget for City Hall and \$2,587 from the Commission on Arts & Culture's special projects budget)

**Action Requested/Recommendation:** Approve purchase of two City Hall sculptures for \$16,500.

<b>Citizen Presentation:</b>	<b>X</b>	No	Yes	If Yes,
<b>Name:</b>				
<b>Purpose:</b>				

<b>Report results back to Council:</b>	No	Yes	<b>When:</b>	
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Placement on Agenda:	X	Consent		Indiv. Consideration		Workshop
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**Attach 3**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
<b>Subject:</b>	<b>Animal Control Ordinance Revisions</b>		
<b>Meeting Date:</b>	<b>May 3, 2000</b>		
<b>Date Prepared:</b>	<b>April 21, 2000</b>		
<b>Author:</b>	<b>Stephanie Rubinstein</b>	<b>Staff City Attorney</b>	
<b>Presenter Name:</b>	<b>Stephanie Rubinstein</b>	<b>Staff City Attorney</b>	
	<b>Workshop</b>	<b>Xx</b>	<b>Formal Agenda</b>

**Subject:** Animal Control Ordinance

**Summary:** The proposed changes to our current Animal Control ordinances are as follows:

- a. In the past, the City has required rabies vaccinations yearly. Senate Bill 99-112 states that animal owners cannot be required to vaccinate their animals more often than is recommended in the "Compendium of Animal Rabies Control," which is produced by the National Association of State Public Health Veterinarians, Inc. This compendium recommends vaccinations which have a duration of three years. The ordinance changes the requirement from yearly vaccinations to vaccinations which are in accordance with the "Compendium of Animal Rabies Control."
- b. The minimum period where an animal which has been impounded becomes the custody of Animal Control is changed from 72 hours to 5 days.
- c. The requirements for the humane disposal of an animal who is in the custody of Animal Control and is sick or injured and in pain or contagious to other animals are added. The current ordinance reads simply that the animal may be "immediately disposed of." The amendment requires that Animal first get the opinion of a veterinarian that the animal is experiencing extreme pain or suffering and Animal Control must exhaust reasonable efforts to contact the owner within 24 hours.
- d. In one Section (6-63(g)), the term "Animal Regulation Officer" is used. To keep uniformity with the rest of the ordinance, this term has been amended to "Animal Control Officer."

- e. The current ordinance provides that if an animal is determined by the court to be vicious, then it *shall* be humanely disposed of by euthanasia. The amendment changes this to “may.”
- f. The amended ordinance removes the requirement that transfer of ownership, if the animal is being adopted from Animal Control, shall not be effected until sterilization has occurred has been removed.
- g. Persons who were charged with enforcement of this ordinance were listed as those persons designated by Council. This section has been amended to specifically include Animal Control Officers and the Director of Animal Control.
- h. In the current ordinances, only the fines for a penalty assessment (meaning the ticket may be mailed in, instead of requiring the defendant to go to court) are listed. Two new sections are added to provide fines for violations which are not penalty assessments. These sections also provide that if an animal is charged with three or more violations of these ordinances in two years, or there is a conviction of a charge where there is bodily injury to a person or another animal, the court may order that the animal be destroyed.
- i. A new section is added to provide that as a condition of sentencing, the court may require the defendant to pay costs of prosecution and Animal Control Center fees and costs. In addition, suspension of sentence may be provided upon conditions which would work to protect the public or abate a public nuisance.
- j. Two administrative sections are added: (1) That if one provision of these ordinances are found to be invalid, the other provisions are still valid; (2) The City and Animal Control shall not be held responsible for injury resulting from administration of these ordinances.
- k. By resolution, fees charged for impounding, boarding, adoption, licensure, euthanasia, and deposits are specifically listed.

**Background Information:** On November 22, 1999, Mesa County amended its Animal Control regulations, partly in response to Senate Bill 99-112 and partly to make administrative changes, as the regulations have not been updated since 1992. This ordinance is a response to these changes.

**Budget:** None

**Action Requested/Recommendation:** Approval of Ordinance on First Reading

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

<b>Report results back to Council:</b>	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	<b>When:</b>	
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Placement on Agenda:	X	Consent		Indiv. Consideration		Workshop
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**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 6, ARTICLE III OF THE  
CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO**

RECITALS: On November 22, 1999, the Mesa County Commissioners revised the Animal Control Regulations, partly in response to Senate Bill 99-112, which changed the requirements regarding animal rabies vaccinations. Additionally, before this date, the Animal Control Ordinances have not been revised since 1992. These changes were made to sections referring to Rabies Control, Impoundment and Disposition of Animals, and Penalties for violation of said articles. The changes reflect the policy of the City Council of protecting the health, safety and welfare of the citizens of the City of Grand Junction, and requiring that animal owners take full responsibility for their animals.

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

Chapter 6, Articles III of the Code of Ordinances of the City of Grand Junction, be amended as follows:

That Section 6-58 (a) be repealed and a new Section 6-58 (a) be added to read:

Vaccination Required. No person shall own, keep or harbor in the City any dog or cat over four months of age unless such dog or cat is vaccinated against rabies. All dogs and cats vaccinated at four months of age or older shall be revaccinated thereafter in accordance with the recommendation in the "Compendium of Animal Rabies Control" as promulgated by the National Association of State Public Health Veterinarians. After vaccinating a cat or dog for rabies, the veterinarian shall give the owner written certification of such vaccination. Any dog or cat owner who moves into the City and owns any dog or cat four months of age or older, including for purposes of this Section shall comply with this Article within thirty days afterward. If any dog or cat has bitten any person or animal within the last ten days, the owner of said dog or cat shall report that fact to the vaccinating veterinarian and to the animal control facility, and no rabies vaccine shall be administered to that dog or cat until after the ten-day observation period.

That Section 6-63 (d)(1) be repealed and a new Section 6-63 (d) be added to read:

Minimum period. Any animal impounded at Animal Control which is not reclaimed by the owner shall be held by Animal Control for a minimum of five (5) days after acquisition by Animal Control, before it may become available for adoption or otherwise disposed of at the discretion of Animal Control. If the owner does not properly claim and redeem the animal within this period of impoundment, the animal may be subject to disposition under Section 6-64. That Section 6-63(d)(2) be repealed and a new Section 6-63(d)(2) be added to read:

Sick or injured animal. An impounded animal which is sick or injured and in pain or contagious to other animals, and which is not identifiable to an owner, is subject to a minimal impoundment period and may immediately be humanely disposed of through euthanasia, if (1) in the opinion of a veterinarian the animal is experiencing extreme pain or suffering; and (2) Animal Control has exhausted reasonable efforts to contact the owner for up to 24 hours.

That Section 6-63 (g) be repealed and a new Section 6-63 (g) be added to read:

Impoundment Alternatives. Nothing in this Section shall be construed to prevent an Animal Control Officer from taking whatever action is reasonably necessary to protect his person or members of the public from injury by any animal.

That Section 6-64 (c)(1) be repealed and a new Section 6-64 (c)(1) be added to read:

A dog found to be vicious by any court, as defined by Subsection 6-57 (1), (2), (3), or (4) of this Article, may be finally disposed of by humane euthanasia.

That Section 6-64 (d) be amended to remove:

Transfer of ownership of the dog or cat shall not be effected until sterilization has occurred.

That Section 6-65 (a) be repealed and a new Section 6-65 (a) be added to read:

Responsibility. This provisions of this Article shall be enforced within the City by the Director of Animal Control, Animal Control Officers, and any other person however administratively assigned or titled, as authorized by the Grand Junction City Council. Enforcement by the City employees shall be limited to City limits and such additional areas as the Council may designate by Contract or Resolution pursuant to C.R.S. 30-15-101 (2). Animal Control Officers shall be deemed "peace officers" without regard to certification requirements, as authorized by C.R.S. 30-15-105. The City Attorney shall prosecute at his discretion any violation of this Article.

That a new Section \_\_\_\_\_ shall be added to read:

Any violation of Sections 6-58, 6-59, 6-60, 6-61, 6-63 (f), 6-64 (d), 6-65 (d), 6-65 (e), or 6-65 (f), of this Article and any subsections thereof which do not involve bodily injury to any person or animal, shall be punishable upon conviction by a fine of not more than five-hundred dollars (\$500.00). If the dog owner has been convicted of three or more violations of any Section of this Article not involving bodily injury within a two year period, the court may impose a sentence of imprisonment in the county jail for not more than ninety (90) days in addition to any fine and may order the destruction of the animal.

That a new Section \_\_\_\_\_ shall be added to read:

Any violation of Sections 6-58, 6-59, 6-60, 6-61, 6-63 (f), 6-64 (d), 6-65 (d), 6-65 (e), or 6-65 (f) of this Article and any subsections thereof which involve bodily injury to any person or bodily injury or death to an animal by a dog or other pet animal shall be punishable upon conviction by a fine of not less than two-hundred fifty dollars (\$250.00) nor more than one-thousand dollars (\$1,000.00), or by imprisonment of not less than three (3) months nor more than twelve (12) months, or by both such fine and imprisonment for each separate offense. In addition, the Court may order the destruction of the dog upon conviction of the owner of any violation with bodily injury.

That a new Section \_\_\_\_\_ be added to read:

- A. In addition to payment of any fine or other punishment, a violator shall be required as a condition of sentencing to pay the Animal Control Center all applicable fees and charges pursuant to Section 6-68, and cost of prosecution as be required by the Court.
- B. Suspension of any penalty or punishment may be conditioned upon compliance with any reasonable order or condition designed to protect the public or abate a public nuisance caused by an owner's animal. Such conditions may include but are not limited to those set forth in Section 6-64 (c).

That a new Section \_\_\_\_\_ be added to read:

If any provision of this Chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or application of this Chapter which can be given effect without the invalid provisions or applications, and to this end, the provisions of this Resolution are declared to be severable.

That a new Section \_\_\_\_\_ be added to read:

The City of Grand Junction City Council, the Health Officer, Animal Control Officers, or any other employees, persons or agents authorized to enforce the provisions of this Chapter shall not be held responsible for any accident or subsequent disease or for any loss or damages resulting from administration of this Chapter.

Introduced this \_\_\_\_\_ day of \_\_\_\_\_ 2000.

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

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

ATTEST:

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

**Attach 4**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>		
<b>Subject:</b>	<b>Disposal of Fire Apparatus</b>	
<b>Meeting Date:</b>	<b>May 4, 2000</b>	
<b>Date Prepared:</b>	<b>April 27, 2000</b>	
<b>Author:</b>	<b>Rick Beaty</b>	<b>Fire Chief</b>
<b>Presenter Name:</b>	<b>Rick Beaty</b>	<b>Fire Chief</b>
	<b>Workshop</b>	<b>X</b> <b>Formal Agenda</b>

**Subject:** Disposal of fire apparatus

**Summary:**

The Colorado EMS Foundation provided three 1999 E-One Fire Engines and one 1999 SVI Heavy Rescue unit to the City in March 2000. The new units replaced a 1991 KME Fire Engine, 1983 Pirsch Fire Engine, and 1975 Mack Heavy Rescue Unit. The Colorado EMS Foundation has requested that the City consider donation of the 1983 Pirsch Fire Engine to Gateway Fire Department and the 1975 Mack Heavy Rescue unit to Palisade Fire Department.

**Background Information:**

The method of disposal for surplus fire apparatus/equipment has varied in recent years. In January, the City Council directed the Fire Chief to dispose of a 1970 fire engine by donation. Council placed a restriction on the donation by stating that priority be given to local departments under mutual and/or automatic aid with Grand Junction Fire Department. The Council recognized that by improving the equipment available to local fire departments, there is a potential improvement of Grand Junction's fire operations via aid agreements for major emergency events. There are also instances where Council has directed the sell of surplus equipment as a method of disposal.

**Budget:**

Increase to Fund 402 of approximately \$130,000. Proceeds from the sale of the KME Fire Engine to be applied toward fire apparatus accruals in the equipment fund.

**Action Requested/Recommendation:**

Direct the City Manager to dispose of used fire apparatus by:

- 1) The sale of one 1991 KME Fire Engine,
- 2) Donation of a 1983 Pirsch Fire Engine to Gateway Fire Protection District,  
and
- 3) Donation of a 1975 Mack Support Unit to Palisade Fire Department.

<b>Citizen Presentation:</b>	<input type="checkbox"/>	<b>No</b>	<input checked="" type="checkbox"/>	<b>Yes</b>	<b>If Yes,</b>
<b>Name:</b>	<b>Rob Dixon, Colorado EMS Foundation</b>				
<b>Purpose:</b>	<b>Provide request to support donation of used apparatus</b>				

<b>Report results back to Council:</b>	<input type="checkbox"/>	<b>No</b>	<input type="checkbox"/>	<b>Yes</b>	<b>When:</b>	<input type="checkbox"/>
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<b>Placement on Agenda:</b>	<input type="checkbox"/>	<b>Consent</b>	<input checked="" type="checkbox"/>	<b>Indiv. Consideration</b>	<input type="checkbox"/>	<b>Workshop</b>
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Attach 5

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

CITY COUNCIL		
<b>Subject:</b>	<b>Award of Contract Pipe and Materials for Bunting Ave. Storm Drain Project</b>	
<b>Meeting Date:</b>	<b>May 3, 2000</b>	
<b>Date Prepared:</b>	<b>April 27, 2000</b>	
<b>Author:</b>	<b>Rex Sellers</b>	<b>Senior Buyer</b>
<b>Presenter Name:</b>	<b>Tim Moore</b>	<b>Public Works Manager</b>
<input type="checkbox"/>	<b>Workshop</b>	<input checked="" type="checkbox"/> <b>Formal Agenda</b>

**Subject:** Award of Concrete Pipe and other pipe related materials for the Bunting Ave. Storm Drain Project to **Grand Junction Pipe and Supply Company** in the amount of **\$52,343.96**.

**Summary:** Bids were received and opened on Thursday April 27, 2000 for **Concrete Pipe and other related materials for the Bunting Ave. Storm Drain Project**. There was only one responsive bid received, **Grand Junction Pipe and Supply**, in the amount of **\$52,343.96**. The non-responsive bid, Colorado Precast of Loveland, submitted prices for the concrete pipe only. These prices were used to compare and determine that Grand Junction Pipe and Supply's prices were fair and reasonable. Colorado Precast's price for concrete pipe only was \$68,745.80.

Grand Junction Pipe and Supply's price for concrete pipe was also compared to a 1998 price proposal from AMCOR. Grand Junction Pipe and Supply's concrete pipe bid price per foot is less than the 1998 AMCOR proposal price.

**Background Information:** This project consists of supplying concrete pipe and other related pipe materials for the construction of the storm drain by the Grand Junction Drainage District.

Material shall be delivered prior to the project start date of May 23, 2000.

The following bids were received for this project:

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
Grand Junction Pipe and Supply	Grand Junction	\$52,343.96

Engineer's Estimate

**Budget:**

Funding:



Storm Drainage Improvement Fund

**\$104,000.00**

Balance remaining

**\$51,656.04**

**Action Requested/Recommendation:** City Council motion authorizing the Purchasing Division to issue a purchase order for Concrete Pipe and other related piping material with **Grand Junction Pipe and Supply Company** in the amount of **\$52,343.96**.

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 6

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>	
Subject:	<b>Award of Contract for five (5) new 2000 Model SWB regular cab half ton 4x2 pickup trucks</b>
Meeting Date:	<b>May 03, 2000</b>
Date Prepared:	<b>April 24, 2000</b>
Author:	<b>Susan J. Hyatt</b> <b>Title: Senior Buyer</b>
Presenter Name:	<b>Tim Moore</b> <b>Title: Public Works Manager</b>
<input type="checkbox"/>	Workshop
<input checked="" type="checkbox"/>	Formal Agenda

**Subject:** Purchase of five new half ton pickup trucks.

**Summary:** Bids were received and opened on April 20, 2000 for **Bid No. 24B-00-RW**. The low bid was submitted by **Western Slope Auto Company** in the amount of **\$81,725**.

**Background Information:** This project consists of the purchase of five new vehicles; three replacements, two new additions; for the Public Works Department. **Order must be received at Ford no later than May 12, 2000.**

The following bids were received for this project:

<u>Contractor</u>	<u>From</u>	Bid Amount
Hellman Motor Company	Delta, CO	\$82,275
Western Slope Auto Company	Grand Jct.,	\$81,725

**Approved Dollars Budgeted:**  
**\$85,873.00**

**Action Requested/Recommendation:** City Council motion authorizing the purchase of five new pickup trucks for Public Works with **Western Slope Auto Co.** in the amount of **\$81,725.**

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**

<i>CITY COUNCIL</i>		
<b>Subject:</b>	<b>Alley Improvement District 2000 Phase B</b>	
<b>Meeting Date:</b>	<b>May 3<sup>rd</sup>, 2000</b>	
<b>Date Prepared:</b>	<b>April 24<sup>th</sup>, 2000</b>	
<b>Author:</b>	<b>Rick Marcus</b>	<b>Real Estate Technician</b>
<b>Presenter Name:</b>	<b>Rick Marcus</b>	<b>Real Estate Technician</b>
	<b>Workshop</b>	<b>X    Formal Agenda</b>

**Subject:** Resolution declaring the intent of the City Council intent to create Alley Improvement District ST-00, Phase B, and giving notice of a hearing.

**Summary:** A Petition has been submitted requesting a Local Improvement District be created to reconstruct the east-west alley from 10<sup>th</sup> Street to 11<sup>th</sup> between Colorado Avenue to Ute Avenue. This petition has been signed by 59 percent of the owners of the properties that would be assessed. The proposed resolution is the first step in the formal process of creating the proposed Improvement District. A hearing to allow public comment for or against the proposed Improvement District is scheduled for the June 7, 2000, City Council meeting.

**Background Information:** Peoples Ordinance No. 33 authorizes the City Council to create improvement districts and levy assessments when requested by a majority of the owners of the property to be assessed. Council may also establish assessment rates by resolution. The present rates for alleys are \$8.00 per abutting foot for residential single-family uses, \$15.00 per abutting foot for residential multi-family uses, and \$31.50 per abutting foot for non-residential uses.

**Budget:**

2000 Alley Budget	\$320,000
Estimated Cost to construct 1999 Phase B Alley (under construction)	( 57,213)
Estimated Cost to construct 2000 Phase A Alleys (under construction)	( 203,688)
Estimated Remaining Funds	\$ 59,099
Estimated Cost to Construct 2000B	( 40,500)
Estimated Balance	\$ 18,599

**Action Requested/Recommendation:** Review and adopt proposed resolution.

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

**ALLEY IMPROVEMENT DISTRICT  
2000 PHASE B  
VICINITY MAP**



**SUMMARY SHEET**

**PROPOSED ALLEY IMPROVEMENT DISTRICT  
10th STREET TO 11th STREET  
COLORADO AVENUE TO UTE AVENUE**

<u>OWNER</u>	<u>FOOTAGE</u>	<u>COST/FOOT ASSESSMENT</u>	
GRNDPROP UNITS, LLC	50.00	\$15.00	\$ 750.00
• DAVID & BEATRICE MARTINEZ	50.00	\$ 8.00	\$ 400.00
• KIMBERLY GISNER	50.00	\$ 8.00	\$ 400.00
• MARGARET WATSON	50.00	\$ 8.00	\$ 400.00
LARRY HUMPHREY	50.00	\$ 8.00	\$ 400.00
• MIKE & E. J. CHESNICK	50.00	\$ 8.00	\$ 400.00
• MARK SHAFFER	50.00	\$15.00	\$ 750.00
• ROGER WARREN	50.00	\$31.50	\$1,575.00
CARLE WEINGARDT & AMY MILLER	40.00	\$ 8.00	\$ 320.00
TERRY RETHERFORD	31.40	\$ 8.00	\$ 251.20
LAVERN WATSON & JOLENE BEAGLEY	28.60	\$ 8.00	\$ 228.80
CELESTER ATHERTON & MELBA HOOPINGARNER	50.00	\$ 8.00	\$ 400.00
WILLIAM & DINA HAYWORTH	25.00	\$ 8.00	\$ 200.00
• CLOWELL & ROBERTA STACEY	25.00	\$ 8.00	\$ 200.00
• CLOWELL & ROBERTA STACEY	25.00	\$ 8.00	\$ 200.00
• SALVATION	150.00	\$31.50	\$4,725.00
• SALVATION ARMY	25.00	\$31.50	<u>\$ 787.50</u>
			\$12,387.50
ASSESSABLE FOOTAGE	800.00		
Estimated Cost to Construct		\$ 40,500.00	
Absolute Cost to Owners		<u>\$ 12,387.50</u>	
Estimated Cost to City		\$ 28,112.50	

Assessments may be paid in full upon completion of project or may be paid over a ten-year period, in which event, a one-time charge of 6% will be added to the principal balance to which simple interest will accrue at the rate of 8% per annum on the declining balance.

- Indicates Property Owners Signing Petition = 10/17 or 59% of Owners & 66% of Abutting Footage

Resolution No. \_\_\_\_\_

**DECLARING THE INTENTION OF THE CITY COUNCIL OF THE  
CITY OF GRAND JUNCTION, COLORADO, TO CREATE WITHIN SAID CITY  
ALLEY IMPROVEMENT DISTRICT NO. ST- 00, PHASE B,  
AUTHORIZING THE CITY ENGINEER TO PREPARE DETAILS AND  
SPECIFICATIONS FOR THE SAME, AND GIVING NOTICE OF A HEARING**

**WHEREAS**, a majority of the owners of the property to be assessed have petitioned the City Council, under the provisions of Chapter 28 of the City of Grand Junction Code of Ordinances, as amended, and People's Ordinance No. 33, that an Alley Improvement District be created, for the special benefit of the real property hereinafter described, to construct and install improvements to the following described alley:

The east-west alley running from 10<sup>th</sup> Street to 11<sup>th</sup> Street between Colorado Avenue and Ute Avenue; and

**WHEREAS**, the City Council has found and determined, and does hereby find and determine, that the construction of alley improvements as petitioned for is necessary for the health, safety and welfare of the residents of the territory to be served and would be of special benefit to the property included within said District; and

**WHEREAS**, the City Council deems it necessary and appropriate to take the necessary preliminary proceedings for the creation of a Local Improvement District, to be known as Alley Improvement District No. ST-00, Phase B.

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

1. That the real property (also known as the "District Lands") to be assessed with a portion of the costs of the proposed services, labor, materials and improvements which the City may deem appropriate, is described as follows:

Lots 1 through 32, inclusive, Block 131 of the original Plat of the City of Grand Junction, County of Mesa, State of Colorado.

2. That the proposed services, labor, materials and improvements necessary to accommodate the request of the owners of the District Lands shall include, but may not be limited to, the design, construction, installation, placement and inspection of base course material and concrete paving, together with any other services or facilities required to accomplish this request as deemed necessary by the City Engineer ("District Improvements"), all of which shall be installed in accordance with the General Conditions, Specifications and Details for Public Works and Utility Projects of the City of Grand Junction.

3. That the assessments to be levied against and upon each respective property which is part of the District Lands shall be determined by multiplying the linear footage that each respective property abuts the alley right-of-way by the appropriate Single-Family, Multi-Family or Non-Residential assessment rate as defined by City Resolution



No. 16-97, passed and adopted on the 17<sup>th</sup> day of February, 1997, and as established by City Resolution No. 57-99, passed and adopted on the 21<sup>st</sup> day of April, 1999, as follows:

- (a) The Single-Family assessment rate shall be \$8.00 per each linear foot of property abutting the alley right-of-way. The Single-Family assessment rate shall apply to all properties having only one residential housing unit which is arranged, designed and intended to be occupied as a single housekeeping unit, and all vacant properties located within a single-family residential zone;
- (b) The Multi-Family assessment rate shall be \$15.00 per each linear foot of property abutting the alley right-of-way. The Multi-Family assessment rate shall apply to all properties having a structure or structures which are arranged, designed and intended to be the residence of more than one housekeeping unit independent of other housekeeping units, and properties which are necessary for and appurtenant to the use and occupancy of multi-family residential uses, such as parking lots, clubhouses and recreation facilities, and all vacant properties located within a multi-family residential zone;
- (c) The Non-Residential assessment rate shall be \$31.50 per each linear foot of property abutting the alley right-of-way. Except as provided in Section 2(d) below, the Non-Residential assessment rate shall apply to all properties which are used and occupied for any purpose other than single-family or multi-family residential purposes, and all vacant properties located within any zone other than residential;
- (d) Properties from which a business or commercial use is conducted (“home occupation”) which also serve as a single-family or multi-family residence may be assessed the applicable single-family or multi-family assessment rate if such home occupation conforms with or has been authorized by the Zoning and Development Code of the City;
- (e) Pursuant to City Resolution No. 61-90, passed and adopted on 19<sup>th</sup> day of September, 1990, properties having alley frontage on more than one side shall be assessed the applicable assessment rate for the frontage on the longest side only.
- (f) The assessment rates described above shall be applicable as of the date of the final reading of the assessing ordinance.

4. That the assessments to be levied against the District Lands to pay a portion of the costs of the District Improvements shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such costs against and upon the District Lands becomes final. The failure by any owner(s) to pay the whole assessment within said thirty (30) day period shall be conclusively considered as an election on the part of

said owner(s) to pay such owner's assessment in ten (10) annual installments, in which event an additional six percent (6%) one-time charge for costs of collection and other incidentals shall be added to the principal amount of such owner's assessment. Assessments to be paid in installments shall accrue simple interest at the rate of eight percent (8%) per annum on the unpaid balance and shall be payable at the time the next installment of general taxes, by the laws of the State of Colorado, is payable, and each annual installment shall be paid on or before the same date each year thereafter until paid in full.

5. That the City Engineer is hereby authorized and directed to prepare full details, plans and specifications for the District Improvements, together with a map of the District depicting the District Lands to be assessed from which the amount of the assessments to be levied against each individual property may be readily ascertained, all as required by Ordinance No. 178, as amended, City of Grand Junction, Colorado.

6. That Notice of Intention to Create said Alley Improvement District No. ST-00, Phase B, and of a hearing thereon, shall be given by advertisement in one issue of The Daily Sentinel, a newspaper of general circulation published in said City, which Notice shall be in substantially the form set forth in the attached "**NOTICE**".

## NOTICE

### OF INTENTION TO CREATE ALLEY IMPROVEMENT DISTRICT NO. ST-00, PHASE B, IN THE CITY OF GRAND JUNCTION, COLORADO, AND OF A HEARING THEREON

**PUBLIC NOTICE IS HEREBY GIVEN**, pursuant to the request of a majority of the owners of the property to be assessed, to the owners of real estate in the district hereinafter described and to all persons generally interested, that the City Council of the City of Grand Junction, Colorado, has declared its intent to create Alley Improvement District No. ST-00, Phase B, in said City, for the purpose of reconstructing and paving a certain alley to serve the property hereinafter described, which lands are to be assessed with a portion of the costs of the improvements, to wit:

That the District of lands to be assessed is described as follows:

**Lots 1 through 32, inclusive, Block 131 of the original Plat of the City of Grand Junction, County of Mesa, State of Colorado.**

**Location of Improvements:** The proposed improvements would be made to the east-west alley running from 10<sup>th</sup> Street to 11<sup>th</sup> Street between Colorado Avenue and Ute Avenue.

**Type of Improvements:** To include base course material under a mat of Concrete Pavement and construction or reconstruction of concrete approaches as deemed necessary by the City Engineer.

The assessments to be levied against and upon each respective property which is part of the District Lands shall be determined by multiplying the linear footage that each respective property abuts the alley right-of-way by the appropriate Single-Family, Multi-Family or Non-Residential assessment rate as follows:

- (a) The Single-Family assessment rate shall be \$8.00 per each linear foot of property abutting the alley right-of-way. The Single-Family assessment rate shall apply to all properties having only one residential housing unit which is arranged, designed and intended to be occupied as a single housekeeping unit, and all vacant properties located within a single-family residential zone;
- (b) The Multi-Family assessment rate shall be \$15.00 per each linear foot of property abutting the alley right-of-way. The Multi-Family assessment rate shall apply to all properties having a structure or structures which are arranged, designed and intended to be the

residence of more than one housekeeping unit independent of other housekeeping units, and properties which are necessary for and appurtenant to the use and occupancy of multi-family residential uses, such as parking lots, clubhouses and recreation facilities, and all vacant properties located within a multi-family residential zone;

- (c) The Non-Residential assessment rate shall be \$31.50 per each linear foot of property abutting the alley right-of-way. Except as provided in Section 2(d) below, the Non-Residential assessment rate shall apply to all properties which are used and occupied for any purpose other than single-family or multi-family residential purposes, and all vacant properties located within any zone other than residential;
- (d) Properties from which a business or commercial use is conducted (“home occupation”) which also serve as a single-family or multi-family residence may be assessed the applicable single-family or multi-family assessment rate if such home occupation conforms with or has been authorized by the Zoning and Development Code of the City;
- (e) Properties having alley frontage on more than one side shall be assessed the applicable assessment rate for the frontage on the longest side only.
- (f) The assessment rates described above shall be applicable as of the date of the final reading of the assessing ordinance.

The assessments to be levied against the District Lands to pay a portion of the costs of the District Improvements shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such costs against and upon the District Lands becomes final. The failure by any owner(s) to pay the whole assessment within said thirty (30) day period shall be conclusively considered as an election on the part of said owner(s) to pay such owner’s assessment in ten (10) annual installments, in which event an additional six percent (6%) one-time charge for costs of collection and other incidentals shall be added to the principal amount of such owner’s assessment. Assessments to be paid in installments shall accrue simple interest at the rate of eight percent (8%) per annum on the unpaid balance and shall be payable at the time the next installment of general taxes, by the laws of the State of Colorado, is payable, and each annual installment shall be paid on or before the same date each year thereafter until paid in full.

On June 7<sup>th</sup>, 2000, at the hour of 7:30 o'clock P.M. in the City Council Chambers in City Hall, temporarily located at Two Rivers Convention Center in said City, the Council will consider testimony that may be made for or against the

proposed improvements by the owners of any real estate to be assessed, or by any person interested.

A map of the district, from which the share of the total costs to be assessed upon each parcel of real estate in the District may be readily ascertained, and all proceedings of the Council, are on file and can be seen and examined by any person interested therein in the office of the City Clerk during business hours, at any time prior to said hearing.

Dated at Grand Junction, Colorado, this 3<sup>rd</sup> day of May, 2000.

**BY ORDER OF THE CITY COUNCIL  
CITY OF GRAND JUNCTION, COLORADO**

**By:** \_\_\_\_\_  
City Clerk

**PASSED and ADOPTED** this 3<sup>rd</sup> day of May, 2000.

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

**Attest:**

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

Attach 8

CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION

CITY COUNCIL			
Subject:	Hart Annexation, ANX-2000-010		
Meeting Date:	May 3, 2000		
Date Prepared:	May 3, 2000		
Author:	Lisa Gerstenberger	Senior Planner	
Presenter Name:	As above	As above	
	Workshop	X	Formal Agenda

**Subject:** First reading of the Zone of Annexation ordinance for the Hart Annexation located at 3015 E 1/2 Road.

**Summary:** The Hart Annexation area consists of 5.75 acres and is proposed for development as a 15 lot single family subdivision known as Challinor Estates.

**Background Information:** See Attached

**Budget:** N/A

**Action Requested/Recommendation:** Approval of first reading of the Zone of Annexation ordinance.

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

Report results back to Council:	X	No	Yes	When:	
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Placement on Agenda:	X	Consent	Indiv. Consideration	Workshop
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CITY OF GRAND JUNCTION

DATE: May 3, 2000

CITY COUNCIL

STAFF PRESENTATION: Lisa Gerstenberger

**AGENDA TOPIC:** First reading of the Zone of Annexation ordinance for the Hart Annexation located at 3015 E 1/2 Road.

**SUMMARY:** The Hart Annexation area consists of 5.75 acres and is proposed for development as a 15 lot single family subdivision known as Challinor Estates.

<b>BACKGROUND INFORMATION</b>					
<b>Location:</b>		3015 E 1/2 Road			
<b>Applicants:</b>		Shirley Hart, Owner Mark D. Young, Representative			
<b>Existing Land Use:</b>		Residential/Vacant			
<b>Proposed Land Use:</b>		Residential			
Surrounding Land Use:	North	Residential			
	South	Grand Valley Canal			
	East	Residential			
	West	Residential/Vacant			
<b>Existing Zoning:</b>		County R-2 (4 units per acre)			
<b>Proposed Zoning:</b>		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)			
<b>Growth Plan Designation:</b>		Residential Med./Low: 2 to 3.9 units per acre			
<b>Zoning within density range?</b>		X	Yes		No

**ACTION REQUESTED:** Approval of first reading of the Zone of Annexation ordinance.

**Staff Analysis:**

**ZONE OF ANNEXATION:**

The proposed Zone of Annexation for the Hart Annexation property is RSF-4, Residential Single Family with a density not to exceed 4 units per acre. The proposed density is in keeping with the goals of the Growth Plan.

#### REZONING CRITERIA:

The Zone of Annexation must be evaluated using the criteria noted in Sections 4-4-4 and 4-11 of the Zoning and Development Code. The criteria are as follows for Section 4-4-4:

- A. Was the existing zone an error at the time of adoption?** This would be a new City zone of annexation with no previous zoning actions taken by the City, therefore, no error in zoning is apparent.
- B. Has there been a change in character in the area due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.?** The area around this property has been developed and is used for single family residential purposes.
- C. Is there an area of community need for the proposed rezone?** The Growth Plan designates this property for Residential use which would indicate a community need.
- D. Is the proposed rezone compatible with the surrounding area or will there be adverse impacts?** The proposed rezone is compliant with City requirements for new development and would not pose adverse impacts to the surrounding areas.
- E. Will there be benefits derived by the community, or area, by granting the proposed rezone?** Yes. The proposed development would utilize or extend existing utilities in the area and provide development consistent with the Growth Plan.
- F. Is the proposal in conformance with the policies, intents and requirements of this Code, with the City Master Plan (Comprehensive Plan), and other adopted plans and policies?** Yes, the proposed development has been designed to be compliant.
- G. Are adequate facilities available to serve development for the type and scope suggested by the proposed zone? If utilities are not available, could they be reasonably extended?** Adequate facilities are available in the area and could be reasonably be extended.

The criteria are as follows for Section 4-11:

- A. Adverse impacts to the developed density of established neighborhoods shall be considered.** The proposal is compatible with area development and the Growth Plan.



- B. The relationship of the property to the urban core area or to established subcores shall be considered.** The property is located within a developing area and should therefore have urban densities.

#### STAFF RECOMMENDATION

Staff recommends approval of the zone of annexation to RSF-4, Planned Residential with a density not to exceed 4 units per acre.

#### PLANNING COMMISSION RECOMMENDATION

Approval of the RSF-4, Planned Residential with a density not to exceed 4 units per acre, zone of annexation for the following reasons:

- RSF-4 zone district meets the recommended land use categories as shown through the Growth Plan, as well as the Growth Plan's goals and policies.
- RSF-4 zone district meets the criteria found in Sections 4-4-4 and 4-11 of the Zoning and Development Code.

Hart 1

Hart 2

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE No. \_\_\_\_\_**

**Ordinance Zoning the Hart Annexation to the following:**

**RSF-4, Residential Single Family with a density not to exceed  
4 units per acre**

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of applying a RSF-4 zone district to this annexation for the following reasons:

- The zone district meets the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and/or are generally compatible with appropriate lands uses located in the surrounding area.
- The zone district meets the criteria found in Section 4-4-4 and Section 4-11 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-4 zone district be established.

The Planning Commission and City Council find that the RSF-4 zoning is in conformance with the stated criteria of Section 4-4-4 and Section 4-11 of the Grand Junction Zoning and Development Code.

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

The following property shall be zoned RSF-4, Residential Single Family with a density not to exceed 4 units per acre zone district:

**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:

- 1) N 34°11'25" W a distance of 174.55 feet;
- 2) N 41°24'49" W a distance of 142.30 feet;
- 3) N 50°45'53" W a distance of 89.01 feet;
- 4) 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:

- 1) N 30°19'00" W a distance of 19.96 feet;
- 2) 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:

- 1) N 90°00'00" E a distance of 387.72 feet;
- 2) N 72°52'00" E a distance of 351.09 feet;
- 3) 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:

- 1) S 72°50'00" W a distance of 2000.00 feet;
- 2) S 72°52'00" W a distance of 351.85 feet;
- 3) 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.

Housing type, density and bulk standards shall be for the RSF-4 zone district.

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Introduced on first reading this 3rd day of May, 2000.

PASSED and ADOPTED on second reading this \_\_\_\_ day of May, 2000.

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President of the Council

ATTEST:

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City Clerk

**Attach 9**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
<b>Subject:</b>	<b>Reinking Annexation</b>		
<b>Meeting Date:</b>	<b>May 3, 2000</b>		
<b>Date Prepared:</b>	<b>April 27, 2000</b>		
<b>Author:</b>	<b>Lori V. Bowers</b>	<b>Associate Planner</b>	
<b>Presenter Name:</b>	<b>Lori V. Bowers</b>	<b>Associate Planner</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** ANX-2000-030 / 1<sup>st</sup> Reading for the Zone of Annexation Ordinance for the Reinking Annexation, located at 541 20 ¼ Road. The requested zoning is RSF-2 (Residential Single Family, not to exceed 2 units per acre).

**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. The requested zoning is RSF-2, Residential Single Family, not to exceed 2 units per acre. This is consistent with the Growth Plan for this area.

**Background Information:** See Attached

**Budget:** N/A

**Action Requested/Recommendation:** It is recommended that City Council approve on first reading the zoning ordinance for the Reinking Annexation to an RSF-2 zoning designation and set a public hearing for May 17, 2000.

<b>Citizen Presentation:</b>	<b>X</b>	<b>No</b>	<b>Yes</b>	<b>If Yes,</b>
<b>Name:</b>				
<b>Purpose:</b>				

<b>Report results back to Council:</b>	<b>X</b>	<b>No</b>	<b>Yes</b>	<b>When:</b>	
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<b>Placement on Agenda:</b>	<b>X</b>	<b>Consent</b>	<b>Indiv. Consideration</b>	<b>Workshop</b>
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**CITY OF GRAND JUNCTION**

**DATE:** April 27, 2000

**CITY COUNCIL**

**STAFF PRESENTATION:** Lori V. Bowers

**AGENDA TOPIC:** ANX-2000-030 / 1st Reading for the Zone of Annexation Ordinance for the Reinking Annexation, located at 541 20 ¼ Road. The requested zoning is RSF-2 (Residential Single Family, not to exceed 2 units per acre).

**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. The requested zoning is RSF-2 (Residential Single Family, not to exceed 2 units per acre). This zoning request is consistent with the Growth Plan.

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

**RELATIONSHIP TO COMPREHENSIVE PLAN:** The City of Grand Junction Growth Plan identifies the subject parcel in the “Residential Low 2 – 3.9 dwelling units per acre” category. The petitioner’s request for RSF-2 zoning is within the range recommended in the Growth Plan.

**STAFF ANALYSIS:**

**Zoning-** The applicants request the zoning of RSF-2 (Residential Single Family, not to exceed 2 units per acre), which provides for the establishment of Residential Low 2 – 3.9 dwelling units per acre, within urban areas. This zoning designation is consistent with the current Mesa County zoning of R1-B. The proposed zoning is also consistent with the Growth Plan for this area.

Staff feels the proposal is in compliance with Chapter Four, Section 4-1-1, of the Zoning and Development Code, by encouraging the most appropriate use of land throughout the City and to ensure the logical and orderly growth and development of the physical elements of the City. This proposal also protects and maintains the integrity and character of this established low-density residential area and meets the intent of Section 4-1-1 entitled “Purpose”.

Section 4-11 of the Zoning and Development Code, Zoning of Annexations states: The zoning request shall be evaluated by the following special criteria in addition to the general criteria for rezoning.

- A. adverse impacts to the developed density of established neighborhoods shall be considered: and
- B. the relationship of the property to the urban core area or to established subcores shall be considered.

The proposed RSF-2 zone complies with this criteria and is consistent with the Growth Plan.

Growth Plan Goals and Policies are as identified in Policy 1.7 state: “The City and County will use zoning to establish the appropriate scale, type, location and intensity for development...” and Goal 11: To promote stable neighborhood and land use compatibility throughout the community.” The property is currently zoned R1-B, which is in compliance with the Growth Plan recommendation for density in this area. The zoning of RSF-2 is compatible with the existing residential uses surrounding it.

This proposed zoning also complies with Section 4-4-4, criteria. The following questions shall be answered in reviewing rezone applications and shall be considered in the decisions made by the Planning Commission and City Council.

- A. Was the existing zone an error at the time of adoption? *To Staff’s knowledge, no it was not.*
- B. Has there been a change of character in the area due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc? *No*

- C. Is there an area of community need for the proposed rezone? *This rezone is from the county zone of R1-B, to the City zoning designation of RSF-2.*
- D. Is the proposed rezone compatible with the surrounding area or will there be adverse impacts? *The rezone is compatible with the existing zoning and land uses in this area.*
- E. Will there be benefits derived by the community, or area, by granting the proposed rezone? *This rezone will be consistent with the Growth Plan and the character of the existing neighborhood.*
- F. Is the proposal in conformance with the policies, intents and requirements of this Code, with the City Master Plan (Comprehensive Plan), and other adopted plans and policies? *This proposal is in conformance with the Persigo Agreement and the Growth Plan for this area.*
- Are adequate facilities available to serve development for the type and scope suggested by the proposed zone? *Yes, all facilities are available*

**PLANNING COMMISSION RECOMMENDATION:** At their regularly scheduled meeting of April 11, 2000, the Planning Commission held a public hearing for the Zone of Annexation on the Reinking property. The Planning Commission recommends the zone of RSF-2, for this annexation.

**RECOMMENDATION: Planning Commission and Staff recommend approval of the zone of RSF-2, (Residential Single Family, not to exceed 2 units per acre) for the Reinking Annexation.**

**Reinking 1**



**CITY OF GRAND JUNCTION, COLORADO**

**Ordinance No. \_\_\_\_\_**

**ORDINANCE ZONING THE REINKING ANNEXATION TO RSF-2  
(RESIDENTIAL SINGLE FAMILY NOT TO EXCEED 2 UNITS PER ACRE)**

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of applying an RSF-2 zoning district, Residential Single Family, not to exceed 2 units per acre, to this annexation.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-2 zone district be established.

The City Council hereby finds that the rezone meets the criteria set forth in Section 4-4-4 of the Zoning and Development Code.

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

The following parcel shall be zoned RSF-2 (Residential Single Family, not to exceed 2 units per acre):

BEG S 0DEG09'20SEC E 294FT FR NE COR  
E2NW4SW4 SEC 22 11S 101W S 0DEG09'20SEC  
E535.45FT N 89DEG47'20SEC W 658.53FT N  
0DEG10' E 528.76FT N 89DEG37'40SEC 655.54FT  
M-L TO BEG EXC RD ROW ON E AS DESC IN  
B-1049 P-643 MESA CO RECDS

INTRODUCED for FIRST READING this 3<sup>rd</sup> day of May, 2000.

PASSED and ADOPTED on SECOND READING this \_\_\_\_\_ day of  
\_\_\_\_\_, 2000.

ATTEST:

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

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

Attach 10

CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION

CITY COUNCIL			
Subject:	H.B.C.R.S. Annexation		
Meeting Date:	May 3, 2000		
Date Prepared:	April 27, 2000		
Author:	Kathy Portner	Planning Manager	
Presenter Name:	Kathy Portner	Planning Manager	
	Workshop	X	Formal Agenda

**Subject:** First reading of the ordinance zoning the [H.B.C.R.S. Annexation](#), located at [2620 G Road, RMF-5](#)

**Summary:** The 10.6-acre [H.B.C.R.S. Annexation](#) area consists of two parcels of land. The owners of the properties have signed a petition for annexation. The proposed zoning for the property is [RMF-5](#).

**Background Information:** [See Attached](#)

**Budget:** [N/A](#)

**Action Requested/Recommendation:** It is recommended that City Council [approve](#) the first reading of the zoning ordinance.

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

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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CITY OF GRAND JUNCTION

DATE: April 27, 2000

CITY COUNCIL

STAFF PRESENTATION: Kathy Portner

AGENDA TOPIC: #ANX-2000-028, H.B.C.R.S. Zone of Annexation

SUMMARY: The H.B.C.R.S. Annexation consists of two parcels of land totaling approximately 10.6 acres. Located east of 26 Road and north of G Road, the parcel is adjacent to residential development on the south and east sides. The owners of the properties have signed a petition for annexation. The proposed zoning is RMF-5.

ACTION REQUESTED: Request for a Zone of Annexation at RMF-5.

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

## **Staff Analysis:**

### **Zone of Annexation**

The proposed Zone of Annexation for the H.B.C.R.S. property is RMF-5, Residential Multi-family with a density not to exceed 5 units per acre. This zoning density is in keeping with the Growth Plan.

### **Rezoning Criteria**

The Zone of Annexation must be evaluated using the criteria noted in Sections 4-4-4 and 4-11 of the Zoning and Development Code. The criteria are as follows for Section 4-4-4:

- H.** Was the existing zone an error at the time of adoption? This would be a new City zone of annexation with no previous zoning actions taken by the City, therefore, no error in zoning is apparent.
- I.** Has there been a change in character in the area due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.? The area around this property has been developed and is used for single family residential purposes.
- J.** Is there an area of community need for the proposed rezone? The Growth Plan designates this property for Residential use which would indicate a community need.
- K.** Is the proposed rezone compatible with the surrounding area or will there be adverse impacts? The proposed rezone is compliant with City requirements for new development and would not pose adverse impacts to the surrounding areas.
- L.** Will there be benefits derived by the community, or area, by granting the proposed rezone? Yes. The proposed development can be considered in-fill due to the extent of surrounding development.
- M.** Is the proposal in conformance with the policies, intents and requirements of this Code, with the City Master Plan (Comprehensive Plan), and other adopted plans and policies? Yes, the proposed zone is within the designated growth plan densities of 4 to 7.9 units per acre.
- N.** Are adequate facilities available to serve development for the type and scope suggested by the proposed zone? If utilities are not available, could they be reasonably extended? Adequate facilities are available in the area and could reasonably be extended.

The criteria are as follows for Section 4-11:

- C.** Adverse impacts to the developed density of established neighborhoods shall be considered. The proposal is compatible with area development and the Growth Plan.

- D. **The relationship of the property to the urban core area or to established subcores shall be considered. The property is located within the Urban Growth Boundary and should have urban densities.**

**Project Background/Summary**

Currently, these parcels are zoned County R1-B or 2 units per acre. The Growth Plan designates this area as Residential Medium density of 4 to 7.9 units per acre. Surrounding zoning to the north, east and west are also designated at Residential Medium density with 4 to 7.9 units per acre. The development to the south is zoned Residential Medium – Low with densities of one (1) unit per ½ to 2 acres. The applicants are requesting a zoning of RMF-5 with densities not to exceed 5 units per acre, which is within the Growth Plan density and is compatible with the surrounding area. If the zoning is approved, the applicant will be submitting a Preliminary Plan for review.

**STAFF RECOMMENDATION:**

[Staff recommends approval of RMF-5 Zoning.](#)

**PLANNING COMMISSION RECOMMENDATION:**

**The Planning Commission recommended approval of the RMF-5 zoning.**

**HBCRS 1**

**CITY OF GRAND JUNCTION, COLORADO**

**Ordinance No.**

**ZONING H.B.C.R.S. ANNEXATION TO RMF-5  
(2620 G Road)**

Recitals:

The property located at 2620 G Road is currently zoned County R-1-B (Residential, 2 units per acre). The owner has requested annexation and a zoning of RMF-5. The RMF-5 is within the Growth Plan designation of 4 to 7.9 units per acre and is compatible with the surrounding area.

The Planning Commission considered the request and recommended a zoning of RMF-5.

The City Council, having considered the Planning Commission recommendation, concurs with the Planning Commission's recommendation and finds that the RMF-5 zoning meets the rezoning criteria in section 4-4-4 in the Zoning and Development Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREA OF LAND DESCRIBED BELOW IS HEREBY ZONED RMF-5:

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.

INTRODUCED for FIRST READING this 3rd day of May, 2000.

PASSED on SECOND READING this \_\_\_\_ day of \_\_\_\_\_, 2000.

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President of the Council

ATTEST:

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City Clerk

**Attach 11**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
<b>Subject:</b>	<b>Grand Junction Bible Missionary Church Zone of Annexation</b>		
<b>Meeting Date:</b>	<b>May 3, 2000</b>		
<b>Date Prepared:</b>	<b>April 25, 2000</b>		
<b>Author:</b>	<b>Bill Nebeker</b>	<b>Senior Planner</b>	
<b>Presenter Name:</b>	<b>Bill Nebeker</b>	<b>Senior Planner</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** Zone of Annexation - County R1-B to City RSF-2 for Grand Junction Bible Missionary Church Annexation, located at 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 zone of annexation of RSF-2 is consistent with the County Zoning, the Growth Plan Future Land Use Map and surrounding densities. A new church structure is proposed on the vacant site.

**Background Information:** See Attached

**Budget:** N/A

**Action Requested/Recommendation:** Adopt ordinance on first reading and set a hearing for May 17, 2000.

<b>Citizen Presentation:</b>	<b>X</b>	No	Yes	If Yes,
<b>Name:</b>				
<b>Purpose:</b>				

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

**ACTION REQUESTED:** Adopt ordinance on first reading and [set a hearing for May 17, 2000.](#)

**Staff Analysis:**

**Zone of Annexation:** The applicant is requesting a zone of annexation of RSF-2. This zone, which allows a density of no more than 2 dwellings per acre, is comparable and compatible with the surrounding area that is zoned City RSF-2 or County R1-B. Churches are allowed in all residential zones regardless of density. The RSF-2 zoning assures that any future redevelopment of the site will conform to densities of existing subdivisions in the area.

At its April 18, 2000 hearing the Planning Commission found that the proposed rezone met the criteria established in Section 4-11 of the Grand Junction Zoning and Development Code as noted below:

## Section 4-11

- A. **Adverse impacts to the developed density of established neighborhoods shall be considered.** Zoning density for this parcel is the same as the zoned density of established neighborhoods in the City and County on three sides of this parcel. The area to the north of this site is zoned County AFT which requires 5-acre minimum lot size. However this parcel is located on the north side of I-70.
  
- B. **The relationship of the property to the urban core area or to established subcores shall be considered.** This criterion applies to commercial development.

**PLANNING COMMISSION RECOMMENDATION:** Approval.

Bible 1

**CITY OF GRAND JUNCTION, COLORADO**

**Ordinance No. \_\_\_\_\_**

**ZONING THE GRAND JUNCTION BIBLE MISSIONARY CHURCH  
ANNEXATION  
FROM COUNTY R1-B TO CITY RSF-2  
(2648 COTTONWOOD DRIVE)**

Recitals.

The following property has been annexed to the City of Grand Junction as the Grand Junction Bible Missionary Church Annexation and requires a zone of annexation.

The petitioner has requested that the property be zoned from County R1-B to RSF-2 (Residential single family with a density not to exceed two dwellings per acre). The density of this zoning is comparable with the density allowed in the County R1-B zone as well as surrounding densities

The City of Grand Junction Growth Plan Future Land Use Map designates this area for Residential Medium Low-Density 2-4 dwelling units per acre. This rezone is in conformance with the Future Land Use Map.

After public notice and public hearing, the City Planning Commission found that the proposed zoning is in conformance with Section 4-11 of Grand Junction Zoning and Development Code and recommended approval of this zone change at its April 18, 2000 hearing.

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

Council finds that the proposed Zone of Annexation meets the criteria as set forth in Section 4-11 of the Zoning and Development Code and in accordance therewith the following described parcel is hereby rezoned from County R1-B to City RSF-2:

Lot 9, North Rolling Acres; EXCEPT that portion conveyed to the Department of Highways, State of Colorado as described in Deed recorded January 16, 1964 in Book 862 at Page 515.

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 12

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
<b>Subject:</b>	<b>White Willows Annexation</b>		
<b>Meeting Date:</b>	<b>May 3, 2000</b>		
<b>Date Prepared:</b>	<b>April 27, 2000</b>		
<b>Author:</b>	<b>Bill Nebeker</b>	<b>Senior Planner</b>	
<b>Presenter Name:</b>	<b>Bill Nebeker</b>	<b>Senior Planner</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** Zone of Annexation - County AFT to City RSF-2 (White Willows Annexation) located at 2856 C ½ Road and 2851 and 2863 D Road; File #ANX-2000-018.

**Summary:** The applicant requests a zone of annexation to RSF-4 for a 39.56-acre parcel to develop White Willows Subdivision. At its April 11, 2000 hearing, the Planning Commission denied the preliminary plan for the subdivision and denied the request for RSF-4 zoning, but recommended approval of RSF-2 zoning for the previously annexed parcels. The applicant has appealed the denial and the RSF-2 zone change. The appeal will be heard at the May 17, 2000 City Council hearing.

**Background Information:** [See Attached](#)

**Budget:** [N/A](#)

**Action Requested/Recommendation:** Adopt ordinance on first reading and set a hearing for May 17, 2000.

<b>Citizen Presentation:</b>	<b>X</b>	<b>No</b>	<b>Yes</b>	<b>If Yes,</b>
<b>Name:</b>				
<b>Purpose:</b>				

<b>Report results back to Council:</b>	<b>X</b>	<b>No</b>	<b>Yes</b>	<b>When:</b>	
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<b>Placement on Agenda:</b>	<b>X</b>	<b>Consent</b>	<b>Indiv. Consideration</b>	<b>Workshop</b>
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<i>BACKGROUND INFORMATION</i>					
<b>Location:</b>		2856 C ½ Road, 2851 and 2863 D Road			
<b>Applicants:</b>		Robert J. & Marvelle F. Smith; Patricia B. McBride; & The Patnode Family Trust, Owners Gene Patnode, Applicant			
<b>Existing Land Use:</b>		Agricultural/Vacant/Single Family			
<b>Proposed Land Use:</b>		Residential			
Surrounding Land Use:	<b>North</b>	Vacant & agricultural			
	<b>South</b>	Residential, agricultural & vacant			
	<b>East</b>	Agricultural & vacant (Skyler Subdivision)			
	<b>West</b>	Single family residential			
<b>Existing Zoning:</b>		AFT (County) – 5 acre lot minimum			
<b>Proposed Zoning:</b>		RSF-4 – 4 units per acre			
<b>Recommended Zoning:</b>		RSF-2 – 2 units per acre			
Surrounding Zoning:	<b>North</b>	PE (Mesa County) – Planned Education			
	<b>South</b>	AFT (Mesa County) – 5 acre lot minimum			
	<b>East</b>	PR-4 (City) – 4 units per acre			
	<b>West</b>	R1-B (Mesa County) – 2 units per acre			
<b>Growth Plan Designation:</b>		Residential Med Low: 2 to 4 units per acre			
<b>Zoning within density range?</b>		X	Yes		No

**ACTION REQUESTED:** Adopt ordinance on first reading and set a hearing for May 17, 2000.



**Staff Analysis:**

**Zone of Annexation:** The applicant is requesting a zone of annexation of RSF-4. The proposed zoning is at the high end of the Growth Plan Future Land Use Map designation of Residential Medium Low Density 2-4 dwellings per acre. This zone, which allows a density no greater than 4 dwellings per acre, is less than the density allowed in the approved City PR-4 zoned Skyler Subdivision to the east. Zoning of the Pine Estates Subdivision in the county to the west is R1-B, which allows two dwellings per acre. Lot sizes in Pine Estates vary in size with the smallest lot being about 35,000 square feet.

A preliminary plan has been submitted with a proposed density of 3.28 dwellings per acre or 126 lots on 38.4 acres. This density is about mid-range afforded by the Residential Medium Low-density classification of the Future Land Use Map. The RSF-2 zone district also implements this classification of the Growth Plan. An RSF-2 zoned development with a minimum density of 1.6 dwellings per acre is still considered to be in conformance with the residential 2-4-density range.

Existing zoning of the parcel is County AFT requiring a minimum lot size of 5 acres; AFT is comparable to the City's RSF-R zone. Areas to the south of the subject site are zoned AFT. The 5-acre minimum lot size is not in conformance with the Growth Plan Map or urban densities, however the Persigo Agreement allows annexed properties to be zoned per the Future Land Use Map *or existing zoning*.

Principally at issue with this zone of annexation request is the impact of zone density and consequently developed density from the proposed White Willows Subdivision and traffic on D Road. It is the staff's conclusion that the applicant has failed to provide sufficient information about the impact of traffic from this development on D Road, particularly at the intersections of 9<sup>th</sup> Street and 30 Road.

Carl White of Mesa County Traffic Division and Jody Kliska, City Transportation Engineer reviewed the traffic study that was initially submitted. Both Mr. White and Ms. Kliska requested additional detail, which was not provided. The applicant contends that at the pre-application conference he was not told that an "additional" traffic analysis was required. Staff contends that the nature of D Road and the burdened intersections present significant issues compelling a detailed review. Staff further contends that the subsequent review comments and adequate responses thereto are necessary, relevant and required. To date the applicant has not addressed staff's concerns.

The applicant also contends that the required traffic study is of a regional nature and should be conducted by public entities rather than required by this private developer. The developer has suggested that his subdivision will have an insignificant impact on the existing problem. See letter from applicant dated April 4, 2000 for more information.

Staff had recommended a zone of annexation to RSF-R, consistent with the existing county zoning and the Persigo Agreement. The Planning Commission recommends a zone district of RSF-2, consistent with the lower end of the Residential Medium Low density of the Growth Plan Future Land Use map. Until a detailed analysis is conducted and the impacts from development are quantified, a rezone to a density higher is not recommended.

The Planning Commission finds that the proposed RSF-2 zoning meets the criteria established in Section 4-11 and 4-4-4 of the Grand Junction Zoning and Development Code as noted below:

#### **Section 4-11**

- C. Adverse impacts to the developed density of established neighborhoods shall be considered.** Rezoning to the lower density zone district within this Growth Plan land use designation minimizes adverse impacts to established neighborhoods by cutting the density by 50 percent.
- D. The relationship of the property to the urban core area or to established subcores shall be considered.** This criterion applies to commercial development.

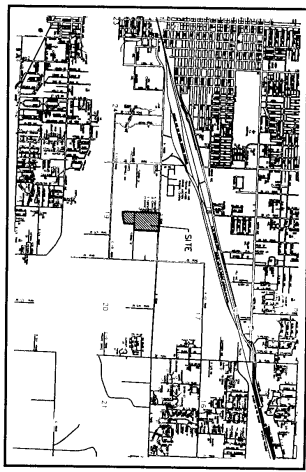
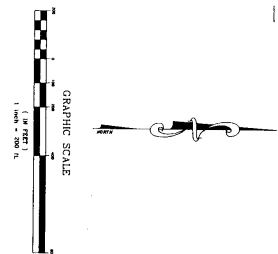
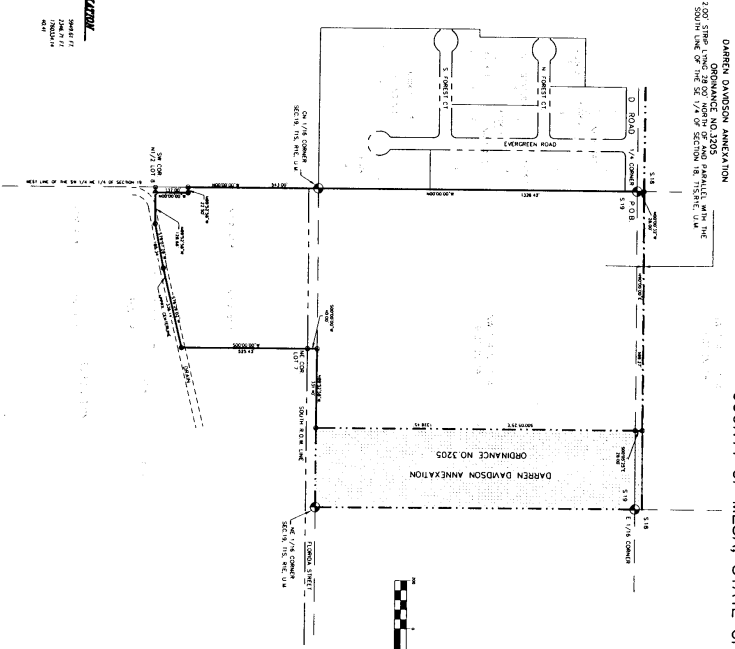
#### **Section 4-4-4**

- A. Was the existing zone an error at the time of adoption?** No. Existing County zoning of AFT is appropriate for the historical agricultural nature of these parcels
- B. Has there been a change in character in the area due to the installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.?** Yes. The City has approved higher densities to the east in the Skyler Subdivision. Increased commercialization and industrialization of the areas to the west of this site prompt higher densities in this area. However until the traffic impacts to D Road can be fully analyzed an increase to the highest density allowed in this land use designation is not warranted.
- E. Is there an area of community need for the proposed rezone?** Perhaps, but not necessarily in this location. The RSF-2 zone may act as a “holding zone” since the site has been annexed and a City zone district needs to be applied. It is likely that the parcels may be rezoned to a higher density once the impact to D Road is further analyzed.
- F. Is the proposed rezone compatible with the surrounding area or will there be adverse impacts?** Adverse impacts are minimized by this rezone

request. No development is currently proposed under the RSF-2 zone designation.

- E. Will there be benefits derived by the community, or area, by granting the proposed rezone?** See C above.
- F. Is the proposal in conformance with the policies, intents and requirements of this Code, with the City Master Plan (Comprehensive Plan), and other adopted plans and policies?** Yes The rezone is in conformance with the low end of the Growth Plan Future Land Use Map.
- G. Are adequate public facilities available to serve development for the type and scope suggested by the proposed zone?** It is unknown at this time if D Road and the intersections of 9<sup>th</sup> Street and 30<sup>th</sup> Road are adequate to handle the additional traffic generated from this development. Other utilities are available to serve this development.

**WHITE WILLOWS ANNEXATION**  
 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



**LEGAL DESCRIPTION**

A portion 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 SE 1/4 corner of Section 18, Thence N 00°01'12\"

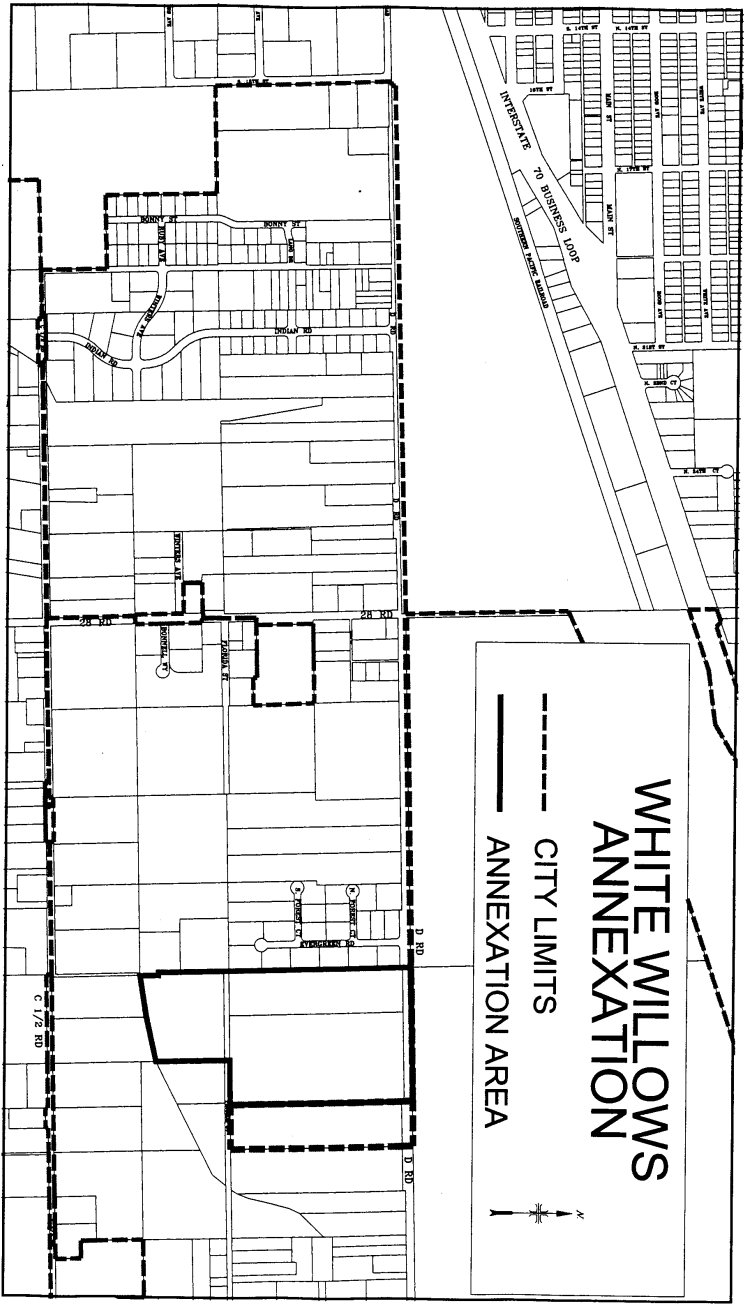
**LABEL OF ANNEXTION**  
 DARBEN DAVDSON ANNEXTION  
 5.0' WIDE EASEMENT

ORDINANCE NO. \_\_\_\_\_  
 EFFECTIVE DATE \_\_\_\_\_

NOTICE TO CONTRACTORS: This map, plan, or plat is intended to provide information to the public. It is not a contract and should not be used as a basis for any legal action.	DATE: 02/25/2025	SCALE: 1"=200'
APPROVED BY: _____	CHECKED BY: _____	DEPARTMENT OF PUBLIC WORKS AND UTILITIES
	DATE: _____	ENGINEERING AND TECHNICAL SERVICES DIVISIONS
	DATE: _____	CITY OF GRAND JUNCTION, COLORADO
		WHITE WILLOWS ANNEXTION

The filer hereby certifies that the filer is the author of the plat, map, plan, or plat, and that the filer is not a contractor, surveyor, or engineer, and is not subject to the provisions of the Public Access to Public Records Act, Title 26, Article 7, of the Colorado Constitution.

SEAN BIL ELLIOTT, COUNTY CLERK



**CITY OF GRAND JUNCTION, COLORADO**

**Ordinance No. \_\_\_\_\_**

**ZONING THE WHITE WILLOWS ANNEXATION  
FROM COUNTY AFT TO CITY RSF-2  
(2856 C ½ ROAD, 2851 AND 2863 D ROAD)**

Recitals.

The following property has been annexed to the City of Grand Junction as the White Willows Annexation and requires a zone of annexation.

The petitioner has requested that the property be zoned from County AFT to RSF-4 (Residential single family with a density not to exceed four dwellings per acre). The Planning Commission recommended that the zone of annexation be RSF-2 (two dwellings per acre). Unknown traffic impacts from the proposed White Willows Subdivision on D Road and the 9<sup>th</sup> and 30 Road intersections prevent a rezone to a higher density. The density of this zoning is comparable with the density of the R1-B zone district of the County Pine Estates Subdivision to the west.

The City of Grand Junction Growth Plan Future Land Use Map designates this area for Residential Medium Low-Density 2-4 dwelling units per acre. This rezone is in conformance with the low density end of the Future Land Use Map.

After public notice and public hearing, the City Planning Commission found that the proposed zoning is in conformance with Section 4-11 of Grand Junction Zoning and Development Code and recommended approval of this zone change to RSF-2 at its April 11, 2000 hearing.

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

Council finds that the proposed Zone of Annexation meets the criteria as set forth in Section 4-11 of the Zoning and Development Code and in accordance therewith the following described parcel is hereby rezoned from County AFT to City RSF-2:

The following description from Warranty deed located at Bk 2629, Pg 878 Mesa County Records: 2943-191-00-043:

Lots 7 & 8 lying N of the Drain, Bevier's Subdivision; EXCEPT beginning at the SW cor of the N2 of Lot 8; N 137'; E 22.5'; S 137'; W 22.5' to the beginning; Together

with a ROW for ingress and egress as conveyed in instrument recorded Bk 2114, Pg 260, and as corrected in instrument recorded in Bk 2156, Pg 981. Also described as follows: A tract of land located in the SW4NE4 Sec 19, T1S R1E of the UM Mesa County CO. Beginning at the SWLY cor of a tract of land, which is identical with the NWLY cor of Lot 8 Bevier Subdivision as recorded in Bk 2, Pg 9 of Mesa County Clerk and Recorders; 1) E 660' to the NELY cor Lot 7, Bevier Subdivision; 2) N 40' to the N line of the SW4NE4 Sec 19; 3) W 660' to the C-N 1/16 cor of Sec 19; 4) S 40' along the W line of the SW4NE4 Sec 19 to POB. The tract of land as described above contains .606 acres more or less. 2943-191-00-006: The W4 NW4NE4 Sec 19, T1S R1E of the UM Mesa County CO. The following description from Warranty deed in Bk 1763, Pg 489 of Mesa County Records: 2943-191-00-136: The E 3/4 of NW4NE4 Sec 19, T1S R1E of the UM, Except the following described property to wit: That part of the N2NE4 Sec 19, T1S, R1E of the UM, beginning at a point on the N boundary of Sec 19, whence the NE cor of Sep 19 bears S89°45'E, 1320'; S 1326.83' to S boundary of the N2NE4 Sec 19; N 89°39'W 330' along S boundary; N 1326.26' to the N boundary of Sec 19; S 89°45'E 330' along N boundary to POB. All in Mesa County CO.

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 13

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

CITY COUNCIL			
<b>Subject:</b>	<b>Godby Annexation Nos. 1 &amp; 2</b>		
<b>Meeting Date:</b>	<b>May 3, 2000</b>		
<b>Date Prepared:</b>	<b>April 26, 2000</b>		
<b>Author:</b>	<b>Bill Nebeker</b>	<b>Senior Planner</b>	
<b>Presenter Name:</b>	<b>Bill Nebeker</b>	<b>Senior Planner</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** Resolution for Referral of Petition to Annex/First reading of the annexation ordinance/Exercising land use jurisdiction immediately for the Godby Annexation Nos. 1 & 2; located at the northwest corner of F ½ and 30 ½ Roads (3048 F ½ Road); File ANX-2000-063.

**Summary:** The applicant proposes to annex a 9.3-acre parcel into the City of Grand Junction. The annexation consists of one parcel of land and portions of F ½ Road. The application has been filed in conjunction with a minor subdivision request for two lots.

**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 Godby Annexation Nos. 1 & 2 [and set a hearing for June 7th, 2000.](#)

<b>Citizen Presentation:</b>	<b>X</b>	<b>No</b>	<b>Yes</b>	<b>If Yes,</b>
<b>Name:</b>				
<b>Purpose:</b>				

<b>Report results back to Council:</b>	<b>X</b>	<b>No</b>	<b>Yes</b>	<b>When:</b>	
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<b>Placement on Agenda:</b>	<b>X</b>	<b>Consent</b>	<b>Indiv. Consideration</b>	<b>Workshop</b>
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<b>BACKGROUND INFORMATION</b>			
<b>Location:</b>		<b>NW Corner F 1/2 &amp; 30 1/2 Road (3048 F 1/2 Rd)</b>	
<b>Applicants:</b>		<b>David Godby &amp; Tracy Peeples</b>	
<b>Existing Land Use:</b>		<b>Single family home</b>	
<b>Proposed Land Use:</b>		<b>No change proposed</b>	
Surrounding Land Use:	<b>North</b>	<b>Single Family/Agricultural</b>	
	<b>South</b>	<b>Single Family/Agricultural</b>	
	<b>East</b>	<b>Single Family/Agricultural</b>	
	<b>West</b>	<b>Single Family/Agricultural</b>	
<b>Existing Zoning:</b>		<b>County AFT</b>	
<b>Proposed Zoning:</b>		<b>RSF-R &amp; RSF-E</b>	
Surrounding Zoning:	<b>North</b>	<b>AFT (Mesa County) – 5 acre lots</b>	
	<b>South</b>	<b>AFT (Mesa County) – 5 acre lots</b>	
	<b>East</b>	<b>AFT (Mesa County) – 5 acre lots</b>	
	<b>West</b>	<b>AFT (Mesa County) – 5 acre lots</b>	
<b>Growth Plan Designation:</b>		<b>Residential Medium Low: 2 to 4 units per acre</b>	
<b>Zoning within density range?</b>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<b>Yes</b>	<b>No</b>

**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 Godby Annexation Nos. 1 & 2 [and set a hearing for June 7th, 2000.](#)

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of annexing [10.61 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 [Godby Annexation Nos. 1 & 2](#) 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>	
<b>May 3<sup>rd</sup></b>	Referral of Petition to Annex & 1 <sup>st</sup> Read (30 Day Notice)
<b>May 9<sup>th</sup></b>	Planning Commission considers Zone of Annexation
<b>May 17<sup>th</sup></b>	First Reading on Zoning by City Council
<b>June 7<sup>th</sup></b>	Public hearing on Annexation and Zoning by City Council
<b>July 9<sup>th</sup></b>	Effective date of Annexation and Zoning

**RECOMMENDATION:**

[Approval](#)

**GODBY ANNEXATION NOS. 1 & 2 SUMMARY**

<b>File Number:</b>	<b>ANX-2000-063</b>	
<b>Location:</b>	<b>NW Cor F ½ &amp; 30 ½ Rd (3048 F ½ Rd)</b>	
<b>Tax ID Number:</b>	<b>2943-042-00-039</b>	
<b>Parcels:</b>	<b>1</b>	
<b>Estimated Population:</b>	<b>3</b>	
<b># of Parcels (owner occupied):</b>	<b>1</b>	
<b># of Dwelling Units:</b>	<b>1</b>	
<b>Acres land annexed:</b>	<b>10.61 for annexation area</b>	
<b>Developable Acres Remaining:</b>	<b>9.3 acres (includes 0.8 acres for future F ½ &amp; 30 ½ Road rights-of-way)</b>	
<b>Right-of-way in Annexation:</b>	<b>1.31 acres (F ½ &amp; 30 ½ Road)</b>	
<b>Previous County Zoning:</b>	<b>County AFT (1 lot per 5 acres)</b>	
<b>Proposed City Zoning:</b>	<b>RSF-R &amp; RSF-E (Residential Single-family not to exceed 1 lot per 5 acres and 1 lot per 2 acres)</b>	
<b>Current Land Use:</b>	<b>Single Family Residential &amp;</b>	
<b>Future Land Use:</b>	<b>No change proposed</b>	
<b>Values:</b>	<b>Assessed:</b>	<b>\$9,080</b>
	<b>Actual:</b>	<b>\$83,380</b>
<b>Census Tract:</b>	<b>11</b>	
<b>Address Ranges:</b>	<b>Between 3038 and 3048 F ½ Road (even #'s only)</b>	
<b>Special Districts:</b>	<b>Water:</b>	<b>Clifton Water</b>
	<b>Sewer:</b>	<b>Central Grand Valley</b>

	<b>Fire:</b>	<b>Clifton Fire</b>
	<b>Drainage:</b>	<b>Grand Junction</b>
	<b>School:</b>	<b>District 51</b>
	<b>Pest:</b>	

Godby 1

**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 3rd [day of May, 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**

**GODBY ANNEXATION**

A serial annexation comprising Godby Annexation No. 1 and Godby Annexation No. 2.

LOCATED at **NW CORNER F 1/2 & 30 1/2 Rd (3048 F 1/2 Road)**

**WHEREAS**, on the 3rd day of May, 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:

**GODBY ANNEXATION NO.1**

A parcel of land situate in the SW 1/4 and in the NW 1/4 of Section 4, 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 W 1/4 corner of Section 4; thence N 89°59'35" E along the east-west centerline of said Section 4 a distance of 660.40 feet to a point; thence leaving said east-west centerline N 00°09'27" W a distance of 5.00 feet to a point; thence N 89°59'35" E along a line 5.00 feet north of and parallel with the east-west centerline of said Section 4 a distance of 330.03 feet to a point; thence N 00°09'53" W a distance of 25.00 feet to a point; thence N 89°59'35" E along the north right of way line for F 1/2 Road a distance of 495.16 feet to a point; thence leaving said north right of way line S 00°10'34" E a distance of 25.00 feet to a point; thence N 89°59'35" E along a line 5.00 feet north of and parallel with the east-west centerline of said Section 4 a distance of 470.08 feet to a point; thence S 00°00'25" E a distance of 2.50 feet to a point; thence S 89°59'35" W along a line 2.50 feet north of and parallel with the east-west centerline of said Section 4 a distance of 1290.27 feet to a point; thence S 00°09'27" E a distance of 7.50 feet to a point; thence S 89°59'35" W along a line 5.00 feet south of and parallel with the east-west centerline of said Section 4 a distance of 115.98 feet to a point; thence S 00°26'18" E a distance of 5.00 feet to a point; thence S 89°59'35" W along a line 10.00 feet south of and parallel with the east-west centerline of said Section 4 a distance of 549.45 feet to a point on the west line of the SW 1/4

of said Section 4; thence N 00°07'43" W along the west line of said SW 1/4 a distance of 10.00 feet to the point of beginning.

## **GODBY ANNEXATION NO.2**

A parcel of land situate in the SW 1/4 and in the NW 1/4 of Section 4, 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 4; thence S 00°07'43" E along the west line of the SW 1/4 of said Section 4 a distance of 10.00 feet to the True Point of Beginning of the parcel described herein; thence N 89°59'35" E along a line 10.00 feet south of and parallel with the east-west centerline of said Section 4 a distance of 549.45 feet to a point; thence N 00°26'18" W a distance of 5.00 feet to a point; thence N 89°59'35" E along a line 5.00 feet south of and parallel with the east-west centerline of said Section 4 a distance of 115.98 feet to a point; thence N 00°09'27" W a distance of 7.50 feet to a point; thence N 89°59'35" E along a line 2.50 feet north of and parallel with the east-west centerline of said Section 4 a distance of 1440.52 feet to a point; thence N 00°11'46" W a distance of 207.50 feet to a point; thence S 89°59'35" W a distance of 125.00 feet to a point; thence N 00°11'46" W a distance of 446.13 feet to a point; thence S 89°59'35" E a distance of 660.18 feet to a point on the east line of the NW 1/4 of said Section 4; thence S 00°12'56" E along the north-south centerline of said Section 4 a distance of 655.97 feet to the C 1/4 corner of said Section 4; thence S 89°59'35" W along the east-west centerline of said Section 4 a distance of 660.33 feet to a point; thence leaving said east-west centerline S 00°07'45" E a distance of 33.00 feet to a point; thence S 89°59'35" W along the south right of way line for F 1/2 Road a distance of 510.33 feet to a point; thence leaving said south right of way line N 00°07'19" W a distance of 33.00 feet to a point on the east-west centerline of said Section 4; thence S 89°59'35" W along said east-west centerline a distance of 785.26 feet to a point; thence leaving said east-west centerline S 00°09'27" E a distance of 15.00 feet to a point; thence S 89°59'35" W along a line 15.00 feet south of and parallel with the east-west centerline of said Section 4 a distance of 135.93 feet to a point; thence S 00°26'18" E a distance of 18.00 feet to a point on the south right of way line for said F 1/2 Road; thence along the south right of way line for said F 1/2 Road the following 3 courses:

- 1) S 89°59'35" W a distance of 214.38 feet to a point;
- 2) N 00°00'25" W a distance of 3.00 feet to a point;
- 3) S 89°59'35" W a distance of 335.20 feet to a point on the west line of the SW 1/4 of said Section 4;

thence N 00°07'43" W along the west line of the SW 1/4 of said Section 4 a distance of 20.00 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 7th day of June, 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.

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

Attest:

\_\_\_\_\_  
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>
<b>May 5, 2000</b>
<b>May 12, 2000</b>
<b>May 19, 2000</b>
<b>May 26, 2000</b>

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**GODBY ANNEXATION NO. 1**

**APPROXIMATELY 0.50 ACRES**

**LOCATED exclusively in the F ½ Road right-of-way east of 30 Road**

**WHEREAS**, on the 3rd day of May, 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 7th day of June, 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:

**GODBY ANNEXATION NO.1**

A parcel of land situate in the SW 1/4 and in the NW 1/4 of Section 4, 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 W 1/4 corner of Section 4; thence N 89°59'35" E along the east-west centerline of said Section 4 a distance of 660.40 feet to a point; thence leaving said east-west centerline N 00°09'27" W a distance of 5.00 feet to a point; thence N 89°59'35" E along a line 5.00 feet north of and parallel with the east-west centerline of said Section 4 a distance of 330.03 feet to a point; thence N 00°09'53" W a distance of 25.00 feet to a point; thence N 89°59'35" E along the north right of way line for F 1/2 Road a distance of 495.16 feet to a point; thence

leaving said north right of way line S 00°10'34" E a distance of 25.00 feet to a point; thence N 89°59'35" E along a line 5.00 feet north of and parallel with the east-west centerline of said Section 4 a distance of 470.08 feet to a point; thence S 00°00'25" E a distance of 2.50 feet to a point; thence S 89°59'35" W along a line 2.50 feet north of and parallel with the east-west centerline of said Section 4 a distance of 1290.27 feet to a point; thence S 00°09'27" E a distance of 7.50 feet to a point; thence S 89°59'35" W along a line 5.00 feet south of and parallel with the east-west centerline of said Section 4 a distance of 115.98 feet to a point; thence S 00°26'18" E a distance of 5.00 feet to a point; thence S 89°59'35" W along a line 10.00 feet south of and parallel with the east-west centerline of said Section 4 a distance of 549.45 feet to a point on the west line of the SW 1/4 of said Section 4; thence N 00°07'43" W along the west line of said SW 1/4 a distance of 10.00 feet to the point of beginning.

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

**INTRODUCED** on first reading on the [3rd day May, 2000](#).

**ADOPTED** and ordered published this \_\_\_ day of \_\_\_\_\_, [2000](#).

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

Attest:

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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**GODBY ANNEXATION NO. 2**

**APPROXIMATELY 10.11 ACRES**

**LOCATED at the Northwest Corner of F ½ Road and 30 ½ Road, including portions of the F ½ Road and unplatted 30 ½ Road rights-of-way**

**WHEREAS**, on the 3rd day of May, 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 7th day of June, 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:

**GODBY ANNEXATION NO.2**

A parcel of land situate in the SW 1/4 and in the NW 1/4 of Section 4, 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 4; thence S 00°07'43" E along the west line of the SW 1/4 of said Section 4 a distance of 10.00 feet to the True Point of Beginning of the parcel described herein; thence N 89°59'35" E along a line 10.00 feet south of and parallel with the east-west centerline of said Section 4 a distance of 549.45 feet to a point; thence N 00°26'18" W a distance of 5.00 feet to a point; thence N 89°59'35" E along a line 5.00 feet south of and parallel with the east-west centerline of said Section 4 a distance of 115.98 feet to a

point; thence N 00°09'27" W a distance of 7.50 feet to a point; thence N 89°59'35" E along a line 2.50 feet north of and parallel with the east-west centerline of said Section 4 a distance of 1440.52 feet to a point; thence N 00°11'46" W a distance of 207.50 feet to a point; thence S 89°59'35" W a distance of 125.00 feet to a point; thence N 00°11'46" W a distance of 446.13 feet to a point; thence S 89°59'35" E a distance of 660.18 feet to a point on the east line of the NW 1/4 of said Section 4; thence S 00°12'56" E along the north-south centerline of said Section 4 a distance of 655.97 feet to the C 1/4 corner of said Section 4; thence S 89°59'35" W along the east-west centerline of said Section 4 a distance of 660.33 feet to a point; thence leaving said east-west centerline S 00°07'45" E a distance of 33.00 feet to a point; thence S 89°59'35" W along the south right of way line for F 1/2 Road a distance of 510.33 feet to a point; thence leaving said south right of way line N 00°07'19" W a distance of 33.00 feet to a point on the east-west centerline of said Section 4; thence S 89°59'35" W along said east-west centerline a distance of 785.26 feet to a point; thence leaving said east-west centerline S 00°09'27" E a distance of 15.00 feet to a point; thence S 89°59'35" W along a line 15.00 feet south of and parallel with the east-west centerline of said Section 4 a distance of 135.93 feet to a point; thence S 00°26'18" E a distance of 18.00 feet to a point on the south right of way line for said F 1/2 Road; thence along the south right of way line for said F 1/2 Road the following 3 courses:

- 4) S 89°59'35" W a distance of 214.38 feet to a point;
  - 5) N 00°00'25" W a distance of 3.00 feet to a point;
  - 6) S 89°59'35" W a distance of 335.20 feet to a point on the west line of the SW 1/4 of said Section 4;
- thence N 00°07'43" W along the west line of the SW 1/4 of said Section 4 a distance of 20.00 feet to the point of beginning.

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

**INTRODUCED** on first reading on the 3rd [day May, 2000](#).

**ADOPTED** and ordered published this \_\_\_\_ day of \_\_\_\_\_, [2000](#).

---

President of the Council

Attest:

---

City Clerk

Attach 14

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

CITY COUNCIL			
<b>Subject:</b>	<a href="#">Mercer Annexation</a>		
<b>Meeting Date:</b>	<a href="#">May 3, 2000</a>		
<b>Date Prepared:</b>	<a href="#">April 26, 2000</a>		
<b>Author:</b>	<a href="#">Joe Carter</a>	<a href="#">Associate Planner</a>	
<b>Presenter Name:</b>	<a href="#">Joe Carter</a>	<a href="#">Associate Planner</a>	
	<b>Workshop</b>	<input checked="" type="checkbox"/>	<b>Formal Agenda</b>

**Subject:** Resolution [for Referral of Petition](#) to Annex/[First](#) reading of the annexation ordinance/Exercising land use jurisdiction immediately for the [Mercer Annexation located at 2884 and 2884 ½ Hwy 50.](#)

**Summary:** [The Mercer Annexation consists of 1.638 acres along Hwy 50 on Orchard Mesa. The parcel has 2 existing single-family structures, which will be subdivided to create 2 single lots in a proposed RSF-4 zone. 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 [Mercer Annexation and set a hearing for June 7, 2000.](#)

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

<b>Report results back to Council:</b>	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When:	
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<b>Placement on Agenda:</b>	<input checked="" type="checkbox"/>	Consent	<input type="checkbox"/>	Indiv. Consideration	<input type="checkbox"/>	Workshop
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**AGENDA TOPIC:** Resolution for Referral of Petition to Annex/**First** reading of the annexation ordinance/Exercising land use jurisdiction immediately for the Mercer Annexation located at 2884 and 2884 ½ Hwy 50.

**SUMMARY:** The Mercer Annexation consists of 1.638 acres along Hwy 50 on Orchard Mesa. The parcel has 2 existing single-family structures, which will be subdivided to create 2 single lots in a proposed RSF-4 zone. The owners of the properties have signed a petition for annexation

<i>BACKGROUND INFORMATION</i>			
<b>Location:</b>		<b>2884 &amp; 2884 ½ Hwy. 50</b>	
<b>Applicants:</b>		<b>Thomas &amp; Marla Mercer, Owners Patrick Green, LANDesign, Representative</b>	
<b>Existing Land Use:</b>		<b>Residential</b>	
<b>Proposed Land Use:</b>		<b>Residential</b>	
Surrounding Land Use:	<b>North</b>	<b>Residential</b>	
	<b>South</b>	<b>Residential</b>	
	<b>East</b>	<b>Residential</b>	
	<b>West</b>	<b>Residential</b>	
<b>Existing Zoning:</b>		<b>R-2 (Mesa County) – 4 units per acre</b>	
<b>Proposed Zoning:</b>		<b>RSF-4</b>	
Surrounding Zoning:	<b>North</b>	<b>R-2 (Mesa County) – 4 units per acre</b>	
	<b>South</b>	<b>R-2 (Mesa County) – 4 units per acre</b>	
	<b>East</b>	<b>R-2 (Mesa County) – 4 units per acre</b>	
	<b>West</b>	<b>R-2 (Mesa County) – 4 units per acre</b>	
<b>Growth Plan Designation:</b>		<b>Residential Med.- Low: 2 to 4 units per acre</b>	
<b>Zoning within density range?</b>		<b>X</b>	<b>Yes</b>
			<b>No</b>

**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 Mercer Annexation and set a hearing for June 7, 2000.

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of annexing 1.638 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 Mercer 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>	
<b>May 3<sup>rd</sup></b>	Referral of Petition to Annex & 1 <sup>st</sup> Read (30 Day Notice)
<b>May 9<sup>th</sup></b>	Planning Commission considers Zone of Annexation
<b>May 17<sup>th</sup></b>	First Reading on Zoning by City Council
<b>June 7<sup>th</sup></b>	Public hearing on Annexation and Zoning by City Council
<b>June 9<sup>th</sup></b>	Effective date of Annexation and Zoning

**RECOMMENDATION:**

Approval



**Mercer ANNEXATION SUMMARY**

<b>File Number:</b>	<b>ANX-2000-059</b>
<b>Location:</b>	<b>2884 &amp; 2884 ½ Hwy 50</b>
<b>Tax ID Number:</b>	<b>2943-311-00-055</b>
<b>Parcels:</b>	<b>1</b>
<b>Estimated Population:</b>	<b>5</b>
<b># of Parcels (owner occupied):</b>	<b>1</b>
<b># of Dwelling Units:</b>	<b>2</b>
<b>Acres land annexed:</b>	<b>1.638 acres for annexation area</b>
<b>Developable Acres Remaining:</b>	<b>0</b>
<b>Right-of-way in Annexation:</b>	<b>No right-of-way annexed</b>
<b>Previous County Zoning:</b>	<b>County R-2 (4 units per acre)</b>
<b>Proposed City Zoning:</b>	<b>(RSF-4) Residential Single-family 4 units per acre</b>
<b>Current Land Use:</b>	<b>Residential</b>
<b>Future Land Use:</b>	<b>Residential</b>
<b>Values:</b>	<b>Assessed:</b> = \$ 12,470
	<b>Actual:</b> = \$ 127,930
<b>Census Tract:</b>	<b>10</b>
<b>Address Ranges:</b>	<b>2884 &amp; 2884 ½ Hwy 50</b>
<b>Special Districts:</b>	<b>Water:</b> Ute Water
	<b>Sewer:</b> Orchard Mesa Sanitation District
	<b>Fire:</b> Grand Junction Rural Fire
	<b>Drainage:</b>
	<b>School:</b> District 51
	<b>Pest:</b>

**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 [3<sup>rd</sup> day of May, 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**

**MERCER ANNEXATION**

LOCATED at 2884 & 2884 ½ Hwy 50

**WHEREAS**, on the 3rd day of May, 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 Section 30 and 31, 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 northeast corner of Section 31; thence S 00°00'58" E along the east line of the NE 1/4 NE 1/4 of said Section 31 a distance of 1305.90 feet to a point on the northerly right of way line for U.S. Highway 50; thence N 62°12'00" W along the northerly right of way line for said U.S. Highway 50 a distance of 814.80 feet to the True Point of Beginning of the parcel described herein; thence leaving said northerly right of way line S 01°00'00" W a distance of 11.20 feet to a point; thence along a line 10.00 feet south of and parallel with the northerly right of way line for said U.S. Highway 50 the following 5 courses:

- 1) N 62°12'00" W a distance of 1499.47 feet to a point;
- 2) N 52°56'00" W a distance of 176.92 feet to a point;
- 3) N 46°07'30" W a distance of 70.04 feet to a point;
- 4) N 19°28'30" E a distance of 60.63 feet to a point;
- 5) N 00°05'00" E a distance of 43.29 feet to a point;

thence along a line 15.00 feet south of and parallel with the northerly right of way line for said U.S. Highway 50 the following 5 courses:

- 1) N 89°55'00" W a distance of 147.55 feet to a point;
- 2) N 50°57'57" W a distance of 334.18 feet to a point;
- 3) N 00°10'47" E a distance of 98.73 feet to a point;
- 4) N 89°49'13" W a distance of 30.81 feet to a point;
- 5) S 58°57'00" W a distance of 100.95 feet to a point;

thence N 69°31'30" W along a line 20.00 feet south of and parallel with the northerly right of way line for said U.S. Highway 50 a distance of 888.50 feet to a

point; thence N 20°26'38" E a distance of 10.00 feet to a point; thence S 69°31'30" E along a line 10.00 feet south of and parallel with the northerly right of way line for said U.S. Highway 50 a distance of 865.24 feet to a point; thence N 20°28'30" E a distance of 5.00 feet to a point; thence along a line 5.00 feet south of and parallel with the northerly right of way line for said U.S. Highway 50 the following 6 courses:

- 1) S 69°31'30" E a distance of 22.41 feet to a point;
- 2) N 58°57'00" E a distance of 92.53 feet to a point;
- 3) S 89°49'13" E a distance of 43.60 feet to a point;
- 4) S 00°10'47" W a distance of 103.95 feet to a point;
- 5) S 50°57'57" E a distance of 325.85 feet to a point;
- 6) S 89°55'00" E a distance of 154.02 feet to a point on the northerly right of way line for said U.S. Highway 50;

thence along the northerly right of way line for said U.S. Highway 50 the following 5 courses:

- 1) S 00°05'00" W a distance of 55.00 feet to a point;
- 2) S 19°28'30" W a distance of 55.90 feet to a point;
- 3) S 46°07'30" E a distance of 63.00 feet to a point;
- 4) S 52°56'00" E a distance of 175.52 feet to a point;
- 5) S 62°12'00" E a distance of 1335.11 feet to a point;

thence leaving said northerly right of way line N 00°00'00" W a distance of 513.47 feet to a point; thence N 90°00'00" E a distance of 47.14 feet to a point; thence S 30°03'00" E a distance of 181.37 feet to a point; thence N 78°15'00" E a distance of 10.00 feet to a point; thence S 01°00'00" W a distance of 432.50 feet to a point on the northerly right of way line for said U.S. Highway 50 and 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 **7th day of June, 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**.

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President of the Council

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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.

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City Clerk

<i>PUBLISHED</i>
<b>May 5, 2000</b>
<b>May 12, 2000</b>
<b>May 19, 2000</b>
<b>May 26, 2000</b>

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**MERCER ANNEXATION**

**APPROXIMATELY 1.638 ACRES**

**LOCATED AT 2884 & 2884 ½ Hwy 50**

**WHEREAS**, on the 3rd day of May, 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 7<sup>th</sup> day of June, 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 Section 30 and 31, 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 northeast corner of Section 31; thence S 00°00'58" E along the east line of the NE 1/4 NE 1/4 of said Section 31 a distance of 1305.90 feet to a point on the northerly right of way line for U.S. Highway 50; thence N 62°12'00" W along the northerly right of way line for said U.S. Highway 50 a distance of 814.80 feet to the True Point of Beginning of the parcel described herein; thence leaving said northerly right of way line S 01°00'00" W a distance of 11.20 feet to a point; thence along a line 10.00 feet south of and parallel with the northerly right of way line for said U.S. Highway 50 the following 5 courses:  
6) N 62°12'00" W a distance of 1499.47 feet to a point;

7) N 52°56'00" W a distance of 176.92 feet to a point;  
8) N 46°07'30" W a distance of 70.04 feet to a point;  
9) N 19°28'30" E a distance of 60.63 feet to a point;  
10) N 00°05'00" E a distance of 43.29 feet to a point;  
thence along a line 15.00 feet south of and parallel with the northerly right of way line for said U.S. Highway 50 the following 5 courses:  
6) N 89°55'00" W a distance of 147.55 feet to a point;  
7) N 50°57'57" W a distance of 334.18 feet to a point;  
8) N 00°10'47" E a distance of 98.73 feet to a point;  
9) N 89°49'13" W a distance of 30.81 feet to a point;  
10) S 58°57'00" W a distance of 100.95 feet to a point;  
thence N 69°31'30" W along a line 20.00 feet south of and parallel with the northerly right of way line for said U.S. Highway 50 a distance of 888.50 feet to a point; thence N 20°26'38" E a distance of 10.00 feet to a point; thence S 69°31'30" E along a line 10.00 feet south of and parallel with the northerly right of way line for said U.S. Highway 50 a distance of 865.24 feet to a point; thence N 20°28'30" E a distance of 5.00 feet to a point; thence along a line 5.00 feet south of and parallel with the northerly right of way line for said U.S. Highway 50 the following 6 courses:  
7) S 69°31'30" E a distance of 22.41 feet to a point;  
8) N 58°57'00" E a distance of 92.53 feet to a point;  
9) S 89°49'13" E a distance of 43.60 feet to a point;  
10) S 00°10'47" W a distance of 103.95 feet to a point;  
11) S 50°57'57" E a distance of 325.85 feet to a point;  
12) S 89°55'00" E a distance of 154.02 feet to a point on the northerly right of way line for said U.S. Highway 50;  
thence along the northerly right of way line for said U.S. Highway 50 the following 5 courses:  
6) S 00°05'00" W a distance of 55.00 feet to a point;  
7) S 19°28'30" W a distance of 55.90 feet to a point;  
8) S 46°07'30" E a distance of 63.00 feet to a point;  
9) S 52°56'00" E a distance of 175.52 feet to a point;  
10) S 62°12'00" E a distance of 1335.11 feet to a point;  
thence leaving said northerly right of way line N 00°00'00" W a distance of 513.47 feet to a point; thence N 90°00'00" E a distance of 47.14 feet to a point; thence S 30°03'00" E a distance of 181.37 feet to a point; thence N 78°15'00" E a distance of 10.00 feet to a point; thence S 01°00'00" W a distance of 432.50 feet to a point on the northerly right of way line for said U.S. Highway 50 and point of beginning.



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

**INTRODUCED** on first reading on the 3<sup>rd</sup> day May, 2000.

**ADOPTED** and ordered published this \_\_\_ day of \_\_\_\_\_, 2000.

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President of the Council

Attest:

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City Clerk



**Attach 15**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
<b>Subject:</b>	<b>Miller Annexation</b>		
<b>Meeting Date:</b>	<b>May 3, 2000</b>		
<b>Date Prepared:</b>	<b>April 27, 2000</b>		
<b>Author:</b>	<b>Lori V. Bowers</b>	<b>Associate Planner</b>	
<b>Presenter Name:</b>	<b>Lori V. Bowers</b>	<b>Associate Planner</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** ANX-2000-037 / Public Hearing for acceptance of the Annexation Petition and 2<sup>nd</sup> Reading of the Annexation Ordinance for the Miller Annexation, located at 2978 Gunnison Avenue, the legal description for which is Lot 8, Banner Industrial Park.

**Summary:** 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 13355 feet). The owners of the property have signed a petition for annexation and a request for site plan review. The Planning Commission is recommending the zoning of I-1 (light industrial) to accommodate their gymnastics building with a special use permit.

**Background Information:** See attached Staff Report dated April 27, 2000.

**Budget:** N/A

**Action Requested/Recommendation:** Staff recommends acceptance of the Petition for Annexation and approve on 2<sup>nd</sup> Reading the Annexation Ordinance for the Miller Annexation, located at 2978 Gunnison Avenue.

<b>Citizen Presentation:</b>	<b>X</b>	<b>No</b>	<b>Yes</b>	<b>If Yes,</b>
<b>Name:</b>				
<b>Purpose:</b>				

Report results back to Council:	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When:	
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Placement on Agenda:	<input type="checkbox"/>	Conse nt	<input checked="" type="checkbox"/>	Indiv. Consideration	<input type="checkbox"/>	Worksho p
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**CITY COUNCIL**

**STAFF PRESENTATION:** Lori V. Bowers

**AGENDA TOPIC:** ANX-2000-037 / Public Hearing for Acceptance of the Annexation petition and 2<sup>nd</sup> Reading of the Annexation Ordinance for the Miller Annexation, located at 2978 Gunnison Avenue, the legal description for which is Lot 8, Banner Industrial Park.

**SUMMARY:** 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 13355 feet). The owners of the property have signed a petition for annexation and a request for site plan review. The Planning Commission is recommending the zoning of I-1 (light industrial) to accommodate their gymnastics building with a special use permit.

**ACTION REQUESTED:** Public Hearing for: 1) acceptance of the annexation petition for the Miller annexation; and 2) approve on second reading the Annexation Ordinance.

<i>BACKGROUND INFORMATION</i>		
<b>Location:</b>		<b>2978 Gunnison Avenue</b>
<b>Applicants:</b>		<b>Kimberly D. and David E. Miller, owners</b>
<b>Existing Land Use:</b>		<b>Vacant lot</b>
<b>Proposed Land Use:</b>		<b>Gymnastics Building</b>
Surrounding Land Use:	<b>North</b>	<b>Commercial</b>
	<b>South</b>	<b>Vacant</b>
	<b>East</b>	<b>Vacant</b>
	<b>West</b>	<b>Storage/junk</b>
<b>Existing Zoning:</b>		<b>Industrial – Mesa County</b>
<b>Proposed Zoning:</b>		<b>Applicants proposed C-2 / Staff recommends I-1.</b>
Surrounding Zoning:	<b>North</b>	<b>(Mesa County) - Industrial</b>
	<b>South</b>	<b>(Mesa County) – Industrial</b>
	<b>East</b>	<b>(Mesa County) – Industrial</b>
	<b>West</b>	<b>(Mesa County) – Industrial</b>
<b>Growth Plan Designation:</b>		<b>Commercial / Industrial</b>

Zoning within density range?	X	Yes		No
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**Relationship to Comprehensive Plan:** The Growth Plan shows this area to be developed as a commercial/industrial area.

**Staff Analysis:**

**Annexation.** The petition for the Miller Annexation was signed by David E. and Kimberly D. Miller, the property owners, thereby making it a petition signed by 100 percent of all property owners included within the annexation boundary. The Miller annexation consists of one, half-acre lot, Lot 8, Banner Industrial Park Subdivision. Banner Industrial Park Subdivision is located west of 30 Road. Contiguity is obtained from the previous Fruitvale annexation of 30 Road as well as the northern portion of Gunnison Avenue, as allowed under the state statutes. Once jurisdiction is established, the applicants will develop this parcel for their gymnastics building.

It is the professional opinion of Community Development Department staff member, David Thornton, based on his review of the petition and his knowledge of applicable state law, including the Municipal Annexation Act pursuant to C.R.S. 31-12-104, that the Mendez Annexation is eligible for annexation because of compliance with the following (refer to attached copy of signed affidavit):

- a) A proper petition has been signed by more than 50 percent of the owners and more than 50 percent 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 ; and
- 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 owner's consent.

***Exercising Land Use Jurisdiction.*** This property is presently vacant land. The Millers are proposing to develop this lot with a new building for their gymnastics business. An application for site plan review has been approved by the City Community Development Department.





**CITY OF GRAND JUNCTION, COLORADO**

**RESOLUTION NO. -00**

**A RESOLUTION ACCEPTING PETITIONS FOR ANNEXATION, MAKING CERTAIN FINDINGS, DETERMINING THAT PROPERTY KNOWN AS THE MILLER ANNEXATION IS ELIGIBLE FOR ANNEXATION**

**MILLER ANNEXATION, A SERIAL ANNEXATION COMPRISING MILLER ANNEXATION NO.1, MILLER ANNEXATION NO. 2 AND MILLER ANNEXATION NO. 3**

**LOCATED AT 2978 GUNNISON AVENUE**

WHEREAS, on the 15th 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:

**PERIMETER BOUNDARY LEGAL DESCRIPTION  
MILLER ANNEXATION**

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

**MILLER ANNEXATION NO.1**

A parcel of land situate in the NE 1/4 of Section 17, 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 southeast corner of Lot 8 of Banner Industrial Park Subdivision as found recorded in Plat Book 11 at Page 362 of the records of the Mesa County Clerk and Recorder; thence S 89°58'41" E along the north right of way line for Gunnison Avenue a distance of 831.41 feet to the True Point of Beginning of the parcel described herein; thence continuing along said north right of way line S 89°58'41" E a distance of 188.58 feet to a point of curvature; thence 31.42 feet along the arc of a curve to the left, having a radius of 20.00 feet, a delta angle of 89°58'41" and a long chord bearing N 45°01'24" E a distance of 28.29 feet to a point on the west right of way line for 30 Road; thence S 00°00'00" E along the west right of way line for said 30 Road a distance of 100.00 feet to a point of curvature; thence 31.41 feet along the arc of a curve concave to the southwest, having a radius of 20.00 feet, a delta angle of 90°01'18" and a long chord bearing N 44°59'02" W a distance of 28.28 feet to a point on the south right of way line for

said Gunnison Avenue; thence leaving said south right of way line N 00°03'55" W a distance of 30.00 feet to a point; thence N 89°58'41" W along a line 30.00 feet south of and parallel with the north right of way line for said Gunnison Avenue a distance of 188.58 feet to a point; thence N 00°01'19" E a distance of 30.00 feet to the point of beginning.

### **MILLER ANNEXATION NO.2**

A parcel of land situate in the NE 1/4 of Section 17, 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 southeast corner of Lot 8 of Banner Industrial Park Subdivision as found recorded in Plat Book 11 at Page 362 of the records of the Mesa County Clerk and Recorder; thence S 89°58'41" E along the north right of way line for Gunnison Avenue a distance of 831.41 feet to the True Point of Beginning of the parcel described herein; thence leaving said north right of way line S 00°01'19" W a distance of 30.00 feet to a point; thence S 89°58'41" E along a line 30.00 feet south of and parallel with the north right of way line for said Gunnison Avenue a distance of 188.58 feet to a point; thence S 00°03'55" E a distance of 30.00 feet to a point on the south right of way line for said Gunnison Avenue; thence N 89°58'41" W along said south right of way line a distance of 10.00 feet to a point; thence leaving the south right of way line for said Gunnison Avenue N 00°01'19" E a distance of 15.00 feet to a point; thence N 89°58'41" W along a line 15.00 feet north of and parallel with the south right of way line for said Gunnison Avenue a distance of 674.63 feet to a point; thence N 00°01'19" E a distance of 45.00 feet to a point on the north right of way line for said Gunnison Avenue; thence S 89°58'41" E along said north right of way line a distance of 496.00 feet to the point of beginning.

### **MILLER ANNEXATION NO.3**

A parcel of land situate in the NE 1/4 of Section 17, 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 southeast corner of Lot 8 of Banner Industrial Park Subdivision as found recorded in Plat Book 11 at Page 362 of the records of the Mesa County Clerk and Recorder; thence S 89°58'41" E along the north right of way line for Gunnison Avenue a distance of 335.41 feet to a point; thence leaving said north right of way line S 00°01'19" W a distance of 45.00 feet to a point; thence S 89°58'41" E along a line 15.00 feet north of and parallel with the south right of way line for Gunnison Avenue a distance of 674.63 feet to a point; thence S 00°01'19" W a distance of Lot 8; thence S 89°58'26" E along the north line of said Lot 8 a distance of 100.00 feet to the northeast 15.00 feet to a point on the south right of

way line for said Gunnison Avenue; thence along the south right of way line for said Gunnison Avenue the following 3 courses:

N 89°58'41" W a distance of 1047.57 feet;

17.91 feet along the arc of a curve to the left, having a radius of 20.00 feet, a delta angle of 51°19'04" and a long chord bearing S 64°22'04" W a distance of 17.32 feet;

53.72 feet along the arc of a curve to the right, having a radius of 60.00 feet, a delta angle of 51°19'04" and a long chord bearing S 64°21'47" W a distance of 51.94 feet to the northwest corner of Lot 5 of said Banner Industrial Park Subdivision;

thence leaving the south right of way line for said Gunnison Avenue N 00°00'00" E a distance of 120.00 feet to the southwest corner of Lot 8 of said Banner Industrial Park Subdivision; thence N 00°00'00" W along the west line of said Lot 8 a distance of 269.70 feet to the northwest corner of said corner of said Lot 8; thence S 00°00'00" W along the east line of said Lot 8 a distance of 299.69 feet to the southeast corner of said Lot 8 and point of beginning.

WHEREAS, a hearing on the petition was duly held after proper notice on the 3<sup>rd</sup> day of May, 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  
MILLER ANNEXATION NO. 1**

**APPROXIMATELY 0.16 ACRES  
LOCATED 2978 Gunnison Avenue**

WHEREAS, on the 15th 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 3<sup>rd</sup> 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:

**MILLER ANNEXATION NO.1**

A parcel of land situate in the NE 1/4 of Section 17, 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 southeast corner of Lot 8 of Banner Industrial Park Subdivision as found recorded in Plat Book 11 at Page 362 of the records of the Mesa County Clerk and Recorder; thence S 89°58'41" E along the north right of way line for Gunnison Avenue a distance of 831.41 feet to the True Point of Beginning of the parcel described herein; thence continuing along said north right of way line S 89°58'41" E a distance of 188.58 feet to a point of curvature; thence 31.42 feet along the arc of a curve to the left, having a radius of 20.00 feet, a delta angle of 89°58'41" and a long chord bearing N 45°01'24" E a distance of 28.29 feet to a point on the west right of way line for 30 Road; thence S 00°00'00" E along the west right of way line for said 30 Road a distance of 100.00 feet to a point of curvature; thence 31.41 feet along the arc of a curve concave to the southwest, having a

radius of 20.00 feet, a delta angle of 90°01'18" and a long chord bearing N 44°59'02" W a distance of 28.28 feet to a point on the south right of way line for said Gunnison Avenue; thence leaving said south right of way line N 00°03'55" W a distance of 30.00 feet to a point; thence N 89°58'41" W along a line 30.00 feet south of and parallel with the north right of way line for said Gunnison Avenue a distance of 188.58 feet to a point; thence N 00°01'19" E a distance of 30.00 feet to the point of beginning.

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

INTRODUCED on first reading on the 15th day of March, 2000.

ADOPTED and ordered published this \_\_\_ day of \_\_\_\_\_, 2000.

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

Attest:

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

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ANNEXING TERRITORY TO THE  
CITY OF GRAND JUNCTION, COLORADO  
MILLER ANNEXATION NO. 2**

**APPROXIMATELY 0.58 ACRES  
LOCATED 2978 Gunnison Avenue**

WHEREAS, on the 15th 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 3<sup>rd</sup> 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:

**MILLER ANNEXATION NO. 2**

A parcel of land situate in the NE 1/4 of Section 17, 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 southeast corner of Lot 8 of Banner Industrial Park Subdivision as found recorded in Plat Book 11 at Page 362 of the records of the Mesa County Clerk and Recorder; thence S 89°58'41" E along the north right of way line for Gunnison Avenue a distance of 831.41 feet to the True Point of Beginning of the parcel described herein; thence leaving said north right of way line S 00°01'19" W a distance of 30.00 feet to a point; thence S 89°58'41" E along a line 30.00 feet south of and parallel with the north right of way line for said Gunnison Avenue a distance of 188.58 feet to a point; thence S 00°03'55" E a distance of 30.00 feet to a point on the south right of way line for said Gunnison Avenue; thence N 89°58'41" W along said south right of way line a distance of 10.00 feet to a point; thence leaving the south right of way line for said Gunnison Avenue N 00°01'19" E a distance of 15.00

feet to a point; thence N 89°58'41" W along a line 15.00 feet north of and parallel with the south right of way line for said Gunnison Avenue a distance of 674.63 feet to a point; thence N 00°01'19" E a distance of 45.00 feet to a point on the north right of way line for said Gunnison Avenue; thence S 89°58'41" E along said north right of way line a distance of 496.00 feet to the point of beginning.

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

INTRODUCED on first reading on the 15th day of March, 2000.

ADOPTED and ordered published this \_\_\_ day of \_\_\_\_\_, 2000.

---

President of the Council

Attest:

---

City Clerk

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ANNEXING TERRITORY TO THE  
CITY OF GRAND JUNCTION, COLORADO  
MILLER ANNEXATION NO. 3**

**APPROXIMATELY 1.55 ACRES  
LOCATED 2978 Gunnison Avenue**

WHEREAS, on the 15th 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 3<sup>rd</sup> 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:

**MILLER ANNEXATION NO. 3**

A parcel of land situate in the NE 1/4 of Section 17, 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 southeast corner of Lot 8 of Banner Industrial Park Subdivision as found recorded in Plat Book 11 at Page 362 of the records of the Mesa County Clerk and Recorder; thence S 89°58'41" E along the north right of way line for Gunnison Avenue a distance of 335.41 feet to a point; thence leaving said north right of way line S 00°01'19" W a distance of 45.00 feet to a point; thence S 89°58'41" E along a line 15.00 feet north of and parallel with the south right of way line for Gunnison Avenue a distance of 674.63 feet to a point; thence S 00°01'19" W a distance of 15.00 feet to a point on the south right of way line for said Gunnison Avenue; thence along the south right of way line for said Gunnison Avenue the following 3 courses:  
N 89°58'41" W a distance of 1047.57 feet;



17.91 feet along the arc of a curve to the left, having a radius of 20.00 feet, a delta angle of 51°19'04" and a long chord bearing S 64°22'04" W a distance of 17.32 feet;

53.72 feet along the arc of a curve to the right, having a radius of 60.00 feet, a delta angle of 51°19'04" and a long chord bearing S 64°21'47" W a distance of 51.94 feet to the northwest corner of Lot 5 of said Banner Industrial Park Subdivision;

thence leaving the south right of way line for said Gunnison Avenue N 00°00'00" E a distance of 120.00 feet to the southwest corner of Lot 8 of said Banner Industrial Park Subdivision; thence N 00°00'00" W along the west line of said Lot 8 a distance of 269.70 feet to the northwest corner of said Lot 8; thence S 89°58'26" E along the north line of said Lot 8 a distance of 100.00 feet to the northeast corner of said Lot 8; thence S 00°00'00" W along the east line of said Lot 8 a distance of 299.69 feet to the southeast corner of said Lot 8 and point of beginning.

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

INTRODUCED on first reading on the 15th day of March, 2000.

ADOPTED and ordered published this \_\_\_\_ day of \_\_\_\_\_, 2000.

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

Attest:

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

**Attach 16**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>		
<b>Subject:</b>	<b>Miller Annexation</b>	
<b>Meeting Date:</b>	<b>May 3, 2000</b>	
<b>Date Prepared:</b>	<b>April 27, 2000</b>	
<b>Author:</b>	<b>Lori V. Bowers</b>	<b>Associate Planner</b>
<b>Presenter Name:</b>	<b>Lori V. Bowers</b>	<b>Associate Planner</b>
	<b>Workshop</b>	<b>X    Formal Agenda</b>

**Subject:** ANX-2000-037 / 2nd Reading for the Zone of Annexation Ordinance for the Miller Annexation, located at 2978 Gunnison Avenue, the legal description for which is Lot 8, Banner Industrial Park. The requested zoning is I-1 (Light Industrial).

**Summary:** 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 13355 feet). The owners of the property have signed a petition for annexation and a request for site plan review. The Planning Commission is recommending the zoning of I-1 (Light Industrial) to accommodate the applicant's gymnastics building with a special use permit.

**Background Information:** See attached Staff Report dated April 12, 2000.

**Budget:** N/A

**Action Requested/Recommendation:** Staff and Planning Commission request the 2<sup>nd</sup> reading and recommend approval of the ordinance zoning the Miller Annexation to a zoning designation of I-1 (Light Industrial), located at 2978 Gunnison Avenue.

<b>Citizen Presentation:</b>	<b>X</b>	<b>No</b>	<b>Yes</b>	<b>If Yes,</b>
<b>Name:</b>				
<b>Purpose:</b>				

Report results back to Council:	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When:	
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Placement on Agenda:	<input type="checkbox"/>	Consent	<input checked="" type="checkbox"/>	Indiv. Consideration	<input type="checkbox"/>	Workshop
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**AGENDA TOPIC:** ANX-2000-037 / 2nd Reading for the Zone of Annexation Ordinance for the Miller Annexation, located at 2978 Gunnison Avenue, the legal description for which is Lot 8, Banner Industrial Park. The requested zoning is I-1 (Light Industrial).

**SUMMARY:** 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 13355 feet). The owners of the property have signed a petition for annexation and a request for site plan review. The Planning Commission is recommending the zoning of I-1 (Light Industrial) to accommodate the applicant’s gymnastics building with a special use permit.

<i>BACKGROUND INFORMATION</i>				
<b>Location:</b>		<b>2978 Gunnison Avenue</b>		
<b>Applicants:</b>		<b>Kimberly D. and David E. Miller, owners</b>		
<b>Existing Land Use:</b>		<b>Vacant lot</b>		
<b>Proposed Land Use:</b>		<b>Gymnastics Building</b>		
Surrounding Land Use:	<b>North</b>	<b>Commercial</b>		
	<b>South</b>	<b>Vacant</b>		
	<b>East</b>	<b>Vacant</b>		
	<b>West</b>	<b>Storage/junk</b>		
<b>Existing Zoning:</b>		<b>Industrial – Mesa County</b>		
<b>Proposed Zoning:</b>		<b>Applicants proposed C-2 / Staff recommends I-1.</b>		
Surrounding Zoning:	<b>North</b>	<b>(Mesa County) - Industrial</b>		
	<b>South</b>	<b>(Mesa County) – Industrial</b>		
	<b>East</b>	<b>(Mesa County) – Industrial</b>		
	<b>West</b>	<b>(Mesa County) – Industrial</b>		
<b>Growth Plan Designation:</b>		<b>Commercial / Industrial</b>		
<b>Zoning within density range?</b>		<b>X</b>	<b>Yes</b>	<b>No</b>

**RELATIONSHIP TO COMPREHENSIVE PLAN:** The City of Grand Junction Growth Plan identifies the subject parcel in the Commercial/Industrial (Heavy Commercial and Light Industrial) category. The petitioner's request for C-2 zoning is within the range recommended in the Growth Plan, but staff feels a zoning designation of I-1 would be a better match for the existing industrial uses in this subdivision.

**STAFF ANALYSIS:**

**Zoning.** A site plan for a gymnastics building is currently under review by the Community Development Department, for this lot. The applicants were requesting a zoning of C-2 (Heavy Commercial), which provides for the establishment of general retail sales and services. The C-2 zoning district is to provide for commercial activities with limited outdoor operations. The I-1 zoning district is to provide for manufacturing, light fabrication and industrial uses that are compatible with the existing adjacent land uses. Either zoning designation would be in compliance with the Growth Plan for this area, but considering the existing uses in this subdivision, Staff feels that the zone of I-1 is more appropriate. I-1 zoning allows for health and athletic clubs under a "Special Use Permit". In the new Code, these uses would require a "Conditional Use Permit". Neither the current Code nor the new Code provides for "gymnastics studios". Staff feels the category of Health and Athletic Clubs best fit this use. The bulk standards for an I-1 zoning district are very generous in that side and rear setbacks are 0. The front setback for this area would be 25 feet from the centerline of the right-of-way. This zoning district allows for light manufacturing uses as well as heavy warehousing and high impact uses. It is anticipated that most uses in this zone will be oriented towards heavy truck or rail traffic. While a gymnastics building does not require heavy truck traffic, it does require a lot of square footage per student. It also requires buildings with higher ceilings than those found in more commercial or retail type areas. Industrial type buildings help facilitate this type of use.

Staff feels the proposal is in compliance with Chapter Four, Section 4-1-1, of the Zoning and Development Code, by encouraging the most appropriate use of land throughout the City and to ensure the logical and orderly growth and development of the physical elements of the City. This proposal also protects and maintains the integrity and character of this established industrial area and meets the intent of Section 4-1-1 entitled "Purpose".

This proposed zoning complies with Section 4-4-4, of the Zoning and Development Code in the following ways:

- The I-1 zoning is consistent with the current County Zoning of Industrial.
- The I-1 zoning is consistent with the surrounding industrial development.
- Adequate facilities are available.

Section 4-11 of the Zoning and Development Code, Zoning of Annexations states: The zoning request shall be evaluated by the following special criteria in addition to the general criteria for rezoning.

- C. adverse impacts to the developed density of established neighborhoods shall be considered: and
- D. the relationship of the property to the urban core area or to established subcores shall be considered.

The proposed I-1 zone complies with this criteria and is consistent with the Growth Plan. Growth Plan Goals and Policies are met in Policy 1.7 "The City and County will use zoning to establish the appropriate scale, type, location and intensity for development..." and Goal 11: To promote stable neighborhood and land use compatibility throughout the community." This property is currently in the County zone district of Industrial. Mesa County does not designate between light and heavy industrial uses. I-1 zoning is compatible with the existing industrial uses surrounding it.

**PLANNING COMMISSION:** At their regularly scheduled meeting of April 11, 2000, the Planning Commission held a public hearing on the proposed zoning of this property. After public testimony was presented, the Planning Commission recommends the zoning designation of I-1, for the Miller Annexation.

**RECOMMENDATION:** Staff and Planning Commission recommend the zone of I-1, for the Miller Annexation, located at 2978 Gunnison Avenue.

Attachments:

- a) Zoning ordinance
- b) General location map

**CITY OF GRAND JUNCTION, COLORADO**

**Ordinance No. \_\_\_\_\_**

**ORDINANCE ZONING THE MILLER ANNEXATION  
TO A LIGHT INDUSTRIAL (I-1) DISTRICT**

Recitals:

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of applying a Light Industrial (I-1) zone district to this annexation.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the I-1 zone district be established.

The City Council hereby finds that the rezone meets the criteria set forth in Section 4-4-4 of the Zoning and Development Code.

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

The following parcel shall be zoned light industrial (I-1):

Lot 8, of the Banner Industrial Park Subdivision, Mesa County, Colorado.

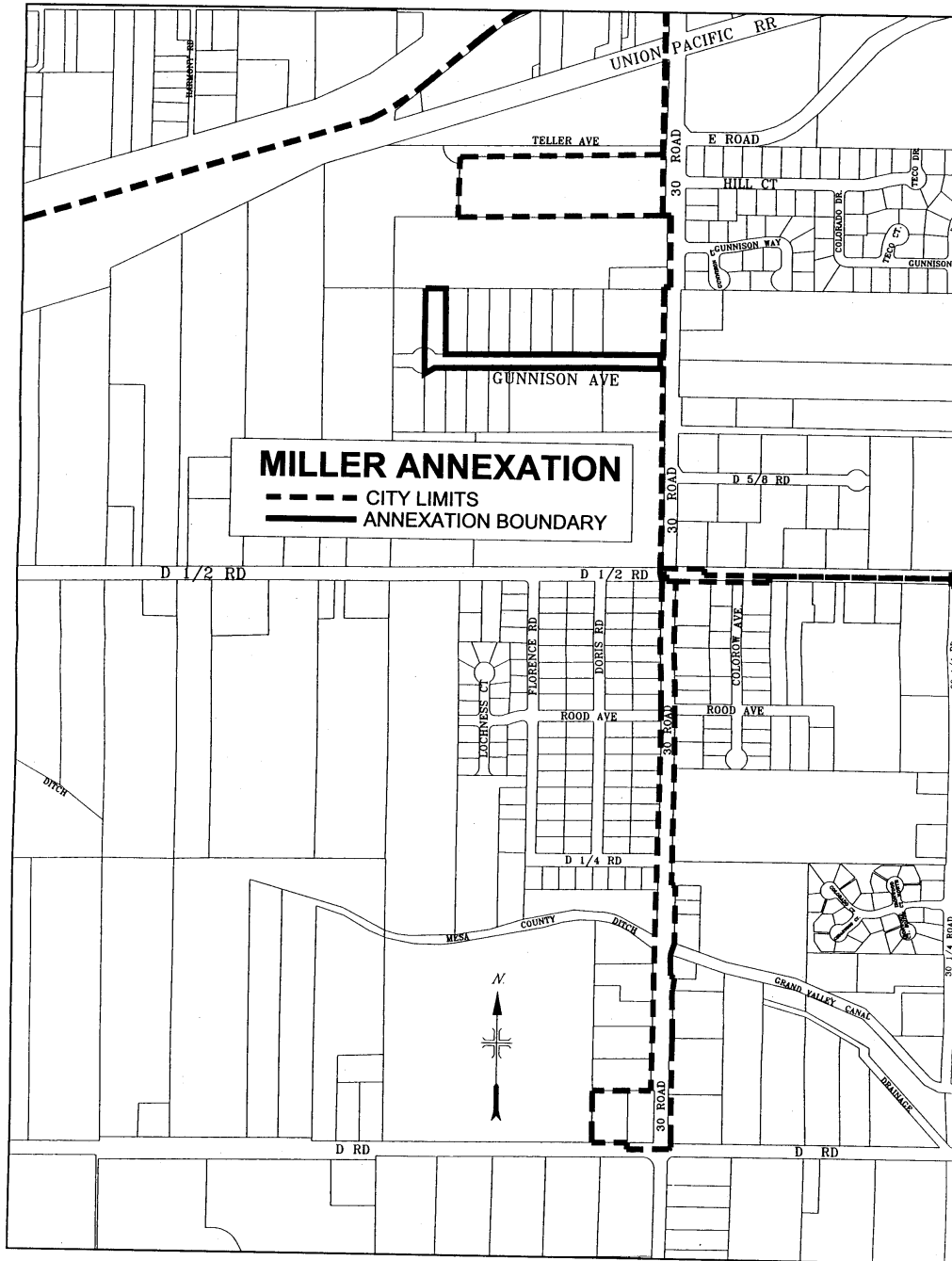
INTRODUCED for FIRST READING this 19th day of April, 2000.

PASSED and ADOPTED on SECOND READING this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

ATTEST:

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

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







**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

CITY COUNCIL			
<b>Subject:</b>	<b>Supplemental Appropriation Ordinance</b>		
<b>Meeting Date:</b>	<b>May 3, 2000</b>		
<b>Date Prepared:</b>	<b>April 27, 2000</b>		
<b>Author:</b>	<b>Lanny Paulson</b>	<b>Budget &amp; Accounting Manager</b>	
<b>Presenter Name:</b>	<b>Ron Lappi</b>	<b>Administrative Services Director</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** Supplemental Appropriation Ordinance for the budget year 2000.

**Summary:** The request is to appropriate specific amounts for several of the City's accounting funds as specified in the ordinance. Over 97% of the \$5.2 million in revisions are carry-forward requests (the re-appropriation of amounts budgeted in the prior year but unexpended at year-end). A composite listing of the new appropriation requests is attached. The standard carry-forward items are capital equipment and capital improvement projects. Amounts for operating expenditures are generally not allowed to be carried forward, the exceptions being incomplete contractual obligations, expenses directly linked to grants or donations and for specific projects (i.e. to complete the Zoning Code Revision).

**Background Information:** Attached is a summary of changes by fund and an overview of the budget requests for the City's two primary general government funds, the General and Sales Tax CIP funds. Factoring in the actual results from the prior year and the requested carry-forwards; the projected fund balance, for both funds, at the end of the year 2000 will be slightly higher than originally projected.

**Budget:** The total appropriation adjustment for all funds is \$5,231,722

**Action Requested/Recommendation:** Adoption of the appropriation ordinance with final passage on May 3, 2000.

<b>Citizen Presentation:</b>	<b>X</b>	<b>No</b>	<b>Yes</b>	<b>If Yes,</b>
<b>Name:</b>				
<b>Purpose:</b>				
<b>Report results back to Council:</b>	<b>X</b>	<b>No</b>	<b>Yes</b>	<b>When:</b>
<b>Placement on Agenda:</b>	<b>Consent</b>	<b>X</b>	<b>Indiv. Consideration</b>	<b>Workshop</b>

**ORDINANCE NO. \_\_\_\_\_**  
**AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS**  
**TO THE 2000 BUDGET OF THE CITY OF GRAND JUNCTION**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:** That the following sums of money be appropriated from the sources indicated to the funds within the City of Grand Junction budgets for the year **2000** for expenditure from such funds as follows:

100 General Fund	\$ 472,390	
Source of funds:		
From unappropriated fund balance and additional revenue		\$ 472,390
101 Enhanced 911 Fund	\$ 278,314	
Source of funds:		
From unappropriated fund balance and additional revenue		\$ 278,314
102 Visitor and Convention Bureau Fund	\$ 16,297	
Source of funds:		
From unappropriated fund balance and additional revenue		\$ 16,297
201 Sales Tax Capital Improvements Fund	\$ 2,981,739	
Source of funds:		
From unappropriated fund balance and additional revenue		\$ 2,981,739
202 Storm Drainage Improvements Fund	\$ 17,119	
Source of funds:		
From unappropriated fund balance and additional revenue		\$ 17,119
203 DDA/TIF Capital Improvements Fund	\$ 264,145	
Source of funds:		
From unappropriated fund balance and additional revenue		\$ 264,145
301 Water Fund	\$ 366,104	
Source of funds:		
From unappropriated fund balance and additional revenue		\$ 366,104
303 Two Rivers Convention	\$ 96,400	

Center Fund		
Source of funds:		
From unappropriated fund balance in Funds #100 & #201		\$ 96,400
304 Swimming pools Fund	\$ 27,000	
Source of funds:		
From unappropriated fund balance in Fund #201		\$ 27,000
306 Tiara Rado Golf Course Fund	\$ 2,400	
Source of funds:		
From unappropriated fund balance and additional revenue		\$ 2,400
308 Parking Fund	\$ 71,553	
Source of funds:		
From unappropriated fund balance and additional revenue		\$ 71,553
309 Irrigation Systems Fund	\$86,408	
Source of funds:		
From unappropriated fund balance and additional revenue		\$86,408
900 Joint Sewer Systems Fund	\$ 228,254	
Source of funds:		
From unappropriated fund balance and additional revenue		\$ 228,254

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The following sum shall be appropriated to the Administrative Services Department, said sum to be derived from charges to various departments and customers of the City for data processing activity:

For Data Processing Fund #401	\$ 21,750	
Revenue from Data Processing Fund #401		\$ 21,750

The following sum shall be appropriated to the Equipment Fund, said sum to be derived from charges to the various departments of the City for use of said services from the appropriations of their respective departments and budgets:

For Equipment Fund #402	\$ 23,535	
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Revenue from Equipment Fund #402		\$ 23,535
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The following sum shall be appropriated to the Communications Center Fund, said sum to be derived from telephone surcharges accumulated in the E-911 Special Revenue Fund #101.

For Communications Center Fund #405	\$ 278,314	
Revenue from Communications Center Fund #405		\$ 278,314

Introduced on first reading this 5<sup>th</sup> day of April, 2000

Passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2000

\_\_\_\_\_

\_\_\_\_\_

President of the Council

Attest:

\_\_\_\_\_

City Clerk

	<b>2000 Current Budget</b>	<b>Requested Change</b>	<b>2000 Adjusted Budget</b>	
<b><u>GENERAL</u></b>				
<b><u>FUND</u></b>				
City Administration	\$1,323,580	\$-	\$1,323,580	
Administrative Services	\$2,707,737	\$12,801	\$2,720,538	<i>Election Mail Ballot, Furniture Code Revision, 24 Road Plan</i>
Community Development	\$1,737,395	\$96,892	\$1,834,287	<i>MDC's, Records Mgmt., LLEBG</i>
Police	\$9,282,450	\$176,192	\$9,458,642	<i>Communications Equipment</i>
Fire	\$5,936,227	\$23,991	\$5,960,218	<i>Relocation, Police Bldg. A/C Matchett Park Plan, Surveys</i>
Public Works & Utilities	\$6,733,530	\$38,495	\$6,772,025	<i>Contingency Balance</i>
Parks & Recreation	\$4,347,577	\$28,619	\$4,376,196	
Contingency	\$600,000	\$85,000	\$685,000	
Budget Savings	\$(365,000)	\$-	\$(365,000)	
Transfers-Out To Other Funds	\$2,756,843	\$10,400	\$2,767,243	<i>Two Rivers Subsidy</i>
<b>TOTAL</b>	<b>\$35,060,336</b>	<b>\$472,390</b>	<b>\$35,532,726</b>	
<b><u>SALES TAX CIP FUND</u></b>				
City Administration	\$50,000	\$-	\$50,000	
Fire	\$163,000	\$24,000	\$187,000	<i>Station #1 Apron Replacement</i>
Public Works & Utilities	\$10,741,500	\$1,855,996	\$12,597,496	<i>Numerous Projects, see detail</i>

Parks & Recreation	\$1,765,396	\$988,743	\$2,754,139	Numerous Projects, see detail
Transfers-Out To Other Funds	\$1,414,850	\$113,000	\$1,527,850	Two Rivers and LP Pool Subsidies
<b>TOTAL</b>	<b>\$14,134,746</b>	<b>\$2,981,739</b>	<b>\$17,116,485</b>	
<i>VCB FUND</i>	<b>\$1,161,701</b>	<b>\$16,297</b>	<b>\$1,177,998</b>	Furniture, Landscaping, Equip.
<i>STORM DRAINAGE FUND</i>	<b>\$1,082,010</b>	<b>\$17,119</b>	<b>\$1,099,129</b>	Drainage improvements
<i>DDA/TIF/CIP FUND</i>	<b>\$913,000</b>	<b>\$264,145</b>	<b>\$1,177,145</b>	Unexpended capital budget
<i>WATER FUND</i>	<b>\$4,334,145</b>	<b>\$366,104</b>	<b>\$4,700,249</b>	Water line replacements
<i>TWO RIVERS C.C. FUND</i>	<b>\$1,873,161</b>	<b>\$96,400</b>	<b>\$1,969,561</b>	Furniture and equipment
<i>SWIMMING POOLS</i>	<b>\$759,171</b>	<b>\$27,000</b>	<b>\$786,171</b>	Lincoln Park diving board
<i>TIARA RADO GOLF COURSE</i>	<b>\$1,025,906</b>	<b>\$2,400</b>	<b>\$1,028,306</b>	Driving range, tree planting
<i>PARKING FUND</i>	<b>\$131,296</b>	<b>\$71,553</b>	<b>\$202,849</b>	Landscaping, 600 Colo., Depot
<i>IRRIGATION SYSTEMS FUND</i>	<b>\$129,043</b>	<b>\$86,408</b>	<b>\$215,451</b>	Redlands mesa Development
<i>DATA PROCESSING FUND</i>	<b>\$1,418,180</b>	<b>\$21,750</b>	<b>\$1,439,930</b>	Early PC replcmnt., phones
<i>EQUIPMEN</i>	<b>\$2,616,611</b>	<b>\$23,535</b>	<b>\$2,640,146</b>	Bomb

<i>T FUND</i>				Trailer
<i>COMM. CENTER FUND</i>	\$2,159,070	\$278,314	\$2,437,384	CAD System Interface
<i>E-911 FUND</i>	\$567,517	\$278,314	\$845,831	Transfer for CAD System
<i>JOINT SEWER FUNDS</i>	\$7,566,580	\$228,254	\$7,794,834	Line Replacement, 27 Rd. SID
<b>TOTAL ALL FUNDS</b>		\$5,231,722		



**Attach 18**

**CITY COUNCIL / COUNTY COMMISSIONER AGENDA  
CITY OF GRAND JUNCTION / MESA COUNTY**

<i>CITY COUNCIL / COUNTY COMMISSIONERS</i>	
Subject:	<b>Septic System Elimination Program</b>
Meeting Date:	<b>April 28, 2000</b>
Date Prepared:	April 25, 2000
Author:	Trent Prall /Pete Baier
Presenter Name:	<b>Greg Trainor</b>
Workshop	<input checked="" type="checkbox"/> Formal Agenda

**Subject: Septic System Elimination Program (SSEP)**

**Summary:** Staff wants to revisit previous discussions in regards to a program eliminating over 1800 septic systems within the Persigo 201 area. The main issue of debate is cost and whether or not a contribution from the Persigo Sewer Fund would be appropriate. A contribution would help encourage residents to participate in a local improvement district to bring sewer to their property line and eliminate potentially public health threats from failing septic systems.

**Background Information:**

Approval of subdivisions over the past 30 years within the Persigo 201 service area has resulted in almost 1,800 home on septic systems which are showing increasing incidents of failure. Homeowners with failing septic systems have few alternatives open to them for resolution of this problem unless there is a “community effort” among their neighbors to construct piped sewage collection systems with costs shared among adjacent homeowners.

The staff has discussed various alternatives to assist homeowners in financing improvements. Staff has settled on either using the City Improvement District process if residents are interested in annexing or the County Improvement District process if residents are interested in remaining in the unincorporated area in the County.

Staff is proposing that \$1,000,000 annually be budgeted for the years 2001-2005 to fund improvement districts. This funding level would be increased to \$1,500,000 for the years 2006-2010. Priority would be given to those areas with failing septic systems so that public health threats are minimized. Furthermore, the Council/Board could, at their discretion, have the sewer fund underwrite the construction costs by up to 30%. This would allow for the average assessment (1999\$) to go from \$9,119 to \$6,383; this would save the owner \$2,736.

**Budget:**

With the proposed funding level of \$1,000,000 annually for 2001-2005 and \$1,500,000 annually for 2006-2010, the Sewer Fund can still meet coverage ratios and minimum fund balance

throughout the period and still maintain a fund balance to pay cash for all plant expansion work in 2011-2016.

If the sewer fund were to underwrite 30% of the construction costs, the total impact on the fund would be \$8,727,664. In order to maintain a fund balance of at least \$6,000,000 in any given year, the long-range financial plan reflects an annual 2.5% rate increase through 2010. However, past practice has been to evaluate the need for actual rate increases on an annual basis as part of the budget process. In addition, staff is also pursuing a rate study that could influence the decision for future rate increases. Staff believes a fund balance of \$6,000,000 would allow adequate flexibility for unscheduled, large-scale contingencies.

Present monthly rates are \$11.42. Assuming an annual 2.5% rate increase, the monthly rates in 2010 would be \$14.60. Average current statewide rate is \$18.87/month. The average of communities of a similar size to the Persigo System is \$24.37/month.

**Action Requested/Recommendation:** Direct staff on appropriateness of underwriting proposed local improvement districts.

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

<b>Report results back to Council:</b>	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<b>When:</b>
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<b>Placement on Agenda:</b>	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> <b>Indiv. Consideration</b>	<input type="checkbox"/> <b>Workshop</b>
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**City Council, City of Grand Junction and County Commissioners of Mesa  
County**

**Joint Resolution Establishing Septic System Elimination Program**

**G.J. Resolution No. \_\_\_\_\_**

**Mesa County Resolution No. MCM \_\_\_\_\_**

Whereas, approximately 1800 septic systems remain within the 201 Sewer Service Area; and

Whereas, these systems are aging and many have failed or will fail within the near future; and

Whereas, feasibility studies have been completed that indicate that installing piped sewage collection systems in these areas will cost homeowners between \$10,799 and \$17,358 per lot over the next ten years. These costs represent estimated construction costs and do not include plant investment fees, trunk line extension fees or service line construction costs. Construction costs, alone, will be burdensome to homeowners; and

Whereas, the City Council and the Board of Mesa County Commissioners have determined it is in the best interests of the community and the sewer system to establish a program to provide incentives to property owners to join together and create improvements districts to eliminate these septic systems and to write down the inflated estimated construction costs per lot; and

Whereas, to provide incentives it will be necessary to appropriate additional capital funds in the joint sewer funds to design and construct sewage collection systems and to underwrite a portion of the improvement district assessment to reduce the overall cost to the customer.

Now therefore, be it resolved by the City Council of the City of Grand Junction and the County Commissioners of Mesa County that:

1. \$1,000,000 per year between the years 2001 and 2005 is set aside from the Joint Sewer System Fund to encourage the creation of local sewer improvement districts and finance the improvements.
2. \$1,500,000 per year between the years 2006 and 2010 is set aside for the same purpose.
3. Priority will be given to homeowner groups with failing septic systems willing to create local improvement districts for the construction of sewage collection systems. The sewer system will assess only 70% of the inflated estimated construction cost per lot for these improvements. Not included in the assistance is the cost of plant investment fees, trunk line extension fees, or service line construction costs. An interest rate of 8% is established for those property owners utilizing the long-term financing mechanism of a local improvement district.
4. The Sewer Fund will continue to meet all other planned operating and long-range capital commitments, established minimum fund balances, continued payment of bond principal and interest until the year 2005, and anticipated rate increases. The latter is estimated to be 2.50 % annually.
5. The Septic System Elimination Program will be reviewed annually by the City Council and the Mesa County Commissioners in terms of property owner participation, per lot assessments, total Sewer Funds appropriated, and overall status of the long-term sewer financial plan. The City Council and the Mesa County Commissioners may modify the program from time to time.

Passed and Adopted this 3<sup>rd</sup> day of May, 2000, by the City Council of the City of Grand Junction.

Attest:

\_\_\_\_\_  
/s/ Stephanie Nye  
City Clerk

\_\_\_\_\_  
/s/ Gene Kinsey  
President of the Council

Passed and Adopted this \_\_\_\_\_ day of May, 2000, by the Mesa County Commissioners.

MESA COUNTY BOARD OF  
COUNTY COMMISSIONERS:

By: \_\_\_\_\_

\_\_\_\_\_  
Doralyn B. Genova,  
Chairman

Attest:

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Monika Todd, Mesa County Clerk &  
Recorder

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