

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

**WEDNESDAY, AUGUST 2, 2000, 7:30 P.M.**

**CALL TO ORDER**

Pledge of Allegiance  
Invocation - Joe M. Jones  
Redlands Pentecostal Church of God

**PROCLAMATIONS / RECOGNITIONS**

PRESENTATION OF CITIZEN RECOGNITION AWARDS TO THE FAMILIES OF HOBERT FRANKLIN AND DAVID GILCREASE FOR THE HEROIC NATURE OF THEIR ACTIONS IN THE CITY MARKET TRAGEDY

RECOGNITION OF CITY EMPLOYEE DREW REEKIE, HAZARDOUS MATERIALS COORDINATOR, FOR HIS ASSISTANCE IN CONVICTING VIOLATORS OF THE CLEAN WATER ACT, AS PART OF THE CITY'S INDUSTRIAL PRE-TREATMENT PROGRAM

**CERTIFICATES OF APPOINTMENT**

PRESENTATION OF CERTIFICATE OF APPOINTMENT TO NEWLY APPOINTED AND REAPPOINTED MEMBERS OF THE PARKS & RECREATION ADVISORY BOARD

PRESENTATION OF CERTIFICATE OF APPOINTMENT TO NEWLY APPOINTED BOARD OF APPEALS MEMBER

**APPOINTMENTS**

APPOINTMENTS TO THE RIVERFRONT COMMISSION

**PRE-SCHEDULED CITIZENS AND VISITORS**

Steve McCallum would like to address the City Council regarding the development of his property on River Road and the Blue Heron Riverfront Trail

**CITIZEN COMMENTS**

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

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

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

2. **Designating the Location for the Posting of Meeting Notices** [Attach 2](#)

With the move back to City Hall, it is time to redesignate the location for the posting of the meeting notices. There is a new bulletin board outside the auditorium at the 5<sup>th</sup> Street entrance to City Hall.

Resolution No. 73-00 - A Resolution of the City Of Grand Junction Designating the Location for the Posting of the Notice of Meetings

*\*Action:* Adopt Resolution No. 73-00

Staff presentation: Stephanie Nye, City Clerk

3. **Contract for Construction of Transportation Engineering Office Building** [Attach 3](#)

New Construction of a 3,500 square foot stud wall structure to house the Transportation Engineering Division. Building will be constructed on a location west of the Stores Warehouse at 2549 River Road. The construction of this building will be completed this calendar year and the cost is included in this year's budget. The following responsive bids were received:

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
Vostatek Construction & Design, Inc.	Clifton	\$205,643.00
Tusca II Inc.	Grand Junction	\$236,500.00
Alpine C. M. Inc.	Grand Junction	\$237,300.00
K & G Enterprises, Inc.	Grand Junction	\$243,537.00
J. Dyer Construction, Inc.	Grand Junction	\$258,587.00
R. W. Jones Inc.	Fruita	\$290,955.00

*Action:* Award Contract for Construction of Transportation Engineering Office Building to Vostatek Construction & Design, Inc. in the Amount of \$205,643.00

Staff presentation: Tim Moore, Public Works Manager  
Rex Sellers, Senior Buyer

4. **Accepting an Easement for the Kannah Creek Flowline from Mesa County** [Attach 4](#)

The Kannah Creek Flowline is a 20-mile water line that carries the City's main supply of water from Kannah Creek to the treatment plant on Orchard Mesa. Originally installed in 1912, the Flowline is capable of carrying 7 ½ million gallons of water per day. The Mesa County Commissioners have granted an easement allowing the City to relocate the Kannah Creek Flowline across Intermountain Veterans Memorial Park. The proposed resolution will accept the easement with its terms and conditions.

Resolution No. 74-00 - A Resolution Accepting a Water Line Easement from Mesa County to Accommodate Relocation of the Kannah Creek Flowline

*\*Action: Adopt Resolution No. 74-00*

Staff presentation: Tim Woodmansee, Real Estate Manager

5. **Setting a Hearing on Rezoning the Knolls Filings 4-7 to PD, Located at the Southeast Corner of 27 1/2 Road and Cortland Road** [Attach 5](#)  
[File #GPA-2000-103]

The applicant requests a rezone for the Knolls Filings 4-7 from a Planned Development (PD) zone to a PD zone at a density of 2.5 dwellings per acre. Former zoning under the old code was PR 2.7. A mixed-use development with 16 patio homes and 64 single-family homes is proposed. This rezone is required since the preliminary plan for the Knolls has expired and a lower density is proposed for the remainder of the undeveloped subdivision. Second reading of the ordinance for the rezone will be heard simultaneously with a request for a Growth Plan Amendment and modification to the standard street section.

Proposed Ordinance Zoning the Knolls Filings 4-7, Located South of the SE Corner of 27 1/2 and Cortland Roads Including 640 and 652 27 1/2 Road, to City PD

*Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 16, 2000*

Staff presentation: Bill Nebeker, Senior Planner

6. **Setting a Hearing on Zoning the White Willows Annexation, Located at 2856 C 1/2 Road and 2851 and 2863 D Road** [File #PP-2000-106] [Attach 6](#)

The applicant requests a zone of annexation to RSF-4 to develop White Willows, a 122-lot subdivision on 39.56 acres. The property has been annexed for several months but has not been given a City zoning. A revised traffic study has been submitted by the applicant, which shows a minimal impact on the D and 9<sup>th</sup> Street and 30 Road intersections from this subdivision. At its July 18, 2000 hearing, the Planning Commission recommended approval of the zone of annexation and approved the preliminary plan for this subdivision.

Proposed Ordinance Zoning the White Willows Annexation Located at 2856 C 1/2 Road, 2851 and 2863 D Road, from County AFT to City RSF-4

*Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 16, 2000*

Staff presentation: Bill Nebeker, Senior Planner

7. **Setting a Hearing on Annexing the Chamblee/Boystun Enclave, Located at 714 and 720 24 1/2 Road** [File #ANX-2000-115] [Attach 7](#)

The 9.60 acre Chamblee/Boystun Enclave Annexation area consists of 2 parcels of land completely surrounded by existing Grand Junction city limits. State law allows a municipality to annex enclave areas after they have been enclaved for a period of three years. The 1998 Persigo Agreement with Mesa County requires the City to annex enclave areas within 5 years.

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado  
Chamblee/Boystun Enclave Annexation, Located at 714 and 720 24 1/2 Road, Consisting of Approximately 9.60 Acres

*Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 16, 2000*

Staff presentation: David Thornton, Principal Planner

8. **Setting a Hearing on Zoning the Chamblee/Boystun Enclave to RSF-R, Located at 714 and 720 24 1/2 Road** [File #ANX-2000-115] [Attach 8](#)

The 9.60 acre Chamblee/Boystun Enclave Annexation area consists of 2 parcels of land completely surrounded by existing Grand Junction city limits. State law requires the City to zone newly annexed areas within 90 days of the annexation. Area property owners have requested that proposed City zoning be identical with existing Mesa County zoning for these enclaves.

Proposed Ordinance Zoning the Chamblee/Boydston Enclave Annexation to RSF-R, Located at 714 and 720 24 ½ Road

*Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 16, 2000*

Staff presentation: David Thornton, Principal Planner

9. **Setting a Hearing on Annexing G Road North Enclave, Located at 25 1/2 Road and 26 1/2 Road , North of G Road and South of H Road**  
[File #ANX-2000-114] [Attach 9](#)

The 274 acre G Road North Enclave Annexation area consists of 73 parcels of land completely surrounded by existing Grand Junction city limits. State law allow a municipality to annex enclave areas after they have been enclaved for a period of three years. The 1998 Persigo Agreement with Mesa County requires the City to annex enclave areas within 5 years.

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, the G Road North Enclave Annexation, Located Generally between 25 1/2 Road and 26 1/2 Road, North of G Road and South of H Road but including one property north of H Road, and including but not limited to all or a portion of the following Rights-of-way: 25 1/2 Road, 26 Road, G Road 26 1/2 Road, G 1/2 Road, Elvira Drive, Partridge Court, Kelly Drive, Clarkdell Court, Cottonwood Drive, Lujan Circle and Interstate 70, Consisting of Approximately 274 Acres

*Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 16, 2000*

Staff presentation: David Thornton, Principal Planner

10. **Setting a Hearing on Zoning the G Road North Enclave to RSF-R, Located at 25 1/2 Road and 26 1/2 Road , North of G Road and South of H Road** [File #ANX-2000-114] [Attach 10](#)

The 274 acre G Road North Enclave Annexation area consists of 73 parcels of land completely surrounded by existing Grand Junction city limits. State law requires the City to zone newly annexed areas within 90 days of the annexation. Area property owners have requested that proposed City zoning be identical with existing Mesa County zoning for enclaves.

Proposed Ordinance Zoning the G Road North Enclave Annexation to RSF-R, RSF-2 and PD, Located Generally between at 25 1/2 Road and 26 1/2 Road, North of G Road and South of H Road but including one property north of H Road

*Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 16, 2000*

Staff presentation: David Thornton, Principal Planner

11. **Donation of a Fire Department Brush Truck** [Attach 11](#)

The Fire Department is requesting donation of a brush truck owned by the City of Grand Junction to the Gateway Fire Protection District.

*Action: Approve the Donation of the Fire Department's Brush Truck to the Gateway Fire Protection District*

Staff presentation: Rick Beaty, Fire Chief

12. **Acceptance of GOCO Grant for the botanical Society** [Attach 18](#)

The City of Grand Junction has received a GOCO grant award of \$56,524 for the Colorado Environmental Education Center at the Western Colorado Botanical Gardens.

Resolution No. 77-00 - A Resolution Concerning the Agreement between the City of Grand Junction and the State Board of the Great Outdoors Colorado Trust Fund and the Project known as the Colorado Native Garden Environmental Education Center

*Action: Adopt Resolution No. 77-00*

Staff presentation: Joe Stevens, Director of Parks & Recreation

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

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

13. **Policy Regarding Subdivision and Sewer Assessments After Creation of a Local Sewer Improvement District** [Attach 12](#)

Policy direction concerning the subdivision of lands after creation of a sewer improvement district, and whether to provide for reimbursement, and if so how much, to owners of properties that were developed when the

assessments were made. As proposed, the recommended policy allocates the assessment based on the number of lots at the end of the improvement project, rather than allowing a lot owner to subdivide during the improvement process and not pay for each created lot.

Resolution No. 75-00 - A Resolution that Establishes a Policy that Assesses the Costs of Improvement Districts Based on the Number of Lots at the Time of Assessment, Not at the Time the District is Formed; and Which Gives Reasonable Credit to Properties which Already Have the Improvements

*\*Action: Adopt Resolution No. 75-00*

Staff presentation: Greg Trainor, Utilities Manager  
Trent Prall, Utilities Engineer  
Tim Woodmansee, Real Estate Manager

14. **Public Hearing - Assessments for Sanitary Sewer Improvement District No. SS-43-99** [Attach 13](#)

Sanitary sewer facilities have been installed as petitioned by and for the special benefit of seven properties located in the vicinity of Marsh Lane and North 12<sup>th</sup> Street. The proposed ordinance will levy assessments in the amount of \$11,883.97 upon each of the seven benefiting parcels.

Ordinance No. 3277 – An Ordinance Approving the Assessable Cost of the Improvements Made in and for Sanitary Sewer Improvement District No. SS-43-99, in the City of Grand Junction, Colorado, Pursuant to Ordinance No. 178, Adopted and Approved the 11<sup>th</sup> day of June, 1910, as Amended; Approving the Apportionment of Said Cost to Each Lot or Tract of Land or Other Real Estate in Said District; Assessing the Share of Said Cost against Each Lot or Tract of Land or Other Real Estate in Said District; Approving the Apportionment of Said Cost and Prescribing the Manner for the Collection and Payment of Said Assessment

*\*Action: Adopt Ordinance No. 3277 on Second Reading*

Staff presentation: Tim Woodmansee, Real Estate Manager

15. **Public Hearing - Morrill Annexation Located at 2980 Gunnison Avenue** [Attach 14](#)  
[File #ANX-2000-108]

The .689 acre parcel is adjacent to property located within the City. The petitioner desires to construct an industrial building on the site. Under the terms of the Persigo Agreement, the City shall annex proposed new development at the time of/or prior to issuance of development permits.

**a. Resolution Accepting Petition**

Resolution No. 76–00 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as Morrill Annexation is Eligible for Annexation, Located at 2980 Gunnison Avenue

*\*Action: Adopt Resolution No. 76-00*

**b. Annexation Ordinance**

Ordinance No. 3278 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Morrill Annexation, Approximately .689 Acres, Located at 2980 Gunnison Avenue

*\*Action: Adopt Ordinance No. 3278 on Second Reading*

Staff presentation: Pat Cecil, Development Services Supervisor

16. **Public Hearing - Zoning Morrill Annexation to I-1 (Light Industrial), Located at 2980 Gunnison Avenue** [File #ANX-2000-108] [Attach 15](#)

The .689 acre parcel is adjacent to property located within the City. The petitioner desires to construct an industrial building on the site. Under the terms of the Persigo Agreement, the City shall zone land consistent with the adopted Growth Plan Future Land Use Map and/or consistent with Mesa County zoning. The proposed I-1 zoning is consistent with the adopted Growth Plan Future Land Use Map and adjacent County zoning.

Ordinance No. 3279 – An Ordinance Zoning Morrill Annexation to I-1 (Light Industrial), Located at 2980 Gunnison Avenue

*\*Action: Adopt Ordinance No. 3279 on Second Reading*

Staff presentation: Pat Cecil, Development Services Supervisor

17. **Public Hearing - Correction to Zoning of Cherryhill Subdivision, Located on the East Side of 26 1/2 Road, North of F 1/2 Road** [File #FPP-1998-202] [Attach 16](#)

A request to correct the recently adopted zoning map to zone the Cherryhill Subdivision to RSF-4, as it was previously zoned.

Ordinance No. 3280 – An Ordinance Correcting the Zoning of the Cherryhill Subdivision to RSF-4



*\*Action: Adopt Ordinance No. 3280 on Second Reading*

Staff presentation: Kathy Portner, Planning Manager

18. **Public Hearing - Amending City Code of Ordinances, Chapter 36, Regarding SALT Parking Enforcement** [Attach 17](#)

The Model Traffic Code is being amended to allow for parking violations to be photographically recorded, by still photographs, digital imaging and videotape, which allows the Police Department and/or the City Attorney to issue/prosecute parking citations and to allow for the mailing of the parking citation to the registered owner of the vehicle.

Ordinance No. 3281 - An Ordinance Amending Chapter 36 of the City of Grand Junction Code of Ordinances

*\*Action: Adopt Ordinance No. 3281 on Second Reading*

Staff presentation: John Shaver, Assistant City Attorney

19. **NON-SCHEDULED CITIZENS & VISITORS**

20. **OTHER BUSINESS**

21. **EXECUTIVE SESSION** to discuss Property Negotiations/Litigation

22. **ADJOURNMENT**

**Attach 1**

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

**July 19, 2000**

The City Council of the City of Grand Junction, Colorado, convened into regular session the 19<sup>th</sup> day of July, 2000, at 7:33 p.m. at Two Rivers Convention Center. Those present were Cindy Enos-Martinez, Earl Payne, Jack Scott, Jim Spehar, Janet Terry, Reford Theobald, and President of the Council Gene Kinsey. Also present were Interim City Manager David Varley, City Attorney Dan Wilson and Senior Administrative Assistant Christine English.

Council President Kinsey called the meeting to order and Councilmember Payne led in the Pledge of Allegiance. The audience remained standing during the invocation by Jim Hale, Spirit of Life Christian Fellowship.

**PROCLAMATIONS / RECOGNITIONS**

PROCLAMATION DECLARING JUNE 22, 2000 AS "ANDREW MARTINEZ, NATIONAL MARBLE CHAMPION KING DAY" IN THE CITY OF GRAND JUNCTION

PROCLAMATION DECLARING JULY 21, 2000 AS "JACK AND LENA SCOTT DAY" IN THE CITY OF GRAND JUNCTION

RECOGNITION OF CITY EMPLOYEE DAN TONELLO, INDUSTRIAL PRE-TREATMENT COORDINATOR, FOR HIS ASSISTANCE IN CONVICTING VIOLATORS OF THE CLEAN WATER ACT, AS PART OF THE CITY'S INDUSTRIAL PRE-TREATMENT PROGRAM

**APPOINTMENTS**

Upon motion by Councilmember Payne, seconded by Councilmember Enos-Martinez and carried, Lena Elliot was reappointed and Bernie Goss was appointed to the Parks and Recreation Advisory Board for three-year terms.

Upon motion by Councilmember Theobald, seconded by Councilmember Spehar and carried, Mark Williams was appointed to the Board of Appeals.

**CONSENT ITEMS**

Upon motion by Councilmember Terry, seconded by Councilmember Spehar and carried by roll call vote, the following Consent Calendar Items #1 through #11 were approved.

1. **Minutes of Previous Meeting**

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

2. **Remodel of the Grand Junction Police Department**

The Police Station Remodel consists of removing and replacing walls, carpet and ceiling tile, and the necessary modifications to the electrical and mechanical systems.

The following bids were received on July 13, 2000:

K & G Construction, Grand Junction	\$76,600
KD Construction, Grand Junction	\$89,500

*Action: Award Contract for Remodel of the Grand Junction Police Department to K & G Construction in the Amount of \$76,600*

3. **DOE Lift Station Replacement**

Replacement of the lift station will be funded entirely by the U.S. Department of Energy.

The following bids were received on July 11, 2000:

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
R. W. Jones Construction, Inc.	Fruita	\$50,515.00
Mountain Valley Contracting, Inc.	Grand Junction	\$69,675.00
Engineer's Estimate		\$38,540.00

*Action: Award Contract for DOE Lift Station Replacement to R.W. Jones Construction, Inc., in the Amount of \$50,515*

4. **Horizon Drive Interceptor Replacement/Rehabilitation**

The following bids were received on July 11, 2000:

<u>Contractor</u>	<u>From</u>	<u>Option A - Replacement</u>	<u>Option B - CIPP</u>	<u>Option C – fold-n-form</u>
WSU Inc	Breckenridge		\$125,786.00	
Insituform Technologies	Denver		\$130,536.00	
Tele-environmental Systems	Glenwood Springs			\$187,516.00
M.A. Concrete	Grand Junction	\$191,886.00		
Taylor Constructors	Grand Junction	\$206,553.60		
Engineer's Estimate		\$189,069.00	\$173,595.00	\$158,735.00

*Action: Award Contract for Horizon Drive Interceptor Replacement/ Rehabilitation to WSU, Inc., in the Amount of \$125,786 and Appropriate an Additional \$35,000 from Fund 904*

5. **Lease Renewal with Mesa National Bank (131 N. 6th Street) for the Police Department's Polygraph Testing Facility**

The proposed lease renewal will be for a period of one year. Rent for the proposed one year term is \$1,320.

Resolution No. 72-00 – A Resolution Authorizing the Lease by the City of Office Space Located at 131 North 6<sup>th</sup> Street

*Action: Adopt Resolution No. 72-00*

6. **Construction Change Order for the 1999-B Alley Improvement District and 2000 Alley Improvement District**

The contract price for the construction of the 1999-B Alley Improvement District and 2000 Alley Improvement District was sufficiently below the budget to allow the reconstruction of an additional alley under this year's budget. Alley Improvement District 2000 Phase B was created by City Council on June 7, 2000, authorizing the reconstruction of the Ute/Colorado Alley from 10<sup>th</sup> Street to 11<sup>th</sup> Street. Mays Concrete has agreed to reconstruct the additional alley at the unit prices in the contract. The Change Order also includes \$2100 for additional work on two of the alleys in the current contract.

*Action: Approve Construction Change Order for the 1999-B Alley Improvement District and 2000 Alley Improvement District with Mays Concrete, Inc., in the Amount of \$67,129.10*

7. **Setting a Hearing on Zoning Morrill Annexation to I-1 (Light Industrial), Located at 2980 Gunnison Avenue** [File #ANX-2000-108]

The .689-acre parcel is adjacent to property located within the City. The petitioner desires to construct an industrial building on the site. Under the terms of the Persigo Agreement, the City shall zone land consistent with the adopted Growth Plan Future Land Use Map and/or consistent with Mesa County zoning. The proposed I-1 zoning is consistent with the adopted Growth Plan future Land Use Map and adjacent County zoning.

Proposed Ordinance Zoning the Morrill Annexation to I-1 (Light Industrial), Located at 2980 Gunnison Avenue

*Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 2, 2000*

8. **Setting a Hearing on Correction to Zoning of Cherryhill Subdivision, Located on the East Side of 26 1/2 Road, North of F 1/2 Road** [File #FPP-1998-202]

A request to correct the recently adopted zoning map to zone the Cherryhill Subdivision to RSF-4, as it was previously zoned.

Proposed Ordinance Correcting Zoning of the Cherryhill Subdivision

*Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 2, 2000*

9. **Acknowledging Defense of Police Officer Geraldine Earthman**

A resolution indemnifying Officer Geraldine Earthman from damages in a lawsuit filed against her in a personal capacity. The suit results from the arrest of a wanted person.

Resolution No. 73-00 - A Resolution Acknowledging Defense of Officer Geraldine Earthman in Civil Action No. 00 S 5236

*Action: Adopt Resolution No. 73-00*

10. **Setting a Hearing on Amending the City Code of Ordinances, Chapter 36, Regarding SALT Parking Enforcement**

The Model Traffic Code is being amended to allow for parking violations to be photographically recorded which allows the Police Department and/or the

City Attorney to issue/prosecute parking citations and to allow for the mailing of the parking citation to the registered owner of the vehicle.

Proposed Ordinance Amending Chapter 36 of the City of Grand Junction Code of Ordinances

*Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 2, 2000*

11. **Mayor to Sign An Employment Contract with a City Manager**

The City Council has concluded their selection process for a new City Manager and is prepared to authorize Mayor Gene Kinsey to execute an employment contract.

*Action: Authorize the Mayor to Sign an Employment Contract with a City Manager*

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

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

**Public Hearing – Rezoning the Scariano/Williams Property Located between 428 Ridgewood Lane and Monument Little League Ball Fields from RMF-12 to CSR [File #RZ-2000-094]**

The City of Grand Junction, representing the owner, proposes to rezone a 1.86-acre parcel from RMF-12 to CSR (Community Services & Recreation). The parcel is located between 428 Ridgewood Lane to the east and Monument Little League ball fields to the west. The CSR zone district is proposed because the parcel is landlocked and serves as a buffer between the two uses. At its June 13, 2000 hearing the Planning Commission recommended approval of this rezone request.

The public hearing was opened at 7:48 p.m.

Kathy Portner, Planning Manager, reviewed this item. Ms. Portner stated the reason for the boundary line adjustment is that the owner wants to sell some of the property to the Monument Little League for future expansion, and that a property owner on the other side, which is labeled as the Mesa County Pioneer Extension Canal has purchased the remaining smaller piece. Because it is separated by the canal, it can not be legally connected. The resulting piece is very steep and lies between the canal and a drainage ditch. There was an easement recorded at the

time of the boundary line adjustment allowing access through the Monument Little League parcel for the purpose of weed maintenance and fire suppression, but not for legal access for development. This zone district raises a red flag if someone is interested in developing this piece of property. It is a unique zone district. Staff recommends that the ordinance be specific that the only potential use for this piece of property would be a residential structure if they could obtain legal access. The deeds that were recorded with this piece have a very clear note on them that states it is landlocked and can not be developed until legal access, that satisfies the City requirements, is obtained. Staff recommends the CSR zoning.

City Attorney Wilson stated this is a boundary line adjustment. If it has any potential future use it would be as a single family residential. If the rezone is approved, he recommends using the language which states that the CSR use would be only as a single family residential if access and other site issues are addressed at the time. The parcel is technically landlocked.

There were no comments. The hearing was closed at 7:58 p.m.

Ordinance No. 3276 – An Ordinance Zoning a Landlocked Parcel from RMF-12 to CSR, Located West of 428 Ridgewood Lane

Upon motion by Councilmember Theobold, seconded by Councilmember Spehar with the condition that the language suggested by Mr. Wilson be added, and carried by roll call vote, Ordinance No. 3276 was adopted on second reading and ordered published.

### **Public Hearing – Variance Request for Desert Hills Estates Subdivision**

[File #FPP-2000-057]

The applicant requested a variance to be allowed to install street lighting at the roadway intersections at South Broadway and where Escondido Circle loops back into itself. The previously filed appeal on the final plat has been withdrawn.

Rob Katzenson, LanDesign, 259 Grand Avenue, spoke for the applicant, Tierra Ventures, LLC. A variance on the lighting standards is being requested. They are asking that two shielded street lights be located one at the intersection of the proposed Escondido Circle and South Broadway, and one where Escondido Circle loops back on itself, so street lighting will be provided for the necessary safety issues, but it will not be excessive retaining the “night sky” issues associated at that location.

Councilmember Theobold asked if the Public Works and Community Development Departments were satisfied with the safety on the road with the proposed lighting.

Kathy Portner, Planning Manager, stated Staff supports and recommends approval.

There were no comments. The hearing was closed at 8:01 p.m.

Upon motion by Councilmember Terry, seconded by Councilmember Payne and carried by roll call vote, the variance from street lighting standards was approved.

### **EXECUTIVE SESSIONS**

Upon motion by Councilmember Payne, seconded by Councilmember Terry and carried, Council went into executive session to discuss right-of-way acquisitions, property negotiations and ongoing negotiations at 8:03 p.m. with Council not intending to reconvene.

### **ADJOURNMENT**

The meeting was adjourned into executive session at 8:05 p.m.

Christine English  
Senior Administrative Assistant



Attach 2

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<u><b>CITY COUNCIL</b></u>			
<b>Subject:</b>	<b>Designation of the Location for the Posting of Meeting Notices</b>		
<b>Meeting Date:</b>	<b>August 2, 2000</b>		
<b>Date Prepared:</b>	<b>December 16, 2011</b>		
<b>Author:</b>	<b>Stephanie Nye</b>	<b>City Clerk</b>	
<b>Presenter Name:</b>	<b>Stephanie Nye</b>	<b>City Clerk</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** Designation of the Location for the Posting of Meeting Notices

**Summary:** With the move back to City Hall, it is time to redesignate the location for the posting of the meeting notices. There is a new bulletin board outside the auditorium at the 5<sup>th</sup> Street entrance to City Hall.

**Background Information:** State Law requires an annual designation of the City's official location for the posting of meeting notices. In January, Red Cliff Point, 515 28 Road, was the location designated. City Hall is now located at 250 N. 5<sup>th</sup> St.

**Budget:** N/A

**Action Requested/Recommendation:** Adopt the resolution designating the location for the posting of meeting notices.

<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

RESOLUTION NO. -00

A RESOLUTION OF THE CITY OF GRAND JUNCTION  
DESIGNATING THE LOCATION FOR THE POSTING OF THE NOTICE  
OF MEETINGS

Recitals.

The City Council of the City of Grand Junction is a "local public body" as defined in C.R.S. §24-6-402 (1)(a).

The City Council holds meetings to discuss public business.

The C.R.S. §24-6-402 (2)(c) provides that "Any meetings at which the adoption of any proposed policy, position, resolution, rule, regulation, or formal action occurs or at which a majority or quorum of the body is in attendance, or is expected to be in attendance, shall be held only after full and timely notice to the public. In addition to any other means of full and timely notice, a local public body shall be deemed to have given full and timely notice if the notice of the meeting is posted in a designated public place within the boundaries of the local public body no less than 24 hours prior to the holding of the meeting. The public place or places for posting of such notice shall be designated annually at the local public body's first regular meeting of each calendar year".

The City Hall offices have relocated to 250 N. 5<sup>th</sup> Street and have vacated the premises at Red Cliff Point, 515 28 Road.

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

The Notice of Meetings for the local public body shall be posted on the exterior notice board at 250 N 5<sup>th</sup> Street, City Hall.

Read and approved this \_\_\_\_ day of July, 2000.

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

ATTEST:

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

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i><b>CITY COUNCIL</b></i>		
<b>Subject:</b>	<b>Office Building for Transportation Engineering</b>	
<b>Meeting Date:</b>	<b>August 2, 2000</b>	
<b>Date Prepared:</b>	<b>July 21, 2000</b>	
<b>Author:</b>	<b>Rex Sellers Jody Kliska</b>	<b>Senior Buyer Transportation Engineer</b>
<b>Presenter Name:</b>	<b>Tim Moore Rex Sellers</b>	<b>Public Works Manager Senior Buyer</b>
	<b>Workshop</b>	<b>X    Formal Agenda</b>

**Subject:** Construction of a New Office Building for the Transportation Engineering Division.

**Summary:** New Construction of a 3,500 Square Foot stud wall structure to house the Transportation Engineering Division. Building will be constructed on a location west of the Stores Warehouse at 2549 River Road. The construction of this building will be completed this calendar year and the cost is included in this year's budget.

**Background Information:** This construction is needed to house the Transportation Engineering Division. The Division will have 12 full-time and 2 seasonal employees by 2001. Current space needs are not being met and funds were budgeted for this fiscal year for a new building. Staff is currently housed in two areas – one is a small tin shed serving as office space for four people, and the remainder work out of the City Shops area. The new building will provide adequate office space, a sign shop and a signal shop for the division. Construction of the new building will provide needed space at the Shops as well.

**The following responsive bids were received for the project:**

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
Vostatek Construction & Design, Inc.	Clifton	\$205,643.00
Tusca II Inc.	Grand Junction	\$236,500.00
Alpine C. M. Inc.	Grand Junction	\$237,300.00
K & G Enterprises, Inc.	Grand Junction	\$243,537.00

J. Dyer Construction, Inc.  
R. W. Jones Inc.

Grand Junction  
Fruita

\$258,587.00  
\$290,955.00

**Budget:**

**Project Costs:**

Building Construction	\$205,643.00
Architectural Fees	\$19,000.00
Development Fees	\$2,870.00
Geotechnical Design	\$602.00
Construction Engineering (estimate)	\$1,000.00
<b>Total:</b>	<b><u>\$229,115.00</u></b>

**Funding:**

2000 Budget Activity F31200	\$190,000.00
Balance Remaining Activity F31200	(\$39,115.00)
Transfer from Activity F07000	\$4,000.00
Transfer from Activity F00400	\$36,000.00
<b>Total Available Funds:</b>	<b>\$230,000.00</b>
<b>Balance Remaining:</b>	<b>\$885.00</b>

Funds will be transferred from Activity F07000 Signal Controller Upgrades and Activity F00400 Contract Street Maintenance. These activities were reviewed to be sure we are meeting the goals and schedules for this year for each activity with the remaining balances.

**Action Requested/Recommendation:** Authorization for the City Manager to sign the contract with low responsive/responsible bidder, Vostatek Construction & Design, Inc. in behalf of the City in the amount of \$ 205,643.00.

<b>Citizen Presentation:</b>	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes
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<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 checked="" type="checkbox"/>	Consent	<input type="checkbox"/>	Indiv. Consideration	<input type="checkbox"/>	Workshop
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CC: R. Watkins, R. Lappi, J. Kliska, T. Moore, M. Relph,

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<b>CITY COUNCIL</b>			
<b>Subject:</b>	<b>Easement Agreement with Mesa County for Kannah Creek Flowline</b>		
<b>Meeting Date:</b>	<b>August 2, 2000</b>		
<b>Date Prepared:</b>	<b>July 25, 2000</b>		
<b>Author:</b>	<b>Tim Woodmansee</b>	<b>Real Estate Manager</b>	
<b>Presenter Name:</b>	<b>Tim Woodmansee</b>	<b>Real Estate Manager</b>	
<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>	

**Subject:** Resolution accepting a water line easement from Mesa County to accommodate relocation of the Kannah Creek Flowline.

**Summary:** The Mesa County Commissioners have granted an easement allowing the City to relocate the Kannah Creek Flowline across Intermountain Veterans Memorial Park. The proposed resolution will accept the easement with its terms and conditions.

**Background Information:** The Kannah Creek Flowline is a 20-mile water line that carries the City's main supply of water from Kannah Creek to the treatment plant on Orchard Mesa. Originally installed in 1912, the Flowline is capable of carrying 7 ½ million gallons of water per day.

A problem area exists where the Flowline crosses numerous private properties on Orchard Mesa. Despite the existence of recorded easements, the integrity of the Flowline is in jeopardy due to the construction of homes within very close proximity to this high pressure water line. The 2002 budget includes funds to relocate the Flowline away from this problem area.

**Budget:** The County is not requiring any compensation for the easement.

**Action Requested/Recommendation:** Adopt Resolution authorizing the Mayor' signature to accept a water line easement from Mesa County.

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

**RESOLUTION NO. \_\_\_\_\_**

**ACCEPTING A WATER LINE EASEMENT FROM MESA COUNTY  
TO ACCOMMODATE RELOCATION OF THE KANNAH CREEK FLOWLINE**

WHEREAS, the City intends to replace and relocate certain portions of the City's main water supply water pipeline, commonly known as the Kannah Creek Flowline, in 2002; and

WHEREAS, a portion of the relocated Kannah Creek Flowline will be installed across real property owned by the County of Mesa which is commonly known as Intermountain Veterans Memorial Park; and

WHEREAS, by Mesa County Resolution No. MCM 2000-79, the County of Mesa has granted and conveyed to the City an easement which will allow the City to install the Kannah Creek Flowline on, along, over, under, through and across portions of the Intermountain Veterans Memorial Park property.

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

That the Mayor is hereby authorized and directed to execute the attached Grant of Easement as conveyed by Mesa County, accepting said Grant of Easement with its terms and conditons.

PASSED and ADOPTED this 2<sup>nd</sup> day of August, 2000.

Attest:

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

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

**Attach 5**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
<b>Subject:</b>	<b>The Knolls Filings 4-7 Rezone</b>		
<b>Meeting Date:</b>	<b>August 2, 2000</b>		
<b>Date Prepared:</b>	<b>July 20, 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:** The Knolls Filings 4-7 Rezone – PD (Planned Development), located south of the southeast corner of 27 ½ Road and Cortland Road; File #GPA-2000-103.

**Summary:** The applicant requests a rezone for the Knolls Filings 4-7 from a Planned Development (PD) zone to a PD zone at a density of 2.5 dwellings per acre. Former zoning under the old code was PR 2.7. A mixed-use development with 16 patio homes and 64 single-family homes is proposed. This rezone is required since the preliminary plan for the Knolls has expired and a lower density is proposed for the remainder of the undeveloped subdivision. Second reading of the ordinance for the rezone will be heard simultaneously with a request for a Growth Plan Amendment and modification to the standard street section.

**Background Information:** See Attached

**Budget:** N/A

**Action Requested/Recommendation:** Adopt ordinance on first reading and set a hearing for August 16, 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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BACKGROUND INFORMATION			
<b>Location:</b>		South of SE Corner 27 ½ & Cortland Road	
<b>Applicants:</b>		O.P. Development Co. LLC	
<b>Existing Land Use:</b>		Vacant & 1 Single Family Home	
<b>Proposed Land Use:</b>		Residential (Patio Homes & SF Homes)	
<b>Surrounding Land Use:</b>	<b>North</b>	Single Family (The Knolls)	
	<b>South</b>	Single Family (Spring Valley)	
	<b>East</b>	Single Family (Spring Valley)	
	<b>West</b>	Single family residential & vacant	
<b>Existing Zoning:</b>		RSF-4 & PD (formerly PR-2.7)	
<b>Proposed Zoning:</b>		Planned Development	
<b>Surrounding Zoning:</b>	<b>North</b>	Planned Development	
	<b>South</b>	RMF-5	
	<b>East</b>	RSF-4 & RMF-5	
	<b>West</b>	RMF-5	
<b>Growth Plan Designation:</b>		Residential Medium 4 to 8 units per acre	
<b>Zoning within density range?</b>		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**Action Requested/Recommendation:** Adopt ordinance on first reading and set a hearing for August 16, 2000.

**Staff Analysis**

**Background:** The Knolls Planned Development, originally approved in 1997, was 66 acres in size. It included 33.8 acres in Filings 1-3 located north of this site, including a 4.8-acre church site, and 25.87 acres to the south that encompasses a portion of this development application. There were single family and patio homes in both the north and south portions of the development. A portion of the site to the north is located in the Airport Critical Zone, which at the time allowed residential development at densities up to 4 dwellings per acre with a Special Use Permit. Roughly the northern portion of the site was in the Residential Medium Low 2 to 4 dwellings per acre land use designation and the southern portion was in the higher 4 to 8 dwellings per acre area. Despite this difference the entire development, excluding the church site, was zoned to a planned residential zone of 2.7 dwellings per acre.

The preliminary plan for the Knolls has since expired and the developer has acquired an additional 6.6-acre parcel. The overall density now proposed by the applicant is only slightly less at 2.5 dwellings per acre. However, since the preliminary plan expired and a lesser density is requested, a rezone to a new Planned Development is required. A Growth Plan Amendment is also required which will be heard at the public hearing for the second reading of the ordinance for the rezone.

**Rezone:** The applicant has proposed a change in zoning from Planned Development (formerly PR 2.7) to Planned Development with a density not to exceed 2.5 dwellings per acre. Even though this development is being proposed under the former Zoning and Development Code the new zoning districts apply to a rezone since there is only one official zoning map. The underlying zoning for bulk standards not mentioned in the applicant’s preliminary plan is RSF-4. The following bulk standards as proposed by the applicant and modified by staff shall be listed in the rezone ordinance for this development:

THE KNOLLS	BULK STANDARDS	
Minimum Lot Area		
	Single Family	9500 s.f.
	Patio Homes	4800 s.f.
Minimum Street Frontage		
	Single Family	20 ft
	Patio Homes	N/A
Maximum Lot Coverage	(per definition in former code)	
	Single Family	35%
	Patio Homes	100%
Maximum Structure Height		32 ft
Minimum Front Yard Setback		
	Single Family	20 ft
	Patio Homes	0 ft
Minimum Side Yard Setback		
	Principal Structure - Single Family	10 ft
(see note below)	Principal Structure - Patio Homes	0 ft *
	Accessory Structure – Single Family	5 ft
Minimum Rear Yard Setback		
	Principal Structure - Single Family	20 ft
	Principal Structure - Patio Homes	0 ft
	Accessory Structure – Single Family	5 ft
	Accessory Structure – Patio Homes	0 ft
Maximum Units per Gross Acre		2.5

\*5-foot side yard setbacks are required along common lot line for dwellings that are not attached.

Staff finds that the proposed Planned Development zoning meets the criteria established in Section 2.6 of the Grand Junction Zoning and Development Code. Because these findings and criteria are so closely related to the findings and criteria for the Growth Plan Amendment, they have not been repeated here. Findings regarding the conformance of this rezone request to the criteria established in the Zoning and Development Code are outlined in the applicant's general project report.

**The following information is provided for informational purposes only.**

**Growth Plan Amendment:** The applicant has provided extensive written analysis in the project report and response to comments on why this amendment meets the criteria required for a change in the Future Land Use Map. No attempt will be made in this report to summarize that analysis, other than in the findings listed below.

Staff finds that the proposed Growth Plan Amendment meets the criteria, as set forth in Section 2.5C of the Zoning and Development Code, as noted below. See information provided by the applicant for further information.

1. **There was an error such that then existing facts, projects, or trends (that were reasonably foreseeable) were not accounted for:** The Growth Plan density designation for these parcels was influenced by the RSF-5 zone designation of Spring Valley and other subdivisions in the area. In actuality the overall density in Spring Valley is in the 2 to 4 dwellings per acre range. Most likely Spring Valley was zone RSF-5 because it provided greater flexibility in setbacks. The error in the map occurred when the land use was determined based upon the higher density zoning in the area.
2. **Subsequent events have invalidated the original premises and findings:** Despite the designation of 4 to 8 dwellings on these parcels, the southernmost portion of the preliminary plan was rezoned to PR 2.7 in 1997. Had the preliminary plan not expired the approved density would have de facto changed the density of the Growth Plan. The revised plan, at only slightly less the density, proposes a similar development pattern on the southern portion of the site.
3. **The character and/or condition of the area has changed enough that the amendment is acceptable:** Other than a few vacant parcels to the west of this site, the area has built out at the lower density range of the Growth Plan (2 to 4 du/ac). This is an infill parcel and development at the

higher density (4 to 8) would be out of character with the rest of the neighborhood.

4. **The change is consistent with the goals and policies of the plan, including applicable special area, neighborhood and corridor plans:** See page 4 of the applicant's response to comments, which lists several goals and policies that this plan is consistent with. Also there are no applicable special area, neighborhood or corridor plans for this area.
5. **Public and community facilities are adequate to serve the type and scope of land use proposed:** The recently widened 27 ½ Road and other street improvements in this area provide good access to this site. Adequate utilities are available to the site. Schools that serve this site are under capacity. A fire station is located within one mile of this site.
6. **An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use:** With the higher land use designations required in many areas with the Future Land Use Map and minimum densities imposed under the new Zoning and Development Code, there is an inadequate supply of land for the type of development that is requested under this proposal.
7. **The community or area, as defined by the presiding body, will derive benefits from the proposed amendment:** The Knolls subdivision is a mixed-use development with patio homes and single-family homes. The developer of Filings 1-3 has done an outstanding job of assuring quality in the development. If the same product is continued in these phases this development should be one that the community can be proud of. Benefits derived from the amendment include increased property values and a stable residential neighborhood.

Attachments to this report include the following:

1. Aerial photo
2. Vicinity Map
3. Preliminary Plan

Knolls1knolls2knolls3

CITY OF GRAND JUNCTION, COLORADO

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

ZONING THE KNOLLS FILINGS 4-7  
LOCATED SOUTH OF THE SE CORNER OF 27 ½ & CORTLAND ROADS  
INCLUDING 640 & 652 27 ½ ROAD, TO CITY PD

Recitals.

The applicant has proposed to rezone the Knolls Filings 4-7 from a Planned Development residential (PD) zone of 2.7 dwellings per acre to a PD zone of 2.5 dwellings per acre. Zoning is pursuant to the new Zoning and Development Code. The Knolls Filings 4-7 proposes a mixed-use development with 16 patio homes and 64 single-family homes. The rezone is required because the preliminary plan for the Knolls expired; a lower density is proposed for the remainder of the undeveloped subdivision with a new preliminary plan.

The Planning Commission recommended approval of a request to change the City of Grand Junction Growth Plan Future Land Use Map to Residential Medium-Low Density 2-4 dwelling units per acre for this site. The City Council will consider the land use map/plan amendment prior to adoption of this ordinance. The rezone, if granted, will be in conformance with the density proposed in the Future Land Use Map, as amended.

After public notice and hearing the Planning Commission found that the proposed zoning is in conformance with Section 2.6 of Grand Junction Zoning and Development Code and recommended approval of the zone change at its July 18, 2000 hearing.

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

That the City Council finds that the proposed rezone meets the criteria set forth in Section 2.6 of the Zoning and Development Code. In accordance therewith the following described parcel of land is hereby zoned PD with the following bulk standards:

THE KNOLLS	BULK STANDARDS	
Minimum Lot Area		
	Single Family	9500 s.f.
	Patio Homes	4800 s.f.
Minimum Street Frontage		

	Single Family	20 ft
	Patio Homes	N/A
Maximum Lot Coverage	(per definition in former code)	
	Single Family	35%
	Patio Homes	100%
Maximum Structure Height		32 ft
Minimum Front Yard Setback		
	Single Family	20 ft
	Patio Homes	0 ft
Minimum Side Yard Setback		
	Principal Structure - Single Family	10 ft
(see note below)	Principal Structure - Patio Homes	0 ft *
	Accessory Structure – Single Family	5 ft
Minimum Rear Yard Setback		
	Principal Structure - Single Family	20 ft
	Principal Structure - Patio Homes	0 ft
	Accessory Structure – Single Family	5 ft
	Accessory Structure – Patio Homes	0 ft
Maximum Units per Gross Acre		2.5

\*5-foot side yard setbacks are required along common lot line for dwellings that are not attached.

The underlying straight zone for this PD is RSF-4. Most all of the bulk standards in the PD zone have been varied from the RSF-4 zone due to specific design considerations. Those design considerations were evaluated by the Planning Commission and City Development staff and were found to be appropriate. The Planning Commission and staff have recommended approval of the zoning.

The property being zoned is a tract of land located in the SW4NE4 & the NW4SE4 Sec 1 T1S R1W UM Mesa Co, CO and is more particularly described as follows: Beg at the NW cor of a tract of land whence the C4 cor Sec1 T1S R1W UM bears S29°38'50"W 82.93' and considering the N ln of the SW4NE4 Sec 1 to bear S89°57'11"E, with all other bearings contained herein relative thereto: 1) N50°15'06"E 196.30'; 2) N81°59'06"E 299.62'; 3) N68°06'13"E 282.69'; 4) NWLY 5.06' along the arc of a circular curve to the left with a rad of 244.00', an delta of 01°11'16" and a chord bearing N37°54'10"W, 5.06'; 5) N65°53'00"E 153.94'; 6) S54°34'00"E 134.54'; 7) S35°59'00"E 317.84'; 8) S02°05'43"W 78.50'; 9) S89°54'17"E 139.00'; 10) S00°01'22"E 875.30'; 11) N89°51'56"W 1288.44'; 12) N00°00'59"E 167.22'; 13) N02°06'59"E 218.35'; 14) N00°00'59"E 561.12' to the POB. The tract described above contains 32.518 acres more or less.

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 6**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<b>CITY COUNCIL</b>			
<b>Subject:</b>	<b>White Willows Zone of Annexation</b>		
<b>Meeting Date:</b>	<b>August 2, 2000</b>		
<b>Date Prepared:</b>	<b>July 19, 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-4 (White Willows Annexation) located at 2856 C ½ Road and 2851 and 2863 D Road; File #PP-2000-106.

**Summary:** The applicant requests a zone of annexation to RSF-4 to develop White Willows, a 122-lot subdivision on 39.56 acres. The property has been annexed for several months but has not been given a City zoning. A revised traffic study has been submitted by the applicant, which shows a minimal impact on the D and 9<sup>th</sup> Street and 30 Road intersections from this subdivision. At its July 18, 2000 hearing the Planning Commission recommended approval of the zone of annexation and approved the preliminary plan for this subdivision.

**Background Information:** See Attached

**Budget:** N/A

**Action Requested/Recommendation:** Adopt ordinance on first reading and set a hearing for August 16, 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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BACKGROUND INFORMATION					
<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			
<b>Surrounding Land Use:</b>	<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>Surrounding Zoning:</b>	<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 August 16, 2000.

**Staff Analysis:**

**Zone of Annexation:** The applicant is requesting a zone of annexation of RSF-4. At the time of annexation the Planning Commission had recommended a zone of annexation at half this density (RSF-2) based upon the applicant’s failure to provide sufficient information to show the traffic impact of this subdivision on D Road and the 9<sup>th</sup> Street and 30 Road intersections. The City Council allowed the applicant to withdraw the zone of annexation request, with the understanding that a new request would be submitted after the expanded traffic study was completed. The applicant has submitted a new application which includes a slightly modified preliminary plan and the expanded traffic study information requested by staff. The traffic study shows that the impact of this subdivision’s

traffic is not as significant as previously thought. The cumulative impact of traffic from this subdivision and others developing along the D Road corridor is still at issue. Additional information regarding the traffic impact will be submitted in the staff report for second reading.

The requested RSF-4 zone allows a density no greater than 4 dwellings per acre. The actual density of the White Willows preliminary plan is 3.1 dwellings per acre. 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. The actual density of Pine Estates is about 1.15 dwellings per acre. The RSF-4 zone provides a transition between the lower density Pine Estates Subdivision to the west and the slightly higher density Skyler Subdivision (4 du/ac) to the east.

The Growth Plan Future Land Use Map recommends Residential Medium Low Density between 2 and 4 dwellings per acre for this area

At its July 18, 2000 hearing the Planning Commission found that the proposed RSF-4 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**

- A. **Adverse impacts to the developed density of established neighborhoods shall be considered.** See response to D below.
- B. **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 is expected to develop at urban densities.

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

- A. **Was the existing zone an error at the time of adoption?** No. Existing County zoning of RSF-R (formerly 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 and other properties in the area have developed at urban densities. Increased commercialization and industrialization of the areas to the west of this site prompt higher density on these parcels.

- C. **Is there an area of community need for the proposed rezone?** The project is a response to an anticipated market demand for the proposed residential uses.
- D. **Is the proposed rezone compatible with the surrounding area or will there be adverse impacts?** There is always some conflict when new development is constructed adjacent to existing subdivisions, especially if no development has occurred in the area for awhile. The conflict is intensified as predominantly rural areas develop or redevelop with urban densities. These impacts occur whether the property is zoned RSF-2, the low end of the Growth Plan range or RSF-4, the higher end. The proposed subdivision is mid-range. The impacts from this subdivision – increased traffic, loss of views, noise, etc. must be balanced with the goals of the Growth Plan to concentrate urban growth.
- D. **Will there be benefits derived by the community, or area, by granting the proposed rezone?** In addition to criteria previously responded to, D Road will be widened adjacent to this development per the Major Street Plan.
- E. **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 Growth Plan Future Land Use Map. It is also in conformance with the goal to concentrate urban growth. Per page V.12 of the Growth Plan, “a key objective of this growth pattern is to use infrastructure (existing and planned) most efficiently and cost-effectively.” Low-density development does not use infrastructure efficiently or cost-effectively.
- G. **Are adequate public facilities available to serve development for the type and scope suggested by the proposed zone?** According to the traffic study submitted by the developer, immediate traffic impacts of White Willows Subdivision on surrounding roadways and intersections will be relatively minor. The greater impact is the cumulative effect of traffic from many subdivisions on D Road. Other utilities are available to serve this development.

Attachments to this report include the following:

4. White Willows Annexation Map
5. Vicinity map
6. Ordinance

Willows1willows2

CITY OF GRAND JUNCTION, COLORADO

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

ZONING THE WHITE WILLOWS ANNEXATION  
LOCATED AT  
2856 C ½ ROAD, 2851 AND 2863 D ROAD,  
FROM COUNTY AFT TO CITY RSF-4

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). With this zoning the applicant proposes to develop White Willows Subdivision, a 122-lot residential development on 39.56 acres. The density of the subdivision is approximately 3.1 dwellings per acre.

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 density proposed in 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 and 4-4-4 of Grand Junction Zoning and Development Code and recommended approval of this zone change to RSF-4 at its July 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 and 4-4-4 of the Zoning and Development Code and in accordance therewith the following described parcel is hereby rezoned from County AFT to City RSF-4:

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; 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. 2943-191-00-006: The W4 NW4NE4 Sec 19, T1S R1E of the UM Mesa County CO. Also 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 Sec 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

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
<b>Subject:</b>	<b>Chamblee/Boydston Enclave Annexation</b>		
<b>Meeting Date:</b>	<b>August 2, 2000</b>		
<b>Date Prepared:</b>	<b>July 24, 2000</b>		
<b>Author:</b>	<b>David Thornton</b>	<b>Principal Planner</b>	
<b>Presenter Name:</b>	<b>David Thornton</b>	<b>Principal Planner</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** First reading of the Ordinance to Annex the Chamblee/Boydston Enclave Annexation. The proposed annexation area is located at 714 and 720 24 ½ Road. File ANX-2000-115

**Summary:** The 9.60 acre Chamblee/Boydston Enclave Annexation area consists of 2 parcels of land completely surrounded by existing Grand Junction City limits. State law allows a municipality to annex enclave areas after they have been enclaved for a period of three years. The 1998 Persigo Agreement with Mesa County requires the City to annex enclave areas within 5 years.

**Background Information:** See Attached

**Budget:** N/A

**Action Requested/Recommendation:** It is recommended that City Council approve on first reading the annexation ordinance for the Chamblee/Boydston Enclave Annexation.

<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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BACKGROUND INFORMATION					
<b>Location:</b>		<b>714 and 720 24 ½ Road</b>			
<b>Applicants:</b>		<b>City of Grand Junction Staff Rep: Dave Thornton</b>			
<b>Existing Land Use:</b>		<b>Residential and Agricultural</b>			
<b>Proposed Land Use:</b>		<b>No Change</b>			
<b>Surrounding Land Use:</b>	<b>North</b>	<b>Residential and Church</b>			
	<b>South</b>	<b>Residential and Agricultural</b>			
	<b>East</b>	<b>Residential</b>			
	<b>West</b>	<b>Residential, Agricultural and Park</b>			
<b>Existing County Zoning:</b>		<b>RSF-R</b>			
<b>Proposed City Zoning:</b>		<b>RSF-R</b>			
<b>Surrounding Zoning:</b>	<b>North</b>	<b>RMF-8</b>			
	<b>South</b>	<b>RMF-5</b>			
	<b>East</b>	<b>RMF-5</b>			
	<b>West</b>	<b>PD, RSF-4, and CSR</b>			
<b>Growth Plan Designation:</b>		<b>Residential Medium density: 4 to 8 units/acre</b>			
<b>Zoning within density range?</b>		<input type="checkbox"/>	<b>Yes</b>	<input checked="" type="checkbox"/> <b>X</b>	<b>No</b>

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of annexing 9.6 acres of land. Under the 1998 Persigo Agreement with Mesa County the City is to annex all Enclave areas within 5 years. State law allows a municipality to annex enclave areas unilaterally after they have been enclaved for a period of three years. The Chamblee/Boydstun Enclave has been enclaved since May 7, 1995

The Chamblee/Boydstun Enclave is one of two annexations located north of G Road being considered at the same time for annexation.

Members of City Council and the Mesa County Board of County Commissioners met with affected property owners and residents on May 25<sup>th</sup>. Letters have been sent to affected property owners and residents throughout the process.

**CHAMBLEE/BOYDSTUN ENCLAVE ANNEXATION SUMMARY**

<b>File Number:</b>		<b>ANX-2000-115</b>
<b>Location:</b>		<b>714 and 720 24 ½ Road</b>
<b>Tax ID Number:</b>		<b>2701-334-00-123 and 2701-334-00-048</b>
<b>Parcels:</b>		<b>2</b>
<b>Estimated Population:</b>		<b>5</b>
<b># of Parcels (owner occupied):</b>		<b>2</b>
<b># of Dwelling Units:</b>		<b>2</b>
<b>Acres land annexed:</b>		<b>9.60 acres for annexation area</b>
<b>Developable Acres Remaining:</b>		<b>7 acres</b>
<b>Right-of-way in Annexation:</b>		<b>None</b>
<b>Previous County Zoning:</b>		<b>RSF-R</b>
<b>Proposed City Zoning:</b>		<b>(RSF-R) Residential Single Family Rural not to exceed 1 unit per 5 acres</b>
<b>Current Land Use:</b>		<b>Residential and Agricultural</b>
<b>Future Land Use:</b>		<b>Same</b>
<b>Values:</b>	<b>Assessed:</b>	<b>= \$ 33,150</b>
	<b>Actual:</b>	<b>= \$ 332,040</b>
<b>Census Tract:</b>		<b>9</b>
<b>Address Ranges:</b>		<b>714 through 720 24 ½ Road (even only)</b>
<b>Special Districts:</b>	<b>Water:</b>	<b>Ute Water</b>
	<b>Sewer:</b>	
	<b>Fire:</b>	<b>Grand Junction Rural Fire</b>
	<b>Drainage:</b>	<b>Grand Junction Drainage District</b>
	<b>School:</b>	<b>District 51</b>
	<b>Pest:</b>	



Annexation and Zoning schedule.

<b>ANNEXATION SCHEDULE</b>	
<b>July 5<sup>th</sup></b>	Notice of Intent to Annex & (30 Day Notice)
<b>July 11<sup>th</sup></b>	Planning Commission considers Zone of Annexation
<b>August 2<sup>nd</sup></b>	First Reading on Annexation & Zoning by City Council
<b>August 16<sup>th</sup></b>	Public hearing on Annexation and Zoning by City Council
<b>Sept. 17<sup>th</sup></b>	Effective date of Annexation and Zoning

**Action Requested/Recommendation:** It is recommended that City Council approve the Chamblee/Boydston Annexation.

**Attachments:**

- Annexation Ordinance
- Chamblee/Boydston Enclave Annexation Maps (2)

Chamb1Chamb2

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**CHAMBLEE/BOYDSTUN ENCLAVE ANNEXATION**

**LOCATED AT 714 AND 720 24 ½ ROAD**

**CONSISTING OF APPROXIMATELY 9.60 ACRES**

**WHEREAS**, on the 5<sup>th</sup> day of July, 2000 the City Council of the City of Grand Junction gave notice that they will consider for annexation to the City of Grand Junction, a tract of land in the County of Mesa, State of Colorado, commonly known as the Chamblee/Boystun Enclave, and more particularly described as follows:

**Lot 50, Pomona Park Subdivision, County of Mesa, State of Colorado.**

The area proposed to be annexed is entirely contained within the boundaries of the City of Grand Junction and said area has been so surrounded for a period of not less than 3 years, pursuant to 31-12-106(1). C. R S.

**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 commonly known as the Chamblee/Boystun Enclave, is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 2<sup>nd</sup> day August, 2000.

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

Attest:

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

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

**Attach 8**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
<b>Subject:</b>	<b>Chamblee/Boydston Enclave Annexation Zoning</b>		
<b>Meeting Date:</b>	<b>August 2, 2000</b>		
<b>Date Prepared:</b>	<b>July 24, 2000</b>		
<b>Author:</b>	<b>David Thornton</b>	<b>Principal Planner</b>	
<b>Presenter Name:</b>	<b>David Thornton</b>	<b>Principal Planner</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** First reading of the Ordinance for the zone of annexation to Residential Single Family Rural with a maximum density of one unit per five acres (RSF-R) for the Chamblee/Boydston Enclave Annexation. The proposed annexation area is located at 714 and 720 24 ½ Road. File #ANX-2000-115

**Summary:** The 9.60 acre Chamblee/Boydston Enclave Annexation area consists of 2 parcels of land completely surrounded by existing Grand Junction City limits. State law requires the City to zone newly annexed areas within 90 days of the annexation. Area property owners have requested that proposed City zoning be identical with existing Mesa County zoning for these enclaves.

**Background Information:** See Attached

**Budget:** N/A

**Action Requested/Recommendation:** It is recommended that City Council approve on first reading the Zone of Annexation Ordinance for the Chamblee/Boydston Enclave Annexation.

<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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BACKGROUND INFORMATION				
<b>Location:</b>		<b>714 and 720 24 ½ Road</b>		
<b>Applicants:</b>		<b>City of Grand Junction Staff Rep: Dave Thornton</b>		
<b>Existing Land Use:</b>		<b>Residential and Agricultural</b>		
<b>Proposed Land Use:</b>		<b>No Change</b>		
<b>Surrounding Land Use:</b>	<b>North</b>	<b>Residential and Church</b>		
	<b>South</b>	<b>Residential and Agricultural</b>		
	<b>East</b>	<b>Residential</b>		
	<b>West</b>	<b>Residential, Agricultural and Park</b>		
<b>Existing County Zoning:</b>		<b>RSF-R</b>		
<b>Proposed City Zoning:</b>		<b>RSF-R</b>		
<b>Surrounding Zoning:</b>	<b>North</b>	<b>RMF-8</b>		
	<b>South</b>	<b>RMF-5</b>		
	<b>East</b>	<b>RMF-5</b>		
	<b>West</b>	<b>PD, RSF-4, and CSR</b>		
<b>Growth Plan Designation:</b>		<b>Residential Medium density: 4 to 8 units/acre</b>		
<b>Zoning within density range?</b>		<input type="checkbox"/>	<b>Yes</b>	<input checked="" type="checkbox"/> <b>X</b>
				<b>No</b>

**Staff Analysis:**

**ZONE OF ANNEXATION:**

At a neighborhood meeting with City Council members, County Commissioners and area property owners in attendance, it was proposed by the City of Grand Junction to zone this enclave area the same as existing County zoning. Under the 1998 Persigo Agreement with Mesa County, the City is allowed to zone newly annexed areas the same as existing County zoning. City Council has directed staff to propose city zoning identical to and/or compatible with Mesa County zoning for this entire enclave area. Please review the attached "Proposed Zoning Map". The proposed zoning of RSF-R is identical to or nearly identical to corresponding Mesa County zoning for both properties in this enclave. Please note that this proposed zoning does not meet the Growth Plan's Future Land Use Map recommended densities. Future development on these properties may include rezoning to higher densities supported by the Growth Plan Future Land Use map.

**RSF-R ZONE DISTRICT**

- Both properties currently zoned AFT (recently changed to RSF-R with the County's new zoning code) are proposed as RSF-R in the City.

- The proposed RSF-R does not conform to the recommended densities found on the Growth Plans Future Land Use map currently designated as Residential Medium: 4 to 8 units/acre.
- Rezone requests for future developments to higher densities within the Future Land Use map's recommended densities may occur for either or both of these properties that are proposed for RSF-R.

**Zoning and Development Code criteria:**

**Section 2.14.F:** "Land annexed to the City shall be zoned in accordance with Section 2.6 to a district that is consistent with the adopted Growth Plan or consistent with existing County zoning."

**Section 2.6:** Approval Criteria. In order to maintain internal consistency between this code and the Zoning Maps, map amendments must only occur if:

1. The existing zoning was in error at the time of adoption;
2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.
3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances;
4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of this Code, and other City regulations and guidelines;
5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development;
6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs; and
7. The community or neighborhood will benefit from the proposed zone.

<b>ANNEXATION SCHEDULE</b>	
<b>July 5<sup>th</sup></b>	Notice of Intent to Annex & (30 Day Notice)
<b>July 11<sup>th</sup></b>	Planning Commission considers Zone of Annexation
<b>August 2<sup>nd</sup></b>	First Reading on Annexation & Zoning by City Council
<b>August 16<sup>th</sup></b>	Public hearing on Annexation and Zoning by City Council
<b>Sept 17<sup>th</sup></b>	Effective date of Annexation and Zoning

**Action Requested/Recommendation:** Planning Commission recommended approval at their meeting July 11, 2000 of a zone of RSF-R for the Chamblee/Boydston Enclave Annexation. It is recommended that City Council approve the zone of RSF-R for the following reasons:

- This zone district meets the criteria of Section 2.14.F of the Zoning and Development Code by being identical to or nearly identical to the former Mesa County zoning for each parcel and conforms to the adopted Growth Plan future land use map.
- This zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

**Attachments:**

- Zone of Annexation Ordinance
- Chamblee/Boydston Enclave Annexation Map
- Pomona Park Enclaves/G Road North Area Proposed Zoning Map

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**CITY OF GRAND JUNCTION, COLORADO**

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

**Zoning the Chamblee/Boydston Enclave Annexation to Residential Single Family Rural (RSF-R)**

**Located at 714 and 720 24 ½ Road**

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-R zone district to this annexation.**

After public notice and public hearing before the Grand Junction City Council, City Council finds that the I-O zone district be established for the following reasons:

- This zone district meets the criteria of Section 2.14.F of the Zoning and Development Code by being identical to or nearly identical to the former Mesa County zoning for each parcel and conforms to the adopted Growth Plan Future Land Use Map.
- This zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

**The following property shall be zoned the Residential Single Family Rural (RSF-R) zone district**

Includes the following tax parcels 2701-334-00-123 and 2701-334-00-048

**Lot 50, Pomona Park Subdivision, County of Mesa, State of Colorado.**

Introduced on first reading this 2<sup>nd</sup> day of August, 2000.

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

\_\_\_\_\_  
Mayor

ATTEST:

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

Attach 9

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
<b>Subject:</b>	<b>G Road North Enclave Annexation</b>		
<b>Meeting Date:</b>	<b>August 2, 2000</b>		
<b>Date Prepared:</b>	<b>July 24, 2000</b>		
<b>Author:</b>	<b>David Thornton</b>	<b>Principal Planner</b>	
<b>Presenter Name:</b>	<b>David Thornton</b>	<b>Principal Planner</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** First reading of the Ordinance to Annex the G Road North Enclave Annexation. The proposed annexation area is generally located between 25 ½ Road and 26 ½ Road north of G Road and south of H Road, but including one property north of H Road. File ANX-2000-114

**Summary:** The 274 acre G Road North Enclave Annexation area consists of 73 parcels of land completely surrounded by existing Grand Junction City limits. State law allows a municipality to annex enclave areas after they have been enclaved for a period of three years. The 1998 Persigo Agreement with Mesa County requires the City to annex enclave areas within 5 years.

**Background Information:** See Attached

**Budget:** N/A

**Action Requested/Recommendation:** It is recommended that City Council approve on first reading the annexation ordinance for the G Road North Enclave Annexation.

<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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BACKGROUND INFORMATION			
<b>Location:</b>		Located generally between 25 ½ Road and 26 ½ Road and north of G Road and south of H Road, but including one property north of H Road.	
<b>Applicants:</b>		City of Grand Junction Staff Rep: Dave Thornton	
<b>Existing Land Use:</b>		Residential and Agricultural	
<b>Proposed Land Use:</b>		No Change	
<b>Surrounding Land Use:</b>	<b>North</b>	Residential and Agricultural	
	<b>South</b>	Residential and Agricultural	
	<b>East</b>	Residential	
	<b>West</b>	Residential and Agricultural	
<b>Existing County Zoning:</b>		RSF-R, RSF-2, PUD at approx. 2 units/acre (County)	
<b>Proposed City Zoning:</b>		RSF-R, RSF-2 and PD	
<b>Surrounding Zoning:</b>	<b>North</b>	RSF-1	
	<b>South</b>	RSF-1	
	<b>East</b>	RSF-1 and RSF-4	
	<b>West</b>	RSF-1	
<b>Growth Plan Designation:</b>		Residential Low Density: .5 to 2 acre lot sizes Residential Medium Low: 2 to 4 units/acre Residential Medium density: 4 to 8 units/acre	
<b>Zoning within density range?</b>		<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of annexing 274 acres of land. Under the 1998 Persigo Agreement with Mesa County the City is to annex all Enclave areas within 5 years. State law allows a municipality to annex enclave areas unilaterally after they have been enclaved for a period of three years. The G Road North Enclave has been enclaved since May 7, 1995

The G Road North Enclave is one of two annexations located north of G Road being considered at the same time for annexation.

Members of City Council and the Mesa County Board of County Commissioners met with affected property owners and residents on May 25<sup>th</sup>. Letters have been sent to affected property owners and residents throughout the process.

**G ROAD NORTH ENCLAVE ANNEXATION SUMMARY**

<b>File Number:</b>	<b>ANX-2000-114</b>	
<b>Location:</b>	<b>Located generally between 25 ½ Road and 26 ½ Road and north of G Road and south of H Road, but including one property north of H Road.</b>	
<b>Tax ID Number:</b>	<b>See address list</b>	
<b>Parcels:</b>	<b>73</b>	
<b>Estimated Population:</b>	<b>108</b>	
<b># of Parcels (owner occupied):</b>	<b>38</b>	
<b># of Dwelling Units:</b>	<b>47</b>	
<b>Acres land annexed:</b>	<b>274 acres for annexation area</b>	
<b>Developable Acres Remaining:</b>	<b>Approx. 175 acres</b>	
<b>Right-of-way in Annexation:</b>	<b>See Map</b>	
<b>Previous County Zoning:</b>	<b>RSF-R, RSF-2, PUD at approx. 1 unit per 2 acres (County)</b>	
<b>Proposed City Zoning:</b>	<b>(RSF-R) Residential Single Family Rural not to exceed 1 unit per 5 acres (RSF-2) Residential Single Family not to exceed 2 unit per acre (PD) Residential Single Family at approx. 1 unit per 2 acres</b>	
<b>Current Land Use:</b>	<b>Residential and Agricultural</b>	
<b>Future Land Use:</b>	<b>Same</b>	
<b>Values:</b>	<b>Assessed:</b>	<b>= \$ 1,031,927</b>
	<b>Actual:</b>	<b>= \$ 9,708,200</b>
<b>Census Tract:</b>	<b>10 and 16</b>	
<b>Address Ranges:</b>	<b>See Map</b>	
<b>Special Districts:</b>	<b>Water:</b>	<b>Ute Water</b>
	<b>Sewer:</b>	
	<b>Fire:</b>	<b>Grand Junction Rural Fire</b>
	<b>Drainage:</b>	<b>Grand Junction Drainage District</b>
	<b>School:</b>	<b>District 51</b>
	<b>Pest:</b>	

<b>ANNEXATION SCHEDULE</b>	
<b>July 5<sup>th</sup></b>	Notice of Intent to Annex & (30 Day Notice)
<b>July 11<sup>th</sup></b>	Planning Commission considers Zone of Annexation
<b>August 2<sup>nd</sup></b>	First Reading on Annexation & Zoning by City Council
<b>August 16<sup>th</sup></b>	Public hearing on Annexation and Zoning by City Council
<b>Sept.17<sup>th</sup></b>	Effective date of Annexation and Zoning

**Action Requested/Recommendation:** It is recommended that City Council approve the G Road North Annexation.

**Attachments:**

- Annexation Ordinance
- G Road North Enclave Annexation Map

Grdnrth1

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**G ROAD NORTH ENCLAVE ANNEXATION**

**LOCATED GENERALLY BETWEEN 25 ½ ROAD AND 26 ½ ROAD AND  
NORTH OF G ROAD AND SOUTH OF H ROAD, BUT INCLUDING ONE  
PROPERTY NORTH OF H ROAD**

**AND INCLUDING BUT NOT LIMITED TO ALL OR A PORTION OF THE  
FOLLOWING RIGHTS-OF-WAYS: 25 ½ ROAD, 26 ROAD, G ROAD, 26 ½  
ROAD, G ½ ROAD, ELVIRA DRIVE, PARTRIDGE COURT, KELLY DRIVE,  
CLARKDELL COURT, COTTONWOOD DRIVE, LUJAN CIRCLE, AND  
INTERSTATE-70**

**CONSISTING OF APPROXIMATELY 274 ACRES**

**WHEREAS**, on the 5<sup>th</sup> day of July, 2000 the City Council of the City of Grand Junction gave notice that they will consider for annexation to the City of Grand Junction, a tract of land in the County of Mesa, State of Colorado, commonly known as the G Road North Enclave, and more particularly described as follows:

**A parcel of land situate in Sections 26, 34 & 35, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:**

Beginning at the SW 1/16 corner of said Section 35, Township 1 North, Range 1 West; thence S 00°00'00" E along the west line of the SE 1/4 SW 1/4 of said Section 35 a distance of 496.50 feet to a point; thence N 90°00'00" W a distance of 509.74 feet to a point; thence S 18°42'28" W a distance of 466.13 feet to a point; thence N 90°00'00" E a distance of 55.85 feet to a point; thence S 00°00'00" E a distance of 350.65 feet to a point on the north right of way line for G Road; thence N 89°52'19" W along the north right of way line for said G Road a distance of 2936.60 feet to a point; thence N 35°19'00" E a distance of 284.26 feet to a point; thence N 01°51'00" E a distance of 119.87 feet to a point; thence S 90°00'00" W a distance of 526.90 feet to a point on the east right of way line for 25 1/2 Road; thence N 00°00'00" E along the east right of way line for said 25 1/2 Road a distance of 299.25 feet to a point; thence N 74°10'00" E a distance of 36.41 feet to a point; thence N 88°01'10" E a distance of 596.93 feet to a point on the east bank of a Drain Ditch; thence along the east bank of said Drain Ditch the following 4 courses:

1) N 23°01'00" E a distance of 88.18 feet to a point;  
2) N 73°38'00" E a distance of 174.67 feet to a point;  
3) N 47°25'00" E a distance of 271.65 feet to a point;  
4) N 37°29'00" E a distance of 370.07 feet to a point;  
thence S 89°56'30" E a distance of 23.45 feet to the SE 1/16 corner of Section 34, Township 1 North, Range 1 West; thence N 00°13'29" E along the east line of the NW 1/4 SE 1/4 of said Section 34 a distance of 1320.25 feet to the CE 1/16 corner of said Section 34; thence N 90°00'00" E a distance of 25.52 feet to a point on the centerline for the Grand Valley Canal; thence along the centerline for said Grand Valley Canal the following 6 courses:

- 1) N 29°34'51" E a distance of 30.01 feet to a point;
- 2) N 45°25'42" E a distance of 125.11 feet to a point;
- 3) N 61°21'09" E a distance of 89.95 feet to a point;
- 4) N 79°34'22" E a distance of 41.76 feet to a point;
- 5) N 88°41'25" E a distance of 35.29 feet to a point;
- 6) S 64°03'24" E a distance of 59.02 feet to a point on the centerline for Leach Creek;

thence N 55°42'53" E along the centerline for said Leach Creek a distance of 60.40 feet to a point on the north right of way line for G 1/2 Road; thence along the north right of way line for said G 1/2 Road the following 6 courses:

- 1) S 46°51'15" E a distance of 271.87 feet to a point;
- 2) S 38°24'46" E a distance of 235.17 feet to a point;
- 3) S 51°46'49" E a distance of 111.57 feet to a point;
- 4) S 86°06'20" E a distance of 122.96 feet to a point;
- 5) N 74°01'57" E a distance of 257.85 feet to a point;
- 6) N 63°49'52" E a distance of 67.07 feet to a point on the southerly right of way line for I-70; thence N

05°22'00" W along said southerly right of way line a distance of 409.20 feet to a point; thence crossing said I-70 N 04°09'39" E a distance of 435.39 to a point on the northerly right of way line for said I-70; thence along the northerly right of way line for said I-70 the following 2 courses:

- 1) N 10°44'00" E a distance of 242.30 feet to a point;
- 2) S 89°33'00" E a distance of 80.00 feet to a point;

thence N 47°29'58" E a distance of 603.31 feet to a point on the north line of the SW 1/4 NW 1/4 of Section 35, Township 1 North, Range 1 West; thence S 88°14'45" E along the north line of said SW 1/4 NW 1/4 a distance of 34.48 feet to a point; thence N 00°00'00" E a distance of 36.54 feet to the southeast corner of Lot 2 of Replat of Sunny Knoll Subdivision; thence N 46°53'23" W along the northeasterly boundary line of said Lot 2 a distance of 330.62 feet to the northeast corner of said Lot 2; thence N 19°41'44" W a distance of 53.85 feet to a point on the northerly right of way line for Kelly Drive; thence along the northerly right of way line for said Kelly Drive the following 2 courses:

- 1) N 53°53'00" E a distance of 119.00 feet to a point;
- 2) N 59°41'00" E a distance of 114.39 feet to a point;

thence N 14°31'00" W a distance of 355.84 feet to a point on the centerline for Rice Wash; thence along the centerline for said Rice Wash the following 6 courses:

- 1) N 52°09'00" E a distance of 43.31 feet to a point;
- 2) N 26°41'14" W a distance of 258.09 feet to a point;
- 3) N 24°22'00" E a distance of 261.30 feet to a point;
- 4) N 00°39'35" E a distance of 59.69 feet to a point;
- 5) N 40°07'00" E a distance of 498.81 feet to a point;
- 6) N 36°06'10" E a distance of 152.56 feet to a point;

thence S 01°43'40" W a distance of 528.21 feet to a point on the north line of said Section 35; thence S 89°55'00" E along the north line of said Section 35 a distance of 112.92 feet to a point; thence S 00°05'00" W a distance of 501.66 feet to a point; thence N 66°08'00" E a distance of 90.30 feet to a point; thence N 88°15'00" E a distance of 122.90 feet to a point; thence S 59°49'00" E a distance of 106.20 feet to a point; thence N 88°42'00" E a distance of 88.70 feet to the northwest corner of Lot 4 of Replat of Lot 2, Saccomanno Minor Subdivision; thence S 00°00'28" W along the west boundary line of said Lot 4 a distance of 817.31 feet to the southwest corner of said Lot 4; thence S 89°49'51" E along the south line of the NE 1/4 NW 1/4 of said Section 35 a distance of 1315.95 feet to the northwest corner of the N 1/2 SW 1/4 NE 1/4 of said Section 35; thence S 89°52'42" E along the north line of the N 1/2 SW 1/4 NE 1/4 of said Section 35 a distance of 30.00 feet to a point; thence S 00°07'46" E a distance of 714.63 feet to a point on the southeasterly right of way line for I-70; thence along the southeasterly right of way line for said I-70 the following 3 courses:

- 1) S 69°23'47" W a distance of 90.65 feet to a point;
- 2) S 69°32'00" W a distance of 125.00 feet to a point;
- 3) S 70°32'30" W a distance of 174.24 feet to the northwest corner of Lot 9 of North Rolling Acres Subdivision;

**thence S 34°18'29" E along the westerly boundary line of said Lot 9 a distance of 167.57 feet to the southwest corner of said Lot 9; thence S 40°58'30" E a distance of 56.00 feet to a point on the southerly right of way line for Cottonwood Drive; thence along the southerly right of way line for said Cottonwood Drive the following 3 courses:**

- 1) N 49°01'30" E a distance of 128.32 feet to a point;
- 2) 81.08 feet along the arc of a curve concave to the southeast, having a radius of 131.35 feet, a delta angle of 35°22'05" and a long chord bearing N 66°30'56" E a distance of 79.80 feet to a point;
- 3) N 76°56'00" E a distance of 33.88 feet to a point on the north-south centerline for said Section 35;

thence S 00°00'00" E along said north-south centerline a distance of 397.60 feet to the C 1/4 corner of said Section 35; thence N 90°00'00" W along the north line of the NE 1/4 SW 1/4 of said Section 35 a distance of 428.70 feet to a point; thence S 05°49'21" W a distance of 165.56 feet to the centerline of a Drain Ditch; thence along the centerline of said Drain Ditch the following 4 courses:

- 1) S 76°03'00" W a distance of 135.20 feet to a point;
- 2) S 73°07'00" W a distance of 170.00 feet to a point;

- 3) S 61°03'00" W a distance of 445.00 feet to a point;
  - 4) S 80°35'00" W a distance of 193.33 feet to a point;
- thence S 00°02'01" E along the west line of the NE 1/4 SW 1/4 of said Section 35 a distance of 826.04 feet to the point of beginning.

The area proposed to be annexed is entirely contained within the boundaries of the City of Grand Junction and said area has been so surrounded for a period of not less than 3 years, pursuant to 31-12-106(1). C. R. S.

**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 commonly known as the G Road North Enclave, is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 2<sup>nd</sup> day August, 2000.

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

Attest:

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

\_\_\_\_\_  
**City Clerk      CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<b><u>CITY COUNCIL</u></b>		
<b><u>Subject:</u></b>	<b><u>G Road North Enclave Annexation Zoning</u></b>	
<b><u>Meeting Date:</u></b>	<b><u>August 2, 2000</u></b>	
<b><u>Date Prepared:</u></b>	<b><u>July 24, 2000</u></b>	
<b><u>Author:</u></b>	<b><u>David Thornton</u></b>	<b><u>Principal Planner</u></b>
<b><u>Presenter Name:</u></b>	<b><u>David Thornton</u></b>	<b><u>Principal Planner</u></b>
	<b><u>Workshop</u></b>	<b><u>X</u></b> <b><u>Formal Agenda</u></b>

**Subject:** First reading of the Ordinance for the zone of annexation to Residential Single Family Rural with a maximum density of one unit per five acres (RSF-R), Single Family Residential with a maximum density of two units per acre (RSF-2), and Planned Development with an approximate residential density of one unit per two acres (PD) for the G Road North Enclave Annexation. The proposed annexation area is located generally between 25 ½ Road and 26 ½ Road and

north of G Road and south of H Road, but including one property north of H Road. File #ANX-2000-114

**Summary:** The 274 acre G Road North Enclave Annexation area consists of 73 parcels of land completely surrounded by existing Grand Junction City limits. State law requires the City to zone newly annexed areas within 90 days of the annexation. Area property owners have requested that proposed City zoning be identical with existing Mesa County zoning for enclaves.

**Background Information:** See Attached

**Budget:** N/A

**Action Requested/Recommendation:** It is recommended that City Council approve on first reading the Zone of Annexation Ordinance for the G Road North Enclave Annexation.

<b>Citizen Presentation:</b>	<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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BACKGROUND INFORMATION		
Location:	Located generally between 25 ½ Road and 26 ½ Road and north of G Road and south of H Road, but including one property north of H Road.	
Applicants:	City of Grand Junction Staff Rep: Dave Thornton	
Existing Land Use:	Residential and Agricultural	
Proposed Land Use:	No Change	
Surrounding Land Use:	North	Residential and Agricultural
	South	Residential and Agricultural
	East	Residential
	West	Residential and Agricultural
Existing County Zoning:	RSF-R, RSF-2, PUD at approx. 2 units/acre (County)	
Proposed City Zoning:	RSF-R, RSF-2 and PD	



<b>Surrounding Zoning:</b>	<b>North</b>	<b>RSF-1</b>			
	<b>South</b>	<b>RSF-1</b>			
	<b>East</b>	<b>RSF-1 and RSF-4</b>			
	<b>West</b>	<b>RSF-1</b>			
<b>Growth Plan Designation:</b>		<b>Residential Low Density: .5 to 2 acre lot sizes</b> <b>Residential Medium Low: 2 to 4 units/acre</b> <b>Residential Medium density: 4 to 8 units/acre</b>			
<b>Zoning within density range?</b>		<b>X</b>	<b>Yes</b>	<b>X</b>	<b>No</b>

**Staff Analysis:**

**ZONE OF ANNEXATION:**

At a neighborhood meeting with City Council members, County Commissioners and area property owners in attendance, it was proposed by the City of Grand Junction to zone this enclave area the same as existing County zoning. Under the 1998 Persigo Agreement with Mesa County, the City is allowed to zone newly annexed areas the same as existing County zoning. City Council has directed staff to propose city zoning identical to and/or compatible with Mesa County zoning for this entire enclave area. Please review the attached "Proposed Zoning Map". The proposed zoning of RSF-R, RSF-2 and PD is identical to or nearly identical to corresponding Mesa County zoning for all properties in this enclave. Please note that the proposed RSF-R and some of the proposed RSF-2 zone districts do not conform to the Growth Plan's Future Land Use Map recommended densities. Future development on these properties may include rezoning to higher densities supported by the Growth Plan Future Land Use map.

**RSF-R ZONE DISTRICT**

- All properties currently zoned AFT (recently changed to RSF-R with the County's new zoning code) are proposed as RSF-R in the City.
- The proposed RSF-R does not conform to the recommended densities found on the Growth Plans Future Land Use map currently designated as Residential Medium: 4 to 8 units/acre and Residential Low Density with lots sizes between ½ acre and 2 acres.
- Rezone requests for future developments to higher densities within the Future Land Use map's recommended densities may occur for some or all of these properties that are proposed for RSF-R.

**RSF-2 ZONE DISTRICT**

- All properties currently zoned R2B (recently changed to RSF-2 with the County's new zoning code) as well as the 9 lot Starlight Estates

Planned Development (platted but not built) is proposed as RSF-2 in the City. Starlight Estates is located on the SW corner of G ½ Road and 26 Road. This subdivision plat was recorded in 1984, but improvements were never constructed. The platted lots are conforming to the RSF-2 zone district.

- The RSF-2 zone district conforms to the Growth Plan's Future Land Use Map's recommended densities of 2 to 4 units per acre in the Cottonwood Drive area and recommended densities of .5 to 2 units per acre on the NW and NE corners of 26 Road and G Road; but does not conform to the recommended densities of 4 to 8 units per acre for the remaining area.
- Rezone requests for future developments to higher densities within the Future Land Use map's recommended densities may occur for some or all of these nonconforming areas that are noted above.

#### PLANNED DEVELOPMENT (PD) ZONE DISTRICT

- The Partridge Farms Subdivision properties currently zoned PUD in the County is proposed as PD in the City.
- All requirements of Mesa County approval for the Partridge Farms Development Plat and Plan and development file will remain and become a part of this proposed PD zone district. (County file # C119-97)
- The approved densities for (Partridge Farms) PD zone district conforms to the Growth Plan's Future Land Use Map of .5 to 2 acre lot sizes. Each of the 10 residential units in Partridge Farms Subdivision has an average of 1.96 acres.

#### **Zoning and Development Code criteria:**

**Section 2.14.F:** "Land annexed to the City shall be zoned in accordance with Section 2.6 to a district that is consistent with the adopted Growth Plan or consistent with existing County zoning."

**Section 2.6:** Approval Criteria. In order to maintain internal consistency between this code and the Zoning Maps, map amendments must only occur if:

8. The existing zoning was in error at the time of adoption;
9. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.
10. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances;
11. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of this Code, and other City regulations and guidelines;
12. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development;

13. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs; and
14. The community or neighborhood will benefit from the proposed zone.

<b>ANNEXATION SCHEDULE</b>	
<b>July 5<sup>th</sup></b>	Notice of Intent to Annex & (30 Day Notice)
<b>July 11<sup>th</sup></b>	Planning Commission considers Zone of Annexation
<b>August 2<sup>nd</sup></b>	First Reading on Annexation & Zoning by City Council
<b>August 16<sup>th</sup></b>	Public hearing on Annexation and Zoning by City Council
<b>Sept 17<sup>th</sup></b>	Effective date of Annexation and Zoning

**Action Requested/Recommendation:** Planning Commission recommended approval at their meeting July 11, 2000 of zones of RSF-R, RSF-2 and PD for the G Road North Enclave Annexation. It is recommended that City Council approve the zones of RSF-R, RSF-2 and PD for the following reasons:

- These zone districts meet the criteria of Section 2.14.F of the Zoning and Development Code by being identical to or nearly identical to the former Mesa County zoning for each parcel and conforms to the adopted Growth Plan future land use map.
- These zone districts meet the criteria found in Section 2.6 of the Zoning and Development Code.

**Attachments:**

- Zone of Annexation Ordinance
- G Road North Enclave Annexation Map
- Pomona Park Enclaves/G Road North Area Proposed Zoning Map

Grdnrth1Grdnrth2

# CITY OF GRAND JUNCTION, COLORADO

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

## Zoning the G Road North Enclave Annexation to:

- Residential Single Family Rural (RSF-R);
- Residential Single Family with a maximum of two units per acre (RSF-2) and
- Planned Development (PD) with an approximate residential density of one unit per two acres.

Located generally between 25 ½ Road and 26 ½ Road and north of G Road and south of H Road, but including one property north of H Road.

### 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 the RSF-R, RSF-2 and PD zone districts to this annexation.

After public notice and public hearing before the Grand Junction City Council, City Council finds that RSF-R, RSF-2 and PD zone districts be established for the following reasons:

- These zone districts meet the criteria of Section 2.14.F of the Zoning and Development Code by being identical to or nearly identical to the former Mesa County zoning for each parcel and conforms to the adopted Growth Plan Future Land Use Map.
- These zone districts meet the criteria found in Section 2.6 of the Zoning and Development Code.

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

The following properties shall be zone Residential Single Family Rural with a maximum density of one unit per five acres (RSF-R)

### 2701-344-00-190

BEG 363FT E OF S4 COR SEC 34 1N 1W N 35DEG19' E 320FT N 1DEG51' E 119.87FT N14DEG48' E 152.52FT N 23DEG01' E 288.4FT N 73DEG38' E 174.67FT N 47DEG25' E 271.65FT N 37DEG29' E 370.07FT E 21FT S 128FT E 782.1FT SWLY ALG LI TO S SDSEC 34 W TO BEG EXC S 30FT FR RD - 23.77AC

### 2701-344-00-138

BEG 380.90FT N FR S4 COR SEC 34 1N 1W N 290.43FTN 74DEG10' E 75FT N  
88DEG01'10SEC E  
596.93FT S 23DEG01' W 200.22FT S 14DEG40' W 152.2FT W 551.9FT TO  
BEGEXC W 25FT FOR RD

2701-352-00-010

BEG 25FT N + 337FT W OF SE COR N2SE4NW4 SEC 35 1N 1WW 205FT N  
20DEG05MIN E 226.7FT N 25DEG E 105.7FT E82.8FT S 308.4FT TO BEG

2701-352-00-012

THAT PT N2SE4NW4 SEC 35 1N 1W W OF CO RD EXC FR N4 CORSEC 35 S  
31DEG54.7MIN W 1905.9FT + S 20FT FOR BEG S331.3FT N 89DEG56MIN W  
310FT N 331.3FT S 89DEG56MIN E310FT TO BEG

2701-352-00-015

BEG 440FT W OF NE COR S2SE4NW4 SEC 35 1N 1W W 879FT S TO N LI I-70  
NELY ALONGHWY TO A PT 20.4FT S OF BEG N TO BEG EXC ROW B-884 P-  
419 MESA CO RECORDS

2701-352-00-046

FR N4 COR SEC 35 1N 1W S 31DEG54.7' W 1905.9FT + S20FT FOR BEG S  
331.3FT N 89DEG56MIN W 310FT N 331.3FTS 89DEG56MIN E 310FT TO BEG

2701-352-00-064

BEG 420FT W NE COR N2SE4NW4 SEC 35 1N 1W W 588.8FT S 0DEG21' W  
646.9FT S89DEG37' E 469.24FT N 25FT N 20DEG 05' E 226.7FT N 25DEG E  
105.7FT N 0DEG11' E318.35FT TO BEG EXC RD IN B-884 P-418 CO CLERKS  
OFF & INC THAT PT OF RD VACATED PER B-2084 P-345/346

2701-352-00-066

BEG NE COR N2SE4NW4 SEC 35 1N 1W W 420FT S 0DEG11' W318.35FT E  
82.8FT N 83DEG35' E 49.64FT N 53DEG24' E322.6FT E 30FT N TO BEG EXC E  
30FT FOR ROAD

2701-352-00-106

BEG 345.7FT N OF SE COR N2SE4NW4 SEC 35 1N 1W S 60DEG17' W  
246.9FT W 67.1FT N131.1FT N 53DEG24' E 322.6FT E 30FT S 193.7FT TO  
BEG EXC I-70 ROW ON E & INCBEG W 420FT & S 0DEG11' W 318.35FT & E  
82.8FT FR NE COR N2SE4NW4 SD SEC 35 N83DEG35' E 49.64FT S 131.1FT E  
67.1FT TO I-70 SWLY ALG I-70 TO A PT 308.4FT SOF BEG N 308.4FT TO  
BEG

2701-263-00-012

BEG S 89DEG55' E 412FT + N 0DEG05' E 30FT FR SW CORSEC 26 1N 1W N  
40DEG07' E 650.4FT ALG C LI RICE WASH S1DEG43'40SEC W 498.21FT N  
89DEG55' W 404.06FT TO BEG

**2701-352-01-006**

LOTS 3 & 4 REPLAT OF SUNNY KNOLL SUB SEC 35 1N 1W & BEG SE COR SD LOT 3 S28DEG23'06SEC E , 135.54FT N 89DEG43' W 170.10FT N 36.54FT TO SW COR SD LOT 3 N52DEG16' E 133.6FT TO BEG - 2.74AC

**2701-352-00-029**

BEG 30FT S + S 89DEG55MIN E 412FT OF NW COR SEC 35 1N 1W RECD BK 893 PG 50 MESA CO CLK

**2701-352-00-071**

BEG S 89DEG55' E 682.98FT + S 0DEG05' W 30FT FR NW COR SEC 35 1N 1W S 89DEG55' E 246.0FT S 0DEG05' W 471.66FTS 66DEG08' W 61.50FT S 42DEG21' W 218.39FT N 10DEG W355.74FT N 8DEG51' E 127.12FT N 0DEG05' E 182.66FT TOBEG EXC BK-1026 PG-250 CO CLERKS OFF

**2701-352-00-101**

BEG S 62DEG54' E 744.9FT FR NW COR SEC 35 1N 1W W 324.95FT S 25DEG55' E 176.5FT S 52DEG09' W 43.31FTS 14DEG31' E 355.84FT N 59DEG41' E 114.42FT TO A PT ONCUL-DE-SAC RAD 50FT CH BEARS N 40DEG58'30SEC E 65.57FTN 48DEG03'18SEC E 131.08FT N 7DEG53'45SEC W 338.13FTTO BEG & BEG S 38DEG46'40SEC E 977.29FT FR NW COR SD SEC 35 N 48DEG00'24SEC E 349.73FT S 35DEG11'02SEC W224.29FT S 48DEG35'17SEC W 109.48FT ALG ARC OF CVE TOSW RAD 50FT CH BEARS N 65DEG53'19SEC W 53.23FT TO BEG

**2701-352-00-102**

BEG SE COR NW4NW4 SEC 35 1N 1W N 89DEG43' W 412FT N 31DEG15'01SEC E 313.61FT N 0DEG10' E 531.94FT S 88DEG15'W 41.98FT S 66DEG08' W 133.94FT S 47DEG45'14SEC W 322.01FT TO CVE TO LEFT RAD PT BEARS S 57DEG42'36SEC W 50FT N 47DEG45'14SEC E 351.24FT N 66DEG08' E 151.80FT N88DEG15' E 122.9FT S 59DEG49' E 106.2FT N 89DEG42' E88.7FT S 0DEG10' W 801.3FT TO BEG & BEG N 89DEG45'07SEC W 412FT & N 31DEG13'35SEC E 215.21FT FR SD SE CORN 5DEG34'39SEC E 539.59FT S 0DEG10' W 452.70FT S 31DEG13'35SEC W 98.62FT TO BEG & ALSO BEG S 40DEG05'48SEC E1029.24FT FR NW COR SEC 35 N 47DEG45'14SEC E 320.32FTS 34DEG10'58SEC W 216.34FT S 52DEG18'24SEC W 157.03FTALG CVE RAD 50FT CH BEARS N 8DEG17'14SEC E 60.25FT TOBEG EXC SWLY COR OF PARCEL DESC B-1216 P-59/62 & ALSO EXC BEG S 38DEG46'40SEC E 977.29FT FR SD NW COR SEC 35N 48DEG00'24SEC E 349.73FT AS DESC B-1693 P-147

**2701-352-00-103**

**BEG N 89DEG43' W 412FT FR SE COR NW4NW4 SEC 35 1N 1W N 89DEG43' W 365.38FT N36.64FT N 52DEG16' E 133.60FT N 44DEG107 E 208.1FT N 45DEG23' W 268.5FT ALGCVE TO LEFT RAD N 30DEG E 50FT ARC LG 132.9FT N 47DEG45'14SEC E 322.01FT N66DEG08' E 133.94FT N 88DEG15' E 41.98FT S 0DEG10' W 531.94FT S 31DEG15'01SECW 313.61FT TO BEG & BEG N 89DEG45'07SEC W 412FT & N 31DEG13'35SEC E 29.23FT FRSD SE COR N 31DEG13'35SEC E 185.98FT AS DESC B-1216 P-62 EXC BEG N89DEG45'07SEC W 412FT & N 31DEG 13'35SEC E 215.21FT FR SD SE COR N5DEG34'39SEC E 539 .59FT AS DESC B-1216 P-59 & ALSO EXC PT DEEDED TO LOT 3SUNNYKNOLL SUB REPLAT DESC IN B-1510 P-72 & ALSO EXC BEG S 40DEG05'48SEC E1029.24FT FR NW COR SD SEC 35 N 47DEG45'14SEC E 320.32FT S 34DEG10'58SEC W216.34FT S 52DEG18'24SEC W 157.03FT ALG CV RAD 50FT CH BEARS N 8DEG17'14SEC E60.25FT TO BEG**

The following properties shall be zone Residential Single Family with a maximum density of two units per acre (RSF-2)

**A parcel of land situate in Sections 26, 34 & 35, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:**

Beginning at the SW 1/16 corner of said Section 35, Township 1 North, Range 1 West; thence S 00°00'00" E along the west line of the SE 1/4 SW 1/4 of said Section 35 a distance of 496.50 feet to a point; thence N 90°00'00" W a distance of 509.74 feet to a point; thence S 18°42'28" W a distance of 466.13 feet to a point; thence N 90°00'00" E a distance of 55.85 feet to a point; thence S 00°00'00" E a distance of 350.65 feet to a point on the north right of way line for G Road; thence N 89°52'19" W along the north right of way line for said G Road a distance of 2936.60 feet to a point; thence N 35°19'00" E a distance of 284.26 feet to a point; thence N 01°51'00" E a distance of 119.87 feet to a point; thence S 90°00'00" W a distance of 526.90 feet to a point on the east right of way line for 25 1/2 Road; thence N 00°00'00" E along the east right of way line for said 25 1/2 Road a distance of 299.25 feet to a point; thence N 74°10'00" E a distance of 36.41 feet to a point; thence N 88°01'10" E a distance of 596.93 feet to a point on the east bank of a Drain Ditch; thence along the east bank of said Drain Ditch the following 4 courses:

5) N 23°01'00" E a distance of 88.18 feet to a point;  
6) N 73°38'00" E a distance of 174.67 feet to a point;  
7) N 47°25'00" E a distance of 271.65 feet to a point;  
8) N 37°29'00" E a distance of 370.07 feet to a point;  
thence S 89°56'30" E a distance of 23.45 feet to the SE 1/16 corner of Section 34, Township 1 North, Range 1 West; thence N 00°13'29" E along the east line of the NW 1/4 SE 1/4 of said Section 34 a distance of 1320.25 feet to the CE 1/16 corner of said Section 34; thence N 90°00'00" E a distance of 25.52 feet to a

point on the centerline for the Grand Valley Canal; thence along the centerline for said Grand Valley Canal the following 6 courses:

- 7) N 29°34'51" E a distance of 30.01 feet to a point;
- 8) N 45°25'42" E a distance of 125.11 feet to a point;
- 9) N 61°21'09" E a distance of 89.95 feet to a point;
- 10) N 79°34'22" E a distance of 41.76 feet to a point;
- 11) N 88°41'25" E a distance of 35.29 feet to a point;
- 12) S 64°03'24" E a distance of 59.02 feet to a point on the centerline for Leach Creek;

thence N 55°42'53" E along the centerline for said Leach Creek a distance of 60.40 feet to a point on the north right of way line for G 1/2 Road; thence along the north right of way line for said G 1/2 Road the following 6 courses:

- 7) S 46°51'15" E a distance of 271.87 feet to a point;
- 8) S 38°24'46" E a distance of 235.17 feet to a point;
- 9) S 51°46'49" E a distance of 111.57 feet to a point;
- 10) S 86°06'20" E a distance of 122.96 feet to a point;
- 11) N 74°01'57" E a distance of 257.85 feet to a point;
- 12) N 63°49'52" E a distance of 67.07 feet to a point on the southerly right of way line for I-70; thence N

05°22'00" W along said southerly right of way line a distance of 409.20 feet to a point; thence crossing said I-70 N 04°09'39" E a distance of 435.39 to a point on the northerly right of way line for said I-70; thence along the northerly right of way line for said I-70 the following 2 courses:

- 3) N 10°44'00" E a distance of 242.30 feet to a point;
- 4) S 89°33'00" E a distance of 80.00 feet to a point;

thence N 47°29'58" E a distance of 603.31 feet to a point on the north line of the SW 1/4 NW 1/4 of Section 35, Township 1 North, Range 1 West; thence S 88°14'45" E along the north line of said SW 1/4 NW 1/4 a distance of 34.48 feet to a point; thence N 00°00'00" E a distance of 36.54 feet to the southeast corner of Lot 2 of Replat of Sunny Knoll Subdivision; thence N 46°53'23" W along the northeasterly boundary line of said Lot 2 a distance of 330.62 feet to the northeast corner of said Lot 2; thence N 19°41'44" W a distance of 53.85 feet to a point on the northerly right of way line for Kelly Drive; thence along the northerly right of way line for said Kelly Drive the following 2 courses:

- 3) N 53°53'00" E a distance of 119.00 feet to a point;
- 4) N 59°41'00" E a distance of 114.39 feet to a point;

thence N 14°31'00" W a distance of 355.84 feet to a point on the centerline for Rice Wash; thence along the centerline for said Rice Wash the following 6 courses:

- 7) N 52°09'00" E a distance of 43.31 feet to a point;
- 8) N 26°41'14" W a distance of 258.09 feet to a point;
- 9) N 24°22'00" E a distance of 261.30 feet to a point;
- 10) N 00°39'35" E a distance of 59.69 feet to a point;
- 11) N 40°07'00" E a distance of 498.81 feet to a point;
- 12) N 36°06'10" E a distance of 152.56 feet to a point;



thence S 01°43'40" W a distance of 528.21 feet to a point on the north line of said Section 35; thence S 89°55'00" E along the north line of said Section 35 a distance of 112.92 feet to a point; thence S 00°05'00" W a distance of 501.66 feet to a point; thence N 66°08'00" E a distance of 90.30 feet to a point; thence N 88°15'00" E a distance of 122.90 feet to a point; thence S 59°49'00" E a distance of 106.20 feet to a point; thence N 88°42'00" E a distance of 88.70 feet to the northwest corner of Lot 4 of Replat of Lot 2, Saccomanno Minor Subdivision; thence S 00°00'28" W along the west boundary line of said Lot 4 a distance of 817.31 feet to the southwest corner of said Lot 4; thence S 89°49'51" E along the south line of the NE 1/4 NW 1/4 of said Section 35 a distance of 1315.95 feet to the northwest corner of the N 1/2 SW 1/4 NE 1/4 of said Section 35; thence S 89°52'42" E along the north line of the N 1/2 SW 1/4 NE 1/4 of said Section 35 a distance of 30.00 feet to a point; thence S 00°07'46" E a distance of 714.63 feet to a point on the southeasterly right of way line for I-70; thence along the southeasterly right of way line for said I-70 the following 3 courses:

- 4) S 69°23'47" W a distance of 90.65 feet to a point;
- 5) S 69°32'00" W a distance of 125.00 feet to a point;
- 6) S 70°32'30" W a distance of 174.24 feet to the northwest corner of Lot 9 of North Rolling Acres Subdivision;

**thence S 34°18'29" E along the westerly boundary line of said Lot 9 a distance of 167.57 feet to the southwest corner of said Lot 9; thence S 40°58'30" E a distance of 56.00 feet to a point on the southerly right of way line for Cottonwood Drive; thence along the southerly right of way line for said Cottonwood Drive the following 3 courses:**

- 4) N 49°01'30" E a distance of 128.32 feet to a point;
- 5) 81.08 feet along the arc of a curve concave to the southeast, having a radius of 131.35 feet, a delta angle of 35°22'05" and a long chord bearing N 66°30'56" E a distance of 79.80 feet to a point;
- 6) N 76°56'00" E a distance of 33.88 feet to a point on the north-south centerline for said Section 35;

thence S 00°00'00" E along said north-south centerline a distance of 397.60 feet to the C 1/4 corner of said Section 35; thence N 90°00'00" W along the north line of the NE 1/4 SW 1/4 of said Section 35 a distance of 428.70 feet to a point; thence S 05°49'21" W a distance of 165.56 feet to the centerline of a Drain Ditch; thence along the centerline of said Drain Ditch the following 4 courses:

- 5) S 76°03'00" W a distance of 135.20 feet to a point;
- 6) S 73°07'00" W a distance of 170.00 feet to a point;
- 7) S 61°03'00" W a distance of 445.00 feet to a point;
- 8) S 80°35'00" W a distance of 193.33 feet to a point;

thence S 00°02'01" E along the west line of the NE 1/4 SW 1/4 of said Section 35 a distance of 826.04 feet to the point of beginning.

Except that area lying north of Interstate 70; and Excepting out the following parcels located within the G Road North Enclave Annexation Area:

**2701-344-00-190**

**BEG 363FT E OF S4 COR SEC 34 1N 1W N 35DEG19' E 320FT N 1DEG51' E  
119.87FT N14DEG48' E 152.52FT N 23DEG01' E 288.4FT N 73DEG38' E  
174.67FT N 47DEG25' E271.65FT N 37DEG29' E 370.07FT E 21FT S 128FT E  
782.1FT SWLY ALG LI TO S SDSEC 34 W TO BEG EXC S 30FT FR RD -  
23.77AC**

**2701-344-00-138**

**BEG 380.90FT N FR S4 COR SEC 34 1N 1W N 290.43FTN 74DEG10' E 75FT N  
88DEG01'10SEC E  
596.93FT S 23DEG01' W 200.22FT S 14DEG40' W 152.2FT W 551.9FT TO  
BEGEXC W 25FT FOR RD**

The following properties shall be zone Planned Development with all conditions of approval by Mesa County as per Mesa County file C-119-97 (Partridge Farms Subdivision)

**2701-352-61-001 though 2701-352-61-010**

**Lots 1 through 10, and Tracts A, B, C, D of Partridge Farms Subdivision, Section 35, Township 1 North, Range 1 West of the Ute Meridian, Mesa County, Colorado.**

Introduced on first reading this 2<sup>nd</sup> day of August, 2000.

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

\_\_\_\_\_  
Mayor

ATTEST:

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

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
<b>Subject:</b>	<b>G Road North Enclave Annexation Zoning</b>		
<b>Meeting Date:</b>	<b>August 2, 2000</b>		
<b>Date Prepared:</b>	<b>July 24, 2000</b>		
<b>Author:</b>	<b>David Thornton</b>	<b>Principal Planner</b>	
<b>Presenter Name:</b>	<b>David Thornton</b>	<b>Principal Planner</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** First reading of the Ordinance for the zone of annexation to Residential Single Family Rural with a maximum density of one unit per five acres (RSF-R), Single Family Residential with a maximum density of two units per acre (RSF-2), and Planned Development with an approximate residential density of one unit per two acres (PD) for the G Road North Enclave Annexation. The proposed annexation area is located generally between 25 ½ Road and 26 ½ Road and north of G Road and south of H Road, but including one property north of H Road. File #ANX-2000-114

**Summary:** The 274 acre G Road North Enclave Annexation area consists of 73 parcels of land completely surrounded by existing Grand Junction City limits. State law requires the City to zone newly annexed areas within 90 days of the annexation. Area property owners have requested that proposed City zoning be identical with existing Mesa County zoning for enclaves.

**Background Information:** See Attached

**Budget:** N/A

**Action Requested/Recommendation:** It is recommended that City Council approve on first reading the Zone of Annexation Ordinance for the G Road North Enclave Annexation.

<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>X</b>	<b>Consent</b>		<b>Indiv. Consideration</b>		<b>Workshop</b>

BACKGROUND INFORMATION					
Location:		Located generally between 25 ½ Road and 26 ½ Road and north of G Road and south of H Road, but including one property north of H Road.			
Applicants:		City of Grand Junction Staff Rep: Dave Thornton			
Existing Land Use:		Residential and Agricultural			
Proposed Land Use:		No Change			
Surrounding Land Use:	North	Residential and Agricultural			
	South	Residential and Agricultural			
	East	Residential			
	West	Residential and Agricultural			
Existing County Zoning:		RSF-R, RSF-2, PUD at approx. 2 units/acre (County)			
Proposed City Zoning:		RSF-R, RSF-2 and PD			
Surrounding Zoning:	North	RSF-1			
	South	RSF-1			
	East	RSF-1 and RSF-4			
	West	RSF-1			
Growth Plan Designation:		Residential Low Density: .5 to 2 acre lot sizes Residential Medium Low: 2 to 4 units/acre Residential Medium density: 4 to 8 units/acre			
Zoning within density range?		X	Yes	X	No

**Staff Analysis:**

**ZONE OF ANNEXATION:**

At a neighborhood meeting with City Council members, County Commissioners and area property owners in attendance, it was proposed by the City of Grand Junction to zone this enclave area the same as existing County zoning. Under the 1998 Persigo Agreement with Mesa County, the City is allowed to zone newly annexed areas the same as existing County zoning. City Council has directed staff to propose city zoning identical to and/or compatible with Mesa County zoning for this entire enclave area. Please review the attached "Proposed Zoning Map". The proposed zoning of RSF-R, RSF-2 and PD is identical to or nearly identical to corresponding Mesa County zoning for all properties in this enclave. Please note that the proposed RSF-R and some of

the proposed RSF-2 zone districts do not conform to the Growth Plan's Future Land Use Map recommended densities. Future development on these properties may include rezoning to higher densities supported by the Growth Plan Future Land Use map.

#### RSF-R ZONE DISTRICT

- All properties currently zoned AFT (recently changed to RSF-R with the County's new zoning code) are proposed as RSF-R in the City.
- The proposed RSF-R does not conform to the recommended densities found on the Growth Plans Future Land Use map currently designated as Residential Medium: 4 to 8 units/acre and Residential Low Density with lots sizes between ½ acre and 2 acres.
- Rezone requests for future developments to higher densities within the Future Land Use map's recommended densities may occur for some or all of these properties that are proposed for RSF-R.

#### RSF-2 ZONE DISTRICT

- All properties currently zoned R2B (recently changed to RSF-2 with the County's new zoning code) as well as the 9 lot Starlight Estates Planned Development (platted but not built) is proposed as RSF-2 in the City. Starlight Estates is located on the SW corner of G ½ Road and 26 Road. This subdivision plat was recorded in 1984, but improvements were never constructed. The platted lots are conforming to the RSF-2 zone district.
- The RSF-2 zone district conforms to the Growth Plan's Future Land Use Map's recommended densities of 2 to 4 units per acre in the Cottonwood Drive area and recommended densities of .5 to 2 units per acre on the NW and NE corners of 26 Road and G Road; but does not conform to the recommended densities of 4 to 8 units per acre for the remaining area.
- Rezone requests for future developments to higher densities within the Future Land Use map's recommended densities may occur for some or all of these nonconforming areas that are noted above.

#### PLANNED DEVELOPMENT (PD) ZONE DISTRICT

- The Partridge Farms Subdivision properties currently zoned PUD in the County is proposed as PD in the City.
- All requirements of Mesa County approval for the Partridge Farms Development Plat and Plan and development file will remain and become a part of this proposed PD zone district. (County file # C119-97)
- The approved densities for (Partridge Farms) PD zone district conforms to the Growth Plan's Future Land Use Map of .5 to 2 acre lot sizes. Each of the 10 residential units in Partridge Farms Subdivision has an average of 1.96 acres.

**Zoning and Development Code criteria:**

**Section 2.14.F:** “Land annexed to the City shall be zoned in accordance with Section 2.6 to a district that is consistent with the adopted Growth Plan or consistent with existing County zoning.”

**Section 2.6:** Approval Criteria. In order to maintain internal consistency between this code and the Zoning Maps, map amendments must only occur if:

15. The existing zoning was in error at the time of adoption;
16. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.
17. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances;
18. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of this Code, and other City regulations and guidelines;
19. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development;
20. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs; and
21. The community or neighborhood will benefit from the proposed zone.

<b>ANNEXATION SCHEDULE</b>	
<b>July 5<sup>th</sup></b>	Notice of Intent to Annex & (30 Day Notice)
<b>July 11<sup>th</sup></b>	Planning Commission considers Zone of Annexation
<b>August 2<sup>nd</sup></b>	First Reading on Annexation & Zoning by City Council
<b>August 16<sup>th</sup></b>	Public hearing on Annexation and Zoning by City Council
<b>Sept 17<sup>th</sup></b>	Effective date of Annexation and Zoning

**Action Requested/Recommendation:** Planning Commission recommended approval at their meeting July 11, 2000 of zones of RSF-R, RSF-2 and PD for the G Road North Enclave Annexation. It is recommended that City Council approve the zones of RSF-R, RSF-2 and PD for the following reasons:

- These zone districts meet the criteria of Section 2.14.F of the Zoning and Development Code by being identical to or nearly identical to the former Mesa County zoning for each parcel and conforms to the adopted Growth Plan future land use map.
- These zone districts meet the criteria found in Section 2.6 of the Zoning and Development Code.

**Attachments:**

- Zone of Annexation Ordinance
- G Road North Enclave Annexation Map
- Pomona Park Enclaves/G Road North Area Proposed Zoning Map

Grdnrth1Grdnrth2

**CITY OF GRAND JUNCTION, COLORADO**

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

**Zoning the G Road North Enclave Annexation to:**

- ◆ **Residential Single Family Rural (RSF-R);**
- ◆ **Residential Single Family with a maximum of two units per acre (RSF-2) and**
- ◆ **Planned Development (PD) with an approximate residential density of one unit per two acres.**

**Located generally between 25 ½ Road and 26 ½ Road and north of G Road and south of H Road, but including one property north of H Road.**

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 the RSF-R, RSF-2 and PD zone districts to this annexation.

After public notice and public hearing before the Grand Junction City Council, City Council finds that RSF-R, RSF-2 and PD zone districts be established for the following reasons:

- These zone districts meet the criteria of Section 2.14.F of the Zoning and Development Code by being identical to or nearly identical to the former Mesa County zoning for each parcel and conforms to the adopted Growth Plan Future Land Use Map.
- These zone districts meet the criteria found in Section 2.6 of the Zoning and Development Code.

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

The following properties shall be zone Residential Single Family Rural with a maximum density of one unit per five acres (RSF-R)

2701-344-00-190

BEG 363FT E OF S4 COR SEC 34 1N 1W N 35DEG19' E 320FT N 1DEG51' E 119.87FT N14DEG48' E 152.52FT N 23DEG01' E 288.4FT N 73DEG38' E 174.67FT N 47DEG25' E 271.65FT N 37DEG29' E 370.07FT E 21FT S 128FT E 782.1FT SWLY ALG LI TO S SDSEC 34 W TO BEG EXC S 30FT FR RD - 23.77AC

2701-344-00-138

BEG 380.90FT N FR S4 COR SEC 34 1N 1W N 290.43FTN 74DEG10' E 75FT N 88DEG01'10SEC E



596.93FT S 23DEG01' W 200.22FT S 14DEG40' W 152.2FT W 551.9FT TO  
BEGEXC W 25FT FOR RD

2701-352-00-010

BEG 25FT N + 337FT W OF SE COR N2SE4NW4 SEC 35 1N 1WW 205FT N  
20DEG05MIN E 226.7FT N 25DEG E 105.7FT E82.8FT S 308.4FT TO BEG

2701-352-00-012

THAT PT N2SE4NW4 SEC 35 1N 1W W OF CO RD EXC FR N4 CORSEC 35 S  
31DEG54.7MIN W 1905.9FT + S 20FT FOR BEG S331.3FT N 89DEG56MIN W  
310FT N 331.3FT S 89DEG56MIN E310FT TO BEG

2701-352-00-015

BEG 440FT W OF NE COR S2SE4NW4 SEC 35 1N 1W W 879FT S TO N LI I-70  
NELY ALONGHWY TO A PT 20.4FT S OF BEG N TO BEG EXC ROW B-884 P-  
419 MESA CO RECORDS

2701-352-00-046

FR N4 COR SEC 35 1N 1W S 31DEG54.7' W 1905.9FT + S20FT FOR BEG S  
331.3FT N 89DEG56MIN W 310FT N 331.3FTS 89DEG56MIN E 310FT TO BEG

2701-352-00-064

BEG 420FT W NE COR N2SE4NW4 SEC 35 1N 1W W 588.8FT S 0DEG21' W  
646.9FT S89DEG37' E 469.24FT N 25FT N 20DEG 05' E 226.7FT N 25DEG E  
105.7FT N 0DEG11' E318.35FT TO BEG EXC RD IN B-884 P-418 CO CLERKS  
OFF & INC THAT PT OF RD VACATED PER B-2084 P-345/346

2701-352-00-066

BEG NE COR N2SE4NW4 SEC 35 1N 1W W 420FT S 0DEG11' W318.35FT E  
82.8FT N 83DEG35' E 49.64FT N 53DEG24' E322.6FT E 30FT N TO BEG EXC E  
30FT FOR ROAD

2701-352-00-106

BEG 345.7FT N OF SE COR N2SE4NW4 SEC 35 1N 1W S 60DEG17' W  
246.9FT W 67.1FT N131.1FT N 53DEG24' E 322.6FT E 30FT S 193.7FT TO BEG  
EXC I-70 ROW ON E & INCBEG W 420FT & S 0DEG11' W 318.35FT & E 82.8FT  
FR NE COR N2SE4NW4 SD SEC 35 N83DEG35' E 49.64FT S 131.1FT E 67.1FT  
TO I-70 SWLY ALG I-70 TO A PT 308.4FT SOF BEG N 308.4FT TO BEG

2701-263-00-012

BEG S 89DEG55' E 412FT + N 0DEG05' E 30FT FR SW CORSEC 26 1N 1W N  
40DEG07' E 650.4FT ALG C LI RICE WASH S1DEG43'40SEC W 498.21FT N  
89DEG55' W 404.06FT TO BEG

2701-352-01-006

LOTS 3 & 4 REPLAT OF SUNNY KNOLL SUB SEC 35 1N 1W & BEG SE COR  
SD LOT 3 S28DEG23'06SEC E , 135.54FT N 89DEG43' W 170.10FT N 36.54FT  
TO SW COR SD LOT 3 N52DEG16' E 133.6FT TO BEG - 2.74AC

2701-352-00-029

BEG 30FT S + S 89DEG55MIN E 412FT OF NW COR SEC 35 1N 1W RECD BK  
893 PG 50 MESA CO CLK

2701-352-00-071

BEG S 89DEG55' E 682.98FT + S 0DEG05' W 30FT FR NW COR SEC 35 1N 1W  
S 89DEG55' E 246.0FT S 0DEG05' W 471.66FTS 66DEG08' W 61.50FT S  
42DEG21' W 218.39FT N 10DEG W355.74FT N 8DEG51' E 127.12FT N 0DEG05'  
E 182.66FT TOBEG EXC BK-1026 PG-250 CO CLERKS OFF

2701-352-00-101

BEG S 62DEG54' E 744.9FT FR NW COR SEC 35 1N 1W W 324.95FT S  
25DEG55' E 176.5FT S  
52DEG09' W 43.31FTS 14DEG31' E 355.84FT N 59DEG41' E 114.42FT TO A PT  
ONCUL-DE-SAC RAD 50FT CH BEARS N 40DEG58'30SEC E 65.57FTN  
48DEG03'18SEC E 131.08FT N 7DEG53'45SEC W 338.13FTTO BEG & BEG S  
38DEG46'40SEC E 977.29FT FR NW COR SD SEC 35 N 48DEG00'24SEC E  
349.73FT S 35DEG11'02SEC W224.29FT S 48DEG35'17SEC W 109.48FT ALG  
ARC OF CVE TOSW RAD 50FT CH BEARS N 65DEG53'19SEC W 53.23FT TO  
BEG

2701-352-00-102

BEG SE COR NW4NW4 SEC 35 1N 1W N 89DEG43' W 412FT N  
31DEG15'01SEC E 313.61FT N 0DEG10' E 531.94FT S 88DEG15'W 41.98FT S  
66DEG08' W 133.94FT S 47DEG45'14SEC W 322.01FT TO CVE TO LEFT RAD  
PT BEARS S 57DEG42'36SEC W 50FT N 47DEG45'14SEC E 351.24FT N  
66DEG08' E 151.80FT N88DEG15' E 122.9FT S 59DEG49' E 106.2FT N  
89DEG42' E88.7FT S 0DEG10' W 801.3FT TO BEG & BEG N 89DEG45'07SEC  
W 412FT & N 31DEG13'35SEC E 215.21FT FR SD SE CORN 5DEG34'39SEC E  
539.59FT S 0DEG10' W 452.70FT S 31DEG13'35SEC W 98.62FT TO BEG &  
ALSO BEG S 40DEG05'48SEC E1029.24FT FR NW COR SEC 35 N  
47DEG45'14SEC E 320.32FTS 34DEG10'58SEC W 216.34FT S  
52DEG18'24SEC W 157.03FTALG CVE RAD 50FT CH BEARS N  
8DEG17'14SEC E 60.25FT TOBEG EXC SWLY COR OF PARCEL DESC B-1216  
P-59/62 & ALSO EXC BEG S 38DEG46'40SEC E 977.29FT FR SD NW COR  
SEC 35N 48DEG00'24SEC E  
349.73FT AS DESC B-1693 P-147

2701-352-00-103

BEG N 89DEG43' W 412FT FR SE COR NW4NW4 SEC 35 1N 1W N 89DEG43'  
W 365.38FT N36.64FT N 52DEG16' E 133.60FT N 44DEG107 E 208.1FT N  
45DEG23' W 268.5FT ALGCVE TO LEFT RAD N 30DEG E 50FT ARC LG

132.9FT N 47DEG45'14SEC E 322.01FT N66DEG08' E 133.94FT N 88DEG15' E  
41.98FT S 0DEG10' W 531.94FT S 31DEG15'01SECW 313.61FT TO BEG &  
BEG N 89DEG45'07SEC W 412FT & N 31DEG13'35SEC E 29.23FT FRSD SE  
COR N 31DEG13'35SEC E 185.98FT AS DESC B-1216 P-62 EXC BEG  
N89DEG45'07SEC W 412FT & N 31DEG 13'35SEC E 215.21FT FR SD SE COR  
N5DEG34'39SEC E 539 .59FT AS DESC B-1216 P-59 & ALSO EXC PT DEEDED  
TO LOT 3SUNNYKNOLL SUB REPLAT DESC IN B-1510 P-72 & ALSO EXC  
BEG S 40DEG05'48SEC E1029.24FT FR NW COR SD SEC 35 N  
47DEG45'14SEC E 320.32FT S 34DEG10'58SEC W216.34FT S  
52DEG18'24SEC W 157.03FT ALG CV RAD 50FT CH BEARS N 8DEG17'14SEC  
E60.25FT TO BEG

The following properties shall be zone Residential Single Family with a maximum density of two units per acre (RSF-2)

A parcel of land situate in Sections 26, 34 & 35, Township 1 North, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the SW 1/16 corner of said Section 35, Township 1 North, Range 1 West; thence S 00°00'00" E along the west line of the SE 1/4 SW 1/4 of said Section 35 a distance of 496.50 feet to a point; thence N 90°00'00" W a distance of 509.74 feet to a point; thence S 18°42'28" W a distance of 466.13 feet to a point; thence N 90°00'00" E a distance of 55.85 feet to a point; thence S 00°00'00" E a distance of 350.65 feet to a point on the north right of way line for G Road; thence N 89°52'19" W along the north right of way line for said G Road a distance of 2936.60 feet to a point; thence N 35°19'00" E a distance of 284.26 feet to a point; thence N 01°51'00" E a distance of 119.87 feet to a point; thence S 90°00'00" W a distance of 526.90 feet to a point on the east right of way line for 25 1/2 Road; thence N 00°00'00" E along the east right of way line for said 25 1/2 Road a distance of 299.25 feet to a point; thence N 74°10'00" E a distance of 36.41 feet to a point; thence N 88°01'10" E a distance of 596.93 feet to a point on the east bank of a Drain Ditch; thence along the east bank of said Drain Ditch the following 4 courses:

9) N 23°01'00" E a distance of 88.18 feet to a point;  
10)N 73°38'00" E a distance of 174.67 feet to a point;  
11)N 47°25'00" E a distance of 271.65 feet to a point;  
12)N 37°29'00" E a distance of 370.07 feet to a point;  
thence S 89°56'30" E a distance of 23.45 feet to the SE 1/16 corner of Section 34, Township 1 North, Range 1 West; thence N 00°13'29" E along the east line of the NW 1/4 SE 1/4 of said Section 34 a distance of 1320.25 feet to the CE 1/16 corner of said Section 34; thence N 90°00'00" E a distance of 25.52 feet to a point on the centerline for the Grand Valley Canal; thence along the centerline for said Grand Valley Canal the following 6 courses:  
13)N 29°34'51" E a distance of 30.01 feet to a point;

- 14) N 45°25'42" E a distance of 125.11 feet to a point;
- 15) N 61°21'09" E a distance of 89.95 feet to a point;
- 16) N 79°34'22" E a distance of 41.76 feet to a point;
- 17) N 88°41'25" E a distance of 35.29 feet to a point;
- 18) S 64°03'24" E a distance of 59.02 feet to a point on the centerline for Leach Creek;

thence N 55°42'53" E along the centerline for said Leach Creek a distance of 60.40 feet to a point on the north right of way line for G 1/2 Road; thence along the north right of way line for said G 1/2 Road the following 6 courses:

- 13) S 46°51'15" E a distance of 271.87 feet to a point;
- 14) S 38°24'46" E a distance of 235.17 feet to a point;
- 15) S 51°46'49" E a distance of 111.57 feet to a point;
- 16) S 86°06'20" E a distance of 122.96 feet to a point;
- 17) N 74°01'57" E a distance of 257.85 feet to a point;
- 18) N 63°49'52" E a distance of 67.07 feet to a point on the southerly right of way line for I-70; thence N

05°22'00" W along said southerly right of way line a distance of 409.20 feet to a point; thence crossing said I-70 N 04°09'39" E a distance of 435.39 to a point on the northerly right of way line for said I-70; thence along the northerly right of way line for said I-70 the following 2 courses:

- 5) N 10°44'00" E a distance of 242.30 feet to a point;
- 6) S 89°33'00" E a distance of 80.00 feet to a point;

thence N 47°29'58" E a distance of 603.31 feet to a point on the north line of the SW 1/4 NW 1/4 of Section 35, Township 1 North, Range 1 West; thence S 88°14'45" E along the north line of said SW 1/4 NW 1/4 a distance of 34.48 feet to a point; thence N 00°00'00" E a distance of 36.54 feet to the southeast corner of Lot 2 of Replat of Sunny Knoll Subdivision; thence N 46°53'23" W along the northeasterly boundary line of said Lot 2 a distance of 330.62 feet to the northeast corner of said Lot 2; thence N 19°41'44" W a distance of 53.85 feet to a point on the northerly right of way line for Kelly Drive; thence along the northerly right of way line for said Kelly Drive the following 2 courses:

- 5) N 53°53'00" E a distance of 119.00 feet to a point;
- 6) N 59°41'00" E a distance of 114.39 feet to a point;

thence N 14°31'00" W a distance of 355.84 feet to a point on the centerline for Rice Wash; thence along the centerline for said Rice Wash the following 6 courses:

- 13) N 52°09'00" E a distance of 43.31 feet to a point;
- 14) N 26°41'14" W a distance of 258.09 feet to a point;
- 15) N 24°22'00" E a distance of 261.30 feet to a point;
- 16) N 00°39'35" E a distance of 59.69 feet to a point;
- 17) N 40°07'00" E a distance of 498.81 feet to a point;
- 18) N 36°06'10" E a distance of 152.56 feet to a point;

thence S 01°43'40" W a distance of 528.21 feet to a point on the north line of said Section 35; thence S 89°55'00" E along the north line of said Section 35 a distance of 112.92 feet to a point; thence S 00°05'00" W a distance of 501.66 feet to a point; thence N 66°08'00" E a distance of 90.30 feet to a point; thence N

88°15'00" E a distance of 122.90 feet to a point; thence S 59°49'00" E a distance of 106.20 feet to a point; thence N 88°42'00" E a distance of 88.70 feet to the northwest corner of Lot 4 of Replat of Lot 2, Saccomanno Minor Subdivision; thence S 00°00'28" W along the west boundary line of said Lot 4 a distance of 817.31 feet to the southwest corner of said Lot 4; thence S 89°49'51" E along the south line of the NE 1/4 NW 1/4 of said Section 35 a distance of 1315.95 feet to the northwest corner of the N 1/2 SW 1/4 NE 1/4 of said Section 35; thence S 89°52'42" E along the north line of the N 1/2 SW 1/4 NE 1/4 of said Section 35 a distance of 30.00 feet to a point; thence S 00°07'46" E a distance of 714.63 feet to a point on the southeasterly right of way line for I-70; thence along the southeasterly right of way line for said I-70 the following 3 courses:

- 7) S 69°23'47" W a distance of 90.65 feet to a point;
- 8) S 69°32'00" W a distance of 125.00 feet to a point;
- 9) S 70°32'30" W a distance of 174.24 feet to the northwest corner of Lot 9 of North Rolling Acres Subdivision;

thence S 34°18'29" E along the westerly boundary line of said Lot 9 a distance of 167.57 feet to the southwest corner of said Lot 9; thence S 40°58'30" E a distance of 56.00 feet to a point on the southerly right of way line for Cottonwood Drive; thence along the southerly right of way line for said Cottonwood Drive the following 3 courses:

- 7) N 49°01'30" E a distance of 128.32 feet to a point;
- 8) 81.08 feet along the arc of a curve concave to the southeast, having a radius of 131.35 feet, a delta angle of 35°22'05" and a long chord bearing N 66°30'56" E a distance of 79.80 feet to a point;
- 9) N 76°56'00" E a distance of 33.88 feet to a point on the north-south centerline for said Section 35;

thence S 00°00'00" E along said north-south centerline a distance of 397.60 feet to the C 1/4 corner of said Section 35; thence N 90°00'00" W along the north line of the NE 1/4 SW 1/4 of said Section 35 a distance of 428.70 feet to a point; thence S 05°49'21" W a distance of 165.56 feet to the centerline of a Drain Ditch; thence along the centerline of said Drain Ditch the following 4 courses:

- 9) S 76°03'00" W a distance of 135.20 feet to a point;
- 10) S 73°07'00" W a distance of 170.00 feet to a point;
- 11) S 61°03'00" W a distance of 445.00 feet to a point;
- 12) S 80°35'00" W a distance of 193.33 feet to a point;

thence S 00°02'01" E along the west line of the NE 1/4 SW 1/4 of said Section 35 a distance of 826.04 feet to the point of beginning.

Except that area lying north of Interstate 70; and Excepting out the following parcels located within the G Road North Enclave Annexation Area:

2701-344-00-190

BEG 363FT E OF S4 COR SEC 34 1N 1W N 35DEG19' E 320FT N 1DEG51' E  
119.87FT N14DEG48' E 152.52FT N 23DEG01' E 288.4FT N 73DEG38' E  
174.67FT N 47DEG25' E 271.65FT N 37DEG29' E 370.07FT E 21FT S 128FT E

782.1FT SWLY ALG LI TO S SDSEC 34 W TO BEG EXC S 30FT FR RD -  
23.77AC

2701-344-00-138

BEG 380.90FT N FR S4 COR SEC 34 1N 1W N 290.43FTN 74DEG10' E 75FT N  
88DEG01'10SEC E  
596.93FT S 23DEG01' W 200.22FT S 14DEG40' W 152.2FT W 551.9FT TO  
BEGEXC W 25FT FOR RD

The following properties shall be zone Planned Development with all conditions  
of approval by Mesa County as per Mesa County file C-119-97 (Partridge Farms  
Subdivision)

2701-352-61-001 through 2701-352-61-010

Lots 1 through 10, and Tracts A, B, C, D of Partridge Farms Subdivision, Section  
35, Township 1 North, Range 1 West of the Ute Meridian, Mesa County, Colorado.

Introduced on first reading this 2<sup>nd</sup> day of August, 2000.

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

\_\_\_\_\_  
Mayor

ATTEST:

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

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
<b>Subject:</b>	Donation of a Fire Department brush truck		
<b>Meeting Date:</b>	August 2, 2000		
<b>Date Prepared:</b>	December 16, 2011		
<b>Author:</b>	Jim Bright	Operations Officer	
<b>Presenter Name:</b>	Rick Beaty	Fire Chief	
	<b>Workshop</b>	<input checked="" type="checkbox"/>	<b>Formal Agenda</b>

**Subject:** Donation of a Fire Department brush truck.

**Summary:** The Fire Department is requesting donation of a brush truck owned by the City of Grand Junction to the Gateway Fire Protection District.

**Background Information:** The Colorado EMS Foundation has offered to donate a 2000 Ford F350 4x4 fire fighting brush truck to the Grand Junction Fire Department. This unit would replace a 1993 Ford F350 4x4 brush truck the Fire Department currently uses. The Foundation has made the offer contingent on donation of the City's current unit to the Gateway Fire Protection District. Gateway Fire has a need for the 1993 unit but does not have funds available to purchase it.

**Budget:** Estimated value of the new brush truck is \$87,000. Estimated value of the 1993 unit is \$21,000. Current accruals, which will be rolled over to the new unit, are \$19,768.

**Action Requested/Recommendation:** It is recommended that the Council approve this proposed donation.

<b>Citizen Presentation:</b>	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	If Yes,
<b>Name:</b>	Mr. Rob Dixon, Colorado EMS Foundation		
<b>Purpose:</b>	Representing the Foundation offer and request		

<b>Report results back to Council:</b>	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<b>When:</b>	
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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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**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<u><b>CITY COUNCIL</b></u>			
<b>Subject:</b>	<b>Great Outdoors Colorado Grant</b>		
<b>Meeting Date:</b>	<b>August 2, 2000</b>		
<b>Date Prepared:</b>	<b>July 27, 2000</b>		
<b>Author:</b>	<b>Joe Stevens</b>	<b>Director of Parks &amp; Recreation</b>	
<b>Presenter Name:</b>	<b>Joe Stevens</b>	<b>Director of Parks &amp; Recreation</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:**

Great Outdoors Colorado (GOCO) Grant

**Summary:**

The City of Grand Junction has received a GOCO grant award of \$56,524 for the Colorado Environmental Education Center at the Western Colorado Botanical Gardens.

**Background Information:**

The Western Colorado Botanical Society asked the City of Grand Junction Parks and Recreation Department to sponsor a GOCO grant application on their behalf to obtain funds to assist with the development of the Colorado Nature Garden Environmental Education Center. The City was successful in securing a \$56,524 GOCO grant for the Western Colorado Botanical Gardens.

**Budget:**

\$247,828 (This is for the Colorado Native Garden Education Center which is being funded by this grant and through the Western Colorado Botanical Society.)

**Action Requested/Recommendation:**

Authorize the City Manager to sign the grant agreement with the State Board of the Great Outdoors Colorado Trust Fund and adopt the resolution.

<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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Placement on Agenda:		Consent	X	Indiv. Consideration		Workshop
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RESOLUTION NO. \_\_\_\_\_

A resolution concerning the agreement between the City of Grand Junction and The State Board of the Great Outdoors Colorado Trust Fund and the project known as the Colorado Native Garden Environmental Education Center.

**Recitals:** The City of Grand Junction has applied for and been awarded a grant from Great Outdoors Colorado to fund the Colorado Native Garden Environmental Education Center at the Western Colorado Botanical Gardens. In order to accept the grant funding the City must execute an agreement with Great Outdoors Colorado to be eligible to receive project funding.

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

- 1) The City Council of the City of Grand Junction hereby authorizes the City Manager to sign the grant agreement with The State Board of the Great Outdoor Colorado Trust Fund.
- 2) The City Council of the City of Grand Junction hereby authorizes the expenditure of funds as necessary to meet the terms and obligations of the grant agreement and application
- 3) This resolution shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_ 2000.

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

ATTEST:

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

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<b>CITY COUNCIL</b>		
<b>Subject:</b>	Subdivision of lands after creation of Local Sewer Improvement Districts and apportionment of improvement district costs on such subdivided lands; Reimbursements to properties which were fully developed at the time assessments were made.	
<b>Meeting Date:</b>	<b>August 2, 2000</b>	
<b>Date Prepared:</b>	<b>July 25, 2000</b>	
<b>Author:</b>	<b>Greg Trainor</b>	<b>Utilities Manager</b>
<b>Presenter Name:</b>	<b>Greg Trainor Trent Prall Tim Woodmansee</b>	<b>Utilities Manager Utilities Engineer Real Estate Manager</b>
<input type="checkbox"/>	<b>Workshop</b>	<input checked="" type="checkbox"/> <b>Formal Agenda</b>

**Subject:** Statement of Council policy concerning the subdivision of lands after creation of Local Sewer Improvement Districts and apportionment of improvement district costs on such subdivided lands; Council is also asked to consider making a policy statement on if/how reimbursements to properties which were fully developed at the time assessments were made.

**Summary:** The attached sewer policy is designed to ensure that all benefiting lots within a local sewer improvement district pay equally for the benefit received.

**Background Information:**

Sewer improvement districts are created in established neighborhoods generally to eliminate local septic systems. The absence of piped sewage collection systems, in some cases, results in lands being ineligible for development and/or the installation of septic systems. Conversely the introduction of sewage collection systems makes some lands eligible for development or further subdivision. In some cases, future anticipated subdivision of lands are taken into consideration at the time a local improvement district is created and the total number of assessable lots is calculated, although the number may be assumed and not certain. In other cases, property owners cannot or will not declare their future development plans and the total number of assessable lots can not be determined. In the latter case, the present policy is to calculate the assessment costs on the number of existing lots.

To ensure that already developed properties are not subsidizing the cost of providing sewer to other nearby properties, which later are or may be subdivided, the attached resolution proposes that assessments be calculated based on the number of assessable lots at the time of assessment. The policy provides for the possibility of reimbursement of a portion of the cost to properties to which sewer exists; if the reimbursable amount is \$500 or greater. If the reimbursable amount is less than \$500, no reimbursement will be made and the amount will be retained by the sewer fund.

Newly developed lots would pay the assessable costs without the 30% Septic System Elimination Program incentive, which only applies to existing lots with existing septic systems.

The genesis of this policy was the Marsh Lane Sewer Improvement District. The policy, if adopted, will apply to Marsh Lane and any sewer improvement district in the future being created under the City/County Septic System Elimination Program.

When the Marsh Lane LID was formed there were 7 lots. After creation of the district, the owner of one of the undeveloped parcels in the district proposed to divide his property into 4 lots raising the total of benefited (by 3) to 10. The owner wants only to pay for 1 lot and be charged 1/7<sup>th</sup> of the total cost rather than 4/10's of the total cost.

If Council adopts this policy it will not affect the Council's deliberations on the Marsh Lane LID hearing to be held on August 2, 2000. Today there are only 7 lots to be assessed. If the owner of the undeveloped lot decides, in the future, to subdivide his property during the 10 years of the assessment payback period, then the apportionment policy will apply.

**Budget: N/A**

**Action Requested/Recommendation:**

Adopt Resolution No. Attached.

<b>Citizen Presentation:</b>	<input type="checkbox"/>	<b>No</b>	<input checked="" type="checkbox"/>	<b>Yes</b>	<b>If Yes,</b>
<b>Name:</b>	Residents of Marsh Lane Local Sewer Improvement District				
<b>Purpose:</b>					

<b>Report results back to Council:</b>	<input type="checkbox"/>	<b>No</b>	<input type="checkbox"/>	<b>Yes</b>	<b>When:</b>	
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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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## RESOLUTION NO. -00

### **A RESOLUTION THAT ESTABLISHES A POLICY THAT ASSESSES THE COSTS OF IMPROVEMENT DISTRICTS ON THE NUMBER OF LOTS AT THE TIME OF ASSESMENT NOT AT THE TIME THE DISTRICT IS FORMED AND WHICH GIVES REASONABLE CREDIT TO ALREADY IMPROVED PROPERTIES**

**Recitals:** Local sewer improvement districts are created to help pay to eliminate the use of septic systems and to connect more properties to the Persigo system in order to improve public health. Such work directly benefits those properties because the market value of the property increases and because development can occur without incurring additional cost of extending/providing sewer. The nature of the legally required process is such that there can be a substantial lag in time between the beginning petition/district formation and the final assessments. This policy provides that it is the number of lots at the time of assessment rather than the number when the process begins that matters. Also this policy will give credit to those owners who are in the district but whose properties are already developed.

As a matter of clarification, the owners of recently created lots, which have never been developed, should not receive any subsidy or benefit from the Septic System Elimination Program (30% reduction in the sewer improvement district assessment) because that program is intended to convert existing septic usage to the Persigo system.

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

1. If following the filing of a petition for formation of a local improvement district one or more lots, tracts, parcels or properties are created or are in process of being created, then the final assessment shall be calculated based on the higher of:
  - a) The number of lots then platted or
  - b) If a subdivision process is underway for one or more properties, the number of lots, based on the approvals then reasonably certain to be made, as determined by the City Council at the time of final assessment.
2. The amount of the assessment which would otherwise be paid for such improvements shall be reduced by \$500.00 for each lot or tract for which the improvement district improvements have already been made if such improvements are in good condition as determined by the City's engineer. Such reduction in assessment shall be made with respect to each lot, tract or property, which lawfully existed when the petition to create the district was filed.
3. The reduction in assessment shall not be made if the amount of the reimbursement is less than \$500.00 to each individual property owner.

4. Any septic system elimination program incentive shall be available only to the owner of property for which sewage treatment is only by an on-site individual sewage disposal system (septic system).

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

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

ATTEST:

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

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
<b>Subject:</b>	<b>Public Hearing &amp; Proposed Assessing Ordinance for Sanitary Sewer Improvement District No. SS-43-99</b>		
<b>Meeting Date:</b>	<b>August 2, 2000</b>		
<b>Date Prepared:</b>	<b>July 17, 200</b>		
<b>Author:</b>	<b>Tim Woodmansee</b>	<b>Real Estate Manager</b>	
<b>Presenter Name:</b>	<b>Tim Woodmansee</b>	<b>Real Estate Manager</b>	
<input type="checkbox"/>	<b>Workshop</b>	<input checked="" type="checkbox"/>	<b>Formal Agenda</b>

**Subject:** Public Hearing and Second Reading of a Proposed Assessing Ordinance for the apportionment of costs connected with Sanitary Sewer Improvement District No. SS-43-99.

**Summary:** Sanitary sewer facilities have been installed as petitioned by and for the special benefit of seven properties located in the vicinity of Marsh Lane and North 12<sup>th</sup> Street. The proposed ordinance will levy assessments in the amount of \$11,883.97 upon each of the seven benefiting parcels.

**Background Information:** The petition requesting the improvements provides that all costs associated with this District be assessed against and upon the benefiting properties. Assessable costs include design, construction, inspection to provide sanitary sewer main lines, manholes and service lines to property boundaries, plus administration and compensation for easements.

Upon final passage of the proposed Assessing Ordinance, each owner of property within the District will have until September 5, 2000, to pay their assessment in full. Assessments not paid in full will be submitted to the Mesa County Treasurer for collection with six-percent added for collection costs and eight-percent simple interest added to the declining balance for a period of ten years.

**Budget:** The 906 sewer fund will be reimbursed by the assessments to be levied.

**Action Requested/Recommendation:** Conduct Public Hearing and Adopt Proposed Ordinance on Second Reading.

<b>Citizen Presentation:</b>	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> If Yes,
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<b>Name:</b>	<b>Any interested citizen or property owner.</b>					
<b>Purpose:</b>	<b>To speak in favor of or opposition to the proposed assessments.</b>					
<b>Report results back to Council:</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>When:</b>	
<b>Placement on Agenda:</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR SANITARY SEWER IMPROVEMENT DISTRICT NO. SS-43-99, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED; APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; APPROVING THE APPORTIONMENT OF SAID COST AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENT**

WHEREAS, the City Council and the Municipal Officers of the City of Grand Junction, in the State of Colorado, have complied with all the provisions of law relating to certain improvements in Sanitary Sewer Improvement District No. SS-43-99, in the City of Grand Junction, pursuant to Ordinance No. 178 of said City, adopted and approved June 11, 1910, as amended, being Chapter 28 of the Code of Ordinances of the City of Grand Junction, Colorado, and pursuant to the various resolutions, orders and proceedings taken under said Ordinance; and

WHEREAS, the City Council has heretofore caused to be published the Notice of Completion of said local improvements in said Sanitary Sewer Improvement District No. SS-43-99, and the apportionment of cost thereof to all persons interested and to the owners of real estate which is described therein, said real estate comprising the district of land known as Sanitary Sewer Improvement District No. SS-43-99, in the City of Grand Junction, Colorado, which said Notice was caused to be published in the Daily Sentinel, the official newspaper of the City of Grand Junction (the first publication thereof appearing on June 23, 2000, and the last publication thereof appearing on June 25, 2000); and

WHEREAS, said Notice recited the share to be apportioned to and upon each lot or tract of land within said District assessable for said improvements, and recited that complaints or objections might be made in writing to the Council and filed with the City Clerk within thirty (30) days from the first publication of said Notice, and that such complaints would be heard and determined by the Council at its first regular meeting after the said thirty (30) days and before the passage of any ordinance assessing the cost of said improvements; and

WHEREAS, no written complaints or objections have been made or filed with the City Clerk as set forth in said Notice; and

WHEREAS, the City Council has fully confirmed the statement prepared by the City Engineer and certified by the President of the Council showing the assessable cost of said improvements and the apportionment thereof heretofore made as contained in that certain Notice to property owners in Sanitary Sewer Improvement District No. SS-43-99, duly published in the Daily Sentinel, the official newspaper of the City, and has duly ordered that the cost of said improvements in said Sanitary Sewer Improvement District No. SS-43-99 be assessed and apportioned against all of the real estate in said District in the portions contained in the aforesaid Notice; and

WHEREAS, from the statement made and filed with the City Clerk by the City Engineer, it appears that the assessable cost of the said improvements is \$88,179.05, said sum including a one-time charge of six percent (6%) for costs of collection and other incidentals; and

WHEREAS, from said statement it also appears the City Engineer has apportioned a share of the assessable cost to each lot or tract of land in said District in the following proportions and amounts, severally, to wit:

TAX SCHEDULE NO.: 2701-362-00-009 / LEGAL DESCRIPTION:  
Beginning 586.48 feet North of the W ¼ corner of Section 36, Township 1 North, Range 1 West of the Ute Meridian; thence North 60.6 feet; thence S 88°25' E 480.7 feet; thence N 83°03' E 202.2 feet; thence S 88°25' E 34 feet to the Highline Lateral No. 6; thence Southwesterly along said Lateral to a point 670 feet east of the point of beginning; thence West to the point of beginning.  
ASSESSMENT .....\$12,597.00

TAX SCHEDULE NO.: 2701-362-00-010 / LEGAL DESCRIPTION:  
Beginning 586.48 feet North and 30 feet East of the Southwest corner of the NW ¼ of Section 36, Township 1 North, Range 1 West of the Ute Meridian; thence East 650 feet; thence South 100 feet; thence West 650 feet; thence North to the point of beginning.  
ASSESSMENT .....\$12,597.00

TAX SCHEDULE NO.: 2701-362-00-011 / LEGAL DESCRIPTION:  
Beginning 386.48 feet North and 30 feet East of the Southwest corner of the NW ¼ of Section 36, Township 1 North, Range 1 West of the Ute Meridian; thence North 100 feet; thence East 553.25 feet; thence S 58°21' W 191 feet; thence West 391 feet to the point of beginning.  
ASSESSMENT .....\$12,597.00

TAX SCHEDULE NO.: 2701-362-00-012 / LEGAL DESCRIPTION:  
Beginning 286.48 feet North and 30 feet East of the Southwest corner of the NW ¼ of Section 36, Township 1 North, Range 1 West of the Ute

Meridian; thence North 100 feet; thence East 391 feet; thence S 50°26' E 156.9 feet; thence West 512 feet to the point of beginning.  
ASSESSMENT.....\$12,597.00

TAX SCHEDULE NO.: 2701-362-00-013 / LEGAL DESCRIPTION:  
Beginning 286.48 feet North of the Southwest corner of the SW ¼ NW ¼ of Section 36, Township 1 North, Range 1 West of the Ute Meridian; thence East 325 feet; thence South 50 feet; thence West 145 feet; thence South 100 feet; thence West 180 feet to the point of beginning, except road and part of cul-de-sac on north.  
ASSESSMENT.....\$12,597.00

TAX SCHEDULE NO.: 2701-362-00-014 / LEGAL DESCRIPTION:  
Beginning 236.48 feet North and 180 feet East of the Southwest corner of the SW ¼ NW ¼ of Section 36, Township 1 North, Range 1 West of the Ute Meridian; thence East 145 feet; thence South 100 feet; thence West 145 feet; thence North 100 feet to the point of beginning, except cul-de-sac.  
ASSESSMENT.....\$12,597.00

TAX SCHEDULE NO.: 2701-362-00-015 / LEGAL DESCRIPTION:  
Beginning 286.48 feet North and 325 feet East of the Southwest corner of the SW ¼ NW ¼ of Section 36, Township 1 North, Range 1 West of the Ute Meridian; thence East 187 feet; thence S 50°51' E 82.2 feet; thence S 21°10' W 53.1 feet; thence S 20°26' E 51.9 feet; thence West 249.6 feet; thence North 150 feet to the point of beginning.  
ASSESSMENT.....\$12,597.00

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

Section 1. That the assessable cost and apportionment of the same, as hereinabove set forth, is hereby assessed against all real estate in said District, and to and upon each lot or tract of land within said District, and against such persons in the portions and amounts which are severally hereinbefore set forth and described.

Section 2. That said assessments, together with all interests and penalties for default in payment thereof, and all cost of collecting the same, shall from the time of final publication of this Ordinance constitute a perpetual lien against each lot of land herein described, on a parity with the tax lien for general, State, County, City and school taxes, and no sale of such property to enforce any general, State, County, City or school tax or other lien shall extinguish the perpetual lien of such assessment.

Section 3. That said assessment shall be due and payable within thirty (30) days after the final publication of this Ordinance without demand;

provided that all such assessments may, at the election of the owner, be paid in installments with interest as hereinafter provided. Failure to pay the whole assessment within the said period of thirty (30) days shall be conclusively considered and held an election on the part of such owner to pay in such installments. All persons so electing to pay in installments shall be conclusively considered and held as consenting to said improvements, and such election shall be conclusively considered and held a waiver of any and all rights to question the power and jurisdiction of the City to construct the improvements, the quality of the work and the regularity or sufficiency of the proceedings, or the validity or correctness of the assessment.

Section 4. That in case of such election to pay in installments, the assessments shall be payable in ten (10) equal annual installments of the principal. The first of said installments of principal 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, along with simple interest which has accrued at the rate of eight percent (8%) per annum on the unpaid principal, payable annually.

Section 5. That the failure to pay any installments, whether of principal or interest, as herein provided, when due, shall cause the whole unpaid principal to become due and payable immediately and the whole amount of the unpaid principal and accrued interest shall thereafter draw interest at the rate of eight percent (8%) per annum until the day of sale, as by law provided; but at any time prior to the date of sale, the owner may pay the amount of such delinquent installment or installments, with interest at the rate of eight percent (8%) per annum as aforesaid; and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any piece of real estate not in default as to any installments may at any time pay the whole of the unpaid principal with interest accrued.

Section 6. That payment may be made to the City Finance Director at any time within thirty (30) days after the final publication of this Ordinance, and an allowance of the six percent (6%) added for cost of collection and other incidentals shall be made on all payments made during said period of thirty (30) days.

Section 7. That the monies remaining in the hands of the City Finance Director as the result of the operation and payments under Sanitary Sewer Improvement District No. SS-43-99 shall be retained by the Finance Director and shall be used thereafter for the purpose of further funding of past or subsequent improvement districts which may be or may become in default.

Section 8. That all provisions of Ordinance No. 178 of the City of Grand Junction, as amended, being Chapter 28 of the Code of Ordinances of the City of Grand Junction, Colorado, shall govern and be taken to be a part of this Ordinance with respect to the creation of said Sanitary Sewer Improvement District No. SS-43-99, the construction of the improvements therein, the apportionment and assessment of the cost thereof and the collection of such assessments.

Section 9. That this Ordinance, after its introduction and first reading, shall be published once in full in the Daily Sentinel, the official newspaper of the City, at least ten (10) days before its final passage, and after its final passage, it shall be numbered and recorded in the City ordinance record, and a certificate of such adoption and publication shall be authenticated by the certificate of the publisher and the signature of the President of the Council and the City Clerk, and shall be in full force and effect on and after the date of such final publication, except as otherwise provided by the Charter of the city of Grand Junction.

PASSED and ADOPTED this 2<sup>nd</sup> day of August, 2000.

Attest:

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

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

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
<b>Subject:</b>	<b>Morrill Annexation</b>		
<b>Meeting Date:</b>	<b>August 2, 2000</b>		
<b>Date Prepared:</b>	<b>July 25, 2000</b>		
<b>Author:</b>	<b>Pat Cecil</b>	<b>Development Supervisor</b>	<b>Services</b>
<b>Presenter Name:</b>	<b>Pat Cecil</b>	<b>Development Services Supervisor</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** Acceptance of the annexation petition and second reading of the Ordinance for the Morrill Annexation. The proposed annexation area is located at 2980 Gunnison Avenue. File ANX-2000-108

**Summary:** The .689 acre parcel is adjacent to property located within the City. The petitioner desires to construct an industrial building on the site. Under the terms of the Persigo Agreement, the City shall annex proposed new development at the time of/or prior to issuance of development permits.

**Background Information:** See Attached

**Budget:** N/A

**Action Requested/Recommendation:** It is recommended that City Council accept the annexation petition and approve on second reading the annexation ordinance for the Morrill Annexation.

<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>Consent</b>	<b>X</b>	<b>Indiv. Consideration</b>		<b>Workshop</b>
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BACKGROUND INFORMATION			
<b>Location:</b>		2980 Gunnison Avenue	
<b>Applicants:</b>		Earl Morrill Mike Graham	
<b>Existing Land Use:</b>		Vacant land	
<b>Proposed Land Use:</b>		Construction of a sheet metal fabrication shop and office for a heating and air conditioning business.	
<b>Surrounding Land Use:</b>	<b>North</b>	Residential/Agricultural	
	<b>South</b>	Vacant Industrial	
	<b>East</b>	Vacant Industrial	
	<b>West</b>	Vacant Industrial but approved for a gymnastic studio (ANX-2000-037)	
<b>Existing Zoning:</b>		Industrial-Mesa County	
<b>Proposed Zoning:</b>		Light Industrial (I-1)	
<b>Surrounding Zoning:</b>	<b>North</b>	Industrial-Mesa County	
	<b>South</b>	Industrial-Mesa County	
	<b>East</b>	Industrial-Mesa County	
	<b>West</b>	Light Industrial (I-1)- City	
<b>Growth Plan Designation:</b>		Commercial Industrial	
<b>Zoning within density range?</b>			
N/A		Yes	No

**Staff Analysis:**

**ANNEXATION:**

The annexation area consists of .689 acres of land. Under the 1998 Persigo Agreement with Mesa County, the City is to annex all areas for which commercial and industrial development permits are requested within the 201 boundary. The petitioner is requesting the zone of annexation to a I-1 district in order to construct an approximately 5,000 square foot building to house a sheet metal fabrication shop and office for a heating and air conditioning business.

The annexation area is located in an industrial subdivision, and the proposed zoning to an industrial zone classification is consistent with the surrounding County and City zoning and adjacent property usage.

**ANNEXATION PETITION:**

It is the professional opinion of Grand Junction Planning Staff, based on the 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 Morrill 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.

<b>ANNEXATION SCHEDULE</b>	
<b>6/ 21/2000</b>	Referral of Petition , Exercising Land Use and First Reading (30 Day Notice)
<b>7/11/200</b>	Planning Commission considers Zone of Annexation
<b>7/19/2000</b>	First Reading on Zoning by City Council
<b>8/2/2000</b>	Public hearing on Annexation Petition second reading of the ordinance and second reading of the Zoning by City Council
<b>9/3/2000</b>	Effective date of Annexation and Zoning

**Action Requested/Recommendation:** It is recommended that the City Council accept the annexation petition and approve the second reading of the annexation ordinance for the Morrill Annexation.

**Attachments:**

- 1. Resolution accepting the annexation petition



2. Annexation Ordinance
3. Morrill Annexation Map

Morrill1

**CITY OF GRAND JUNCTION  
RESOLUTION NO. --00  
A RESOLUTION ACCEPTING PETITIONS FOR ANNEXATION, MAKING  
CERTAIN FINDINGS, DETERMINING THAT PROPERTY KNOWN AS MORRILL  
ANNEXATION IS ELIGIBLE FOR ANNEXATION, LOCATED AT 2980  
GUNNISON AVENUE**

WHEREAS, on the 21st day of June, 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:

Lot 9, Banner Industrial Park (Plat Book 11, Page 362) situated in the SE ¼ NE ¼, Section 17, T1S, R1E, U.M., County of Mesa, State of Colorado,

WHEREAS, a hearing on the petition was duly held after proper notice on the 2nd day of August, 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 2nd day of August, 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**

**MORRILL ANNEXATION**

**APPROXIMATELY .689 ACRES, LOCATED AT 2980 GUNNISON AVENUE**

**WHEREAS**, on the 21<sup>st</sup> day of June, 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 2<sup>nd</sup> day of August, 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 situated in Mesa County, Colorado, and described to wit:

Lot 9, Banner Industrial Park (Plat Book 11, Page 362) situated in the SE ¼ NE ¼,  
Section 17, T1S, R1E, U.M., County of Mesa, State of Colorado,

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

**INTRODUCED** on first reading on the 19<sup>th</sup> day of July, 2000.

**ADOPTED** and ordered published this 2<sup>nd</sup> day of August, 2000.

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

Attest:

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

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
<b>Subject:</b>	<b>Morrill Annexation Zoning</b>		
<b>Meeting Date:</b>	<b>August 2, 2000</b>		
<b>Date Prepared:</b>	<b>July 25, 2000</b>		
<b>Author:</b>	<b>Pat Cecil</b>	<b>Development Services Supervisor</b>	
<b>Presenter Name:</b>	<b>Pat Cecil</b>	<b>Development Services Supervisor</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** Second reading of the Zone of Annexation for the Morrill Annexation. The proposed annexation area is located at 2980 Gunnison Avenue. This is a request to consider a zone of annexation to the Light Industrial (I-1) district for the Morrill Annexation. File ANX-2000-108

**Summary:** The .689 acre parcel is adjacent to property located within the City. The petitioner desires to construct an industrial building on the site. Under the terms of the Persigo Agreement, the City shall zone land consistent with the adopted Growth Plan Future Land Use Map and/or consistent with Mesa County zoning. The proposed I-1 zoning is consistent with the adopted Growth Plan Future Land Use Map and adjacent County zoning.

**Background Information:** See Attached

**Budget:** N/A

**Action Requested/Recommendation:** It is recommended that City Council approve on second reading the Zone of Annexation ordinance for the Morrill Annexation.

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

<b>Report results back to Council:</b>	<input checked="" type="checkbox"/>	No	Yes	<b>When:</b>	
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<b>Placement on Agenda:</b>		Consent	<input checked="" type="checkbox"/>	Indiv. Consideration	Workshop
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BACKGROUND INFORMATION			
<b>Location:</b>		2980 Gunnison Avenue	
<b>Applicants:</b>		Earl Morrill Mike Graham	
<b>Existing Land Use:</b>		Vacant land	
<b>Proposed Land Use:</b>		Construction of a sheet metal fabrication shop and office for a heating and air conditioning business.	
<b>Surrounding Land Use:</b>	<b>North</b>	Residential/Agricultural	
	<b>South</b>	Vacant Industrial	
	<b>East</b>	Vacant Industrial	
	<b>West</b>	Vacant Industrial but approved for a gymnastic studio (ANX-2000-037)	
<b>Existing Zoning:</b>		Industrial-Mesa County	
<b>Proposed Zoning:</b>		Light Industrial (I-1)	
<b>Surrounding Zoning:</b>	<b>North</b>	Industrial-Mesa County	
	<b>South</b>	Industrial-Mesa County	
	<b>East</b>	Industrial-Mesa County	
	<b>West</b>	Light Industrial (I-1)- City	
<b>Growth Plan Designation:</b>		Commercial Industrial	
<b>Zoning within density range?</b>			
N/A		Yes	No

**Staff Analysis:**

**ZONE OF ANNEXATION:**

This zone of annexation area consists of .689 acres of land. Under the 1998 Persigo Agreement with Mesa County, the City is to annex and zone all areas for which development permits are requested within the 201 boundary. The petitioner is requesting the zone of annexation to a I-1 district in order to construct an approximately 5,000 square foot building to house a sheet metal fabrication shop and office for a heating and air conditioning business.

The zone of annexation area is located in an industrial subdivision, and the proposed zoning is consistent with the surrounding County and City zoning and adjacent property usage.

## **Zoning and Development Code criteria:**

**Section 2.14.F:** “Lands annexed to the City shall be zoned in accordance with Section 2.6 to a district that is consistent with the adopted Growth Plan or existing County zoning.” The proposed zoning to the I-1 district is consistent with the adopted Growth Plan and adjacent County zoning.

**Section 2.6:** Approval criteria. In order to maintain internal consistency between this code and the Zoning Maps, map amendments must only occur if:

1. The existing zoning was in error at the time of adoption;

The zoning at the time of adoption was not in error, but to maintain project consistency with adjacent City zoning, the project should be zoned to the I-1 zone district .

2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.;

There has been a change in the aspect that the project petitioner has requested annexation to the City in order to receive a development permit to construct an industrial building on the site.

3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or nuisances;

The proposed zoning will be consistent with the zoning of the lot to the west which is in the City, and is consistent with adjacent property usage. The proposed rezoning will not create adverse impacts as identified above.

4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and policies, the requirements of this Code, and other City regulations and guidelines;

The project as submitted is consistent with the Growth Plan and other plans, policies, codes and other regulations of the City.

5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development;

Public water and sewer are currently available to the project site.

6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs; and

The site is located in an industrial subdivision and the proposed zoning is consistent with adjacent City and County zoned land.

7. The community or neighborhood will benefit from the proposed zone.

The proposed rezoning is consistent with adjacent zoning and property usage and should help to maintain surrounding property values.

<b>ANNEXATION SCHEDULE</b>	
<b>6/ 21/2000</b>	Referral of Petition , Exercising Land Use and First Reading (30 Day Notice)
<b>7/11/200</b>	Planning Commission considers Zone of Annexation
<b>7/19/2000</b>	First Reading on Zoning by City Council
<b>8/2/2000</b>	Public hearing on Annexation, second reading of the ordinance and second reading of the Zoning by City Council
<b>9/3/2000</b>	Effective date of Annexation and Zoning

**Action Requested/Recommendation:** The Planning Commission recommended approval at their meeting on July 11<sup>th</sup> . It is recommended that the City Council approve the zone of annexation to the I-1 district for the Morrill Annexation for the following reasons:

- This zone district meets the criteria of Section 2.14. F. of the Zoning and Development Code, by being identical to the former Mesa County zoning for the parcel.
- This zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

**Attachments:**

4. Zone Ordinance
5. Morrill Annexation Map
6. Map of adjacent City zoning

Morrill1morrillzon

**CITY OF GRAND JUNCTION, COLORADO**

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

**Zoning the Morrill Annexation to the Light Industrial (I-1) District**

**Located at 2980 Gunnison Avenue**

Recitals:

After public notice and public hearings as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of applying an I-1 zone district to the annexation.

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

- This zone district meets the criteria of Section 2.14. F. of the Zoning and Development Code, by being identical to the former Mesa County zoning for the parcel.
- This zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

**The following property shall be zoned Light Industrial (I-1).**

Includes the following tax parcel 2943-171-07-009

Lot 9, Banner Industrial Park (Plat Book 11, Page 362) situated in the SE ¼ NE ¼, Section 17, T1S, R1E, U.M., County of Mesa, State of Colorado.

Introduced on the first reading this 19<sup>th</sup> day of July, 2000.

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

\_\_\_\_\_  
Mayor

ATTEST:

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



**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
<b>Subject:</b>	<b>Correction of Zoning—Cherryhill Subdivision</b>		
<b>Meeting Date:</b>	<b>August 2, 2000</b>		
<b>Date Prepared:</b>	<b>July 21, 2000</b>		
<b>Author:</b>	<b>Kathy Portner</b>	<b>Planning Manager</b>	
<b>Presenter Name:</b>	<b>Kathy Portner</b>	<b>Planning Manager</b>	
	<b>Workshop</b>	<b>X</b>	<b>Formal Agenda</b>

**Subject:** FPP-1998-202 Correction of Zoning—Cherryhill Subdivision

**Summary:** A request to correct the recently adopted zoning map to zone the Cherryhill Subdivision to RSF-4, as it was previously zoned.

**Background Information:** See Attached

**Budget:** N/A

**Action Requested/Recommendation:** It is recommended that City Council approve the second reading of the ordinance for the correction of the Cherryhill Subdivision zoning.

<b>Citizen Presentation:</b>	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	If Yes,
<b>Name:</b>	<b>Applicant</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"/> Indiv. Consideration	<input type="checkbox"/> Workshop
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**AGENDA TOPIC:** FPP-1998-202 Correction of Zoning—Cherryhill Subdivision

**SUMMARY:** A request to correct the recently adopted zoning map to zone the Cherryhill Subdivision to RSF-4, as it was previously zoned.

BACKGROUND INFORMATION			
<b>Location:</b>		<b>E side of 26 ½ Rd, N of F ½ Rd</b>	
<b>Applicants:</b>		<b>City of Grand Junction</b>	
<b>Existing Land Use:</b>		<b>Residential Subdivision</b>	
<b>Proposed Land Use:</b>		<b>No change</b>	
<b>Surrounding Land Use:</b>	<b>North</b>	<b>Single family residential</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>RSF-2</b>	
<b>Proposed Zoning:</b>		<b>RSF-4</b>	
<b>Surrounding Zoning:</b>	<b>North</b>	<b>RSF-2</b>	
	<b>South</b>	<b>RSF-1</b>	
	<b>East</b>	<b>PD (Planned Development)</b>	
	<b>West</b>	<b>RSF-2</b>	
<b>Growth Plan Designation:</b>		<b>Residential Low--.5 to 1.9 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:** Council approval of the ordinance correcting the Cherryhill Subdivision zoning.

**Staff Analysis:**

The Cherryhill Subdivision, consisting of 24 lots on approximately 14.5 acres, was approved by the Planning Commission on January 12, 1999 and by the City Council on February 3, 1999. The plat was recorded on March 19, 1999. At the time of subdivision approval, the property was zoned RSF-4, as it had been since the time of annexation.

Before and during the time this project was under review, the new zoning map for the entire City was put together. On the proposed zoning map, much of this area was given a zoning of RSF-1 or RSF-2 in conformance with the Growth Plan densities. Although the overall density of 1.7 units per acre of the Cherryhill Subdivision and the lot sizes would fit the RSF-2 zoning, the developer and lot owners relied on the setbacks of RSF-4 in determining lot configuration and house design. The setback differences are as follows:

Setback	RSF-2	RSF-4
Front	20	20
Side	15	7
Rear	30	25

The major difficulty with the RSF-2 zoning is with the side setback difference. Many of the lots were configured narrow and deep, making it difficult to fit the types of homes owners had planned for their lot. Had we noticed that RSF-2 zoning was proposed for this property that had already received subdivision approval using the RSF-4 zoning, we would have recommended amending the proposed zoning map prior to adoption.

**STAFF RECOMMENDATION:**

Staff recommends approval of the correction of the Cherryhill Subdivision zoning to RSF-4.

**PLANNING COMMISSION RECOMMENDATION:**

At the July 11, 2000 hearing, the Planning Commission recommended approval of the zoning correction.

Cherry1cherry2cherry3

CITY OF GRAND JUNCTION

**Ordinance No.**

**CORRECTING ZONING OF THE CHERRYHILL SUBDIVISION**

Recitals:

The Cherryhill Subdivision, consisting of 24 lots on approximately 14.5 acres, was approved by the Planning Commission on January 12, 1999 and by the City Council on February 3, 1999. The plat was recorded on March 19, 1999. At the time of subdivision approval, the property was zoned RSF-4, as it had been since the time of annexation.

Before and during the time this project was under review, the new zoning map for the entire City was put together. On the proposed zoning map, much of this area was given a zoning of RSF-1 or RSF-2 in conformance with the Growth Plan densities. Although the overall density of 1.7 units per acre of the Cherryhill Subdivision and the lot sizes would fit the RSF-2 zoning, the developer and lot owners relied on the setbacks of RSF-4 in determining lot configuration and house design. Had the staff noticed that RSF-2 zoning was proposed for this property that had already received subdivision approval using the RSF-4 zoning, we would have recommended amending the proposed zoning map prior to adoption.

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

That the zoning of the land described below is hereby corrected to be RSF-4.

NW1/4 SW1/4 NE1/4 and N1/2 NE1/4 SW1/4 NE1/4 of Section 2, T1S, R1W, U.M., except that part conveyed to Mesa County by instrument recorded September 15, 1969, in Book 939, Page 78, Mesa County, Colorado.

INTRODUCED for FIRST READING and PUBLICATION this 19<sup>th</sup> day of July, 2000.

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

ATTEST:

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

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

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i><b>CITY COUNCIL</b></i>			
<b>Subject:</b>	<b>SALT Parking Enforcement</b>		
<b>Meeting Date:</b>	<b>August 2, 2000</b>		
<b>Date Prepared:</b>	<b>July 24, 2000</b>		
<b>Author:</b>	<b>John Shaver</b>	<b>Assistant City Attorney</b>	
<b>Presenter Name:</b>	<b>John Shaver</b>	<b>Assistant City Attorney</b>	
	<b>Workshop</b>	<b>xx</b>	<b>Formal Agenda</b>

**Subject:** SALT Parking Enforcement

**Summary:** The Model Traffic Code is being amended to allow for parking violations to be photographically recorded, by still photographs, digital imaging and videotape, which allows the Police Department and/or the City Attorney to issue/prosecute parking citations and to allow for the mailing of the parking citation to the registered owner of the vehicle.

**Background Information:** The 1977 Model Traffic Code (MTC) which has been adopted by the City and is presently enforced by the City, provides that if a person violates any of the parking regulations a citation shall be issued by affixing the ticket to the motor vehicle when the violation is observed by an officer charged with enforcement of parking regulations.

The Seniors and Law Enforcement Together (SALT) program has volunteered to assist the Grand Junction Police Department (Department) with the enforcement of parking regulations, particularly handicapped parking. SALT will provide the manpower to gather the evidence and act as the complaining witnesses in these cases. In order for the SALT enforcement effort to be successful, the Department has determined that avoiding/reducing the chance for confrontation between the volunteers and violators is of paramount importance. The SALT volunteers are not by this amendment authorized to issue tickets but instead will serve as the complaining witnesses.

**Budget:** The Department has agreed to sponsor a pilot project. The Department will train the volunteers, issue uniforms and equipment.

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

<b>Citizen Presentation:</b>	<input checked="" type="checkbox"/>	<b>No</b>	<input type="checkbox"/>	<b>Yes</b>	<b>If Yes,</b>	
<b>Name:</b>						
<b>Purpose:</b>						
<b>Report results back to Council:</b>	<input checked="" type="checkbox"/>	<b>No</b>	<input type="checkbox"/>	<b>Yes</b>	<b>When:</b>	
<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>

**ORDINANCE NO. \_\_\_\_\_**

**AMENDING CHAPTER 36 OF THE CITY OF GRAND JUNCTION CODE OF ORDINANCES**

RECITALS. The 1977 Model Traffic Code (MTC) which has been adopted by the City and is presently enforced by the City, provides that if a person violates any of the parking regulations a citation shall be issued by affixing the same to the offending motor vehicle when the violation is observed by an officer charged with enforcement of parking regulations.

The Seniors and Law Enforcement Together (SALT) program has volunteered to assist the Grand Junction Police Department (Department) with the enforcement of parking regulations, particularly handicapped parking. The Department has agreed to sponsor a pilot project. As agreed to by the Department and SALT certain of the SALT membership will volunteer to enforce handicapped parking; enforcement efforts will be accomplished by the Department training the volunteers, issuing uniform shirts and equipment the same as or similar to that issued to Trail and Downtown Hosts. SALT will provide the manpower to gather the evidence and act as the complaining witnesses in these cases.

In order for the SALT enforcement effort to be successful the Department has determined that avoiding/reducing the chance for confrontation between the volunteers and violators is of paramount importance. To that end the MTC is being amended to allow for parking violations to be photographically recorded, including but not limited to still photographs, digital imaging and videotape, and based on that photographic evidence the Department and or the City Attorney issuing/prosecuting parking citations. The SALT volunteers are not by this amendment authorized to issue tickets but instead will serve as the complaining witnesses. Because they are not and will not be authorized to issue citations the MTC is being amended to allow for the mailing of the parking citation to the registered owner of the vehicle.

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

That Section 22-12 of the 1977 Model Traffic Code, Notice on Illegally parked Vehicle, be amended by the addition of the following provisions:

b) If upon the violation of any of the parking restrictions imposed by this ordinance a person produces photographic evidence of a stopping, standing or parking violation and reports the same to the Municipal law enforcement agency, then the Municipal law enforcement agency or the City Attorney, upon a determination of probable cause to believe that a stopping, standing or parking violation has been committed may issue a penalty assessment notice to the registered owner of the vehicle as otherwise provided



in this section 22-12. Upon a determination of the registered owner of the vehicle, a penalty assessment may be mailed to the address of record shown on the current registration for the vehicle.

c) For purposes of this section 22-12 photographic evidence means still photographs, video or digital images which show the violation, the front and rear license plates of the vehicle and the date and time of the violation. The person procuring the photographic evidence shall for the purposes of prosecution be considered the complaining witness. The person procuring the photographic evidence shall in order for a prosecution thereon to be sustained, be sworn and under oath or affirmation testify that the photographic evidence is true and accurate and faithfully depicts what he/she observed.

That Section 22-13 of the 1977 Model Traffic Code, Failure to Comply with Notice on Parked Vehicle, be amended as follows: (additions are in all caps).

If the driver or owner of an unattended motor vehicle charged with an apparent violation of the restrictions on stopping, standing or parking under the traffic ordinances of this municipality does not respond within the time specified to a penalty assessment notice affixed to such vehicle OR MAILED TO THE REGISTERED OWNER OF THE VEHICLE, as provided in section 22-12, by appearance and payment at the Traffic Violations Bureau or court having jurisdiction, or by mailing payment by means of the United States mail or by other disposition of the charges as provided by law, the clerk of said court or Traffic Violations Bureau shall send notice by mail to the registered owner of the vehicle to which the PENALTY ASSESSMENT was affixed OR ANOTHER NOTICE TO THE REGISTERED OWNER OF THE VEHICLE TO WHICH THE FIRST MAILED NOTICE WAS SENT, warning him that in the event such notice is disregarded for a period of twenty (20 ) days from the date of mailing a warrant of arrest will be issued.

Introduced on first reading this 19<sup>th</sup> day of July 2000.

Passed and adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2000.

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

Attest:

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

