

**GRAND JUNCTION CITY COUNCIL
CITY HALL AUDITORIUM, 250 NORTH 5TH STREET
AGENDA**

WEDNESDAY, NOVEMBER 15, 2000, 7:30 P.M.

CALL TO ORDER

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

PRESENTATION OF CERTIFICATES OF APPOINTMENT

GRAND JUNCTION PLANNING COMMISSION MEMBERS

GRAND JUNCTION HOUSING AUTHORITY MEMBERS

CITIZEN COMMENTS

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

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

Action: Approve the Summary of October 30, 2000 Workshop and the Minutes of the Regular Meeting November 1, 2000

2. **Replacement of Furnace and Modifications to the HVAC System at the Orchard Mesa Community Center Pool** [Attach 2](#)

The City of Grand Junction Parks Department requests that the current furnace be replaced and the HVAC System at the Orchard Mesa Community Center Pool be modified in order to provide a more consistent and efficient heating system in the pool area.

The following responsive bids were received for the project:

Bidder	From	Total Bid
Lane and Company	Grand Junction	\$68,310.00
Comfort Air	Fruita	\$73,394.00
Haining Refrigeration	Grand Junction	\$87,490.00

Action: Award Contract for the Replacement of Furnace and Modifications to the HVAC System at the Orchard Mesa Pool to Lane and Company Mechanical Contractors in the Amount of \$68,310

Staff presentation: Lynda Lovern, Recreation Supervisor

3. **Accepting Funds for CDOT Project CM555-014, Grand Junction Traffic Signal Synchronization** [Attach 3](#)

The City of Grand Junction will manage the design of traffic signal communications with the Colorado Department of Transportation (CDOT) as partners. CDOT requires a resolution be executed by the City to commit CDOT's share of the project at \$20,000.

Resolution No. 108-00 – A Resolution Accepting Funds in the Amount of \$20,000 from the Colorado Department of Transportation for CDOT Project CM555-014, Grand Junction Synchronization of Signals

**Action: Adopt Resolution No. 108-00*

Staff presentation: Mark Relph, Public Works & Utilities Director

4. **29 Road Improvements, Phase 1, from the I-70 Business Loop to Bunting Avenue** [Attach 4](#)

The Regional Transportation Planning Organization has allocated \$359,051 in the Statewide Transportation Improvement Program for this project. The grant requires local matching funds in the amount of \$87,525.

Resolution No. 110-00 – A Resolution Accepting a Grant for Federal-Aid Funds from the Transportation Equity Act for the 21st Century of 1998 (TEA-21) for the Project Identified as STM M555-012, 13078, Minor Widening of 29 Road Improvement Project, Phase I

**Action: Adopt Resolution No. 110-00*

Staff presentation: Tim Moore, Public Works Manager

5. **Pre-Qualification of Contractors** [Attach 5](#)

In cooperation with the Western Colorado Contractors Association, the Home Builders Association, Mesa County Association of Realtors, the Associated Builders and Contractors, and the Association of Landscape Contractors, Public Works staff is proposing adoption of Rules and Procedures for Pre-qualification of

Contractors. It is anticipated this program will become effective on February 1, 2001.

Resolution No. 111–00 – A Resolution Adopting Rules and Procedures to Pre-Qualify Contractors to Bid on City Public Works and Utility Projects

**Action:* Adopt Resolution No. 111–00

Staff presentation: Tim Moore, Public Works Manager

6. **Intent to Create Sanitary Sewer Improvement District No. SS-44-00 for the Glen Caro and Northfield Estates Neighborhood, and Giving Notice of Hearing** [Attach 6](#)

The majority of property owners in an area generally bounded by G Road on the north, the Grand Valley Canal on the south, 1st Street on the west and 7th Street on the east, have signed a petition requesting an improvement district to provide sanitary sewer service to their neighborhood. The proposed resolution is the required first step in the formal process of creating the proposed improvement district.

Resolution No. 112–00 – A Resolution Declaring the Intention of the City Council of the City of Grand Junction, Colorado, to Create within Said City Sanitary Sewer Improvement District No. SS-44-00, Authorizing the City Utility Engineer to Prepare Details and Specifications for the Same, and Giving Notice of Hearing

**Action:* Adopt Resolution No. 112–00 and Set a Hearing for December 20, 2000

Staff presentation: Tim Woodmansee, Real Estate Manager

7. **Revocable Permit to Mesa State College for Buried Communications Lines in Public Right-of-Way for College Place** [Attach 7](#)

The Mesa State College Foundation has acquired several properties adjacent to College Place and Bunting Avenue for education purposes. The College is proposing to extend communications lines from the main campus to the subject properties by boring and trenching under public rights-of-way.

Resolution No. 113–00 – A Resolution Authorizing the Issuance of a Revocable Permit to Trustees of State Colleges in Colorado

**Action:* Adopt Resolution No. 113–00

Staff presentation: Tim Woodmansee, Real Estate Manager

8. **Setting a Hearing on Zoning the Etter-Epstein Property to PD, Located at the Southeast Corner of Horizon Drive and G Road** [File #ODP-2000-058]

[Attach 8](#)

The 22.56-acre Etter-Epstein ODP property is located at the southeast corner of Horizon Drive and G Road and consists of three parcels of land. Approximately 1.4 acres of the property are scheduled to become public right-of-way due to the realignment of 27.5 Road and the Horizon Drive/G Road intersection. The parcels are presently zoned Planned Development (PD) but a plan has never been established for the property. Thus, the property owners propose this ODP in order to do so. An appeal of the Planning Commission action to deny the ODP will be heard with second reading of the proposed zoning ordinance.

Proposed Ordinance Zoning Three Parcels of Land Located on the Southeast Corner of the Horizon Drive and G Road Intersection to PD (Planned Development)

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for December 6, 2000

Staff presentation: Kristen Ashbeck, Senior Planner

9. **Setting a Hearing on Zoning the CHC Cellular Annexation I-2, Located at 2784 Winters Avenue** [File #ANX-2000-186]

[Attach 9](#)

First reading of the zoning ordinance for the CHC Cellular Annexation located at 2784 Winters Avenue and including portions of the Winters Avenue right-of-way.

Proposed Ordinance Zoning the CHC Cellular Annexation I-2 (General Industrial), Located at 2784 Winters Avenue

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for December 6, 2000

Staff presentation: Patricia Parish, Associate Planner

10. **Setting a Hearing on Zoning the Davidson/Wilcox Enclave Annexation to RSF-E, Located East of South Camp Road and North of the Ute Water Tanks on the Redlands** [File #ANX-2000-208]

[Attach 10](#)

First reading of the zoning ordinance to Residential Single Family Estate with a maximum density of one unit per 2 acres (RSF-E). The 5.11-acre

Davidson/Wilcox Enclave consists of one vacant parcel of land located east of South Camp Road and north of the Ute Water Tanks on the Redlands.

Proposed Ordinance Zoning Davidson/Wilcox Enclave Annexation to Residential Single Family Estate (RSF-E), Located East of South Camp Road and North of the Ute Water Tanks

Action Adopt Proposed Ordinance on First Reading and Set a Hearing for December 6, 2000

Staff presentation: Dave Thornton, Principal Planner

11. **Continuation of the School Land Dedication Fee** [Attach 11](#)

The school land dedication (SLD) fee was due to expire January 17, 2001. The adoption of the new Zoning and Development Code continues the collection at the current rate, and requires the reevaluation of the cost for suitable school lands every five years. No changes to the average cost per acre are proposed.

Resolution No. 119-00 – A Resolution Continuing the School Land Dedication Fee and Reevaluating the Cost of Suitable School Lands

**Action: Adopt Resolution No. 119–00*

Staff presentation: Dan Wilson, City Attorney

12. **Setting a Hearing on Supplemental Appropriation Ordinance** [Attach 12](#)

The request is to appropriate specific amounts for several of the City's accounting funds as specified in the ordinance.

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

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for December 6, 2000

Staff presentation: Ron Lappi, Administrative Services Director

13. **Setting a Hearing on Annual Appropriation Ordinance** [Attach 13](#)

The total appropriation for all thirty-five accounting funds budgeted by the City of Grand Junction (including the Ridges Metropolitan District, Grand Junction West

Water and Sanitation District, and the Downtown Development Authority) is \$87,985,286. Although not a planned expenditure, an additional \$2,000,000 is appropriated as an emergency reserve in the General Fund pursuant to Article X, Section 20 of the Colorado Constitution.

Proposed Ordinance Appropriating Certain Sums of Money to Defray the Necessary Expenses and Liabilities of the City of Grand Junction, Colorado, the Ridges Metropolitan District, and the Grand Junction West Water and Sanitation District, for the Year Beginning January 1, 2001, and Ending December 31, 2001

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for December 6, 2000

Staff presentation: Ron Lappi, Administrative Services Director

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

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

14. **Public Hearing - Route 30 Partners Annexation Located at 520 30 Road**
[File #ANX-2000-172] - Continued from November 1, 2000 Meeting [Attach 14](#)

The 20.92-acre Route 30 Partners Annexation consists of six parcels of land of approximately 17 acres and I-70 Business Loop right-of-way of approximately 3.92 acres.

a. Resolution Accepting Petition

Resolution No. 114-00 – A Resolution Accepting Petitions for Annexation, Making Certain Findings, Determining that Property Known as Route 30 Partners Annexation is Eligible for Annexation, Located at 520 30 Road and Including a Portion of the I-70 Business Loop Road Right-of-Way

**Action: Adopt Resolution No. 114-00*

b. Annexation Ordinance

Ordinance No. 3301 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Route 30 Partners Annexation, Approximately 20.92 Acres Located at 520 30 Road and Including a Portion of the I-70 Business Loop Right-of-Way

**Action: Adopt Ordinance No. 3301 on Second Reading*

Staff presentation: Lisa Gerstenberger, Senior Planner

15. **Public Hearing - Zoning Route 30 Partners Annexation to C-1, Located at 520 30 Road** [File #ANX-2000-172] - Continued from November 1, 2000 Meeting [Attach 15](#)

Second reading of the zoning ordinance to zone the Route 30 Partners Annexation Light Commercial, C-1, located at 520 30 Road.

Ordinance No. 3302 – An Ordinance Zoning Route 30 Partners Annexation to Light Commercial, C-1 Zone District, Located at 520 30 Road

**Action: Adopt Ordinance No. 3302 on Second Reading*

Staff presentation: Lisa Gerstenberger, Senior Planner

16. **Public Hearing - Mesa Moving Annexation Located at 2225 River Road and 681 Railroad Boulevard** [File #ANX-2000-177] - Continued from November 1, 2000 Meeting [Attach 16](#)

The 12.38-acre Mesa Moving Annexation area consists of two parcels of land. One currently houses Mesa Moving and United Van Lines and the other parcel consists of 2 acres of vacant land. Mesa Moving would like to construct a new truck service facility for their business on the vacant lot. The owner of the property has signed a petition for annexation.

a. Resolution Accepting Petition

Resolution No. 115–00 – A Resolution Accepting the Petition for Annexation, Making Certain Findings, Determining that Property Known as Mesa Moving Annexation is Eligible for Annexation, Located at 2225 River Road and 681 Railroad Boulevard (Known as 637 Railroad Boulevard on the Assessor’s Records)

**Action: Adopt Resolution No. 115–00*

b. Annexation Ordinance

Ordinance No. 3306 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Mesa Moving Annexation, Approximately 12.38 Acres Located

at 2225 River Road and 681 Railroad Boulevard (Known as 637 Railroad Boulevard on the Assessor's Records)

**Action: Adopt Ordinance No. 3306 on Second Reading*

Staff presentation: Lori Bowers, Associate Planner

17. **Public Hearing - Zoning Mesa Moving Annexation to I-2, Located at 2225 River Road and 681 Railroad Blvd** [File #ANX-2000-177] - Continued from November 1, 2000 Meeting [Attach 17](#)

The 12.38-acre Mesa Moving Annexation area consists of two parcels of land located at 2225 River Road and 681 Railroad Blvd (also known as 637 Railroad Blvd on the Assessor's records). One currently houses Mesa Moving and United Van Lines and the other parcel consists of 2 acres of vacant land. Mesa Moving would like to construct a new truck service facility for their business on the vacant lot. The owner of the property has signed a petition for annexation. The proposed zoning designation is I-2 (Heavy Industrial).

Ordinance No. 3307 – An Ordinance Zoning the Mesa Moving Annexation to I-2 (Heavy Industrial), Located at 2225 River Road and 681 Railroad Blvd

**Action: Adopt Ordinance No. 3307 on Second Reading*

Staff presentation: Lori Bowers, Associate Planner

18. **Public Hearing - Vacating a Temporary Turnaround and Utility Easement for the Renaissance in the Redlands Subdivision, Filing 2, Located at South Camp Road and Renaissance Boulevard** [File #FP-2000-126] - Continued from November 1, 2000 Meeting [Attach 18](#)

Request to vacate a temporary turnaround and utility easement at the end of existing Athens Way.

Ordinance No. 3308 – An Ordinance Vacating a Temporary Turnaround Access and Utility Easement for Athens Way

**Action: Adopt Ordinance No. 3308 on Second Reading*

Staff presentation: Kristen Ashbeck, Senior Planner

19. **Public Hearing - Vacating a Temporary Turnaround Easement Located on Lot 1, Block 8, The Knolls Subdivision, Filing 2, Located at the Southeast**

Corner of Cortland Avenue and 27½ Road [File #FPP-2000-141] - Continued from November 1, 2000 Meeting [Attach 19](#)

The Knolls Subdivision is located south of the southeast corner of Cortland Avenue and 27½ Road in a PD zone. The developing portion of Filing 4 is now allowing for the continuation of Piazza Way. A temporary turnaround had been provided near Lot 5, Block 4, in Filing 2, and is to be vacated with this request.

Ordinance No. 3309 – An Ordinance Vacating the Temporary Turnaround Easement on Piazza Way, The Knolls Subdivision, Filing 2

**Action: Adopt Ordinance No. 3309 on Second Reading*

Staff presentation: Lori Bowers, Associate Planner

20. **Reconsideration of Ordinance No. 3303 Concerning the Residential Requirement in the Mixed Use Zoning District**
[File #PLN-2000-192] [Attach 20](#)

At the November 1st hearing, the City Council adopted the 24 Road Corridor Subarea Plan, amended the Code to add the Mixed Use zone district and adopted a zoning map and design standards and guidelines for the 24 Road study area. Council agreed to reconsider the ordinance creating the Mixed Use zone district to discuss and possibly amend the 25% residential requirement. Also Council may want to discuss enforcement mechanisms for the residential requirement.

Ordinance No. 3303 – An Ordinance Amending Tables 3.2 and 3.5, and Section 3.2.H.4, and Adding Section 3.4.J to the Grand Junction Zoning and Development Code to Create a Mixed-Use Zone District

a. Reconsideration of Ordinance No. 3303

Action: Motion to Reconsider

b. Amending Ordinance No. 3303

**Action: Decision on Possible Amendments*

Staff presentation: Kathy Portner, Planning Manager

21. **Public Hearing – Creating Alley Improvement District No. ST-01, Phase A**

[Attach 21](#)

Petitions have been submitted requesting a Local Improvement District be created to reconstruct the following five alleys:

East/West Alley from 8th to 9th, between Chipeta Avenue and Ouray Avenue
East/West Alley from 9th to 10th, between Colorado Avenue and Ute Avenue
East/West Alley from 10th to 11th, between Main Street and Colorado Avenue
East/West Alley from 10th to 11th, between Hill Avenue and Teller Avenue
“T” shaped Alley from 18th to 19th, between Elm Avenue and Bunting Avenue

Resolution No. 116–00 – A Resolution Creating and Establishing Alley Improvement District No. ST-01, Phase A, within the Corporate Limits of the City of Grand Junction, Colorado, Authorizing the Reconstruction of Certain Alleys, Adopting Details, Plans and Specifications for the Paving Thereon and Providing for the Payment Thereof

**Action: Adopt Resolution No. 116–00*

Staff presentation: Rick Marcus, Real Estate Technician

22. **Public Hearing - Vacating the Remainder of the East/West Alley Right-of-Way between Ouray Avenue and Grand Avenue (Mesa County Library, 520 Grand Avenue) and the North/South Portion of the Alley** [File #VR-2000-149]

[Attach 22](#)

The Mesa County Public Library, represented by John Potter of Blythe Design, is requesting approval of the ordinance to vacate the remainder of the east/west alleyway, located between Ouray Avenue and Grand Avenue, to North Fifth Street, and retain the 20-foot wide utility easement in this alley right-of-way; and also vacate the north/south portion of the alley. The remainder of the alley was previously vacated and recorded.

Ordinance No. 3310 – An Ordinance Vacating the Remaining East/West Alley Right-of-Way between Grand Avenue and Ouray Avenue, Retaining a 20-Foot Wide Utility Easement, and Vacating the North/South Alley Right-of-Way from Grand Avenue to a Portion of the Alley

**Action: Adopt Ordinance No. 3310 on Second Reading*

Staff presentation: Lori Bowers, Associate Planner

23. **Public Hearing - Vacating an Ingress/Egress Easement and Utility Easement in Omega Business Park II, Located at the Northeast Corner of 28 Road and Bunting Avenue** [File #VE-2000-161]

[Attach 23](#)

The petitioner, Conquest Development, LLC, is requesting the vacation of a 25' ingress-egress and utility easement as shown on the plat of Omega Business Park. At the October 10, 2000 public hearing, the Planning Commission forwarded a recommendation of approval to the City Council.

Ordinance No. 3311 – An Ordinance Vacating the Ingress-Egress Easement and Utility Easement as Shown on the Plat of Omega Business Park II

**Action: Adopt Ordinance No. 3311 on Second Reading*

Staff presentation: Joe Carter, Associate Planner

24. **Public Hearing – Amending Chapter 24, City Code of Ordinances, Regarding Indecent Exposure** [Attach 24](#)

The words “intimate parts” were inadvertently left out of the “Indecent Exposure” ordinance passed last year. While the intent of Council was clear at the time, and through context the ordinance is clear, for absolute clarity these words were included into the ordinance.

Ordinance No. 3312 – An Ordinance Amending Chapter 24, Section 18, of the Code of Ordinances of the City of Grand Junction, Colorado, Regarding Indecent Exposure

**Action: Adopt Ordinance No. 3312 on Second Reading*

Staff presentation: Stephanie Rubinstein, Staff City Attorney

25. **RECESS TO EXECUTIVE SESSION** to Discuss Ongoing Negotiations

26. **Vacating a Utility and Drainage Easement in Trolley Park Subdivision, Located at 552 25 Road** [File #VE-2000-160] - Continued from November 1, 2000 Meeting [Attach 25](#)

The petitioner is requesting vacation of a utility and drainage easement (varies between 15' and 20') along the south side of Trolley Park Subdivision located at 552 25 Road. At the October 10, 2000 hearing, the Planning Commission forwarded a positive recommendation to City Council.

Resolution No. 117–00 – A Resolution Vacating a Utility and Drainage Easement in Trolley Park Subdivision

**Action: Adopt Resolution No. 117–00*

Staff presentation: Patricia Parish, Associate Planner

27. **Purchase of a Portion of River Road Trail Property** – Continued from November 1, 2000 Meeting

[Attach 26](#)

The City currently co-owns a portion of the River Road Trail along with Stephen and Bobette McCallum. This contract will provide for the purchase of the property by the City so that the City owns that portion of the property solely.

Resolution No. 118–00 – A Resolution Accepting, Adopting and Affirming the Contract to Buy and Sell Real and Personal Property between the City of Grand Junction and Stephen D. McCallum and Bobette D. McCallum and Authorizing the City Manager to Sign the Contract as an Official Act of the City of Grand Junction

**Action: Adopt Resolution No. 118–00*

Staff presentation: Stephanie Rubinstein, Staff City Attorney

28. **NON-SCHEDULED CITIZENS & VISITORS**
29. **OTHER BUSINESS**
30. **ADJOURNMENT**

Attach 1

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

November 1, 2000

The City Council of the City of Grand Junction, Colorado, convened into regular session the 1st day of November, 2000, at 7:30 p.m. at the City Hall Auditorium, 250 N. 5th Street. Those present were Cindy Enos-Martinez, Earl Payne, Jack Scott, Jim Spehar, Janet Terry, Reford Theobald, and President of the Council Gene Kinsey. Also present were City Manager Kelly Arnold, City Attorney Dan Wilson, and City Clerk Stephanie Nye.

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

**PROCLAMATION DECLARING NOVEMBER 5-11, 2000 AS "NATIONAL
NONTRADITIONAL STUDENT WEEK" IN THE CITY OF GRAND JUNCTION**

**PROCLAMATION DECLARING NOVEMBER 11, 2000 AS "SALUTE TO VETERANS
DAY 2000" IN THE CITY OF GRAND JUNCTION**

**PROCLAMATION DECLARING NOVEMBER, 2000 AS "HOSPICE MONTH" IN THE
CITY OF GRAND JUNCTION**

**PRESENTATION OF THE "SILVER BUCKLE AWARD" FOR SEATBELT
ENFORCEMENT TO THE GRAND JUNCTION POLICE DEPARTMENT**

Duke Smith from Colorado Department of Transportation was present to present the award to the Grand Junction Police Department.

APPOINTMENTS TO THE GRAND JUNCTION HOUSING AUTHORITY

Upon motion by Councilmember Payne, seconded by Councilmember Terry and carried, Gi Hamrick was reappointed to the Grand Junction Housing Authority until October 31, 2002, Corey Hunt until October, 2004 and Steve Heinaman until October 2005.

**APPOINTMENTS AND REAPPOINTMENTS TO THE GRAND JUNCTION PLANNING
COMMISSION**

Upon motion by Councilmember Payne, seconded by Councilmember Spehar and carried, Paul Dibble was reappointed to the Grand Junction Planning Commission until

October 2004 and Nick Prinster until October, 2004, first alternate Vicki Boutilier was appointed until October, 2004 and second alternate William Putnam was reappointed until October, 2001.

PRESENTATION OF CERTIFICATES OF APPOINTMENT FOR URBAN TRAILS COMMITTEE

RECOGNITION OF BOY SCOUT TROOP 384

CONSENT ITEMS

Upon motion by Councilmember Terry, seconded by Councilmember Enos-Martinez and carried by roll call vote, Consent Items #4 and #12 were removed from the Consent Calendar and scheduled for last on the agenda with an executive session held for discussion, and the remaining Consent Items # 1 through 11 were approved:

1. **Minutes of Previous Meetings**

Action: Approve the Summary of the October 16, 2000 Workshop and the Minutes of the Regular Meeting October 18, 2000

2. **Persigo Wastewater Treatment Plant Raw Sewage Pump**

The management staff of Persigo Wastewater Treatment Plant, supported by the Purchasing Manager, requests Council authorization to make a sole source purchase of a new Fairbanks Morse raw sewage pump. This pump is necessary to handle the increased amount of raw sewage at the plant.

Action: Approve Sole Source Purchase of One Fairbanks Morse Raw Sewage Pump from Goble Sampson Associates, Inc. in the Amount of \$28,050

3. **25½ Road and G Road Culvert Rehabilitation**

The following bids were received on October 3, 2000:

Bidder	From	Total Bid
M. A. Concrete Construction	Grand Junction	\$ 91,243
Skyline Contracting	Grand Junction	\$ 98,343
R. W. Jones Construction	Fruita	\$244,621
Engineer's Estimate		\$ 91,450

Action: Award Contract for 25½ Road and G Road Culvert Rehabilitation to M.A. Concrete Construction in the Amount of \$91,243

4. **Vacating a Utility and Drainage Easement in Trolley Park Subdivision, Located at 552 25 Road** [File #VE-2000-160] - **REMOVED FOR FULL DISCUSSION**

The petitioner is requesting vacation of a utility and drainage easement (varies between 15' and 20') along the south side of Trolley Park Subdivision located at 552 25 Road. At the October 10, 2000 hearing, the Planning Commission forwarded a positive recommendation to City Council.

Resolution No. 104-00 – A Resolution Vacating a Utility and Drainage Easement in Trolley Park Subdivision

Action: Adopt Resolution No. 104-00

5. **Growth Plan Amendment for The Knolls Filings 4-7, Located South of the Southeast Corner of 27½ Road and Cortland Road** [File #GPA-2000-103]

The applicant has requested a Growth Plan Amendment from Residential Medium (4 to 8 du/ac) to Residential Medium Low (2 to 4 du/ac) for the remaining undeveloped filings of the Knolls Subdivision. At its hearing of August 16, 2000 the City Council adopted an ordinance rezoning this property to PD with an underlying density of 2.5 dwellings per acre. A mixed-use development with 16 patio homes and 64 single-family homes is proposed.

Resolution No. 105-00 – A Resolution Amending the Growth Plan of the City of Grand Junction (The Knolls Subdivision, Filings 4-7)

Action: Adopt Resolution No. 105-00

6. **Setting a Hearing on Vacating the Remainder of the East/West Alley Right-of-Way between Ouray Avenue and Grand Avenue (Mesa County Library, 520 Grand Avenue) and the North/South Portion of the Alley** [File #VR-2000-149]

The Mesa County Public Library, represented by John Potter of Blythe Design, is requesting approval of the ordinance to vacate the remainder of the east/west alleyway, located between Ouray Avenue and Grand Avenue, to North Fifth Street, and retain the 20-foot wide utility easement in this alley right-of-way; and also vacate the north/south portion of the alley. The remainder of the alley was previously vacated and recorded.

Proposed Ordinance Vacating the Remaining East/West Alley Right-of-Way between Grand Avenue and Ouray Avenue, Retaining a 20-Foot Wide Utility Easement, and Vacating the North/South Alley Right-of-Way from Grand Avenue to a Portion of the Alley

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for November 15, 2000

7. **Vacating Easements in Omega Business Park II, Located at the Northeast Corner of 28 Road and Bunting Avenue** [File #VE-2000-161]

The petitioner, Conquest Development, LLC, is requesting the vacation of a 10' wide utility easement. Omega Business Park II is located on the northeast corner of 28 Road and Bunting Avenue. At the October 10, 2000 hearing, the Planning Commission forwarded a recommendation of approval to the City Council.

a. Resolution

Resolution No. 106-00 – A Resolution Vacating a Utility Easement in Omega Business Park II

Action: Adopt Resolution No. 106-00

The petitioner is also requesting the vacation of a 25' ingress-egress and utility easement in Omega Park. At the October 10, 2000 hearing, the Planning Commission forwarded a recommendation of approval to the City Council.

b. Ordinance

Proposed Ordinance Vacating the Ingress-Egress Easement and Utility Easement as Shown on the Plat of Omega Business Park II

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for November 15, 2000

8. **Notice of Intent to Annex Davidson/Wilcox Enclave Annexation, Located East of South Camp Road and North of the Ute Water Tanks on the Redlands** [File #ANX-2000-208]

The 5.11-acre Davidson/Wilcox Enclave Annexation consists of one parcel of land and is located east of South Camp Road and north of the Ute Water Tanks on the Redlands. Under the 1998 Persigo Agreement, the City is to annex all enclave areas within 5 years.

Resolution No. 107-00 – A Resolution of the City of Grand Junction Giving Notice that a Tract of Land Known as Davidson/Wilcox Enclave, Located East of South Camp Road and North of the Ute Water Tanks on the Redlands, Consisting of Approximately 5.11 Acres, will be Considered for Annexation to the City of Grand Junction, Colorado, and Exercising Land Use Control

Action: Adopt Resolution No. 107-00

9. **Setting a Hearing on Adopting the 2000 International Fire Code**

The 2000 International Fire Code has been updated and staff is requesting adoption of the new standards.

Proposed Ordinance Adopting the 2000 Edition of the International Fire Code; Amending Certain Provisions in the Adopted Codes; Amending All Ordinances in Conflict or Inconsistent Herewith; and Providing a Penalty for Violation of Any Provision of Said Codes

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for December 6, 2000

10. **Setting a Hearing on Adopting the 1995 Model Traffic Code for Municipalities**

This ordinance primarily adopts the 1995 Model Traffic Code for Municipalities, while repealing the 1977 version. The difference between the 1977 and 1995 versions of the Model Traffic Code are primarily that the 1995 version is more readable and contains less jargon. The parking sections of the 1977 version will remain in full force and effect.

Proposed Ordinance Amending Chapter 36 of the Code of Ordinances of the City of Grand Junction, Colorado, Adopting the 1995 Model Traffic Code and Amending Certain Provisions in the Adopted Code

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for December 6, 2000

11. **Setting a Hearing on Amending Chapter 24, City Code of Ordinances, Regarding Indecent Exposure**

The words “intimate parts” were inadvertently left out of the “Indecent Exposure” ordinance passed last year. While the intent of Council was clear at the time, and

through context the ordinance is clear, for absolute clarity, these words were included into the ordinance.

Proposed Ordinance Amending Chapter 24, Section 18, of the Code of Ordinances of the City of Grand Junction, Colorado, Regarding Indecent Exposure

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for November 15, 2000

12. **Purchase of a Portion of River Road Trail Property – REMOVED FOR FULL DISCUSSION**

The City currently co-owns a portion of the River Road Trail along with Stephen and Bobette McCallum. This contract will provide for the purchase of the property by the City so that the City owns that portion of the property solely.

Resolution No. 108–00 – A Resolution Accepting, Adopting and Affirming the Contract to Buy and Sell Real and Personal Property between the City of Grand Junction and Stephen D. McCallum and Bobette D. McCallum and Authorizing the City Manager to Sign the Contract as an Official Act of the City of Grand Junction

**Action: Adopt Resolution No. 108–00*

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

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

HOLIDAY PARKING REQUEST FOR THE DOWNTOWN

Last year the City Council agreed to suspend parking meters and fines for the holiday season. The merchants thought it was a great success and would like the City to do the same thing this year.

Ron Maupin, representing the Downtown Association, was present. He asked for Council's approval of the request.

Councilmember Theobald said the Downtown Development Authority wants a parking garage and the parking meter revenue fund is supposed to fund it. However, the downtown is asking for fines and fees to be waived during a busy season. Mr. Maupin agreed that is a problem and noted that fees had not been increased in many years.

Mayor Kinsey said he supported the free parking last year to get information from the study but Councilmember Theobold was correct in that it doesn't make sense to waive fees when another proposal is to raise fees in order to raise money.

Councilmember Terry suggested the issues be discussed with the Downtown Development Authority at another meeting.

Upon motion by Councilmember Terry, seconded by Councilmember Enos-Martinez and carried, the waiver of parking enforcement in the downtown from Thanksgiving through Christmas was approved.

PUBLIC HEARING - AMENDING CHAPTERS 6 AND 33 OF THE CITY OF GRAND JUNCTION CODE OF ORDINANCES REGARDING ANIMAL CONTROL [STAFF REQUESTING CONTINUANCE]

A request has been made by James Bennett from the Division of Wildlife, Dr. Debbie Miller, President of the Grand Valley Veterinary Medical Society and Dr. John Heideman, veterinarian, for a continuance of the November 1, 2000 public hearing so that all interested parties can discuss the proposal to make any changes. The persons listed above are against the proposal and would like to meet with the representatives of Community Cat Care to discuss alternatives. Staff does not object to this request, with the understanding that the parties will work together for a mutually agreeable solution to the feral cats issue. Below is the staff report regarding the changes, should this request be denied by Council.

This proposal makes two changes to the City of Grand Junction Code of Ordinances. First, the Zoning and Development Code (Chapter 33) is being changed to permit registered participants of Community Cat Care to care for more than three cats, so long as these persons follow the requirements set forth by Community Cat Care. The second change is to the Animal Control Regulations (Chapter 6) to require that registered participants of Community Cat Care have the cats they are caring for vaccinated.

The Mayor announced that there is a request to continue.

The public hearing opened at 7:59 p.m.

City Staff Attorney Stephanie Rubinstein reviewed the reasons for the request to continue. She suggested Council give it some time for further review and make it more workable. Ms. Rubinstein said she will meet with Community Cat Care and a group of veterinarians and bring it back to Council for final adoption on January 17, 2001.

Councilmember Payne suggested that any testimony be limited tonight. Ms. Rubinstein acknowledged that the Community Cat Care representatives are aware of the reason for the continuance request.

Barbara Metzger, Community Cat Care, thanked Council and said she welcomes more assistance and did not object to the continuance.

Mayor Kinsey noted when more interested people get involved, the result is a better product.

There were no other comments. The hearing closed at 8:02 p.m.

- (1) Ordinance No. ___ – An Ordinance Amending Chapter 6, Section 6-58(a) of the Code of Ordinances of the City of Grand Junction, Colorado
- (2) Ordinance No. ___ – An Ordinance Amending Chapter 33 (Zoning and Development Code), Section 4.3.A.4.a of the Code of Ordinances of the City of Grand Junction, Colorado

Upon motion by Councilmember Payne, seconded by Councilmember Scott and carried, the public hearing and second reading of the proposed ordinances amending Chapters 6 and 33 of the City of Grand Junction Code of Ordinances regarding Animal Control were continued to January 17, 2001.

PUBLIC HEARING - AMENDING THE ZONING AND DEVELOPMENT CODE, ADDING A MIXED-USE ZONING DISTRICT AND FINALIZING THE ZONING, DESIGN STANDARDS AND GUIDELINES FOR THE 24 ROAD CORRIDOR
FILE #PLN-2000-192]

The proposed Code amendment adding the Mixed-Use zone district, the zoning map and the 24 Road Design Standards and Guidelines were developed to implement the 24 Road Corridor Subarea Plan that was presented to Council last spring by the 24 Road Steering Committee.

The public hearing opened at 8:04 p.m.

Kathy Portner, Planning Manager, reviewed this four-part item that is the result of over a year of work of a very dedicated committee. She outlined the four parts for Council to consider. It was suggested that Kathy Portner make her presentation first before any voting takes place. Councilmember Terry inquired if the adoption of the plan will effectively amend the Growth Plan. Ms. Portner said yes.

Ms. Portner started her presentation by reviewing the 24 Road Corridor Subarea Plan. The committee took a broad look through a vision statement. She then outlined the elements in the document including the image as a gateway into the City, open space and public facilities as an anchor for the development, circulation, land use and implementation.

Councilmember Spehar asked about what would be the changes from the current Growth Plan. Ms. Portner pointed those out, noting the biggest changes being in the mixed use area.

Kathy Portner gave the reason for the creation of the mixed use zone district as being the City did not have a zone district that allowed the variety of uses being contemplated. It was patterned after the industrial/office zone district as in the newly adopted Code which includes a residential component that the existing industrial/office zone does not. Any retail use will require a Conditional Use Permit to be site specific as to where those retail centers would be approved.

Councilmember Terry asked if there is a minimum acreage that a mixed use zone district can be applied.

Ms. Portner said in the study area shown it is not an issue as the smallest parcel is 4.2 acres. Using the zone district in other areas in town that question will have to be addressed. The Conditional Use Permit will allow the Planning Commission to review the compatibility on a case by case basis.

Councilmember Spehar stated his concern with the housing component which is not required on parcels of less than 5 acres. He wondered what is to prevent this area from being subdivided into 5-acre parcels to avoid the requirement. Kathy Portner said that would be looked at the time of subdivision during the public hearing process.

Kathy Portner stated another key part of the Plan is residential densities would be 12 to 24 units per acre and that a minimum of 25% of the gross land area shall be in residential development. Maximum building height can be increased up to 65' providing the building front yard setback is 1.5 times height of building. Planning Commission questioned applying that to rear and side yard setbacks and is now recommending that to be applied to all sides. Taller buildings will have increased setback requirements all around the building.

Councilmember Terry said there is a need for medium to high density residential and asked if that goal is still in the plan. Ms. Portner said yes.

Kathy Portner, in discussing the recommendation for mixed use, referred to the recommendation sheet and noted the options. The Planning Commission recommended

that 25% of the land be dedicated to residential, which can be transferred within the mixed use zone district if two projects are planned simultaneously.

Councilmember Terry was concerned about recommendation 2 d in that the developer is tied to the originally approved schedule. This could be somewhat problematic as building is often subject to the market demand. City Attorney Dan Wilson said that should include any amendments to that schedule granted in a public hearing, to delay or change the schedule. The intent is that the Community Development Department can pick and choose between 2 a thru e or any or combination thereof.

Ms. Portner reviewed the new zoning map being proposed and identified the changes from the current map. Councilmember Payne asked if there are currently any businesses in the area that are in violation of the C-2 zoning. Ms. Portner said C-2 does allow for those businesses and they would be considered grandfathered in.

Lastly, Ms. Portner highlighted the Corridor Design Standards and Guidelines.

She reviewed the recommendations for change to the proposed ordinance and clarified that the guidelines will apply to the entire study area, not just the mixed use.

Councilmember Terry thought the design standards might be a problem for the small parcels. Ms. Portner answered that they would look at the building location and how they will screen and buffer. She felt they could still be applied to the small parcels. Councilmember Terry asked about building materials. Ms. Portner said those would be the same. Councilmember Spehar confirmed that existing uses would be grandfathered. Ms. Portner said yes.

Public comment was divided into the three sections.

Mixed Use Zone District

Mary Ann Jacobson, 702 Golfmore Drive, displayed an aerial photo and complimented some of the things that have been done but felt this plan is too restrictive. She told the Council about several companies that have approached her and feel the plan is too restrictive. Also, the requirement that the landowners would be putting in the additional lanes on 24 Road is a very onerous requirement. The roundabout at 12th Street is too narrow and not convenient for the semi-trucks and was not planned out carefully. She feels this same kind of vision is being applied to this corridor.

Councilmember Theobald asked which element in particular was too restrictive.

Ms. Jacobson said height restrictions. Hotels want to build something similar to what is found in a larger city.

Councilmember Payne said 65' allows six stories. Ms. Jacobson said they wanted higher.

Councilmember Theobold said one reason for the height restrictions concerns the fire department and the problem of fighting fires in high rise buildings.

Kathy Portner confirmed that 65' is the maximum height under the current proposal.

Councilmember Theobold responded to Ms. Jacobson's concerns on the roadway, stating the City will be widening 24 Road over a few years. If the property owners want it sooner, then they would have to make a monetary contribution toward the construction of the roadway. Councilmember Spehar said the interchange is scheduled for 2006 – 2007.

Ms. Jacobson asked if the hotel were to come in, if it would be required to widen the street. Councilmember Terry said it would depend on the impact. They might have to contribute in terms of the building's impact.

Mike Joyce, Development Concepts, 2765 Compass Drive, an interested citizen, said they have done a lot of work on this plan. His concerns were like Ms. Jacobson's, motels and hotels could not be built in the mixed use.

Kathy Portner clarified that lodging is a separate category from retail, and 150,000 sq. ft. could be allowed without a Conditional Use Permit and site review for non-retail. Lodging would not be subject to the 30,000 sq. ft. limitation.

Mr. Joyce commented that one item that came up during several discussions is the higher intensity of commercial use at the intersection of I-70 and 24 Road. He had additional comments on the 25% residential requirement being too limiting. Councilmember Spehar asked how Mr. Joyce's suggestions would fit with the mixed use plan as opposed to the more traditional zoning. Mr. Joyce said he was viewing mixed use as more of neighborhood commercial along with industrial and commercial use. He feels residential belongs more along 24½ Road.

Attorney Tom Volkmann, 422 White Avenue, referred to the recent change of the increase in setbacks around the buildings. He also referred to the proposal to move Leach Creek to the east of the property. Then, in addition, the residential requirement would be part of the mix. All these issues will really limit projects. He said it is prudent to plan this corridor as a gateway to the City, however the standards require high density residential with enhanced planning designs and guidelines that will further increase the cost of housing with the median income in Grand Junction being \$24,000, he wonders what the rental rates would be for these units. He said it seems that high-density housing is to go here because no one else wants it anywhere else. The guidelines will make

these expensive multi-family housing and the market will not support it. When asked, he said he is not representing anyone in particular tonight. He doesn't think this experiment will work. He feels the 25% residential requirement is ill-advised for this corridor and that it be reconsidered. Councilmember Terry asked if the percent were lowered, would it be acceptable. Mr. Volkmann said the lower the better.

Councilmember Theobald asked why it is expensive. It seemed to him that commercial real estate is worth more than residential. The original Growth Plan has this property designated as residential. The reason the City is even looking at mixed use is because property owners there asked to be allowed to have some commercial. The value is based on location and use. It is premature to say the land is valuable based on zoning it does not currently have.

Councilmember Spehar said there is no shortage of commercial land in the community. The Growth Plan has created an opportunity, although the market does not demand it today, to site in a terrific location higher density housing. He was willing to take the chance on the mixed use concept and that this may be a noble experiment. He was not willing to give up the housing component totally.

Councilmember Payne said the per acre price does not seem too high for housing.

Stan Seligman, 3032 I-70 Business Loop, said the lack of location for major "big box" stores to come in was his main concern. He understood the mixed use concept, and generally the limitation is placed on retail space. He referred to Park Meadows in Denver. He said that is the future Grand Junction needs to look to. He agreed with Mr. Volkmann's comments on the multi-family. It is difficult to justify the cost for multi-family use in that area when compared to potential revenues lost from less retail.

Ed Hokason, realtor, 2277 Rio Linda Lane, expressed his concern from a realtor's point of view. He agrees with previous speakers, this is an opportunity for Grand Junction but the Council and Planning Department is also challenged to look 20 to 40 years into the future. There is a need for increased shopping opportunities and developers need to provide with what they need and want to be able to provide these services. I-70 is a regional high traffic corridor, and limiting retail to 30,000 sq. ft. is not feasible. Several components of the Plan gives the perception of micro managing the market. It is also a mistake not to allow fast food or service station opportunities. A good Code needs to include everything that a developer needs to know and not be too subjective. The simpler the better. This corridor will be very important in the future. The increased traffic along the corridor would not be compatible with the residential component.

Jim Langford, Thompson-Langford Corp., 529 25½ Road, is working on a Super Target project for the area. His concerns are that this development company only does retail, not multi-family. They would have to build F½ Road and several roundabouts. He has

worked on other major projects and it always comes down to transportation and off-site street improvements being major issues. The City almost lost Home Depot due to these issues and there is not a forum where these concerns can be shared with Council and how they all tie together.

Councilmember Terry defended Council in that the development community has been given ample opportunity to contact Council, and have not followed up on it.

Councilmember Spehar said Council shouldn't be hearing so much detail about a project that might be coming before Council in the future.

Mr. Langford said he would like to see some flexibility with the northern boundary for commercial use. When asked which plan he prefers, the old Growth Plan or the new proposal, he said neither.

Richard Mason, a resident living in the area north on the other side of I-70, said he would like Council to consider the elements of this Plan with a look to the future. There are plenty of campuses of big box stores in Denver. He didn't want to see it in his backyard. A certain amount of residential component will prevent the pollution of a lot of commercial venues.

RECESS

Mayor Kinsey called for a brief recess at 9:55 p.m. Upon reconvening at 10:05 p.m., all members of Council were present.

The Mayor asked the speakers to stay focused on the issue.

George Pavlakis, Denver, is a representative of the landowners of a larger tract, and was also on the 24 Road Corridor Steering Committee. He said the multi-use zoning concept was formulated as method of letting the market drive the use for these areas, as a compromise between the Growth Plan, the landowners' wishes and the desire to develop the area in an attractive and aesthetically pleasing way. The 25% residential component is appropriate in that it meets the old Growth Plan numbers but it takes away flexibility, as does the requirement for commercial. As the representative of the landowner, he agrees with the mixed use concept, however, he objects to the specific requirements of the 25% residential and the limitations on the commercial.

Councilmember Theobald asked if the market dictates, then how will it work in regards to the residential component? Mr. Pavlakis said the projections equated to a 20 to 30 year build-out, therefore certain areas would lend themselves to other uses including the residential.

John Usher, from Saratoga, California, bought some land in the study area in the 80's to help some people out financially. He became involved two years ago during a public meeting when asked what his vision was, and was asked to display drawings to assist Council to better understand the vision for his land. He wanted to have mainly office buildings and build for better jobs with some residential. The proposed guidelines are too onerous and a waste of taxpayers money. Multi-use is a great idea but he feels the market should drive it.

Councilmember Terry asked if he had specific concerns.

Mr. Usher said it is full of too specifics, size of signs, type of trees, setbacks, etc. He felt that guidelines were more appropriate than standards.

Brian Harris, 415 Morning Dove Court, had a question regarding Leach Creek and trail. Is this to be built by the City and end up under the Parks and Recreation Department? Councilmember Theobald said the wash itself is not the City's. As far as the trail location is concerned, it is intended to be at street level and is anticipated to be a City construction project at this point.

Mr. Harris asked about the housing requirement, clarifying the number of units on the ten acres.

Ted Munkres, Freestyle, Inc. Design & Building, 121 Chipeta, states he has no interest in the properties, but believes the idea of putting residential in with commercial and retail is not such a great idea. If there is to be mixed use, then reduce requirements and allow some transfers of the multi-use. High density is typically for empty nesters or young couples, whereas parks are more for family use. He stated that low residential density near the park is more appropriate than the higher density. He would like to see meaningful dialogue between concerned parties and Council.

Councilmember Spehar asked what his ideas were on transferring densities or uses within this plan and make it work. Mr. Munkres said it needs to be well thought out and addressed in some way. Commercial builders are not the same as residential builders. The commercial builder may be able to sell the property for the residential use. The idea of 25% residential is a high percentage for that type of development.

Gary Crist, 3173½ William Drive, is not representing anyone, asked where is this mixed use zoning used now in the State of Colorado and how can it be applied to Grand Junction? Kathy Portner said it is used in other areas such as Denver and resort communities.

Councilmember Spehar said another example would be the City Market store in Vail.

Mr. Crist questioned the size restrictions of the City Market compared to the 30,000 sq. ft. requirement as stated in this Plan. Councilmember Spehar replied there is plenty of opportunities to build that size store (119,000) and asked Ms. Portner to explain. Ms. Portner responded that retail development could be located in any of the commercial zones in the City. Virtually the entire 6 & 50 frontage is zoned commercial and the east end of valley. Mr. Crist said there is a need for grocery store in this location. Councilmember Spehar confirmed with Ms. Portner that a grocery store could be constructed anywhere in the commercial area.

Warren Jacobson, resides on the southwest corner of I-70 and 24 Road, said the committee has listened to everyone involved, and he disagrees with the 25% requirement. He asked if the State Highway Department might be interested in landscaping along the interstate. Both Councilmembers Theobald and Terry indicated the City has discussed landscaping with CDOT, who responded they do not do landscaping. They will be pursuing that issue with the State.

Roy Blythe, representing Dr. Merkel, said Dr. Merkel's idea of mixed use is quite different from the proposal. His perception of multi-use includes retail and commercial with some residential. He feels 25% is too large of a percentage for residential. Several property owners conducted feasibility studies and have had a difficult time making projects work economically with these requirements. Some specifics include whether the Council is looking at FAR ratios, and height restrictions and setback requirements. He stated there is no gain to go higher because of the required increased setbacks. He also asked if the square footage is regarded as a footprint or actual square footage. As an architect, he is looking for guidelines not standards. The setback requirements also do not make sense in that they will force parking along 24 Road, which is something the Plan intends to avoid.

Councilmember Theobald asked for clarification. Ms. Portner said the maximum is 30,000 gross square foot of retail space, and the remaining floors could be office space.

Pat Edwards, who has no special interest in this project, wanted to discuss what he knows is going in around the Mall area. A new bank, and Chiles is being constructed around the Mall and they have been pounded pretty heavy with traffic requirements. The City has enjoyed a lot from the sales tax from the Mall area and feels that the City needs to step up and participate in the traffic impacts. Retail sales generate more revenue and will pay for the traffic impacts but they are being put to the iron test of a Conditional Use Permit.

Terri Binder, 2148 Redcliff Circle, stated it was a privilege to serve on the 24 Road Committee. The Committee heard many of these same things that have been discussed tonight. She believed it is the best the Planning Commission could do with all the concerns they heard. Grand Junction is changing, which always brings discomfort. This

is something new, and is an opportunity to raise the bar of expectations for development in the City's last major corridor. This corridor can be an inviting corridor that will say there is something here for travelers to check out. Every community deals with traffic. Where does one put high-density homes, this is a place where it can be done. She listed examples that are working in other places. An example was Steve Reimer, Hawthorne Suites, the land was zoned residential, and now with mixed use is more valuable. The Committee began discussing the design standards and guidelines after being shown the vision of one of the large property owners.

Councilmember Scott asked if the Committee discussed a percentage. She responded no, but it was put forward by the Planning Commission to get the same number of units as in the current Growth Plan.

John Usher, the property owner Ms. Binder talked about, said, that in theory, the high density was to solve the traffic problem in Silicon Valley with people moving to where they worked, but it did not solve the traffic problem. His mixed use vision was more commercial, office and retail. The land is currently zoned Highway Oriented, not residential.

Councilmember Theobald said the Council would have changed the zoning to conform with the Master Plan had the Council not exempted this area out for further study.

Mary Ann Jacobsen said when she bought the land in the early 1960's it was commercial. Councilmember Theobald asked if one of the parcels she owned, at one point, was going to be an RV park? Ms. Jacobsen said no. Mr. Usher said it was his property.

There were no other public comments. The hearing closed at 11:00 p.m.

Councilmember Terry asked about the history of the 25% requirement for residential.

Kathy Portner stated discussions began with the Planning Commission, Steering Committee and Council wanting assurance of a residential component. Staff started working on the numbers and what would be a reasonable percentage. The goal was to maintain the total number of units within that area under the existing Growth Plan.

Councilmember Scott said the big problem is the 25% residential component.

Councilmember Theobald said his impression is that it is any percent and that people are also longing for a past that never was. There have been a lot of zoning perceptions that have not existed, or what they think it should be. The Growth Plan zoning, original zoning or the proposed zoning would not have allowed what they believe should be allowed there. Mr. Usher's dream started this, and unfortunately he is not happy with how it turned out. Restrictions wouldn't have to be created if everyone stuck to the standards.

Councilmember Terry said the Growth Plan was very specific on additional retail, and she felt strongly about that document. There has been plenty of opportunity for big box in this community. Planning and market-driven development do not always coincide. One of the primary elements of this study is a market analysis. As far as street projects, Council spent over \$20 million in capital improvement projects this year. She was concerned on the 25% requirement and would be willing to do a range alternative if feasible.

Councilmember Enos-Martinez supported the concept, but she was struggling with the 25% residential component.

Councilmember Theobald liked where the 25% came from, that is, based on the number of units in the original Growth Plan.

Councilmember Spehar said that given those comments, discussions could include reducing the percent or talking about how the 25% was originally arrived at. It is possible to have the other more profitable uses be developed first, as long as it is planned up front, and have the development of some of those uses trigger the need to complete the 25%. He states that this is not too restrictive but more expansive, and too expensive when figured on a speculative use. The lack of opportunity for big box has been answered and there are plenty of opportunities to build the larger stores. In speculating what will this look like in 20 years, the plan was developed with that in mind. He suggested the Council proceed with the plan, stay close to the 25% and work on the trigger for that requirement.

City Attorney Dan Wilson gave some options for approving the draft at this point.

Councilmember Terry was concerned with the percentages. She wanted to look at the other options.

Councilmember Spehar would be willing to have more discussion on the percentages and trigger points. He suggested adopting recommendation a & b, and leaving c & d for further discussion.

Councilmember Payne would like more discussion to determine if the density can be lower than 25%. He believes that this is a good plan and suggests that the Council look at the Crossroads area, a multi-use area that works. He wants the 24 Road Corridor to be different.

There were no other comments. The hearing closed at 11:25 p.m.

a. Resolution

Resolution No. 109-00 - A Resolution Adopting the 24 Road Corridor Subarea Plan Upon motion by Councilmember Terry, seconded by Councilmember Theobold and carried by roll call vote, Resolution No. 109-00 was adopted. Councilmember Terry noted adoption of Resolution No. 109-00 creates an amendment to the Master Plan.

b. Ordinances

- (1) Ordinance No. 3304 – An Ordinance Adopting a New Zoning Map for the 24 Road Corridor Area
- (2) Ordinance No. 3305 – An Ordinance Amending the Zoning and Development Code to Add Section 7.5, 24 Road Corridor Design Standards and Guidelines

Upon motion by Councilmember Spehar, seconded by Councilmember Payne and carried by roll call vote, Ordinance No. 3303 Amending the Sections 3.2 and 3.5, and Section 3.2.H.4, and Adding Section 3.4.J to the Grand Junction Zoning and Development Code to Create a Mixed-Use Zoning District with recommendations 1, 2 a, b, e, was adopted on second reading and ordered published, leaving c and d for future discussion.

Upon motion by Councilmember Spehar, seconded by Councilmember Theobold and carried by roll call vote, the residential requirement was designated at 25% subject to revision within two weeks and further discussion of the guarantees necessary to assure the construction.

It was moved by Councilmember Payne and seconded by Councilmember Enos-Martinez that Ordinances No. 3304 and 3305, with the recommended changes be adopted on second reading and ordered published.

Councilmember Payne amended the motion by adding adopting Ordinance No. 3305 with the recommended changes except for #5. Councilmember Enos-Martinez seconded the amendment.

Roll was called upon the amended motion and the motion carried.

BALANCE OF AGENDA RESCHEDULED FOR NOVEMBER 15, 2000 MEETING

Upon motion by Councilmember Payne, seconded by Councilmember Scott and carried, the balance of the agenda items were rescheduled for the November 15, 2000 meeting.

16. **Public Hearing - Route 30 Partners Annexation Located at 520 30 Road**
[File #ANX-2000-172]
17. **Public Hearing - Zoning Route 30 Partners Annexation to C-1, Located at 520 30 Road** [File #ANX-2000-172]
18. **Public Hearing - Mesa Moving Annexation Located at 2225 River Road and 681 Railroad Boulevard** [File #ANX-2000-177]
19. **Public Hearing - Zoning Mesa Moving Annexation to I-2, Located at 2225 River Road and 681 Railroad Blvd** [File #ANX-2000-177]
20. **Public Hearing - Vacating a Temporary Turnaround and Utility Easement for the Renaissance in the Redlands Subdivision, Filing 2, Located at South Camp Road and Renaissance Boulevard** [File #FP-2000-126]
21. **Public Hearing - Vacating a Temporary Turnaround Easement Located on Lot 1, Block 8, The Knolls Subdivision, Filing 2, Located at the Southeast Corner of Cortland Avenue and 27½ Road** [File #FPP-2000-141]
22. **Public Hearing – Adoption of 2000 International Building Codes**
[Continue to December 6, 2000]

EXECUTIVE SESSION to Discuss Ongoing Negotiations Relating to Consent Items #4 and #12

4. **Vacating a Utility and Drainage Easement in Trolley Park Subdivision, Located at 552 25 Road** [File #VE-2000-160]
12. **Purchase of a Portion of River Road Trail Property**

ADJOURNMENT

The meeting adjourned at 11:39 p.m.

Stephanie Nye, CMC
City Clerk

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>		
Subject:	Orchard Mesa Community Center Pool HVAC/Furnace Modification	
Meeting Date:	November 15, 2000	
Date Prepared:	November 3, 2000	
Author:	Rex Sellers	Senior Buyer
Presenter Name:	Lynda Lovern	Recreation Supervisor
Workshop	X	Formal Agenda

Subject: Contracting for the replacement of the furnace and other modifications to the HVAC system at the Orchard Mesa Community Center.

Summary: The City of Grand Junction Parks Department requests that the current furnace be replaced and the HVAC system be modified in order to provide a more consistent and efficient heating system in the pool area.

Background Information: The City of Grand Junction is using the current HVAC system and has determined with the help of Mesa County that the system is not sufficient to heat and does not have the proper controls to maintain a balanced pool area environment. MKK Consulting Engineers was hired in 1999 to study and make recommendations to improve the system. Using the information that was provided by the consultant the City of Grand Junction determined, with consent from Mesa County, that the current HVAC/Furnace needed to be modified.

The following responsive bids were received for the project:

Bidder	From	Total Bid
Lane and Company	Grand Junction	\$68,310.00
Comfort Air	Fruita	\$73,394.00
Haining Refrigeration	Grand Junction	\$87,490.00

Budget: There is \$110,000.00 in the 2000 FY Facilities Budget. Mesa County has committed half of this total amount and will share equally in the total job cost. (Total budget includes engineering, temporary heating, construction management and potential change orders.)

Action Requested/Recommendation: Authorization for the City Manager to sign a contract with Lane and Company Mechanical Contractors in the amount of \$68,310.00 for the Orchard Mesa Community Center Pool HVAC/Furnace Modification.

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

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Adoption of Resolution		
Meeting Date:	November 15, 2000		
Date Prepared:	November 2, 2000		
Author:	Jody Kliska	Transportation Engineer	
Presenter Name:	Mark Relph	Public Works Director	
	Workshop	x	Formal Agenda

Subject: Resolution accepting funds for CDOT Project CM555-014, Grand Junction Traffic Signal Synchronization.

Summary: The City of Grand Junction will manage the design of traffic signal communications with the Colorado Department of Transportation (CDOT) as partners. CDOT requires a resolution be executed by the city to commit CDOT's share of the project at \$20,000.

Background Information: City staff has approached both the Colorado Department of Transportation to participate in design of the first phase of a central communications system for traffic-related systems, including signals, permanent count stations, weather stations, advance warning systems and variable message signs within the Grand Valley. The City has taken the lead in procuring consultant services for design.

Budget: The cost of design for the signal communications project first phase is \$45,000. CDOT's contribution is \$20,000.

Action Requested/Recommendation: It is recommended that City Council adopt Resolution No. -00 accepting the CDOT funds in the amount of \$20,000.

Citizen Presentation:	X	No	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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RESOLUTION NO. -00

A RESOLUTION ACCEPTING FUNDS IN THE AMOUNT OF \$20,000 FROM THE COLORADO DEPARTMENT OF TRANSPORTATION FOR CDOT PROJECT CM555-014, GRAND JUNCTION SYNCHRONIZATION OF SIGNALS

RECITALS:

The City Council of the City of Grand Junction, hereby resolved in Resolution No. -00, to enter into a contract with the State of Colorado, Department, to participate in design of traffic signals communications.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, AS FOLLOWS:

The City Council accepts the funds from the State of Colorado in the amount of \$20,000.

PASSED AND APPROVED THIS 15TH DAY OF NOVEMBER, 2000.

Attest:

Mayor, City of Grand Junction

City Clerk

Attach 4

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Resolution Accepting Federal-Aid Funds		
Meeting Date:	November 15, 2000		
Date Prepared:	November 8, 2000		
Author:	Don Newton	Engineering Projects Manager	
Presenter Name:	Tim Moore	Public Works Manager	
	Workshop	X	Formal Agenda

Subject: A City Council Resolution accepting Federal-Aid Funds from the Transportation Equity Act for the 21st Century (TEA-21) for the project identified as STM M555-012, 29 Road Improvements from the I-70 Business Loop to Bunting Avenue.

Summary: The Regional Transportation Planning Organization has allocated \$359,051 in the Statewide Transportation Improvement Program (STIP) for this project. The grant requires local matching funds in the amount of \$87,525.

Background Information: This is the first phase of a three-phase project to improve 29 Road from I-70B to Patterson Road. Federal Funds have been allocated in the STIP for all three phases of the project. Construction of the first phase is scheduled to begin in the spring of 2001.

Budget: The City of Grand Junction has included \$265,000 in its 2001 Capital Improvement Budget for the 29 Road Improvement Project. This in more than \$87,525, the minimum amount of local matching funds required by the grant.

Action Requested/Recommendation: Adopt Resolution No. ____ to accept Federal-Aid TEA-21 Funds in the amount of \$359,051 and to authorize City matching funds in the amount of \$87,525 for Project STM-M555-012.

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

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

A RESOLUTION ACCEPTING A GRANT FOR FEDERAL-AID FUNDS FROM THE TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY OF 1998 (TEA-21) FOR THE PROJECT IDENTIFIED AS STM M555-012, 13078, MINOR WIDENING OF 29 ROAD IMPROVEMENT PROJECT, PHASE I

RECITALS:

The City Council of the City of Grand Junction, hereby resolved in Resolution _____-00 to enter into a contract with the State of Colorado, Department of Transportation to participate in a Federally funded project to improve widen 29 Road beginning near the I-70 Business Loop and proceeding north past North Avenue to Bunting Avenue.

The total cost of the preliminary engineering, material and construction of the path are to be funded as follows

- | | |
|--|---------------------|
| a. Federal participating funds
(82.79% of \$433,689.00) | \$359,051.00 |
| b. Local Agency Share
(17.21%) | \$ 74,638.00 |
| c. Local Agency Non Participating Costs | <u>\$ 12,887.00</u> |

TOTAL PROJECT FUNDS **\$446,576.00**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, AS FOLLOWS:

The City Council approves the matching of Federal funds with City funds in the amount of \$87,525.00

PASSED and APPROVED this _____ day of _____, 00.

Mayor, City of Grand Junction

Attest:

City Clerk

Attach 5

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

CITY COUNCIL			
Subject:	Pre-Qualification of Contractors		
Meeting Date:	November 15, 2000		
Date Prepared:	November 2, 2000		
Author:	Don Newton	Engineering Projects Manager	
Presenter Name:	Tim Moore	Public Works Manager	
	Workshop	X	Formal Agenda

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

Summary: In cooperation with the Western Colorado Contractors Association, the Home Builders Association, Mesa County Association of Realtors, the Associated Builders and Contractors, and the Association of Landscape Contractors, Public Works staff is proposing adoption of Rules and Procedures for Pre-qualification of Contractors. It is anticipated this program will become effective on February 1, 2001.

Background Information: City staff discussed this issue with Council in April however, it was not formally considered by City Council at that time. Over the past two years, Public Works staff has been meeting with local contractor associations to improve the City's Construction Contract Documents, Bid Documents, Construction Specifications and Standard Details. One of the quality issues identified by this group was their desire to create a process for pre-qualifying contractors to bid on Public Works and Utility projects. The purpose for such pre-qualification would be to assure that each contractor has the necessary equipment, personnel, experience and financial capability to perform the type and size of project that it intends to bid.

Attached is a letter of support signed by the associations of contractors and realtors that make up the Associated Members for Growth and Development group. The City's legal and purchasing staff have also reviewed the documents. It is anticipated that a review of the program will be conducted with the contracting community at the end of the first year. Staff will provide Council with a recap of issues from that review. If it appears the program is successful, the program may be considered for other City Departments at that time as well.

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

The proposed process would pre-qualify contractors for the type of work and size (in dollars) of projects, on which they will be allowed to bid. The categories of pre-qualification are for contracts from \$50,000 to \$300,000, \$301,000 to \$750,000 and contracts greater than \$750,000.

A committee consisting of City Staff will process the pre-qualification applications. The proposed committee members included the City Engineer, Utility Engineer, Construction Supervisor and the City Auditor. This Committee will meet once each quarter to review contractor applications for the pre-qualification. A contractor must apply and pre-qualify at least once every three years. The City will accept CDOT pre-qualification in lieu of pre-qualification through the City’s application and review process.

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

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

Citizen Presentation:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	If Yes,
Name:						
Purpose:						

Report results back to Council:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	When:	
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Placement on Agenda:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Indiv. Consideration	<input type="checkbox"/>	<input type="checkbox"/>	Workshop
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CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

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

RECITALS:

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

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

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

PASSED and ADOPTED this _____ day of _____, 2000

President of the Council

Attest:

City Clerk

Exhibit 1

**CITY OF GRAND JUNCTION
DEPARTMENT OF PUBLIC WORKS AND UTILITIES**

**RULES AND PROCEDURES FOR
PRE-QUALIFICATION OF CONTRACTORS
(Effective February 1, 2001)**

Section

Purpose

These rules and procedures ("Rules") are to be followed by the Public Works and Utilities Department ("Department") to pre-qualify a contractor who desires to submit a bid for construction of a Department project, and to describe how the pre-qualification can be suspended or revoked.

Pre-qualification Committee

The Pre-qualification Committee will administer these Rules.

The Pre-qualification Committee ("Committee") consists of the City Engineer, the Utility Engineer, the Construction Supervisor and the City Auditor, and any other person designated by the Director of Public Works and Utilities ("Director").

Application for Pre-qualification

The City will not accept a bid over \$50,000 for any Department project from a contractor who is not pre-qualified as provided in these Rules.

The Committee will presume that a contractor who is currently pre-qualified by the Colorado Department of Transportation ("CDOT") is pre-qualified by the City, unless the Committee has reasonable information or basis to the contrary. If the Committee has reasonable information or basis to the contrary, the City will notify the contractor who may apply directly with the City as set forth in these Rules. CDOT pre-qualification is not binding or conclusive on the City. If a contractor gives the Committee proof of current CDOT pre-qualification each year, the contractor may assume that it is pre-qualified for that year, until the City notifies the contractor to the contrary.

To apply to be pre-qualified by the City, a contractor should file an application with the Department. Application forms are available at the Department's temporary address at

515 28 Road until the new City Hall is occupied. The completed form can be mailed to the Department of Public Works and Utilities, 250 N. 5th Street, Grand Junction, Colorado 81501 or faxed to 970/256-4022.

During the first week of each quarter at a time and place determined by the Director, if business requires, the Committee will review pre-qualification applications and conduct other needed business.

A joint venture may apply for pre-qualification in the name of the joint venture or each member may apply for pre-qualification separately. A joint venture may be pre-qualified to the highest financial level of any member if such member agrees and owns at least 50 percent of the joint venture.

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

The City may charge a pre-set application fee, not to exceed the cost of processing and reviewing the pre-qualification application.

Application Requirements

A copy of these Rules and application form are available at the Department. A contractor may supplement the required information so that the Committee has the information it needs to decide a pre-qualification application, or other matter.

At a minimum, a contractor, and each member of an applying joint venture, should provide and/or write about:

The name, address, phone number and type of applicant (*e.g.*, sole proprietorship, partnership, corporation, LLC, LLP, *etc.*) and the name and title of each officer, partner, member, shareholder or owner of five or more percent (hereinafter collectively "owner") of the applicant;

The name, address and phone number of the registered agent if the contractor is a corporation. If the corporation is not a Colorado corporation, proof of authority to do business in this state is required;

The maximum contract amount and the type of work for which the contractor seeks pre-qualification, *e.g.*, street construction, concrete curb, gutter, and sidewalk, earthwork, structures, paving, underground utilities, *etc.*;

The contractor's experience in construction work including the number of years in each type of work, the type of work, and a list of all pertinent construction contracts performed in the past three years;

Disclosure of any denial, suspension or revocation of pre-qualification or removal of the contractor, or any affiliate or subsidiary, from a bidding list within the last six years by the federal government, any agency of any state government including Colorado, and any local government or department or arm of any federal, state or local government, along with the name and address of the government, the stated basis for the denial, suspension, revocation or removal and a detailed explanation of the contractor's view and final result;

Disclosure of any contract(s) that the contractor has failed to complete within the last six years, along with a written explanation of the reasons why;

The name, address and title of each principal, officer, partner, member, supervisor, of the contractor along with the type and length of experience of each;

The name and address of each owner of the contractor, including the name and address of each affiliate and subsidiary. If the contractor is a corporation, each owner means every person with a five percent or greater interest;

List the equipment owned, leased or available for use by the contractor;

A financial statement prepared in compliance with generally accepted accounting principles (GAAP), including a complete report of the contractor's financial resources, liabilities, equipment and personnel, along with a statement by a licensed CPA that the statement satisfies GAAP and is in accordance with review standards published by the American Institute of Certified Public Accountants.

A disclosure by the chief or controlling officer, partner, member, or owner if the contractor or any company officer, member, partner, owner, subsidiary, or affiliate or officer thereof, has been convicted of a bid related crime or violation within the past six years in any jurisdiction in the United States; as to any such conviction, the name of the crime, the date and location of the conviction, the penalty or sentence, and the current employment or ownership status of each such company or officer;

A disclosure of each revocation, suspension, de-barment, or notice of intent thereof regarding the contractor, any director, officer or owner, including if any owner or officer is affiliated with a person who is under notice of intent to debar or has been debarred; as to each disclosure, include the name and address of the governmental unit, department or agency, the basis for the action and the current status of any such action.

Pre-qualification Procedure

The contractor should submit the application and information to the Director. The Committee will consider the application to be complete when it has no more questions and needs no more information. The Committee will review the application once it is complete.

If the City Auditor contacts the applicant, the applicant must cooperate to make an appointment for the Auditor to review the contractor's financial records. The Auditor shall review the financial statement with the applicant or its designated representative when the contractor requests such review in writing. The contractor must retain the financial statement reviewed by the Auditor for three years from the date of the being pre-qualified.

The Committee will send a copy of a denial of an application to pre-qualify by certified mail, return receipt requested, within seven business days of the decision, along with the reason(s) in writing, and a statement that the denial may be appealed to the Director.

The contractor may appeal a denial of pre-qualification to the Director if done in writing and delivered, certified mail, return receipt requested, within forty-five calendar days of the date of the denial; the appeal must identify the facts and basis that establishes why the Director should overturn the decision of the Committee.

The Director shall hear an appeal, in an informal fashion, within forty-five calendar days of receipt of an appeal. The Director will give the applicant an opportunity to address the rationale of the Committee and to supply additional information, including witnesses, to give the contractor a fair opportunity to convince the Director to pre-qualify the applicant. The contractor shall bear the burden of going forward and the burden of persuasion in such appeal. The Director shall render his final decision in writing within ten business days after hearing the appeal.

Pre-qualification Criteria

There will be four categories: under \$50,000 (for which only bond is required); \$50,000 to \$300,000 with the same qualifying requirements as the third category of \$300,000 to \$750,000 and the fourth category of over \$750,000.

In deciding if a contractor should be pre-qualified, the Committee shall consider:

- (a) If the contractor has equipment available to accomplish the type of work on which it intends to bid;

- (b) Whether the contractor has trained personnel available to perform the type of work on which it intends to bid;
- (c) Whether the contractor has an organization and technical staff with the size, training, experience, and capability to accomplish the type of work on which it intends to bid;
- (d) Whether the contractor has the financial capability to perform the work on which it intends to bid as evidenced by financial solvency greater than or equal to the contractor's pre-qualification level. A contractor's financial statement demonstrating ratios in the following ranges will presumptively be considered to be adequate;
 - (e) Total Current Assets to Total Current Liabilities of greater than 1.0;
 - (f) Cash and Accounts Receivable to Total Current Liabilities of greater than 1.0;
 - (g) Net Fixed Assets to Net Worth of less than 2.3;
 - (h) Total Liabilities to Net Worth of less than 4.0.;
 - (i) If these ratios are not met by a contractor, the Committee may consider other factors including irrevocable lines of credit and other financial guarantees;
- (j) Whether the contractor has demonstrated experience in the type of work on which it intends to bid;
- (k) Whether the contractor has demonstrated performance on past City contracts including, but not limited to, compliance with all contract terms and specifications, satisfactory quality of workmanship, and consistent on-time performance;
- (l) Whether the contractor is revoked, suspended, debarred or under notice thereof, in any jurisdiction;
- (m) Whether the contractor has made false, deceptive or fraudulent statements in the application for pre-qualification, or in any other information relied on or submitted to CDOT and/or the City; and
- (n) In the case of a special prequalification for a particular project, any additional criteria which the Committee selects.

Effect of Prequalification

A contractor who is pre-qualified as described in these Rules may submit bids on Department projects for which the contractor has the resources, personnel, equipment and experience to undertake. A low bidder on a specific project will still be independently evaluated prior to any award based on prequalification, required bid documents and other criteria determined by the City.

Department projects which are subject to these rules are those in the public rights-of-way and easements, such as road improvements, sewer and water and drainage facilities, and other projects such as regional storm water detention basins and improvements.

Continuing Prequalification Requirements

A contractor must apply and pre-qualify at least once every three years. A pre-qualification expires three years from the date of issue. The Committee may review a determination that a contractor is pre-qualified at any time at its own discretion and without notice to the contractor.

A contractor shall write the Director within three business days upon any significant decrease in their fiscal or workmanship qualifications, or of any action taken in any jurisdiction, or notice of a pending action, against the contractor or an affiliate of the contractor precluding its ability to bid on, perform work for or otherwise in any manner participate fully completely and competently in the Department's projects.

Suspension or Revocation

The Committee may revoke or suspend pre-qualification if it reasonably determines that:

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

The contractor, or affiliate or owner of the contractor has made a false, deceptive or fraudulent statement on its application for prequalification, in any documents connected with the application or a bid, including a performance capability statement, or in any other information submitted to or relied on by the Department, or in the course of any statement disclosure, hearing or process associated with pre-qualification;

The contractor has failed to report any significant decreases in capabilities or limitations on bidding or performing work in accordance with these Rules;

The contractor, or an affiliate or owner of the contractor, acts or fails to act such that a lack of integrity in contract-related matters is shown or may reasonably be concluded; or

The contractor no longer meets the criteria contained in these Rules.

Suspension and Revocation Procedures

The following shall guide any revocation or suspension of pre-qualification:

Any person may contact the City concerning information warranting revocation of pre-qualification of a contractor as set forth in the criteria of these Rules. If the Committee becomes aware of information warranting suspension or revocation of pre-qualification, notice of intent to revoke or suspend shall be sent to the contractor's last known address by certified mail, return receipt requested. The notice shall include a written statement

citing general support for the intended action, and shall include the contractor's the right of appeal to the Director.

If the Committee has reasonable grounds to believe that the City's interests, or the public health, welfare or safety, requires suspension of pre-qualification without advance hearing or notice, the Committee may immediately suspend, upon written notice, a contractor's pre-qualification. Such suspension shall be for a temporary period of time generally not to exceed 45 days, during which time the Committee, or the Director, shall provide an opportunity to be heard and the opportunity to present pertinent and relevant information.

The contractor may appeal a Committee decision to revoke pre-qualification or to suspend pre-qualification by delivering, to the Director within thirty days of the Committee decision, a written appeal stating the basis of the appeal.

The Director must hear such an appeal within forty-five calendar days, as provided in the rule dealing with an appeal of a denial of pre-qualification.

Status During Appeal

During any appeal, the contractor shall not be deemed to be pre-qualified, unless otherwise ordered by a court of competent jurisdiction.

No basis for liability.

No person, contractor, individual or other entity may use these Rules as a basis to create or establish any liability, duty or basis for estoppel, damages, costs or fees with respect to any breach or mistake of the City, its employees, officers and agents regarding the adoption, implementation or operation of these Rules and actions taken pursuant to these Rules. These Rules are for internal operating purposes only and shall not be relied upon by any third-party, contractor, or other person even though these Rules were adopted as a result of a cooperative effort with third parties.

Attach 6

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>		
Subject:	Resolution declaring the intent of the City Council to create Sanitary Sewer Improvement District No. SS-44-00, and giving notice of a hearing.	
Meeting Date:	November 15, 2000	
Date Prepared:	November 7, 2000	
Author:	Tim Woodmansee	Real Estate Manager
Presenter Name:	Tim Woodmansee	Real Estate Manager
	Workshop	X Formal Agenda

Subject: Resolution declaring the intent of the City Council to create Sanitary Sewer Improvement District No. SS-44-00, and giving notice of a hearing to be held on December 20, 2000.

Summary: The majority of property owners in an area generally bounded by G Road on the north, the Grand Valley Canal on the south, 1st Street on the west and 7th Street on the east, have signed a petition requesting an improvement district to provide sanitary sewer service to their neighborhood. The proposed resolution is the required first step in the formal process of creating the proposed improvement district.

Background Information: The City Council and Mesa County Commissioners recently approved two policies to promote the elimination of septic systems in the Persigo sewer service area. The two agencies have agreed to budget \$1million annually for years 2001 through 2005, and \$1.5million annually for years 2006 through 2010, to fund improvement districts that will extend sanitary sewer service to various neighborhoods. Additionally, a Septic System Elimination Program has been created that provides financial assistance for property owners who wish to participate in improvement districts. This program authorizes the City and Mesa County to pay 30% of improvement district costs.

The proposed improvement district consists of 50 single-family homes which are connected to septic systems. Sixty-eight percent of the property owners have signed a petition requesting that this improvement district be created. People’s Ordinance No. 33 authorizes the City Council to create improvement districts when requested by a majority of the owners of real estate to be assessed.

Creation of this proposed improvement district will require 4 easements across properties not included in this district, including property owned by the Grand Valley

Irrigation Company. The Board of Directors of the Grand Valley Irrigation Company have stated they are not opposed to granting an easement; however, the GVIC Board has formally determined to not grant the easement until issues pertaining to the use of canal banks for public trail purposes is resolved.

On December 20, 2000, the City Council will conduct a public hearing and consider a resolution to create this proposed improvement district.

Budget: Costs to be incurred within the limits of the proposed district boundaries are estimated to be \$390,000. Sufficient funds have been transferred from Fund 902, the sewer system “general fund”, to pay for these costs. Except for the 30% Septic System Elimination contribution, this fund will be reimbursed by assessments to be levied against the 50 benefiting properties, as follows:

Estimated Project Costs	\$390,000	\$7,800 / lot
-30% Septic System Elimination Contribution by City	(\$117,000)	(\$2,340) / lot
Total Estimated Assessments	\$273,000	\$5,460 / lot

Costs to extend the sewer trunk line to the boundary of the proposed improvement district are estimated to be \$48,000. Trunk Line Extension funds will be used to extend the sewer main to the district boundary. The Trunk Line Extension fund will be reimbursed by a Trunk Line Extension Fee to be paid when each property connects to the sewer system. The Trunk Line Extension Fee varies depending on the size of each property, as follows:

- \$1,000 for properties smaller than 1/3 acre
- \$1,500 for properties less than 1 acre but equal to or more than 1/3 acre
- \$1,750 for properties containing one or more acres

Action Requested/Recommendation: Pass and adopt proposed resolution declaring the intention of the City Council to create Sanitary Sewer Improvement District No. SS-44-00, and giving notice of a hearing.

Attachments: Vicinity map, ownership summary, proposed resolution.

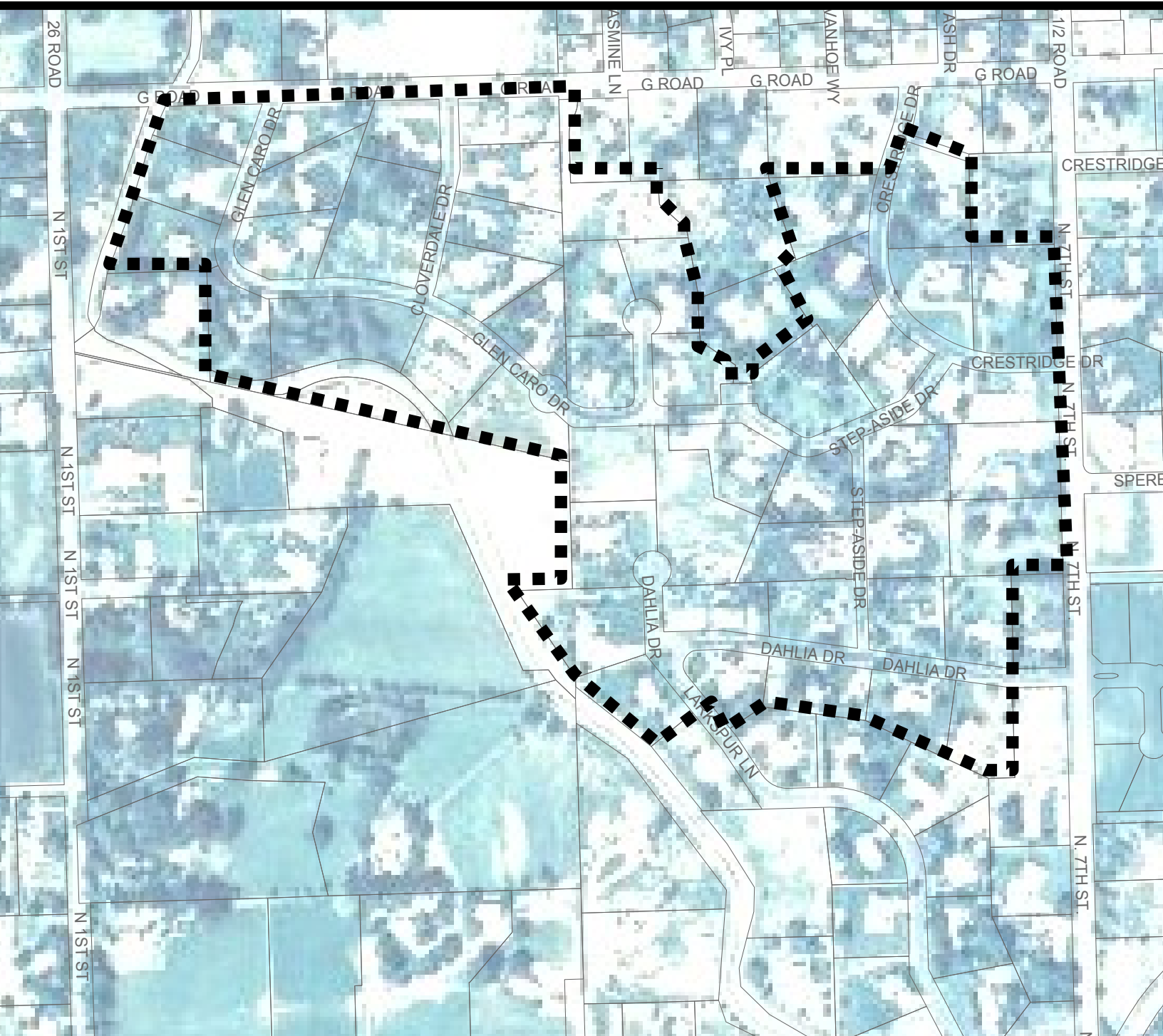
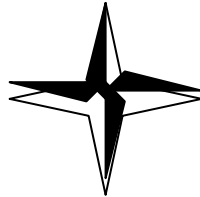
Citizen Presentation:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Name:										
Purpose:										

Report results back to Council:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Placement on Agenda:	X	Consent		Indiv. Consideration		Workshop
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**LIMITS OF PROPOSED SANITARY SEWER IMPROVEMENT DISTRICT
GLEN CARO & NORTHFIELD ESTATES NO. 2**

NORTH



OWNERSHIP SUMMARY

PROPOSED SANITARY SEWER IMPROVEMENT DISTRICT No. SS-44-00

SCHEDULE NO.	OWNERSHIP	PROPERTY ADDRESS	ESMT REQ.?
2945-022-03-001	• James Victor Hammond	2623 G Road	No
2945-022-03-002	Gary & Barbara Plsek	696 Cloverdale Drive	No
2945-022-03-003	• Stephen & Judith Axthelm	694 Cloverdale Drive	No
2945-022-03-004	James Pommier & Julie Pearson	690 Cloverdale Drive	No
2945-022-03-005	• Bena Maes	686 Glen Caro Drive	No
2945-022-04-001	Thomas & Elaine Kukulian	698 Glen Caro Drive	No
2945-022-04-002	• Ronnie & Cheryl Greenhow	699 Cloverdale Drive	No
2945-022-04-003	• Steven & Nancy Don	696 Glen Caro Drive	No
2945-022-04-006	• Howard & Janice Hall	694 Glen Caro Drive	No
2945-022-04-007	• Gilbert & Doris Madison	695 Cloverdale Drive	No
2945-022-05-001	Michael Schoede & Nancy Knanishu	695 Glen Caro Drive	No
2945-022-05-003	R.R. Frohock	693 Glen Caro Drive	No
2945-022-05-006	• James & Von Diamanti	683 Glen Caro Drive	No
2945-022-05-007	• John & Irene Green	681 Glen Caro Drive	No
2945-022-05-009	Thomas & Ailene Maddalone	699 Glen Caro Drive	No
2945-022-05-010	• Michael & Jean Kloberdanz	697 Glen Caro Drive	No
2945-022-05-011	• Alice McGregor	691 Glen Caro Drive	Yes
2945-022-08-002	• Daniel & Grace Ward	673 Larkspur Lane	Yes
2945-022-08-004	• Newell & Marlene Hoskin	675 Larkspur Lane	Yes
2945-022-06-009	• Robert & Louise Sammons	2636 Dahlia Drive	No
2945-022-00-047	• Robert & Louise Sammons	676 Larkspur Lane	Yes
2945-022-06-010	Mark & Darsie Huber	2638 Dahlia Drive	Yes
2945-022-00-034	• Barbara Trowbridge	676 Stepside Drive	Yes
2945-022-00-033	• Richard & Linda Pryor	675 26 ½ Road	Yes
2945-022-02-007	• William & Mildred Erwin	690 Myrtle Lane	Yes
2945-022-00-041	• Dorothy Burgess	679 26 ½ Road	No
2945-022-02-020	• Larry & Norma Wheeler	694 Jasmine Lane	No

2945-022-02-006	• Lloyd & Anne Davis	691 Myrtle Lane	No
2945-022-06-011	Vernon & Alice Nelson	679 Stepside Lane	No
2945-022-00-040	• Gaynell & Douglas Colaric	680 Stepside Drive	No
2945-022-14-001	• Christine Brown	Vacant Land	No
2945-022-14-002	• Christine Brown	677 Larkspur Lane	No
2945-022-10-004	Danny & Rene Romero	2645 Dahlia Drive	No
2945-022-10-003	Alice Martin	2643 Dahlia Drive	No
2945-022-10-002	Jack & E.N. Williams	2639 Dahlia Drive	No
2945-022-10-001	• Gerald & Shirley Quinn	672 Larkspur Lane	No
2945-022-09-002	Larry & Sylvia Porter	2646 Dahlia Drive	No
2945-022-09-001	Charles Mitchell	2642 Dahlia Drive	No
2945-022-07-001	• Thomas & Linda Todd	685 Crest Ridge Drive	No
2945-022-06-008	• Patrick & Maura Griggs	685 Stepside Lane	No
2945-022-06-002	• Charles & Karen Moore	687 Stepside Drive	No
2945-022-02-022	Paul & Laura Stidham	689 Crest Ridge Drive	No
2945-022-02-017	• William Merrill & Mary Hughes	695 Crest Ridge Drive	No
2945-022-02-013	• Kenneth & Catherine Hamon	686 Stepside Drive	No
2945-022-02-010	• Hamon Family, LLC	687 Crest Ridge Drive	No
2945-022-02-012	• Edward & Glenna Maurin	688 Myrtle Lane	No
2945-022-02-011	William & Debra Deonier	684 Glen Caro Drive	No
2945-022-01-005	Sherwood & Carolyn Fox	688 Crest Ridge Drive	No
2945-022-01-004	• Paul & Gertrude Lundberg	686 Crest Ridge Drive	No
2945-022-01-002	• John & Lou Stark	696 Crest Ridge Drive	No
<i>Total Assessable Parcels = 50</i>			
Additional Easements are required from Grand Valley Irrigation, David B. Palo, Jr., Joseph & Dana Elliott, and Paula White, whose properties are not included in the proposed improvement district			

- Indicates property owners signing petition = 34/50 or 68%

RESOLUTION NO. _____

**DECLARING THE INTENTION OF THE CITY COUNCIL OF THE
CITY OF GRAND JUNCTION, COLORADO, TO CREATE WITHIN SAID CITY
SANITARY SEWER IMPROVEMENT DISTRICT NO. SS-44-00 ,
AUTHORIZING THE CITY UTILITY ENGINEER TO PREPARE DETAILS AND
SPECIFICATIONS FOR THE SAME, AND GIVING NOTICE OF A HEARING**

WHEREAS, a majority of the owners of the property to be assessed have petitioned the City Council, under the provisions of Chapter 28 of the City of Grand Junction Code of Ordinances, as amended, and People's Ordinance No. 33, that a Sanitary Sewer Improvement District be created for the design, construction and installation of sanitary sewer facilities and appurtenances related thereto for the special benefit of the real property hereinafter described; and

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

WHEREAS, the City Council deems it necessary and appropriate to take the necessary preliminary proceedings for the creation of a special sanitary sewer improvement district, to be known as Sanitary Sewer Improvement District No. SS-44-00, to include the services and facilities as hereinafter described for the special benefit of the real property as hereinafter described.

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

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

Lots 1 through 19, inclusive, Glen Caro Subdivision; and also
Lots 3, 5, 6, 8 and 9, inclusive, Crest Ridge Subdivision; and also
Lots 4, 10, 11 and 12, inclusive, of the Replat of Lots 4, 10, 11, 12, 15 and 16,
Crest Ridge Subdivision; and also
Lot 15 of the Replat of Lots 4, 10, 11, 12, 15 and 16 Crest Ridge Subdivision; and
also
beginning S0° 07'W 2.75 feet from the SW corner of Lot 15, thence N5° 30' 49"W
356.41 feet, thence N89° 58' 27"W 103 feet, thence N0° 5'45"E 74 feet, thence,

S89° 58'27"E 138 feet to the NW corner of Lot 15, thence S0° 07'W 428.75 feet to the point of beginning, except beginning at the SW corner of said Lot 15, thence S0° 07'W 2.75 feet, thence N5° 30' 49"W 228.75 feet, thence S65° 49'49"E 133.66 feet, thence S 23° 46'W 186 feet, thence N89° 58'27"W 25 feet to the point of beginning; and also

Lot 16 of the Replat of Lots 4, 10, 11, 12, 15 and 16 Crest Ridge Subdivision, except beginning S89° 44'W 25.26 feet from the NW corner of Lot 9, Northfield Estates Subdivision, thence S89° 44'W 80 feet, thence N8° 04'33"E 2.83 feet, thence N89° 44'E 80.14 feet, thence S8° 04'33"W 3.79 feet to the point of beginning; and also

Lot 2, Hermanns Subdivision, and also all of Lot 1, Hermanns Subdivision except beginning S 0° 06' E 40 feet and S 89° 58' E 50 feet from the NW corner of the NE ¼ of the NW ¼ of Section 2, 1S, 1W, thence along a curve to the SW whose central angle is 30 degrees and radius is 93.3 feet with an arc length of 48.85 feet whose chord bears S 14° 54' W 48.3FT, thence along a curve to the left whose central angle is 30 degrees and radius is 93.3 feet with an arc length of 48.85 feet whose chord bears S14° 54' W 48.3 feet, thence S 0° 06' E 126.63 feet, thence S 89° 58' E 156.5 feet, thence N 0° 06' W 220 feet, thence N 89° 58' W 131.5 feet to the point of beginning; and also

Lots 3 through 6, inclusive, Hermanns Subdivision; and also

Lots 1 and 2, Emily Estates Subdivision; and also

Lots 6, 8, 10, 11, 14, 15, 16 and 17, inclusive, Northfield Estates Subdivision; and also

Lot 9, Northfield Estates Subdivision; and also beginning S 89° 44' W 25.26 feet from the NE corner of said Lot 9, thence S 89° 44' W 80 feet, thence N 08° 04' 33" E 2.83 feet, thence N 89° 44' E 80.14 feet, thence S 08° 04' 33" W 3.79 feet to the point of beginning; and also

Lot 7, Northfield Estates Subdivision; and also that portion beginning at the NW corner of the SE ¼ of the NW ¼ of Section 2, 1S, 1W, thence south 228.58 feet along the west lot line of said Lot 7 to the north line of the Grand Valley Canal, thence N 32° 30' W 270.23 feet along the north line, thence N 89° 44' E 145 feet to the point of beginning; and also

Beginning at the NW corner of Lot 10, Northfield Estates Subdivision, thence east along the north boundary lines of Lots 10, 11 and 12 of said Northfield Estates Subdivision to the NE corner of Lot 12 of said Northfield Estates Subdivision, thence north along the west right-of-way line for North 7th Street, also known as 26 ½ Road, to the SE corner of Lot 4, Crest Ridge Subdivision; thence west along the south line of Lot 4 of said Crest Ridge Subdivision that is to a point on the southeasterly right-of-way line for Step-A-Side Drive, thence southwesterly and southerly along the easterly right-of-way line for said Step-A-Side Drive to the point of beginning; and also

Beginning S 0° 07' W 2.75FT from the SW corner of Lot 15, Replat of Lots 4, 10, 11, 12, 15 and 16, Crest Ridge Subdivision; thence S 89° 51'15" W 165.27 feet to

a Cul-De-Sac whose chord bears N 5° 40'19" W 91.01 feet, thence N 0° 05' 45" E 338.68 feet, thence S 89° 58' 27" E 36.58 feet, thence S 0° 05' 45" W 74 feet, thence S 89° 58' 27" E 103 feet, thence S 5° 30' 49" E 127.66 feet, thence S 65° 49' 49" E 133.66 feet, thence S 23° 46' W 186 feet, thence N 89° 58' 27" W 25 feet to the SW corner of said Lot 15, thence S 0° 07' W 2.75 feet to the point of beginning.

All situate in the Northwest ¼ of Section 2, Township 1 South, Range 1 West of the Ute Meridian,
all in the County of Mesa, State of Colorado.

2. That the proposed services, labor, materials and improvements (also known as the "District Improvements") necessary to accommodate the request of the owners of the District Lands shall include, but may not be limited to, the design, construction, installation and placement of sanitary sewer main lines, inlets, manholes, connecting mains, service line stub-outs to the property lines, compensation or fees required for easements, permits or other permanent or temporary interests in real property which may be required to accommodate the installation, operation, maintenance, repair and replacement of the District Improvements, together with any other services or facilities required to accomplish this request as deemed necessary by the City Utility Engineer, all of which shall be installed in accordance with the General Conditions, Specifications and Details for Public Works and Utility Projects of the City of Grand Junction.

3. That the assessments to be levied against and upon the District Lands shall be based upon the total actual costs of the District Improvements. The City Utility Engineer has estimated the total probable costs of the District Improvements to be \$390,000.00. Based on the aforesaid estimate of the City Utility Engineer, the assessments to be levied against and upon each individual parcel are estimated to be \$7,800.00; provided, however, that pursuant to a Joint Resolution by the City Council and the Board of Commissioners of Mesa County, being City Resolution No. 38-00, and Mesa County Resolution No. MCM 2000-73, the City has determined that the District Lands are eligible for and shall receive the benefits of the Septic System Elimination Program and thus said District Lands shall be assessed for only seventy (70%) of the assessable cost of said improvements. Notwithstanding the foregoing estimates, the total costs of the District Improvements, whether greater or less than said estimates, shall be assessed against and upon the District Lands. The assessments to be levied against and upon the District Lands do not include other costs and fees which the owners of the District Lands will be required to pay prior to making connection to the District Improvements, including, but not limited to, costs to extend the service lines from the stub-outs to the building(s) to be served, Plant Investment Fees, Trunk Line Extension Fees, and any other fees which may be required prior to making physical connections to the District Improvements.

4. That the assessments to be levied against and upon the District Lands to pay the whole costs of the District Improvements shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such costs against and upon the District Lands becomes final. Failure by any owner(s) to pay the whole assessment within said thirty (30) day period shall be conclusively considered as an election on the part of said owner(s) to pay such owner's assessment in ten (10) annual installments, in which event an additional six percent (6%) one-time charge for costs of collection and other incidentals shall be added to the principal amount of such owner's assessment. Assessments to be paid in installments shall accrue simple interest at the rate of 8 percent (8%) per annum on the unpaid balance and shall be payable at the time the next installment of general taxes, by the laws of the State of Colorado, is payable, and each annual installment shall be paid on or before the same date each year thereafter until paid in full; provided, however, that any new lot created within a period of ten (10) years following the creation of said Sanitary Sewer Improvement District No. SS-44-00 shall not have the election of paying the assessment to be levied against and upon such new lots in ten (10) annual installments, but rather, such assessments shall be due and payable at the time any such new lots are created.

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

6. That Notice of Intention to Create said Sanitary Sewer Improvement District No. SS-44-00, and of a hearing thereon, shall be given by advertisement in one issue of The Daily Sentinel, a newspaper of general circulation published in said City, which Notice shall be in substantially the form set forth in the attached "NOTICE".

NOTICE

OF INTENTION TO CREATE SANITARY SEWER IMPROVEMENT DISTRICT NO. SS-44-00, IN THE CITY OF GRAND JUNCTION, COLORADO, AND OF A HEARING THEREON

PUBLIC NOTICE IS HEREBY GIVEN, pursuant to the request of a majority of the owners of the property to be assessed, to the owners of real estate in the district hereinafter described and to all persons generally interested, that the City Council of the City of Grand Junction, Colorado, has declared its intention to create Sanitary Sewer Improvement District No. SS-44-00, in said City, for the purposes of installing sanitary sewer facilities and related appurtenances to serve the property hereinafter described, which lands are to be assessed with the total costs of the improvements, to wit:

Lots 1 through 19, inclusive, Glen Caro Subdivision; and also
Lots 3, 5, 6, 8 and 9, inclusive, Crest Ridge Subdivision; and also
Lots 4, 10, 11 and 12, inclusive, of the Replat of Lots 4, 10, 11, 12, 15 and 16,
Crest Ridge Subdivision; and also
Lot 15 of the Replat of Lots 4, 10, 11, 12, 15 and 16 Crest Ridge Subdivision; and
also
beginning S0° 07'W 2.75 feet from the SW corner of Lot 15, thence N5° 30' 49"W
356.41 feet, thence N89° 58' 27"W 103 feet, thence N0° 5'45"E 74 feet, thence,
S89° 58'27"E 138 feet to the NW corner of Lot 15, thence S0° 07'W 428.75 feet
to the point of beginning, except beginning at the SW corner of said Lot 15,
thence S0° 07'W 2.75 feet, thence N5° 30' 49"W 228.75 feet, thence S65°
49'49"E 133.66 feet, thence S 23° 46'W 186 feet, thence N89° 58'27"W 25 feet to
the point of beginning; and also
Lot 16 of the Replat of Lots 4, 10, 11, 12, 15 and 16 Crest Ridge Subdivision,
except beginning S89° 44'W 25.26 feet from the NW corner of Lot 9, Northfield
Estates Subdivision, thence S89° 44'W 80 feet, thence N8° 04'33"E 2.83 feet,
thence N89° 44'E 80.14 feet, thence S8° 04'33"W 3.79 feet to the point of
beginning; and also
Lot 2, Hermanns Subdivision, and also all of Lot 1, Hermanns Subdivision
except beginning S 0° 06' E 40 feet and S 89° 58' E 50 feet from the NW corner
of the NE ¼ of the NW ¼ of Section 2, 1S, 1W, thence along a curve to the SW
whose central angle is 30 degrees and radius is 93.3 feet with an arc length of
48.85 feet whose chord bears S 14° 54' W 48.3FT, thence along a curve to the
left whose central angle is 30 degrees and radius is 93.3 feet with an arc length
of 48.85 feet whose chord bears S14° 54' W 48.3 feet, thence S 0° 06' E 126.63
feet, thence S 89° 58' E 156.5 feet, thence N 0° 06' W 220 feet, thence N 89° 58'
W 131.5 feet to the point of beginning; and also
Lots 3 through 6, inclusive, Hermanns Subdivision; and also

Lots 1 and 2, Emily Estates Subdivision; and also
Lots 6, 8, 10, 11, 14, 15, 16 and 17, inclusive, Northfield Estates Subdivision; and
also
Lot 9, Northfield Estates Subdivision; and also beginning S 89° 44' W 25.26 feet
from the NE corner of said Lot 9, thence S 89° 44' W 80 feet, thence N 08° 04' 33"
E 2.83 feet, thence N 89° 44' E 80.14 feet, thence S 08° 04' 33" W 3.79 feet to
the point of beginning; and also
Lot 7, Northfield Estates Subdivision; and also that portion beginning at the NW
corner of the SE ¼ of the NW ¼ of Section 2, 1S, 1W, thence south 228.58 feet
along the west lot line of said Lot 7 to the north line of the Grand Valley Canal,
thence N 32° 30' W 270.23 feet along the north line, thence N 89° 44' E 145 feet to
the point of beginning; and also
Beginning at the NW corner of Lot 10, Northfield Estates Subdivision, thence east
along the north boundary lines of Lots 10, 11 and 12 of said Northfield Estates
Subdivision to the NE corner of Lot 12 of said Northfield Estates Subdivision,
thence north along the west right-of-way line for North 7th Street, also known as 26
½ Road, to the SE corner of Lot 4, Crest Ridge Subdivision; thence west along the
south line of Lot 4 of said Crest Ridge Subdivision that is to a point on the
southeasterly right-of-way line for Step-A-Side Drive, thence southwesterly and
southerly along the easterly right-of-way line for said Step-A-Side Drive to the point
of beginning; and also
Beginning S 0° 07' W 2.75FT from the SW corner of Lot 15, Replat of Lots 4, 10,
11, 12, 15 and 16, Crest Ridge Subdivision; thence S 89° 51'15" W 165.27 feet to
a Cul-De-Sac whose chord bears N 5° 40'19" W 91.01 feet, thence N 0° 05' 45" E
338.68 feet, thence S 89° 58' 27" E 36.58 feet, thence S 0° 05' 45" W 74 feet,
thence S 89° 58' 27" E 103 feet, thence S 5° 30' 49" E 127.66 feet, thence S 65°
49' 49" E 133.66 feet, thence S 23° 46' W 186 feet, thence N 89° 58' 27" W 25
feet to the SW corner of said Lot 15, thence S 0° 07' W 2.75 feet to the point of
beginning.
All situate in the Northwest ¼ of Section 2, Township 1 South, Range 1 West of
the Ute Meridian,
all in the County of Mesa, State of Colorado.

Location of Improvements: : The proposed improvements would be made in
the vicinity south of G Road, west of North 7th Street and east of the Grand Valley
Highline Canal.

Type of Improvements - The improvements requested include the installation or
construction of sanitary sewer main lines, inlets, manholes, connecting mains, service
line stub-outs to the property lines, together with engineering, inspection, administration
and any other services or facilities required to accomplish this request as deemed
necessary by the City Utility Engineer, hereinafter referred to as the "District
Improvements", all of which shall be installed in accordance with the General

Conditions, Specifications and Details for Public Works and Utility Projects of the City of Grand Junction.

That the assessments to be levied against and upon the District Lands to pay the whole costs of the District Improvements, which have been estimated by the City Utility Engineer to be \$390,000.00. However, pursuant to a Joint Resolution by the City Council and the Mesa County Board of Commissioners, being City Resolution No. 38-00, and Mesa County Resolution No. MCM 2000-73, the City has determined that the District Lands are eligible for and shall receive the benefits of the Septic System Elimination Program and thus said District Lands shall be assessed for only seventy (70%) of the assessable cost of said improvements. Assessments shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such costs against and upon the District Lands becomes final.. Failure by any owner(s) to pay the whole assessment within said thirty (30) day period shall be conclusively considered as an election on the part of said owner(s) to pay such owner's assessment in ten (10) annual installments, in which event an additional six percent (6%) one-time charge for costs of collection and other incidentals shall be added to the principal amount of such owner's assessment. Assessments to be paid in installments shall accrue simple interest at the rate of 8 percent (8%) per annum on the unpaid balance and shall be payable at the time the next installment of general taxes, by the laws of the State of Colorado, is payable, and each annual installment shall be paid on or before the same date each year thereafter until paid in full; provided, however, that any new lot created within a period of ten (10) years following the creation of said Sanitary Sewer Improvement District No. SS-44-00 shall not have the election of paying the assessment to be levied against and upon such new lots in ten (10) annual installments, but rather, such assessments shall be due and payable at the time any such new lots are created.

On December 20, 2000, at the hour of 7:30 o'clock P.M. in the City Council Chambers located at 250 N. 5th Street in said City, the Council will consider testimony that may be made for or against the proposed improvements by the owners of any real estate to be assessed, or by any person interested.

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

Dated at Grand Junction, Colorado, this 15th day of November, 2000.

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

By: _____
City Clerk

PASSED and **ADOPTED** this 15th day of November, 2000.

Attest: _____
President of the Council

City Clerk

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

CITY COUNCIL			
Subject:	Resolution authorizing the issuance of a Revocable Permit to Mesa State College		
Meeting Date:	November 15, 2000		
Date Prepared:	November 6, 2000		
Author:	Tim Woodmansee	Real Estate Manager	
Presenter Name:	Tim Woodmansee	Real Estate Manager	
<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Formal Agenda

Subject: Resolution authorizing the issuance of a Revocable Permit to Mesa State College for the installation of buried communications lines in the public right-of-way for College Place, Bunting Avenue, and the north-south alley between College Place and Bunting Avenue.

Summary: The Mesa State College Foundation has acquired several properties adjacent to College Place and Bunting Avenue for education purposes. The College is proposing to extend communications lines from the main campus to the subject properties by boring and trenching under public rights-of-way.

Background Information: Mesa State College is implementing its plan to extend its campus across College Place to Bunting Avenue. Providing communications links to the new facilities, which include humanities and social sciences buildings, will require underground installations at various locations across public rights-of-way.

The proposed Revocable Permit will require Mesa State College to maintain the communications facilities proposed to be located in public right-of-way. Mesa State College will be responsible for and obligated to repair damage to any public facility caused as a result of the installations, and will be obligated to remove the communications facilities within 30 days of revocation of the permit.

Action Requested/Recommendation: Pass and adopt proposed resolution authorizing the issuance of a Revocable Permit to the Mesa State College Foundation.

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

RESOLUTION NO. _____

**CONCERNING THE ISSUANCE OF A REVOCABLE PERMIT TO
THE TRUSTEES OF STATE COLLEGES IN COLORADO**

Recitals.

1. The Trustees of State Colleges in Colorado, hereinafter referred to as the Petitioner, has requested that the City Council of the City of Grand Junction issue a Revocable Permit to allow the Petitioner to install, operate, maintain, repair and replace buried communications lines within the limits of the following described public rights-of-way, to wit:

Permit Area No. 1 Commencing at the Northeast Corner of Lot 22, Block 1 in McMullin & Gormley Subdivision, situate in the Southeast $\frac{1}{4}$ of Section 11, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado; thence South along the east boundary line of said Lot 22, said line being common with the west right-of-way line for College Place, a distance of 2.00 feet to the Point of Beginning; thence leaving said common line, N 75°46'26" E a distance of 36.11 feet to a point on the east right-of-way line for College Place and the Point of Terminus; and also

Permit Area No. 2 Commencing at the Northwest Corner of Lot 22, Block 1 in McMullin & Gormley Subdivision, situate in the Southeast $\frac{1}{4}$ of Section 11, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado; thence South along the west boundary line of said Lot 22, said line being common with the east right-of-way line of a 20-foot wide alley dedicated with the platting of said McMullin & Gormley Subdivision, a distance of 2.00 feet to the Point of Beginning; thence leaving said common line, N 90°00'00" W a distance of 20.00 feet to a point on the west right-of-way line of said 20-foot wide alley and the Point of Terminus; and also

Permit Area No. 3 Commencing at the Northwest Corner of Lot 22, Block 1 in McMullin & Gormley Subdivision, situate in the Southeast $\frac{1}{4}$ of Section 11, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado; thence South along the west boundary line of said Lot 22, said line being common with the east right-of-way line of a 20-foot wide alley dedicated with the platting of said McMullin & Gormley Subdivision, a distance of 3.00 feet to the Point of Beginning; thence leaving said common line, N 90°00'00" W a distance of 2.00 feet to the Point of Beginning; thence South a distance of 586.03 feet; thence S 51°37'57" E a distance of 30.61 feet to a point on the north boundary line of Lot 5, Block 5 in McMullin & Gormley Subdivision,

from whence the Northeast Corner of said Lot 5 bears East a distance of 4.00 feet, said point being the Point of Terminus.

2. Based on the foregoing, the City Council has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

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

That the City Manager, on behalf of the City and as the act of the City, is hereby authorized and directed to issue the attached Revocable Permit to the above-named Petitioner for the purposes aforescribed and within the limits of the public rights-of-way aforescribed, subject to each and every term and condition contained in the attached Revocable Permit.

PASSED and ADOPTED this 15th day of November, 2000.

Attest:

City Clerk

President of the Council

REVOCABLE PERMIT

Recitals

1. The Trustees of State Colleges in Colorado, hereinafter referred to as the Petitioner, has requested that the City Council of the City of Grand Junction issue a Revocable Permit to allow the Petitioner to install, operate, maintain, repair and replace buried communications lines within the limits of the following described public rights-of-way, to wit:

Permit Area No. 1 Commencing at the Northeast Corner of Lot 22, Block 1 in McMullin & Gormley Subdivision, situate in the Southeast $\frac{1}{4}$ of Section 11, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado; thence South along the east boundary line of said Lot 22, said line being common with the west right-of-way line for College Place, a distance of 2.00 feet to the Point of Beginning; thence leaving said common line, N $75^{\circ}46'26''$ E a distance of 36.11 feet to a point on the east right-of-way line for College Place and the Point of Terminus; and also

Permit Area No. 2 Commencing at the Northwest Corner of Lot 22, Block 1 in McMullin & Gormley Subdivision, situate in the Southeast $\frac{1}{4}$ of Section 11, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado; thence South along the west boundary line of said Lot 22, said line being common with the east right-of-way line of a 20-foot wide alley dedicated with the platting of said McMullin & Gormley Subdivision, a distance of 2.00 feet to the Point of Beginning; thence leaving said common line, N $90^{\circ}00'00''$ W a distance of 20.00 feet to a point on the west right-of-way line of said 20-foot wide alley and the Point of Terminus; and also

Permit Area No. 3 Commencing at the Northwest Corner of Lot 22, Block 1 in McMullin & Gormley Subdivision, situate in the Southeast $\frac{1}{4}$ of Section 11, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado; thence South along the west boundary line of said Lot 22, said line being common with the east right-of-way line of a 20-foot wide alley dedicated with the platting of said McMullin & Gormley Subdivision, a distance of 3.00 feet to the Point of Beginning; thence leaving said common line, N $90^{\circ}00'00''$ W a distance of 2.00 feet to the Point of Beginning; thence South a distance of 586.03 feet; thence S $51^{\circ}37'57''$ E a distance of 30.61 feet to a point on the north boundary line of Lot 5, Block 5 in McMullin & Gormley Subdivision, from whence the Northeast Corner of said Lot 5 bears East a distance of 4.00 feet, said point being the Point of Terminus.

2. Based on the foregoing, the City Council has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

NOW, THEREFORE, IN ACCORDANCE WITH THE ACTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

There is hereby issued to the above-named Petitioner a Revocable Permit for the purposes aforescribed and within the limits of the public rights-of-way aforescribed; provided, however, that the issuance of this Revocable Permit shall be conditioned upon the following terms and conditions:

1. The installation of buried communications lines within the public right-of-way as authorized pursuant to this Permit shall be performed using commonly accepted directional boring or open trenching techniques, exercising due care or any other higher standard of care as may be required to avoid damaging utilities or any other facilities presently existing in said rights-of-way.

2. The City hereby reserves and retains a perpetual right to utilize all or any portion of the aforescribed public rights-of-way for any purpose whatsoever. The City further reserves and retains the right to revoke this Permit at any time and for any reason.

3. The Petitioner, for itself and for its successors and assigns, agrees that it shall not hold, nor attempt to hold, the City of Grand Junction, its officers, employees and agents, liable for damages caused to the facilities to be installed by the Petitioner within the limits of said public rights-of-way (including the removal thereof), or any other property of the Petitioner or any other party, as a result of the Petitioner's occupancy, possession or use of said public rights-of-way or as a result of any City activity or use thereof or as a result of the installation, operation, maintenance, repair and replacement of public improvements.

4. The Petitioner agrees that it shall at all times keep the above described public rights-of-way and the facilities authorized pursuant to this Permit in good condition and repair.

5. This Revocable Permit shall be issued only upon concurrent execution by the Petitioner of an agreement that the Petitioner and the Petitioner's successors and assigns, shall save and hold the City of Grand Junction, its officers, employees and agents harmless from, and indemnify the City, its officers, employees and agents, with respect to any claim or cause of action however stated arising out of, or in any way related to, the encroachment or use permitted, and that upon revocation of this Permit by the City the Petitioner shall, at the sole expense and cost of the Petitioner, within thirty (30) days of notice of revocation (which may occur by mailing a first class letter to the last known address), peaceably surrender said public rights-of-way and, at its own

expense, remove any encroachment so as to make the aforescribed public rights-of-way available for use by the City or the general public. The provisions concerning holding harmless and indemnity shall survive the expiration, revocation, termination or other ending of this Permit .

6. The Petitioner, for itself and for its successors and assigns, agrees that it shall be solely responsible for maintaining and repairing the condition of facilities authorized pursuant to this Permit.

7. This Revocable Permit, the foregoing Resolution and the following Agreement shall be recorded by the Petitioner, at the Petitioner's expense, in the office of the Mesa County Clerk and Recorder.

Dated this _____ day of _____, 2000.

Junction,
Attest:
rule municipality

The City of Grand
a Colorado home

City Clerk
City Manager

on behalf of The Trustees of
State Colleges in Colorado:
Acceptance

By: _____

Name: _____

Title: _____

AGREEMENT

The Trustees of State Colleges in Colorado, for itself and for its successors and assigns, does hereby agree to: Abide by each and every term and condition contained in the foregoing Revocable Permit; As set forth, indemnify the City of Grand Junction, its officers, employees and agents and hold the City of Grand Junction, its officers, employees and agents harmless from all claims and causes of action as recited in said Permit; Within thirty (30) days of revocation of said Permit, peaceably surrender said public rights-of-way to the City of Grand Junction and, at its expense, remove any encroachment so as to make said public rights-of-way fully available for use by the City of Grand Junction or the general public.

Dated this _____ day of _____, 2000.

The Trustees of State Colleges in Colorado:

By: _____

Name: _____

Title: _____

State of Colorado)
)ss.
County of)

The foregoing Agreement was acknowledged before me this _____ day of _____, 2000, by _____ as _____ of the Trustees of State Colleges in Colorado.

My Commission expires: _____

Witness my hand and official seal.

Notary Public

Attach 8

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Etter-Epstein ODP		
Meeting Date:	November 15, 2000		
Date Prepared:	November 8, 2000		
Author:	Kristen Ashbeck	Senior Planner	
Presenter Name:	Same	Same	
	Workshop	X	Formal Agenda

Subject: ODP-2000-058: Etter-Epstein Outline Development Plan (ODP)
Request for approval of an Outline Development Plan (ODP) to establish a Planned Development (PD) zone district consisting of Business/Commercial, Residential, and Open Space uses. An appeal of the Planning Commission action to deny the ODP will be heard with second reading of the proposed zoning ordinance.

Summary: The 22.56-acre Etter-Epstein ODP property is located at the southeast corner of Horizon Drive and G Road and consists of three parcels of land. Approximately 1.4 acres of the property are scheduled to become public right-of-way due to the realignment of 27.5 Road and the Horizon Drive/G Road intersection. The parcels are presently zoned Planned Development (PD) but a plan has never been established for the property. Thus, the property owners propose this ODP in order to do so.

Background Information: See Attached

Budget: N/A

Action Requested: Approval of ordinance zoning land known as the Etter-Epstein Planned Development (PD) on first reading and set hearing for December 6, 2000.

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

Report results back to Council:	X	No	Yes	When:	
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Placement on Agenda:	X	Consent		Indiv. Consideration		Workshop
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AGENDA TOPIC: ODP-2000-058 Etter-Epstein Outline Development Plan (ODP) Request for approval of an ODP for a Planned Development consisting of Business/Commercial, Residential, and Open Space uses.

SUMMARY: The 22.56-acre Etter-Epstein ODP property consists of three parcels of land. Approximately 1.4 acres of the property are scheduled to become public right-of-way due to the realignment of 27.5 Road and the Horizon Drive/G Road intersection. The parcels are presently zoned Planned Development (PD) but a plan has never been established for the property. The property owners propose this ODP to establish a plan and maintain the PD zoning. Planning Commission denied this request at its June 20, 2000 meeting. The applicant appealed that decision to City Council.

BACKGROUND INFORMATION		
Location:		Southeast Corner Horizon Drive and G Road
Applicants:		Etter Estate and Emanuel Epstein, Owners Bruce Phillips, Representative
Existing Land Use:		1 Single Family Residence & Vacant
Proposed Land Use:		Business/Commercial, Residential, Open Space
Surrounding Land Use:	North	Vacant & Commercial (Hotel)
	South	Single Family Residential (Ptarmigan Ridge, Ptarmigan Point & O’Nan)
	East	Single Family Residential (Ptarmigan Ridge) and Church
	West	Vacant
Existing Zoning:		Planned Development (PD)
Proposed Zoning:		Same
Surrounding Zoning:	North	Light Commercial (C-1)
	South	PD (Residential)
	East	PD (Residential) & Residential Single Family 4 units per acre (RSF-4)
	West	C-1 & RSF-4
Growth Plan Designation:		Residential Medium-Low: 2 to 4 units per acre & Residential-High: 12+ units per

	acre		
Zoning within density range?		Yes	X No

ACTION REQUESTED: Uphold appeal of applicant and approve the ODP for the Etter-Epstein property that establishes a PD zone district.

Staff Analysis:

Project Background/Summary. The applicant has requested approval of an ODP for three parcels totaling 22.56 acres located on the southeast corner of Horizon Drive and G Road. Two of these parcels were previously zoned Planned Business (PB) without a plan and the third parcel with the existing residence was zoned Highway Oriented (HO). The Future Land Use Map of the Growth Plan shows these parcels to remain residential, with the easterly two parcels at a low density of 2-4 units per acre and the westerly parcel high density of 12+ units per acre.

During the process to create the new zoning map, staff initially proposed to zone all three parcels Residential Single Family, 1 unit per 5 acres (RSF-R) due to the natural constraints of the property and its partial location within the Airport Critical Zone. However, Council agreed to adopt the new zoning map showing these parcels as Planned Development (PD) with the understanding that a plan for the property would have to be proposed and approved for the PD zoning to be maintained on the property.

The purpose of this ODP is to establish a plan for the properties and demonstrate that the parcels can be compatible for the intended uses. The applicant’s design intent is to serve as a transitional area between the commercial uses along Horizon Drive and the single family residential uses to the south. The following mix of uses is proposed as indicated on the ODP plan and stated in the applicant’s narrative.

Business/Commercial	12.5 acres	125,000 to 250,000 sf
Residential, 4-8 du/ac	5.26 acres	Maximum 42 units (8 du/ac)
Open Space	3.18 acres	
27.5 Road Right-of-Way	1.62 acres	

Business/Commercial Land Use/Development Standards. The ODP proposes the uses listed below to be allowed in the Business/Commercial areas.

Business Residence	Multifamily Residential
Townhome	Assisted Living Facility
General day care	Medical and Dental Clinics
Parks	Religious Assembly
Hotels and motels	General Offices

Miniature golf	Health club
Retail Alcohol Sales	Bar, Nightclub
Food Service, Catering	Food Service, Restaurant
Small appliance repair	Personal services
Car wash	Gasoline service station
Quick lube	Limited vehicle service
Community Activity Building/Community Services	
Museums, art galleries, opera houses, single screen theater, libraries	
Counseling centers (nonresident)	
General retail sales with indoor operations, display and storage	

This list of uses is appropriate for the Business/Commercial areas that directly front Horizon Drive and that are not directly adjacent to a residential zone or use (primarily Area 2). The list is still too broad for Business/Commercial Areas 1, 4 and at least the eastern side of Area 3 that are directly adjacent to existing residential areas. The Planning Commission had concerns that the list of allowed uses needed to be narrowed to include only the least intensive or neighborhood-oriented uses in these areas rather than the entire list. For example, uses such as business residence, general day care and an assisted living facility seem more appropriate than a bar/nightclub and gasoline service station directly adjacent to residential areas.

There is a small portion of the proposed Business/Commercial area on the north side of the new 27.5 Road that is also within the Critical Zone. Most of the uses within the potential business or commercial zones are allowed in the Critical Zone with a Conditional Use Permit. However, there are some specific uses including hotels/motels, schools, hospitals, libraries, churches, auditoriums and sports arenas that are considered incompatible. There is the potential that these uses could still be developed on the site, but with the facility/building located out of the Critical Zone and parking or open space developed in the area within the Critical Zone.

The applicant is proposing that the bulk requirements of the C-1 zone district apply to the business/commercial areas of the site except for building height limitations. The maximum height in the C-1 zone district in this area is 40 feet. The applicant is proposing that the maximum height in areas 1 and 4 be 35 feet which is compatible with the adjacent residential areas and 65 feet above the grade of Horizon Drive in areas 2 and 3. The new Zoning and Development Code allows a 65-foot height in the C-1 zone district for properties along Horizon Drive north of G Road. The 65-foot height seems appropriate in Area 2 but would be incompatible in Area 3 which is directly across the street from existing single family residential development. The Planning Commission suggested that at least the eastern portion of Area 3 (portion shown as the "Etter Residence") be restricted to 35 feet.

Residential Land Use/Development Standards. A residential density of approximately 8 units per acre, or a maximum of 42 dwelling units is proposed The

residential area is proposed to be developed at a density of 4 to 8 units per acre. Proposed uses allowed in the Residential Area include:

Single family attached	Duplex
Single family detached	Multifamily
Townhome	Assisted Living Facility

The proposed residential area with a density of 4 to 8 units per acre is located with the Critical Zone of Walker Field Runway 4/22. This proposal is contrary to the land use regulations for land around airports in the new Zoning and Development Code, which was the primary basis for the action taken by Planning Commission. The Code (section 7.3-see excerpt attached) does not list this category of land use at all and thus, it is not allowed. Residential uses of 1 unit per 5 acres may be allowed if measures to achieve noise level reduction are incorporated into the design of structures. Residential uses with a density of up to 4 units per acre may be allowed, if a Conditional Use Permit is obtained and noise reduction measures are applied.

The applicant is proposing that the bulk standards of the Residential Multifamily 8 units per acre (RMF-8) zone district apply to the residential area of the ODP (Area 5).

Open Space Land Use/Development Standards. Proposed uses allowed in the Open Space Area include:

- Underground utilities
- Road right-of-way
- Pedestrian and recreational amenities

No bulk standards were proposed for open space areas of the ODP. Therefore, it is assumed that the open space areas are to be considered “no build” areas.

Development Schedule. The applicant has not proposed a phasing plan with the ODP, but is requesting that the ODP be valid for a period of 3 years from the date of 100 percent completion of the 27.5 Road street improvements. Given the pace of development along the Horizon Drive corridor and the amount of vacant land along it, a three-year timeframe for the ODP seems reasonable. However, since some time has elapsed since the time the applicant proposed the schedule, staff would recommend that the plan be valid for a period of 3 years from the date of approval.

Site Access and Traffic Patterns. The recently completed road realignment and reconstruction work on Horizon Drive, G Road and 27.5 Road will have a significant impact on site access and traffic patterns. The specific access points shown on the ODP plan will need to be analyzed in a traffic study at the Preliminary Plan phase to

demonstrate that they can operate safely. The City Development Engineer has provided the applicant with more detailed information for use at the later phase. The realignment required dedication of right-of-way that splits the parcels as shown on the ODP plan. Access to the proposed Business/Commercial areas will primarily be from Horizon Drive to minimize the traffic impact on existing residential areas to the south and east of the property.

Other Constraints. Natural constraints on the Etter-Epstein property include topography and the potential for wetlands. There is a 30-foot topographical break that runs northeast-southwest through the property, parallel to Horizon Drive. Some of this was and still is being regraded with the 27.5 Road project to meet a 7 percent grade for the roadway. It is assumed that comparable site grading could be accomplished on the Business/Commercial sites along Horizon Drive, or the applicant has suggested that the sites could be terraced with “walk-out” multi-story structures. Staff is in agreement with this analysis.

Determination of wetlands and the potential mitigation of disturbance will need to be addressed in greater detail prior to submittal of a Preliminary Plan.

Findings of Review. Section 2.12 of the Zoning and Development Code lists criteria by which an ODP application shall be reviewed. An ODP application shall demonstrate conformance with all of the criteria. Staff’s findings relative to the criteria is listed below.

Growth Plan, Major Street Plan and Other Adopted Plans & Policies. The proposal is not in conformance with the Growth Plan, however, previous zoning on the site suggested that non-residential uses might be appropriate for the property. The residential use proposed at a density of 4 to 8 units per acre is not compatible with the Growth Plan, or with the Airport Environs Overlay.

Rezone Criteria. With the exception of the residential incompatibility within the Critical Zone, the proposal generally meets the rezone criteria.

Corridor Guidelines/Overly Districts. The residential component of the proposal does not conform to the Airport Environs Overlay.

Adequate Public Services. Since this is an infill site, adequate public services and facilities exist to the site.

Adequate Circulation and Access. Access and circulation are adequate to the site and were recently improved with the Horizon Drive reconstruction and G Road/27.5 Road realignment project.

Appropriate Screening and Buffering. Due to the natural amenities/constraints on the property, the plan can adequately provide for screening and buffering between land uses.

Appropriate Range of Density/Intensity. The residential component of the proposal is not appropriate for its location in the Critical Zone and for compatibility with surrounding residential densities. The proposed intensity of the business/commercial component appears appropriate, but uses should be limited where these sites are directly adjacent to residential use or zoning (Area 1 just north of the O’Nan Subdivision and Area 4 across the street from Ptarmigan Estates).

Appropriate Minimum Standards. The applicant proposed standards compatible with the straight zones of C-1 and RMF-8 with some modification to the maximum building height for business/commercial areas 2 and 3. This height modification is appropriate for area 2, but without qualification as to maximum height of structures along 27-1/2 Road, the height is out of scale in area 3 where commercial development would be directly across the street from existing single family residential development.

Appropriate Phasing Schedule. A phasing schedule was not proposed. The applicant has requested that the ODP be valid for a period of 3 years from the time the 27-1/2 Road street improvements are 100 percent complete. Given the pace of commercial development along the Horizon Drive corridor, three years is a reasonable request but it is recommended that the period be from the date of approval rather than completion of the street improvements.

Minimum 20-Acre Size. The Etter-Epstein property, less the area to be set aside as right-of-way is 20.94 acres.

PLANNING COMMISSION ACTION (6/20/2000): Motion to forward the Etter-Epstein Outline Development Plan to City Council with the recommendation of approval failed by a vote of 0-7.

SUGGESTED CITY COUNCIL ACTION: Do not uphold appeal, thereby denying the Etter-Epstein ODP.

- ATTACHMENTS:
- a. Proposed Ordinance
 - b. Letter of Appeal
 - c. Aerial Photo Location Map
 - d. Assessor’s Map

- e. Minutes of 6/20/00 Planning Commission Pages 1-6
- f. Materials Provided by Applicant – Plans & Narrative
- g. Airport Land Use Compatibility – Excerpt from Z&D Code
- h. Letter from Walker Field Airport Authority

CITY OF GRAND JUNCTION, COLORADO

Ordinance No. _____

**ZONING THREE PARCELS OF LAND LOCATED
ON THE SOUTHEAST CORNER OF THE HORIZON DRIVE AND
G ROAD INTERSECTION**

Recitals.

A rezone to establish a plan for a Planned Development (PD) has been requested for three properties located on the southeast corner of the Horizon Drive and G Road Intersection known as the Etter-Epstein property. The City Council finds that the request meets the goals and policies set forth by the *Growth Plan*. City Council also finds that the requirements for a rezone as set forth in Section 2.6 of the Zoning and Development Code have been satisfied.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE PROPERTY DESCRIBED BELOW IS HEREBY ZONED PLANNED DEVELOPMENT (PD):

Parcel 2945-012-00-008

Beginning at the NE corner NE4NW4 Section 1 1S 1W South 230 ft West 230 ft North 230 ft East to the Point of Beginning EXC road ROW as per Book 1426 Pages 244-245 Mesa County records; and also

Parcel 2945-012-00-075/076

That part of NW4 NW4 Section 1 1S 1W S + East of County Highway EXC road ROW as per Book 1426 Pages 244-245 Mesa County records; and also

Parcel 2945-012-00-073/074

Beginning Northeast corner NE4 NW4 Section 1 1S 1W S 782.5 ft West 408 ft South 82deg49' West 220 ft South 55deg57' W 596 ft West 190 ft to West LI NE4 NW4 North to County Highway Northeasterly along highway to North line 4 NW4 E to beginning EXC road on East + EXC North 230 ft of East 230 ft of NE4NW4 EXC Road ROW as per Book 1426 Pages 244-245 Mesa County Records.

1) The uses allowed for this zone and property shall be as generally depicted on the Outline Development Plan (ODP) attached as Exhibit A:

Business/Commercial	12.5 acres	125,000 to 250,000 sf
Residential, 4-8 du/ac	5.26 acres	Maximum 42 units (8 du/ac)
Open Space	3.18 acres	

BUSINESS/COMMERCIAL USES:

Business Residence	Multifamily Residential
Townhome	Assisted Living Facility
General day care	Medical and Dental Clinics
Parks	Religious Assembly
Hotels and motels	General Offices
Miniature golf	Health club
Retail Alcohol Sales	Bar, Nightclub
Food Service, Catering	Food Service, Restaurant
Small appliance repair	Personal services
Car wash	Gasoline service station
Quick lube	Limited vehicle service
Community Activity Building/Community Services	
Museums, art galleries, opera houses, single screen theater, libraries	
Counseling centers (nonresident)	
General retail sales with indoor operations, display and storage	

RESIDENTIAL USES (with a maximum of 42 dwelling units):

Single family attached	Duplex
Single family detached	Multifamily
Townhome	Assisted Living Facility

OPEN SPACE USES (no-build areas):

- Underground utilities
- Road right-of-way
- Pedestrian and recreational amenities

2) The bulk requirements for this zone and property shall be as follows:

Business/Commercial Areas: Same as Light Commercial (C-1) except for Maximum building height as follows (refer to Exhibit A attached).

Areas 1 & 4: 35 feet

Areas 2 & 3: 65 feet above Horizon Drive

Residential Areas: Same as Residential Multifamily 8 units per acre (RMF-8)

INTRODUCED for FIRST READING and PUBLICATION this 15th day of November, 2000.

PASSED on SECOND READING this day of , 2000.

ATTEST:

City Clerk

President of Council

GRAND JUNCTION PLANNING COMMISSION
JUNE 20, 2000 MINUTES
7:00 p.m. to 11:20 p.m.

The regularly scheduled Planning Commission hearing was called to order at 7:00 p.m. by Vice-Chairman Joe Grout. The public hearing was held at Two Rivers Convention Center.

In attendance, representing the Planning Commission, were Joe Grout (Vice-Chairman), Dr. Paul Dibble, Nick Prinster, Terri Binder, Jerry Ainsworth, Vickie Boutillier (alternate) and William Putnam (alternate). John Elmer and Jim Nall were absent.

In attendance, representing the Community Development Department, were Kathy Portner (Planning Manager), Lisa Gerstenberger (Sr. Planner), and Kristen Ashbeck (Sr. Planner).

Also present were John Shaver (Asst. City Attorney) and Rick Dorris (Development Engineer).

Terri Troutner was present to record the minutes.

There were approximately 32 interested citizens present during the course of the hearing.

I. APPROVAL OF MINUTES

No minutes were available for consideration.

II. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

Pulled from the agenda was item MS-2000-054 Barmac Minor Subdivision located at 2465 River Road.

III. CONSENT AGENDA

There were no items available for consideration on the Consent Agenda.

IV. FULL PUBLIC HEARING

ODP-2000-058 OUTLINE DEVELOPMENT PLAN ETTER/EPSTEIN

A request for approval of an Outline Development Plan for a planned development consisting of business/commercial, residential, and open space uses.

Petitioner: Mrs. Jimmie Etter/Emanuel Epstein
Location: Southeast corner of G Road and Horizon Drive

PETITIONERS' PRESENTATION

Bruce Phillips, representing the petitioners, introduced Mr. Etter and Ted Ciavonne. Referencing a map of the property, he detailed the request for the 22.56-acre site. The site had been divided for the presentation into six areas. He said that Mrs. Etter intended to retain the residence located in the northeast portion of Area 3. He said that the property is zoned Planned Business without benefit of a plan. During the process to create the Zoning Map, planning staff had recommended limiting development to residential, with densities not to exceed 1 unit per 5 acres, due to the property's natural constraints and its location within the airport critical zone. Mr. Phillips said that the City Council had agreed to retain the Planned Business zone contingent upon submission of an acceptable plan. Mr. Phillips said that it made no sense to place low-density single-family development along the busy Horizon Drive corridor.

Mr. Phillips said that the proposed mix of uses would transition from commercial to planned residential. Structure heights and proposed density for the planned residential area (8 units/acre) would be compatible with the adjacent Ptarmigan Ridge/Ptarmigan Pointe Subdivisions. Building envelopes had not been delineated since specific uses had not been determined. He expected that others would develop the property. Mr. Phillips noted that if building height within the airport critical zone was still of concern, the issue would be best left to the Preliminary Plan stage.

Ted Ciavonne presented a constraints analysis. He pointed out a drainageway that cut through the property. Topographic and grading variations were also noted. Referencing the ODP map, he identified all six areas. Plans included the closure of Cliff Drive to through traffic. Area 1 would have a height limitation of 35 feet. Area 2's access location was noted, and a 65-foot height restriction, relative to Horizon Drive, is proposed. Area 3 contains Mrs. Etter's residence adjacent to a portion of G Road slated for abandonment; it proposes a 65-foot height restriction. Areas 4 and 5 would both contain a 35-foot height restriction since both fell within the airport's critical zone. Plans for Area 4 included commercial/business development, while Area 5 would contain planned residential uses.

Mr. Ciavonne said that ultimately Mrs. Etter's residence would be removed; however, it would probably remain until a specific development proposal was made for Area 3. He noted the list of commercial/business uses contained within planning commissioner packets; uses not deemed appropriate by the developer have been removed. He noted staff's suggestion to further "pare down" the list of acceptable uses for Areas 1 and 4, and the eastern portion of Area 3, but he felt the ones proposed were reasonable. He also felt that height restrictions would serve to limit the use. A map depicting height elevations for the residential area was presented. All heights would be relative to

Horizon Drive. This, he said, would both limit uses and keep developers from placing structures on hillsides. This imposed restrictions greater than those found in comparable straight zones.

QUESTIONS

Commissioner Dibble asked what grade(s) were anticipated for the site. Mr. Ciavonne said that he'd reviewed three scenarios. A 7 percent grade was buildable, but he felt it more practical to terrace the site and keep individually terraced levels to no more than a 1-2 percent grade, with a 5- foot elevation difference between terraces moving southwest along Horizon Drive. Terraces would be approximately 7 to 12 feet above Horizon Drive's elevation.

Vice-Chairman Grout asked if open space (Area 6) had been classified as wetlands. Mr. Ciavonne said that the area had not been officially mapped and designated as wetlands; however, he'd taken an elevation 2 percent above the drainageway and designated the entire area in the ODP as open space. Corps of Engineers representatives had expressed greater concern for the area across from the site on the other side of Horizon Drive.

Commissioner Dibble asked that area densities within the airport's critical zone be further addressed. Mr. Ciavonne said that similar densities already existed in the adjacent Ptarmigan Ridge/Ptarmigan Pointe Subdivisions, both of which were newer subdivisions also located within the airport critical zone. Proposed densities were not expected to add additional impact.

Commissioner Ainsworth asked for clarification on the definition of the critical zone, which was given.

Commissioner Dibble asked the petitioners to expound on the differences between Areas 3 and 4. Mr. Ciavonne said that the boundary between the two areas represented the critical zone delineation. He added that jointly the two areas offered a total of approximately three buildable acres. While there was no differentiation of use, there was a differentiation of height.

STAFF'S PRESENTATION

Kristen Ashbeck outlined the three areas of concern, which included: 1) use limitations, 2) structure heights and 3) proposed residential density.

Use limitations: While not a concern for Area 2, staff felt that the range of uses requested for Areas 1 and 4, and at least the eastern portion of Area 3 was too broad since these areas would directly abut existing residential uses and zoning. Staff recommended that proposed use should reflect more neighborhood-oriented businesses.

Height: Staff was concerned over the 65-foot structure heights proposed for Area 3; however, this height, as proposed for Area 2, would be acceptable. Staff recommended structure heights of no more than 35 feet along 27 ½ Road.

Residential Density: Currently, the Code does not allow for a density exceeding 4 units/acre within the Airport Critical Zone. Ms. Ashbeck directed planning commissioners to comments from airport staff; the airport personnel had expressed a concern over higher densities within the critical zone.

Ms. Ashbeck said that the petitioners were asking that the ODP be valid for three years following completion of the 27 ½ Road improvements, which was acceptable to staff. She noted that a traffic study would be required with any Preliminary Plan. She outlined Code criteria for an ODP and said that the proposed plan failed to satisfy criteria with regard to use, height and incompatible residential density. As such, staff recommended denial of the request.

Rick Dorris added clarification concerning the access points noted on the ODP. These were possibilities only, he emphasized; they had not been accepted by the Engineering Department as final. Only a traffic study could determine if proposed access points would be safe.

John Shaver noted that staff had made reference to new Code criteria even though this was an "old Code" application. He asked Ms. Ashbeck to provide clarification. Ms. Ashbeck said that the pre-app for the current proposal had occurred prior to adoption of the new Code; however, the plan request had been submitted after adoption of the new Code. He mentioned that while falling under the old Code criteria, the petitioners' narrative referenced the new Code.

QUESTIONS

Commissioner Dibble asked if the ODP would lapse if the site were not developed within the 3-year timeframe as outlined; Mr. Shaver replied affirmatively.

Commissioner Dibble asked if the ODP would be compatible with the Growth Plan; Ms. Ashbeck responded negatively. The Growth Plan, she said, reflected Residential, Medium-Low, to Residential, Medium-High densities for the site, with the southwest triangle targeted for the higher density designation.

Commissioner Prinster asked about the petitioners' compatibility comparison with the Ptarmigan Ridge/Ptarmigan Pointe Subdivisions. Ms. Ashbeck said that comparison related only to lot sizes. Mr. Ciavonne said that neither he nor staff could determine an actual density for the Ptarmigan development. Depending on how much of the internal street system was factored into calculations, an overall density ranged from 5.5 to 7.7

units/acre. Based on lot sizes, the ODP's proposed residential use would be compatible. Ms. Ashbeck concurred with Mr. Ciavonne's assertions as they related to Ptarmigan Pointe only; lot sizes within Ptarmigan Ridge were larger and more comparable to an RSF-5/RMF-5 zone.

Commissioner Prinster asked if the airport's critical zone had been established before or after the Ptarmigan development. Ms. Ashbeck replied that the critical zone had been in place since approximately 1981- 1982; the Ptarmigan development was newer.

Commissioner Dibble noted that with the ODP's proposed accesses, there would be 8 total accesses within a 1-mile stretch of Horizon Drive; that, he said, seemed excessive. Mr. Dorris emphasized that none of the proposed access points would be accepted until and unless warranted by the traffic study. He stated a preference for more on-site routing of traffic, noting that the ODP's proposed right-in/right-out access point near the 27 ½ and G Road intersection did not conform to TEDS Manual standards. When asked if a frontage road would be required, Mr. Dorris again stated that only a traffic study could make that determination.

Commissioner Ainsworth asked if a separate egress would be required for the terraced lots. Mr. Dorris said that any Preliminary Plan would be required to address access.

When asked by Commissioner Dibble if the density proposed within Area 5 would necessitate another stoplight, Mr. Dorris responded negatively.

Commissioner Dibble asked about buffering along 27 ½ Road in Area 4. Ms. Ashbeck said that buffering would be required per the new Code if commercial development directly abutted residential uses. Delineated wetlands/open space areas could serve to create natural buffering.

Vice-Chairman Grout asked how vacated lands along G Road would be handled. Mr. Shaver briefly explained the process, adding that staff had not yet had an opportunity to review the title work and could not say exactly where the reversion line would be.

Commissioner Dibble referenced a 0.24-acre portion of property adjacent to 27 ½ Road across from the Jaynes Subdivision and asked if the City intended to construct a park there. Mr. Shaver indicated that the parcel was addressed in the use agreement but was unsure exactly what the use would be.

Commissioner Putnam wondered what the fallout, if any, might be with the airport if the ODP was approved with proposed critical zone densities. Ms. Ashbeck said that airport staff comments had indicated their federal funding could be in jeopardy.

When asked by Commissioner Binder what the Growth Plan recommended for the site, Ms. Ashbeck said that up to 12 units per acre could be placed within Area 1; the rest of the property could have between 2 and 4 units/acre, right up to Horizon Drive and within the critical zone.

Commissioner Binder asked if commercial uses were acceptable within the critical zone. Ms. Ashbeck said that commercial uses would require a CUP. She briefly reviewed Table 7.3 contained in planning commissioner packets and emphasized that densities of 4-8 units/acre were not considered compatible in the matrix.

PUBLIC COMMENTS

FOR: There were no comments for the request.

AGAINST:

Lowell Huskinson (1650 Cortland Court, Grand Junction) spoke as a property owner across from proposed Area 5 and as a former airport employee. He noted that aircraft flight patterns generally included a turn over his property. This, he felt, could pose a problem for Area 5. He agreed that the petitioner's list of commercial uses was too broad, and he expressed concern over impacts to wildlife within the drainageway. He felt that there would have to be a lot of dirt moved onto the site to accomplish the level of terracing proposed. This would surely result in the loss of a number of mature trees. Mr. Huskinson opposed the location of any hotel within Area 2 and urged greater site/use restrictions for that particular area. He also expressed concern over what development of the site might have to his property's value, noting that development could potentially extend to within 30 feet of his back door.

Skip Wood (1546 Cortland Court, Grand Junction) also expressed concern over the broad range of commercial uses proposed. With a 65-foot height limitation, buildings could, he said, potentially be up to five stories. He also urged protection of wetland.

PETITIONERS' REBUTTAL

Mr. Ciavonne pointed out that a number of issues had already been worked out with staff. Proposed access points were more than conceptual. He asserted that low-density residential development to Horizon Drive made no sense. The ODP provided residential development as a buffer to commercial uses along Horizon Drive, with a residential density compatible with the adjacent Ptarmigan Pointe. The open space area had been left wide, to include many of the existing stands of trees. Reiterating earlier points, he felt that tying proposed elevations to Horizon Drive would, of its own accord, limit the type of uses which could locate on the site. Mr. Ciavonne closed by saying that if there was something Planning Commission didn't like, he asked for specifics on what would be deemed acceptable.

Mr. Phillips said that the site offered unique challenges, which the proposed ODP addressed. He felt that staff's specific concerns could all be worked out during the

Preliminary Plan development stage; the current proposal only represented a concept plan.

DISCUSSION

Commissioner Boutillier said that compliance with the critical zone was not a "suggestion" but a federal requirement. "It could not be ignored."

Vice-Chairman Grout agreed and said that his concerns included the increased height allowance within the critical zone. He felt that many of the uses named in the petitioners' report were inappropriate for location within the critical zone (e.g., townhomes, assisted living facilities, and multi-family units). Structural heights of 65 feet, even relative to Horizon Drive, seemed excessive and he could not support the plan as presented.

Commissioner Putnam noted that while City Council was supportive of a plan for the development, the proposal, as presented, needed more work. He also didn't like the long list of requested uses contained in the petitioners' narrative and felt that locating a liquor store there, for example, was inappropriate.

Commissioner Prinster said that if it had been wrong to approve Ptarmigan Pointe at its current density, approval of the current proposal would only compound that "wrong." He expressed no objection to the 65-foot height allowance, saying that it seemed compatible with what was currently existing along Horizon Drive. He did feel that building heights along 27 ½ Road should be limited to no more than 35 feet. He noted the petitioners' attempts to buffer the area.

Commissioner Binder expressed continued opposition to the 65-foot height limitation and said that she had also been opposed to the same height allowance given on the other side of Horizon Drive. She felt the density within the critical zone to be excessive, and she didn't like some of the uses named in the petitioners' narrative (e.g., bar, nightclub, gasoline service station, limited vehicle service, retail alcohol sales).

Commissioner Dibble said that a traffic study was imperative to ascertain access points and should be undertaken now. Area 4 did not fit with the existing commercial enterprise area and would be better utilized as an extension of residential uses (e.g., Ptarmigan Estates/Ptarmigan Pointe).

Commissioner Ainsworth expressed concern over the higher density requested for Area 5.

MOTION: (Commissioner Prinster) "Mr. Chairman, on item ODP-2000-058, I move that we forward the Etter-Epstein Outline Development Plan to City Council with the recommendation of approval."

Commissioner Binder seconded the motion. A vote was called and the motion failed by a unanimous vote of 0-7.

BACKGROUND INFORMATION			
Location:		2784 Winters Avenue	
Applicants:		Jaqueline Frischknecht, Owner Jill Cleveland, Voicestream, Representative	
Existing Land Use:		480' Tower	
Proposed Land Use:		480' Tower with additional antenna/facilities	
Surrounding Land Use:	North	Industrial	
	South	Commercial Industrial	
	East	Commercial Industrial / Industrial	
	West	Industrial	
Existing Zoning:		I-2 (Industrial-County)	
Proposed Zoning:		I-2 (General Industrial) Effective Annexation Date: 1/7/01	
Surrounding Zoning:	North	I-2 (Industrial-County)	
	South	I-2 (Industrial-County)	
	East	I-2 (Industrial- County)	
	West	I-2 (Industrial- County)	
Growth Plan Designation:		Industrial	
Zoning within density range?		X	Yes
			No

Staff Analysis:

ZONE OF ANNEXATION:

Under the 1998 Persigo Agreement with Mesa County, the City is allowed to zone newly annexed areas the same as existing County zoning. The proposed zoning of General Industrial (I-2) is identical to or nearly identical to corresponding Mesa County zoning for the properties.

The CHC Cellular Annexation property consists of 10.85 acres. The existing Mesa County zoning for the CHC Cellular parcel is Industrial. The proposed Zone of Annexation for the CHC Cellular is I-2 (General Industrial). The 10.85 acres of land owned by Jaqueline Frischknecht is being annexed in accordance with the Persigo Agreement as a result of the plan to add an antenna to the existing telecommunications tower and build an equipment shed, which is concurrently undergoing an administrative review for a Minor Site Plan.

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.

<i>ANNEXATION SCHEDULE</i>	
Oct. 18, 2000	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
Nov. 14, 2000	Planning Commission considers Zone of Annexation
Nov. 15, 2000	First Reading on Zoning by City Council
Dec. 6, 2000	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
Jan. 7, 2001	Effective date of Annexation and Zoning

STAFF RECOMMENDATION:

Approval of the zone of annexation to General Industrial (I-2).

PLANNING COMMISSION RECOMMENDATION:

Zone of Annexation:

Recommendation of approval of General Industrial (I-2) on File #ANX-2000-186, for the following reasons:

- I-2 zone district is similar to the existing Mesa County zoning I-2.
- I-2 zone district meets the criteria found in Section 2.14.F and Section 2.6 of the Zoning and Development Code.

Attachments:

1. Zoning Ordinance
2. Summary Sheet
3. Annexation Boundary Map (2)

(CHC3.doc)

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE No. ____

Zoning the C.H.C. Cellular Annexation to General Industrial (I-2)

Located at 2784 Winters Avenue

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 I-2 zone district to this annexation.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the I-2 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 General Industrial (I-2) zone district

Includes the following tax parcel 2945-241-00-238

C.H.C. CELLULAR ANNEXATION NO.1

A parcel of land situate in the SE 1/4 NE 1/4 of Section 24, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the NE 1/16 corner of Section 24; thence S 89°53'01" E along the north line of the NW 1/4 SE 1/4 NE 1/4 of said Section 24 a distance of 657.69 feet to the northeast corner of said NW 1/4 SE 1/4 NE 1/4 (said northeast corner also being the northwest corner of Lot 3 of 28 Road Industrial Park Subdivision); thence S 00°08'53" E along the east line of said NW 1/4 SE 1/4 NE 1/4 (said east line also being the west line of Lot 3 of said 28 Road Industrial Park Subdivision) a distance of 165.00 feet to the True Point of Beginning of the parcel described herein; thence S 00°08'53" E along said east line a distance of 135.89 feet to the southwest corner of said Lot 3; thence S

89°50'01" E along the north right of way line for Winters Avenue a distance of 598.15 feet to the southeast corner of Lot 1 of said 28 Road Industrial Park Subdivision; thence S 89°50'01" E a distance of 20.00 feet to a point on the west right of way line for 28 Road; thence S 00°14'23" E along the west right of way line for said 28 Road a distance of 80.00 feet to a point; thence 31.56 feet along the south right of way line for said Winters Avenue and arc of a curve concave to the southwest, having a radius of 20.00 feet, a delta angle of 90°24'32" and a long chord bearing N 45°02'12" W a distance of 28.39 feet to a point; thence leaving the south right of way line for said Winters Avenue N 00°09'59" E a distance of 30.00 feet to a point on the centerline for said Winters Avenue; thence N 89°50'01" W along the centerline for said Winters Avenue a distance of 598.42 feet to a point on the west end of said Winters Avenue; thence N 89°50'01" W a distance of 100.00 feet to a point; thence N 00°08'53" W a distance of 165.81 feet to a point; thence S 89°53'01" E a distance of 100.00 feet to the point of beginning.

AND

C.H.C. CELLULAR ANNEXATION NO.2

A parcel of land situate in the SE 1/4 NE 1/4 of Section 24, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the NE 1/16 corner of Section 24; thence S 89°53'01" E along the north line of the NW 1/4 SE 1/4 NE 1/4 of said Section 24 a distance of 657.69 feet to the northeast corner of said NW 1/4 SE 1/4 NE 1/4 (said northeast corner also being the northwest corner of Lot 3 of 28 Road Industrial Park Subdivision); thence S 00°08'53" E along the east line of said NW 1/4 SE 1/4 NE 1/4 (said east line also being the west line of Lot 3 of said 28 Road Industrial Park Subdivision) a distance of 165.00 feet to a point; thence leaving said east line N 89°53'01" W a distance of 100.00 feet to a point; thence S 00°08'53" E a distance of 165.81 feet to a point; thence S 89°50'01" E a distance of 100.00 feet to a point on the east line of the NW 1/4 SE 1/4 NE 1/4 of said Section 24; thence S 89°50'01" E along the centerline for Winters Avenue a distance of 598.42 feet to a point; thence leaving the centerline for said Winters Avenue S 00°09'59" W a distance of 30.00 feet to a point on the south right of way line for said Winters Avenue; thence N 89°50'01" W along said south right of way line a distance of 598.23 feet to the northwest corner of Lot 4 of said 28 Road Industrial Park Subdivision; thence S 00°08'53" E along the west line of said Lot 4 a distance of 300.89 feet to the southwest corner of said Lot 4 (said southwest corner also being the southeast corner of the NW 1/4 SE 1/4 NE 1/4 of said Section 24); thence N 89°50'02" W along the south line of said NW 1/4 SE 1/4 NE 1/4 a distance of 658.74 feet to the southwest corner of said NW 1/4 SE 1/4 NE 1/4; thence N 00°03'26" W along the west line of said NW 1/4 SE 1/4 NE 1/4 a distance of 661.21 feet to the point of beginning.

Introduced on first reading this 15th day of November, 2000.

PASSED and ADOPTED on second reading this ___ day of _____, 2000.

President of the Council

ATTEST:

City Clerk

C. H. C. CELLULAR ANNEXATION SUMMARY

File Number: ANX-2000-186

Location: 2784 WINTERS AVENUE

Tax ID Number: 2945-241-00-238

Parcels: 1

Estimated Population: 0

of Parcels (owner occupied): 0
of Dwelling Units: 0

Acres: 10.85 acres in annexation area

Developable Acres Remaining: 0

Right-of-way in Annexation: ♦ Winters Avenue – entire width for a distance of 598' of right-of-way.

Previous County Zoning: I-2

Proposed City Zoning: I-2

Current Land Use: 480' TOWER

Future Land Use: 480' TOWER

Assessed Values: Land = \$46,090 Improvements = \$0
TOTAL VALUE = \$46,090

Census Tract: 8

Address Ranges: 2784 Winters Avenue

Special Districts:

- Water:** Ute Water
- Sewer:** Central Grand Valley Sanitation District
- Fire:** Grand Junction Rural Fire
- Drainage:** Grand Junction Drainage District
- School:** District 51

Pest:

None

(CHC.doc)

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Davidson/Wilcox Enclave Annexation Zoning		
Meeting Date:	November 15, 2000		
Date Prepared:	October 30, 2000		
Author:	David Thornton	Principal Planner	
Presenter Name:	David Thornton	Principal Planner	
	Workshop	X	Formal Agenda

Subject: Zone of Annexation for the Davidson/Wilcox Enclave, #ANX-2000-208

Summary: First Reading of the Zone of Annexation Ordinance to Residential Single Family Estate with a maximum density of one unit per 2 acres (RSF-E) for the Davidson/Wilcox Enclave Annexation located east of South Camp Road and north of the Ute Water Tanks on the Redlands (#ANX-2000-208). The 5.11 acre Enclave consists of one vacant parcel of land.

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 Davidson/Wilcox Enclave Annexation and set a hearing for December 6, 2000.

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

Report results back to Council:	X	No		Yes	When:	
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Placement on Agenda:	X	Consent		Indiv. Consideration		Workshop
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BACKGROUND INFORMATION			
Location:		East of South Camp Road and north of the Ute Water Tanks on the Redlands	
Applicants:		City of Grand Junction Staff Rep: Dave Thornton	
Existing Land Use:		Vacant	
Proposed Land Use:		No Change	
Surrounding Land Use:	North	Vacant	
	South	Vacant	
	East	Vacant	
	West	Vacant	
Existing Zoning:		RSF-E in County	
Proposed Zoning:		RSF-E zone district	
Surrounding Zoning:	North	RSF-4	
	South	Planned Development – 4 units per acre	
	East	Planned Development – 4 units per acre	
	West	RSF-4	
Growth Plan Designation:		Residential with 2 – 4 units per acre	
Zoning within density range?		<input type="checkbox"/>	<input checked="" type="checkbox"/>

Staff Analysis:

ZONE OF ANNEXATION:

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 enclave areas. Please review the attached “Proposed Zoning Map”. The proposed zoning of RSF-E is identical to or nearly identical to corresponding Mesa County zoning for this property. Please note that this proposed zoning does not meet the Growth Plan’s Future Land Use Map recommended densities. Future development on this property may include rezoning to a higher density supported by the Growth Plan Future Land Use map.

RSF-E ZONE DISTRICT

- This property is currently zoned RSF-E in Mesa County and is proposed as RSF-E in the City.

- The proposed RSF-E does not conform to the recommended densities found on the Growth Plans Future Land Use map currently designated as Residential Medium Low: 2 to 4 units/acre.
- Rezone requests for future development to a higher density within the Future Land Use map's recommended densities may occur for this property.

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.

<i>ANNEXATION and ZONING SCHEDULE</i>	
Nov 1, 2000	Notice of Intent to Annex (30 Day Notice to hearing), Exercising Land Use Immediately
Nov 14, 2000	Planning Commission considers Zone of Annexation – Public Hearing
Nov 15, 2000	1 st Reading on Annexation and Zoning by City Council
Dec 6, 2000	Public hearing on Annexation and Zoning by City Council – 2 nd Reading
Jan 7, 2001	Effective date of Annexation and Zoning

Action Requested/Recommendation: It is recommended that City Council approve the Davidson/Wilcox Enclave Annexation of Annexation.

Attachments:

1. **Annexation Summary**
2. Zone of Annexation Ordinance
3. Annexation Map

<i><u>DAVIDSON/WILCOX ENCLAVE ANNEXATION SUMMARY</u></i>		
File Number:		ANX-2000-208
Location:		East of South Camp Road and north of the Ute Water Tanks on the Redlands
Tax ID Number:		2945-183-00-009
Parcels:		1
Estimated Population:		0
# of Parcels (owner occupied):		0
# of Dwelling Units:		0
Acres land annexed:		5.11 acres
Developable Acres Remaining:		5.11 acres
Right-of-way in Annexation:		None
Previous County Zoning:		RSF-E
Proposed City Zoning:		RSF-E
Current Land Use:		Vacant
Future Land Use:		Residential
Values:	Assessed:	= \$ 870
	Actual:	= \$ 3,000
Census Tract:		14.01
Zip Code:		81503
Address Ranges:		None
Special Districts:	Water:	Ute Water
	Sewer:	

	Fire:	Grand Junction Rural Fire
	Drainage:	
	School:	District 51
	Pest:	

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE No. ____

**Zoning the Davidson/Wilcox Enclave Annexation
to Residential Single Family Estate (RSF-E)**

Located East of South Camp Road and North of the Ute Water Tanks

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-E zone district to this annexation.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-E 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.
- 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 Estate (RSF-E) zone district

Includes the following tax parcel 2945-183-00-009

More particularly described as follows:

W ½ SW ¼ SE ¼ SW ¼ Section 18, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado

Introduced on first reading this 15th day of November, 2000.

PASSED and ADOPTED on second reading this ____ day of _____, 2000.

Mayor

ATTEST:

City Clerk

Attach 11

RESOLUTION NO. 00-119

A Resolution Continuing the School Land Dedication Fee

Recitals. Nearly five years ago, the City Council adopted what is now section 6.XX of the Zoning and Development Code, at the request of Mesa County School District 51. Since then, the City has collected school impact fees pursuant to that section along with Mesa County and the City of Fruita. These fees are to be used by District 51 exclusively to acquire future school sites and lands, pursuant to the City's home rule powers and specifically as authorized by 30-28-133(4), C.R.S.

When it adopted the ordinance authorizing the collection of the school impact fee, the City Council provided that the dollar amount of the impact fee would be reviewed every five years, based on data obtained by and the recommendation of the Board of Education of School District 51.

Mesa County adopted a similar review provision, and has recently reviewed District 51's impact fee. See the County's resolution 83-206(h). At the request of District 51, Mesa County has renewed the impact fee at the same dollar amount.

District 51 has studied the need or demand for school lands generated by proposed developments and/or anticipated population growth in the City, and in the Urban Growth boundary where the City is expected to annex as development occurs. District 51 has reviewed its data about the average cost per acre of suitable school lands. The study which supported the original adoption of the school impact fee was dated January 5, 1996 and titled "Sales Research Summary Report", and June 20, 1995 and titled "Site and Facility Needs 1995-2000 Report to the Board of Education."

As indicated by the District's supporting documents, the District has reviewed its data, its capital needs, and other relevant information. The District has concluded that the dollar amount of the City's school land dedication fees is fair and adequate to meet the District's needs for the next five years. The City's code section, section 6.X, requires a public hearing if the dollar amount of the impact fee is recommended to change. However, since no such change is proposed, the City Council determines to continue said school impact fee without the need for a public hearing, unless a need for such public consideration becomes evident at any time.

District 51 has waived the City Code requirement of sixty days advance written notice.

NOW, THEREFORE, LET IT BE RESOLVED BY THE CITY COUNCIL OF THE City of Grand Junction:

1. The dollar amount of the school impact fee authorized by Zoning and Development Code section 6.X shall remain the same, based on the evidence supplied by School District 51 and submitted to the City Clerk. The City Council incorporates by this reference the evidence and supporting documentation supplied by the District to the County Commissioners and on which the Board relied in its adoption of it resolution continuing the County's analogue to this impact fee.
2. Unless the City Council renews, amends or reviews the dollar amount of the school district impact fee, pursuant to the Zoning and Development Code section 6.X on or before January 1, 2005, the said fee shall not be collected after January 1, 2005 until the City Council renews, amends or reviews the dollar amount of the said impact fee.
3. The school district impact fee collected pursuant to the City's Zoning and Development Code section 6.X continues to be \$XXXX.

PASSED and ADOPTED this _____ day of November, 2000.

Attest:

City Clerk

President of the Council

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

CITY COUNCIL			
Subject:	Supplemental Appropriation Ordinance		
Meeting Date:	November 15, 2000		
Date Prepared:	October 31, 2000		
Author:	Lanny Paulson	Budget & Accounting Manager	
Presenter Name:	Ron Lappi	Administrative Services Director	
Workshop		X	Formal Agenda

Subject: Supplemental Appropriation Ordinance for the budget year 2000.

Summary: The request is to appropriate specific amounts for several of the City's accounting funds as specified in the ordinance.

Background Information: The requested revisions by fund are as presented to the City Council at the Budget Workshop on Monday October 30, 2000.

Budget: Pursuant to statutory requirements the total appropriation adjustments are at the fund level as specified in the ordinance. The total appropriation adjustment for all funds combined is \$4,130,016.

Action Requested/Recommendation: Adoption of the appropriation ordinance with final passage on December 6, 2000.

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

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>		
Subject:	Annual Appropriation Ordinance	
Meeting Date:	November 15, 2000	
Date Prepared:	October 31, 2000	
Author:	Lanny Paulson	Budget & Accounting Manager
Presenter Name:	Ron Lappi	Administrative Services Director
	Workshop	X Formal Agenda

Subject: Annual Appropriation Ordinance for the budget year 2001.

Summary: The total appropriation for all thirty-five accounting funds budgeted by the City of Grand Junction (including the Ridges Metropolitan District, Grand Junction West Water and Sanitation District, and the Downtown Development Authority) is \$87,985,286. Although not a planned expenditure, an additional \$2,000,000 is appropriated as a emergency reserve in the General Fund pursuant to Article X, Section 20 of the Colorado Constitution.

Background Information: The budget by fund is as presented to the City Council at the Budget Workshop on Monday October 30, 2000.

Budget: Pursuant to statutory requirements the total appropriation adjustments are at the fund level as specified in the ordinance.

Action Requested/Recommendation: Adoption of the appropriation ordinance with final passage on December 6, 2000.

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

Ordinance No. _____

THE ANNUAL APPROPRIATION ORDINANCE APPROPRIATING CERTAIN SUMS OF MONEY TO DEFRAY THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF GRAND JUNCTION, COLORADO, THE RIDGES METROPOLITAN DISTRICT, AND THE GRAND JUNCTION WEST WATER AND SANITATION DISTRICT, FOR THE YEAR BEGINNING JANUARY 1, 2001, AND ENDING DECEMBER 31, 2001.

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

SECTION 1. That the following sums of money, or so much therefore as may be necessary, be and the same are hereby appropriated for the purpose of defraying the necessary expenses and liabilities, and for the purpose of establishing emergency reserves of the City of Grand Junction, for the fiscal year beginning January 1, 2001, and ending December 31, 2001, said sums to be derived from the various funds as indicated for the expenditures of:

<u>FUND NAME</u>	<u>FUND #</u>	<u>APPROPRIATION</u>	<u>Emergency Reserve</u>
General	100	\$ 36,613,346	\$ 2,000,000
Enhanced 911 Special Revenue	101	\$ 779,179	
Visitor & Convention Bureau	102	\$ 1,228,971	
DDA Operations	103	\$ 425,608	
CDBG Special Revenue	104	\$ 400,000	
Parkland Expansion	105	\$ 494,472	
Wood Stove Replacement Incentive	106	\$ 25,000	
Golf Course Expansion	107	\$ 167,408	
Economic Development	108	\$ 455,000	
DDA/TIF Special Revenue	109	\$ 560,580	
Sales Tax CIP	201	\$ 12,533,104	
Storm Drainage Improvement	202	\$ 2,100,121	
DDA/TIF/CIP	203	\$ 868,000	
Future Street Improvements	207	\$ 550,000	
Water	301	\$ 4,059,616	
Solid Waste	302	\$	

		2,172,654
Two Rivers Convention Center	303	\$ 5,135,048
Swimming Pools	304	\$ 601,910
Lincoln Park Golf Course	305	\$ 564,165
Tiara Rado Golf Course	306	\$ 1,118,465
City Cemeteries	307	\$ 302,463
Parking	308	\$ 138,175
Irrigation	309	\$ 170,458
Data Processing	401	\$ 1,559,704
Equipment	402	\$ 2,600,710
Stores	403	\$ 199,238
Self Insurance	404	\$ 987,294
Communications Center	405	\$ 2,477,531
General Debt Service	610	\$ 326,472
DDA Debt Service	611	\$ 514,980
(Continued from Page 1)		
GJWWSD Debt Service	612	\$ 145,239
Ridges Metro District Debt Service	613	\$ 226,093
Parks Improvement Advisory Board	703	\$ 124,425
Cemetery Perpetual Care	704	\$ 65,000
Joint Sewer System	900	\$ 7,294,857

TOTAL ALL FUNDS	87,985,286	2,000,000
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SECTION 2. The following amounts are hereby levied for collection in the year 2001 and for the specific purpose indicated:

	<u>Millage Rate</u>	<u>Amount Levied</u>
For General Fund For General Fund		
For Ridges Metropolitan District Fund District #1 District #2		
For Grand Junction West Water & Sanitation District Fund		
For Downtown Development Authority Operating Fund		

SECTION 3. That commencing January 1, 2001, the annual salary for the City Manager of the City of Grand Junction, Colorado, shall be \$_____.

INTRODUCED AND ORDERED PUBLISHED this 15th day of November, 2000.

PASSED AND ADOPTED this day of , 2000.

Attest:

City Clerk

President of the Council

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>		
Subject:	Route 30 Partners Annexation	
Meeting Date:	November 15, 2000	
Date Prepared:	November 2, 2000	
Author:	Lisa Gerstenberger	Senior Planner
Presenter Name:	Lisa Gerstenberger	Senior Planner
	Workshop	X Formal Agenda

Subject: Resolution to Accept the Petition for Annexation and Second reading of the Annexation Ordinance for the Route 30 Partners Annexation, ANX-2000-172.

Summary: Resolution to Accept the Petition for Annexation and Second reading of the Annexation Ordinance for the Route 30 Partners Annexation, located at 520 30 Road and including I-70 Business Loop right-of-way. The 20.92-acre Route 30 Partners Annexation consists of six parcels of land of approximately 17 acres and I-70 Business Loop right-of-way of approximately 3.92 acres. **CONTINUED FROM THE NOVEMBER 1, 2000 MEETING.**

Background Information: See Attached

Budget: N/A

Action Requested/Recommendation: It is recommended that City Council approve the Resolution for Acceptance of the Petition for Annexation and approve Second reading of the Annexation Ordinance for the Route 30 Partners Annexation.

Citizen Presentation:		No	X	Yes	If Yes,
Name:	John Bielke				
Purpose:	Presentation of annexation request				

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

DATE: November 15, 2000

CITY COUNCIL

STAFF PRESENTATION: Lisa Gerstenberger

CONTINUED FROM THE NOVEMBER 1, 2000 MEETING

AGENDA TOPIC: Resolution to Accept the Petition for Annexation and Second reading of the Annexation Ordinance for the Route 30 Partners Annexation, ANX-2000-172.

SUMMARY: Resolution to Accept the Petition for Annexation and Second reading of the Annexation Ordinance for the Route 30 Partners Annexation, located at 520 30 Road and including I-70 Business Loop right-of-way. The 20.92-acre Route 30 Partners Annexation consists of six parcels of land of approximately 17 acres and I-70 Business Loop right-of-way of approximately 3.92 acres.

BACKGROUND INFORMATION					
Location:		520 30 Road			
Applicants:		Route 30 Partners			
Existing Land Use:		Vacant			
Proposed Land Use:		Commercial			
Surrounding Land Use:	North	Residential			
	South	Commercial			
	East	Vacant			
	West	Commercial			
Existing Zoning:		County Planned Commercial			
Proposed Zoning:		Light Commercial, C-1			
Surrounding Zoning:	North	County RSF-4; Planned Commercial; PUD			
	South	County RSF-4			
	East	County PUD			
	West	County B-2			
Growth Plan Designation:		Commercial			
Zoning within density range?		x	Yes		No

Action Requested/Recommendation: Request City Council approve the Resolution to Accept the Petition for Annexation and Second reading of the Annexation Ordinance for the Route 30 Partners Annexation.

Staff Analysis:

ANNEXATION:

This annexation area consists of annexing 20.92 acres of land including portions of the I-70 Business Loop right-of-way. Owners of the property have signed a petition for annexation as part of their request to construct a general retail shopping center, pursuant to the 1998 Persigo Agreement with Mesa County.

It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Route 30 Partners 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.

STAFF RECOMMENDATION

Staff recommends approval of the Resolution to Accept the Petition for Annexation and Second reading of the Annexation Ordinance.

Attachments:

- * Annexation Summary
- * Resolution to Accept the Petition for Annexation
- * Annexation Ordinance
- * Annexation Map

H:Projects2000/ANX-2000-172/CityAcceptPetAnnxOrd2

ROUTE 30 PARTNERS ANNEXATION SUMMARY

File Number:		ANX-2000-172
Location:		520 30 Road
Tax ID Number:		2943-093-00-187
Parcels:		6 parcels and I-70 Business ROW
Estimated Population:		0
# of Parcels (owner occupied):		N/A
# of Dwelling Units:		0
Acres land annexed:		20.92 acres for annexation area
Developable Acres Remaining:		17 acres
Right-of-way in Annexation:		3.92, See Annexation Map
Previous County Zoning:		Planned Commercial
Proposed City Zoning:		Commercial Light, C-1
Current Land Use:		Vacant
Future Land Use:		Retail
Values:	Assessed:	= \$6, 130
	Actual:	= \$62,960
Census Tract:		11
Address Ranges:		520 30 Road; 3020 I-70 Business Loop
Special Districts:	Water:	Clifton Water
	Sewer:	Grand Valley Sanitation
	Fire:	Clifton Fire
	Drainage:	GJ Drainage District
	School:	District 51
	Pest:	N/A

RESOLUTION NO. __-00

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

ROUTE 30 PARTNERS ANNEXATION

IS ELIGIBLE FOR ANNEXATION

LOCATED AT 520 30 ROAD

and including a portion of I-70 Business Loop road right-of-way

WHEREAS, on the 20th day of September, 2000, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

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

Commencing at the northwest corner of the SW 1/4 SW 1/4 of said Section 9; thence N 89°50'30" E along the north line of said SW 1/4 SW 1/4 a distance of 287.10 feet to the True Point of Beginning of the parcel described herein; thence continuing along the north line of said SW 1/4 SW 1/4 N 89°50'30" E a distance of 808.69 feet to a point on the southerly right of way line for the Grand Valley Canal; thence along the southerly right of way line for said Grand Valley Canal the following 2 courses:
S 42°27'15" E a distance of 92.94 feet to a point;
S 50°44'33" E a distance of 94.82 feet to a point;
thence S 00°02'45" W a distance of 756.96 feet to a point on the northerly right of way line for I70B; thence leaving said northerly right of way line S 45°59'59" E a distance of 227.29 feet to a point; thence S 72°50'00" W along a line 1.00 feet north of and parallel with the southerly right of way line for said I70B a distance of 879.47 feet to a point; thence N 21°35'52" E a distance of 336.22 feet to a point on the northerly right of way line for said I70B; thence leaving said northerly right of way line N 00°15'00" W a distance of 256.04 feet to a point; thence S 89°45'00" W a distance of 101.85 feet to a point; thence N 00°15'00" W a distance of 311.98 feet to a point; thence S 89°45'00" W a distance of 285.00 feet to a point; thence N 00°15'00" W a distance of 128.74 feet to a point; thence S 89°50'30" W a distance of 247.10 feet to a point on the east right of way line for 30 Road; thence N 00°15'00" W along the east right of way line for said 30 Road a distance of 152.00 feet to a point; thence leaving said east right of way line N 89°50'30" E a distance of 247.10 feet to a point; thence a N 00°15'00" W a distance of 141.00 feet to the point of beginning.

WHEREAS, a hearing on the petition was duly held after proper notice on the 1st day of November, 2000; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefor; that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

The said territory is eligible for annexation to the City of Grand Junction, Colorado, and should be so annexed by Ordinance.

ADOPTED this _____ day of November, 2000.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

ROUTE 30 PARTNERS ANNEXATION

APPROXIMATELY 20.92 ACRES

**LOCATED AT 520 30 ROAD and
Including a portion of the I-70 Business Loop Right-of-way**

WHEREAS, on the 20th day of September, 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 1st day of November, 2000; and

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

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

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

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

Commencing at the northwest corner of the SW 1/4 SW 1/4 of said Section 9; thence N 89°50'30" E along the north line of said SW 1/4 SW 1/4 a distance of 287.10 feet to the True Point of Beginning of the parcel described herein; thence continuing along the north line of said SW 1/4 SW 1/4 N 89°50'30" E a distance of 808.69 feet to a point on the southerly right of way line for the Grand Valley Canal; thence along the southerly right of way line for said Grand Valley Canal the following 2 courses:

1) S 42°27'15" E a distance of 92.94 feet to a point;
S 50°44'33" E a distance of 94.82 feet to a point;
thence S 00°02'45" W a distance of 756.96 feet to a point on the northerly right of way line for I70B; thence leaving said northerly right of way line S 45°59'59" E a distance of 227.29 feet to a point; thence S 72°50'00" W along a line 1.00 feet north of and parallel with the southerly right of way line for said I70B a distance of 879.47 feet to a point; thence N 21°35'52" E a distance of 336.22 feet to a point on the northerly right of way line for said I70B; thence leaving said northerly right of way line N 00°15'00" W a distance of 256.04 feet to a point; thence S 89°45'00" W a distance of 101.85 feet to a point; thence N 00°15'00" W a distance of 311.98 feet to a point; thence S 89°45'00" W a distance of 285.00 feet to a point; thence N 00°15'00" W a distance of 128.74 feet to a point; thence S 89°50'30" W a distance of 247.10 feet to a point on the east right of way line for 30 Road; thence N 00°15'00" W along the east right of way line for said 30 Road a distance of 152.00 feet to a point; thence leaving said east right of way line N 89°50'30" E a distance of 247.10 feet to a point; thence a N 00°15'00" W a distance of 141.00 feet to the point of beginning.

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

INTRODUCED on first reading on the 20th day September, 2000.

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

Attest:

President of the Council

City Clerk

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>		
Subject:	Route 30 Partners Annexation	
Meeting Date:	November 15, 2000	
Date Prepared:	November 2, 2000	
Author:	Lisa Gerstenberger	Senior Planner
Presenter Name:	Lisa Gerstenberger	Senior Planner
Workshop	X	Formal Agenda

Subject: Second reading of the Zoning Ordinance for the Route 30 Partners Annexation, ANX-2000-172.

Summary: Second reading of the Zoning ordinance to zone the Route 30 Partners Annexation Light Commercial, C-1, located at 520 30 Road. **CONTINUED FROM THE NOVEMBER 1, 2000 MEETING.**

Background Information: See Attached

Budget: N/A

Action Requested/Recommendation: It is recommended that City Council approve second reading of the Zoning ordinance for the Route 30 Partners Annexation.

Citizen Presentation:		No	X	Yes	If Yes,
Name:	John Bielke				
Purpose:	Presentation of applicant's request				

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

DATE: November 15, 2000

CITY COUNCIL

STAFF PRESENTATION: Lisa Gerstenberger

CONTINUED FROM THE NOVEMBER 1, 2000 MEETING

AGENDA TOPIC: Second reading of the Zoning Ordinance for the Route 30 Partners Annexation, ANX-2000-172.

SUMMARY: Second reading of the Zoning Ordinance to zone the Route 30 Partners Annexation Light Commercial, C-1, located at 520 30 Road.

BACKGROUND INFORMATION					
Location:		520 30 Road			
Applicants:		Route 30 Partners			
Existing Land Use:		Vacant			
Proposed Land Use:		Commercial			
Surrounding Land Use:	North	Residential			
	South	Commercial			
	East	Vacant			
	West	Commercial			
Existing Zoning:		County Planned Commercial			
Proposed Zoning:		Light Commercial, C-1			
Surrounding Zoning:	North	County RSF-4; Planned Commercial; PUD			
	South	County RSF-4			
	East	County PUD			
	West	County B-2			
Growth Plan Designation:		Commercial			
Zoning within density range?		x	Yes		No

Action Requested/Recommendation: It is recommended that City Council approve second reading of the Zoning ordinance for the Route 30 Partners Annexation.

Staff Analysis:

ZONE OF ANNEXATION:

The proposed Zone of Annexation for the Route 30 Partners property is Light Commercial, C-1 zone district. The proposed use of the site is retail and commercial, which is in keeping with the goals of the Growth Plan and C-1 zone district. Section 2.14(F), Zoning of Annexed Properties, of the Zoning and Development Code, states that land annexed into 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.

REZONING CRITERIA:

The annexed property or rezone must be evaluated using the criteria noted in Section 2.6(A) of the Zoning and Development Code. The criteria are as follows:

- 1. The existing zoning was in error at the time of adoption.** This property is being annexed into the City and has not been previously considered for zoning, therefore, there has not been an error in zoning.
- 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.** The property is located in an area with existing residential, commercial and retail development. The request for Light Commercial, C-1 zoning is in keeping with the Growth Plan and Section 2.14 of the Zoning and Development Code.
- 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.** Adverse impacts to the neighborhood will not be created with the Light Commercial, C-1 zone district. All development standards of the Zoning and Development Code will be adhered to during the development review process to ensure that there are no adverse impacts.
- 4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of the Code and other City regulations and guidelines.** The proposal is in conformance with the Growth Plan, and the policies and requirements of the 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.** Adequate public facilities and services are available at this time or will be installed with development of the site.

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

An adequate supply of land is available in the community, however, this area is designated as Commercial on the Future Land Use Map of the Growth Plan. In accordance with Section 2.14 of the Zoning and Development Code, the Light Commercial zone district is appropriate for this property.

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

The surrounding neighborhood and community would benefit from the proposed rezone by providing a development which meets the goals and policies of the Growth Plan.

STAFF RECOMMENDATION

Staff recommends approval of the Light Commercial, C-1 zone district with the finding that the C-1 zone district is consistent with the goals and policies of the Growth Plan and meets the criteria found in Section 2.6(a) of the Zoning and Development Code.

PLANNING COMMISSION RECOMMENDATION

Approval of the Light Commercial, C-1 zone district for the following reasons:

- C-1 zone district meets the recommended land use categories as shown through the Growth Plan, as well as the Growth Plan's goals and policies.
- C-1 zone district meets the criteria found in Section 2.6(A) of the Zoning and Development Code.

Attachments:

- Zoning Ordinance
- Annexation Map

H:Projects2000/ANX-2000-172/CityZord2-2

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE No. ____

**Ordinance Zoning the Route 30 Partners Annexation
to Light Commercial, C-1 Zone District,
Located at 520 30 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 a Light Commercial, C-1 zone district to this annexation for the following reasons:

- The zone district meets the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and/or are generally compatible with appropriate lands uses located in the surrounding area.
- The zone district meets the criteria found in Section 2.6(A) of the Zoning and Development Code.

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

The Planning Commission and City Council find that the Light Commercial, C-1 zoning is in conformance with the stated criteria of Section 2.6(A) of the Grand Junction Zoning and Development Code.

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

The following property shall be zoned Light Commercial, C-1 zone district:

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

Commencing at the northwest corner of the SW 1/4 SW 1/4 of said Section 9; thence N 89°50'30" E along the north line of said SW 1/4 SW 1/4 a distance of 287.10 feet to the True Point of Beginning of the parcel described herein; thence continuing along the north line of said SW 1/4 SW 1/4 N 89°50'30" E a distance of 808.69 feet to a point on the southerly right of way line for the Grand Valley Canal; thence along the southerly right of way line for said Grand Valley Canal the following 2 courses:

- 2) S 42°27'15" E a distance of 92.94 feet to a point;
 - 3) S 50°44'33" E a distance of 94.82 feet to a point;
 - 4) thence S 00°02'45" W a distance of 756.96 feet to a point on the northerly right of way line for I70B; thence leaving said northerly right of way line S 45°59'59" E a distance of 227.29 feet to a point; thence S 72°50'00" W along a line 1.00 feet north of and parallel with the southerly right of way line for said I70B a distance of 879.47 feet to a point; thence N 21°35'52" E a distance of 336.22 feet to a point on the northerly right of way line for said I70B; thence leaving said northerly right of way line N 00°15'00" W a distance of 256.04 feet to a point; thence S 89°45'00" W a distance of 101.85 feet to a point; thence N 00°15'00" W a distance of 311.98 feet to a point; thence S 89°45'00" W a distance of 285.00 feet to a point; thence N 00°15'00" W a distance of 128.74 feet to a point; thence S 89°50'30" W a distance of 247.10 feet to a point on the east right of way line for 30 Road; thence N 00°15'00" W along the east right of way line for said 30 Road a distance of 152.00 feet to a point; thence leaving said east right of way line N 89°50'30" E a distance of 247.10 feet to a point; thence a N 00°15'00" W a distance of 141.00 feet to the point of beginning.
-

Introduced on first reading this 18th day of October, 2000.

PASSED and ADOPTED on second reading this ___ day of _____, 2000.

President of the Council

ATTEST:

City Clerk

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Mesa Moving Annexation		
Meeting Date:	November 15, 2000		
Date Prepared:	November 2, 2000		
Author:	Lori V. Bowers	Associate Planner	
Presenter Name:	Lori V. Bowers		
	Workshop	X	Formal Agenda

Subject: Public hearing for acceptance of the Petition for annexation, and second reading of the annexation ordinance for the 12.38 acre Mesa Moving Annexation located at 2225 River Road and 681 Railroad Blvd. File # ANX-2000-177. **Continued from the November 1, 2000 City Council Meeting.**

Summary: The 12.38-acre Mesa Moving Annexation area consists of two parcels of land. One currently houses Mesa Moving and United Van Lines and the other parcel consists of 2 acres of vacant land. Mesa Moving would like to construct a new truck service facility for their business on the vacant lot. The owner of the property has signed a petition for annexation.

Background Information: See Attached

Budget: N/A

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

Citizen Presentation:	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Yes	If Yes,
Name:	David Smuin, Representative for Saad Family LLC				
Purpose:					

Report results back to Council:	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When:	
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Placement on Agenda:	<input type="checkbox"/>	Consent	<input checked="" type="checkbox"/>	Indiv. Consideration	<input type="checkbox"/>	Workshop
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BACKGROUND INFORMATION					
Location:		2225 River Road & 681 Railroad Blvd. (known as 637 on Assessor's records)			
Applicants:		David Smuin, representative for Saad Family LLC			
Existing Land Use:		Vacant land and existing business – Mesa Moving and United Van Lines			
Proposed Land Use:		Truck repair facility			
Surrounding Land Use:	North	Railroad tracks/I-70B/ Truck Stop			
	South	Railroad Ave. and vacant land (United Companies)			
	East	United Companies			
	West	Vacant / McCarr Co.			
Existing Zoning:		Planned Industrial – County			
Proposed Zoning:		I-2			
Surrounding Zoning:	North	City C-2 (Heavy Commercial) and I-1 (Light Commercial)			
	South	County RSF-4 (Residential not to exceed 4 units per acre; S side of Colorado River)			
	East	County Industrial			
	West	County AFT			
Growth Plan Designation:		Commercial Industrial			
Zoning within density range?		X	Yes		No

ACTION REQUESTED: It is recommended that City Council accept the petition for annexation and approve on second reading the annexation ordinance for Mesa Moving Annexation.

Staff Analysis:

ANNEXATION:

This annexation area consists of 12.38 acres of land. The request for annexation comes from a request to develop the 2- acre parcel for a truck service center for Mesa Moving. A request for site plan review is forthcoming. The property is now being annexed into the City of Grand Junction.

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

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

The following annexation schedule is being proposed.

ANNEXATION SCHEDULE	
Sept. 20 th	Referral of Petition to Annex & 1st Read (30 Day Notice)
Oct. 10 th	Planning Commission considers Zone of Annexation
Oct. 18 th	First Reading on Zoning by City Council
Nov. 1 st	Public hearing on Annexation and Zoning by City Council
Dec. 3 rd	Effective date of Annexation and Zoning

RECOMMENDATION:
Approval

Attachments:
Mesa Moving Annex Summary
Resolution
Annexation Ordinance
Annexation Map

<i>MESA MOVING ANNEXATION SUMMARY</i>	
File Number:	ANX-2000-177
Location:	2225 River Road & 681 Railroad Blvd.
Tax ID Number:	2945-062-04-005 & 2945-062-04-003
Parcels:	2
Estimated Population:	0
# of Parcels (owner occupied):	1
# of Dwelling Units:	0
Acres land annexed:	12.38
Developable Acres Remaining:	2.0
Right-of-way in Annexation:	Approximately 840 feet in length, the entire width of I-70 B; a portion of Southern Pacific ROW; 900 feet, the entire width, of River Road
Previous County Zoning:	County Industrial
Proposed City Zoning:	I-2 (Heavy Industrial)
Current Land Use:	Vacant & Mesa Moving and Storage
Future Land Use:	Truck service facility for Mesa Moving
Values:	Land: = \$57,360

	Improvements:	= \$129,370
Census Tract:		9
Address Ranges:		2225 River Road and 681 Railroad Blvd.
Special Districts:	Water:	Ute Water
	Sewer:	Railhead Water & Sewer
	Fire:	Grand Junction Rural Fire District
	Drainage & Irrigation	Grand Junction Drainage
	School:	District 51
	Pest:	

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. -00

**A RESOLUTION ACCEPTING THE PETITION FOR ANNEXATION,
MAKING CERTAIN FINDINGS,
DETERMINING THAT PROPERTY KNOWN AS**

MESA MOVING ANNEXATION

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 20th day of September, 2000, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

**PERIMETER BOUNDARY LEGAL DESCRIPTION
MESA MOVING ANNEXATION**

A parcel of land situate in the NW 1/4 of Section 6, Township 1 South, Range 1 West and in the SW 1/4 of Section 31, Township 1 North, Range 1 West all of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the northeast corner of Block One of Railhead Industrial Park as Amended, whence the N 1/4 corner of Section 6, Township 1 South, Range 1 West bears N 56°31'00" W a distance of 628.81 feet & N 89°44'57" E a distance of 933.17 feet; thence N 56°31'00" W along the southwesterly right of way line for River Road a distance of 70.00 feet to the True Point of Beginning of the parcel described herein; thence leaving the southwesterly right of way line for said River Road S 14°46'37" E a distance of 100.00 feet to a point on the westerly right of way line for Railroad Boulevard; thence 282.38 feet along the westerly right of way line for said Railroad Boulevard and arc of a curve concave to the east, having a radius of 482.24 feet, a delta angle of 33°33'00" and a long chord bearing S 08°46'23" W a distance of 278.36 feet to a point; thence along the southwesterly line of Block One of said Railhead Industrial Park as Amended the following 2 courses: 22.97 feet along the arc of a curve concave to the northeast, having a radius of 478.34 feet, a delta angle of 02°45'06" and a long chord bearing N 57°53'32" W a distance of 22.97 feet to a point; N 56°31'00" W a distance of 1019.82 feet to a point; thence leaving the southwesterly line of said Block One N 33°29'00" E a distance of 320.00 feet to a point on the southwesterly right of way line for said River Road; thence N 33°29'00" E a distance of 368.11 feet to a point on the northeasterly right of way line for U.S. Highway 6 & 50 (I70B); thence S 56°31'00" E along said northeasterly right of way

line a distance of 844.24 feet to a point on the section line common with Section 31, Township 1 North, Range 1 West and Section 6, Township 1 South, Range 1 West; thence S 89°44'57" W along said section line a distance of 576.22 feet to a point on the southwesterly right of way line for the Southern Pacific Transportation Railroad; thence S 56°31'00" E along said southwesterly right of way line a distance of 486.77 feet to a point; thence leaving said southwesterly right of way line S 33°29'00" W a distance o 48.11 feet to the point of beginning.

WHEREAS, a hearing on the petition was duly held after proper notice on the 1st day of November, 2000; and

WHEREAS, a hearing on the petition was duly held after proper notice on the 1st day of November, 2000; and

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

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

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

**PERIMETER BOUNDARY LEGAL DESCRIPTION
MESA MOVING ANNEXATION**

A parcel of land situate in the NW 1/4 of Section 6, Township 1 South, Range 1 West and in the SW 1/4 of Section 31, Township 1 North, Range 1 West all of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows: Commencing at the northeast corner of Block One of Railhead Industrial Park as Amended, whence the N 1/4 corner of Section 6, Township 1 South, Range 1 West bears N 56°31'00" W a distance of 628.81 feet & N 89°44'57" E a distance of 933.17 feet; thence N 56°31'00" W along the southwesterly right of way line for River Road a distance of 70.00 feet to the True Point of Beginning of the parcel described herein; thence leaving the southwesterly right of way line for said River Road S 14°46'37" E a distance of 100.00 feet to a point on the westerly right of way line for Railroad Boulevard; thence 282.38 feet along the westerly right of way line for said Railroad Boulevard and arc of a curve concave to the east, having a radius of 482.24 feet, a delta angle of 33°33'00" and a long chord bearing S 08°46'23" W a distance of 278.36 feet to a point; thence along the southwesterly line of Block One of said Railhead Industrial Park as Amended the following 2 courses: 22.97 feet along the arc of a curve concave to the northeast, having a radius of 478.34 feet, a delta angle of 02°45'06" and a long chord bearing N 57°53'32" W a distance of 22.97 feet to a point;

N 56°31'00" W a distance of 1019.82 feet to a point; thence leaving the southwesterly line of said Block One N 33°29'00" E a distance of 320.00 feet to a point on the southwesterly right of way line for said River Road; thence N 33°29'00" E a distance of 368.11 feet to a point on the northeasterly right of way line for U.S. Highway 6 & 50 (I70B); thence S 56°31'00" E along said northeasterly right of way line a distance of 844.24 feet to a point on the section line common with Section 31, Township 1 North, Range 1 West and Section 6, Township 1 South, Range 1 West; thence S 89°44'57" W along said section line a distance of 576.22 feet to a point on the southwesterly right of way line for the Southern Pacific Transportation Railroad; thence S 56°31'00" E along said southwesterly right of way line a distance of 486.77 feet to a point; thence leaving said southwesterly right of way line S 33°29'00" W a distance o 48.11 feet to the point of beginning.

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

ADOPTED this day of , 2000.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

MESA MOVING ANNEXATION

**APPROXIMATELY 12.38 ACRES
LOCATED AT 2225 RIVER ROAD AND 681 RAILROAD BLVD.
(KNOWN AS 637 RAILROAD BLVD. ON THE ASSESSOR'S RECORDS)**

WHEREAS, on the 20th day of September, 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 1st day of November, 2000; and

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

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

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

**PERIMETER BOUNDARY LEGAL DESCRIPTION
MESA MOVING ANNEXATION**

A parcel of land situate in the NW 1/4 of Section 6, Township 1 South, Range 1 West and in the SW 1/4 of Section 31, Township 1 North, Range 1 West all of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the northeast corner of Block One of Railhead Industrial Park as Amended, whence the N 1/4 corner of Section 6, Township 1 South, Range 1 West bears N 56°31'00" W a distance of 628.81 feet & N 89°44'57" E a distance of 933.17 feet; thence N 56°31'00" W along the southwesterly right of way line for River Road a distance of 70.00

feet to the True Point of Beginning of the parcel described herein; thence leaving the southwesterly right of way line for said River Road S 14°46'37" E a distance of 100.00 feet to a point on the westerly right of way line for Railroad Boulevard; thence 282.38 feet along the westerly right of way line for said Railroad Boulevard and arc of a curve concave to the east, having a radius of 482.24 feet, a delta angle of 33°33'00" and a long chord bearing S 08°46'23" W a distance of 278.36 feet to a point; thence along the southwesterly line of Block One of said Railhead Industrial Park as Amended the following 2 courses: 22.97 feet along the arc of a curve concave to the northeast, having a radius of 478.34 feet, a delta angle of 02°45'06" and a long chord bearing N 57°53'32" W a distance of 22.97 feet to a point; N 56°31'00" W a distance of 1019.82 feet to a point; thence leaving the southwesterly line of said Block One N 33°29'00" E a distance of 320.00 feet to a point on the southwesterly right of way line for said River Road; thence N 33°29'00" E a distance of 368.11 feet to a point on the northeasterly right of way line for U.S. Highway 6 & 50 (I70B); thence S 56°31'00" E along said northeasterly right of way line a distance of 844.24 feet to a point on the section line common with Section 31, Township 1 North, Range 1 West and Section 6, Township 1 South, Range 1 West; thence S 89°44'57" W along said section line a distance of 576.22 feet to a point on the southwesterly right of way line for the Southern Pacific Transportation Railroad; thence S 56°31'00" E along said southwesterly right of way line a distance of 486.77 feet to a point; thence leaving said southwesterly right of way line S 33°29'00" W a distance o 48.11 feet to the point of beginning.

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

INTRODUCED on first reading on the 6th day of September, 2000.

ADOPTED and ordered published this day of , 2000.

Attest:

/s/ Gene Kinsey
President of the Council

/s/ Stephanie Nye
City Clerk

Attach 17

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Mesa Moving Zone of Annexation		
Meeting Date:	November 15, 2000		
Date Prepared:	November 2, 2000		
Author:	Lori V. Bowers	Associate Planner	
Presenter Name:	Lori V. Bowers		
	Workshop	X	Formal Agenda

Subject: Second reading of the zone of annexation ordinance for Mesa Moving Annexation, located at 2225 River Road and 681 Railroad Blvd. (also known as 637 on the Assessor's records) to the zoning designation of I-2 (Heavy Industrial) File # ANX-2000-177. **Continued from the November 1, 2000 City Council Meeting.**

Summary: The 12.38-acre Mesa Moving Annexation area consists of two parcels of land. One currently houses Mesa Moving and United Van Lines and the other parcel consists of 2 acres of vacant land. Mesa Moving would like to construct a new truck service facility for their business on the vacant lot. The owner of the property has signed a petition for annexation.

Background Information: See Attached
Budget: N/A

Action Requested/Recommendation: Second reading of the zone of annexation ordinance for Mesa Moving Annexation to I-2 (Heavy Industrial) and set a hearing for November 1, 2000.

Citizen Presentation:	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	If Yes,
Name:	David Smuin representative for Saad Family LLC		
Purpose:			

Report results back to Council:	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	When:	
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Placement on Agenda:	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Indiv. Consideration	<input type="checkbox"/> Workshop
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AGENDA TOPIC: Second reading of the Zone of Annexation Ordinance for Mesa Moving, file # ANX-2000-177.

SUMMARY: The Petitioner is requesting that the zoning designation of I-1 (Light Industrial) be placed upon the property upon annexation to the City. Staff is suggesting the zoning designation of I-2 (Heavy Industrial). The applicants are currently in the site plan review process for a new structure to house a truck service and repair facility.

ACTION REQUESTED: First reading of the Zone of Annexation Ordinance for Mesa Moving to I-2 (Heavy Industrial) located at 2225 River Road and 681 Railroad Blvd.

BACKGROUND INFORMATION			
Location:		2225 River Road & 681 Railroad Blvd.	
Applicants:		Mesa Moving c/o Saad Family LLC, David Smuin of Hydro Terra Inc., representative.	
Existing Land Use:		Vacant land and Mesa Moving business	
Proposed Land Use:		Truck service and repair	
Surrounding Land Use:	North	River Road/Railroad tracks/Highway 6 & 50/ Truck stop	
	South	Railroad Ave. and vacant land (<u>United Companies</u>)	
	East	United Companies	
	West	Vacant land / McCarr Co.	
Existing Zoning:		County Planned Industrial	
Proposed Zoning:		I-2	
Surrounding Zoning:	North	City C-2 (Heavy Commercial) and I-1 (Light Commercial)	
	South	County Planned Industrial	
	East	County Planned Industrial	
	West	County AFT	
Growth Plan Designation:		Commercial Industrial	
Zoning within density range?		X	Yes
			No

Project Analysis:

Zone of Annexation / Rezoning: The petitioner is requesting approval of the zone of annexation/rezoning of approximately 12.38 acres to the zoning designation of I-1 (Light Industrial). Staff recommends the zone of I-2 (Heavy Industrial). The zone of I-2 is consistent with the Mesa County zoning designation of P-I (Planned Industrial). This zoning designation is also consistent with previous annexation zonings in this subdivision of I-2. The Growth Plan designates this area as a Commercial Industrial area. The zone of I-2 (Heavy Industrial) will accommodate the existing use of warehousing and the proposed future use of a truck service facility.

In order for the rezoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6 as follows:

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

The zoning at the time of adoption was not in error.

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 no change in the character of the neighborhood.

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 zone of annexation/rezone is compatible with the neighborhood and should not create any adverse impacts.

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 proposal conforms to the goals, policies and requirements of the Code. The Growth Plan suggests a lighter use. The Persigo agreement allows the City to assign a zoning designation similar to what the existing County zoning is, which in this case the zone of I-2 (Heavy Industrial) is consistent.

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

Adequate facilities currently exist on the property.

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.

STAFF RECOMMENDATION:

Staff and Planning Commission recommend to the City Council approval of the request for the zone of annexation from County P-1 to the City zoning designation of I-2 (Heavy Industrial) for the Mesa Moving Annexation, located at 2225 River Road and 681 Railroad Blvd.

Attachments:
Ordinance

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE No.

Zoning the Mesa Moving Annexation to I-2 (Heavy Industrial)

Located at 2225 River Road & 681 Railroad Boulevard

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 I-2 (Heavy Industrial) zone district to this annexation.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the I-2 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 I-2 (Heavy Industrial) zone district

Includes the following tax parcels #2945-062-04-003 & 2945-062-04-005

**PERIMETER BOUNDARY LEGAL DESCRIPTION
MESA MOVING ANNEXATION**

A parcel of land situate in the NW 1/4 of Section 6, Township 1 South, Range 1 West and in the SW 1/4 of Section 31, Township 1 North, Range 1 West all of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the northeast corner of Block One of Railhead Industrial Park as Amended, whence the N 1/4 corner of Section 6, Township 1 South, Range 1 West bears N 56°31'00" W a distance of 628.81 feet & N 89°44'57" E a distance of 933.17 feet; thence N 56°31'00" W along the southwesterly right of way line for River Road a

distance of 70.00 feet to the True Point of Beginning of the parcel described herein; thence leaving the southwesterly right of way line for said River Road S 14°46'37" E a distance of 100.00 feet to a point on the westerly right of way line for Railroad Boulevard; thence 282.38 feet along the westerly right of way line for said Railroad Boulevard and arc of a curve concave to the east, having a radius of 482.24 feet, a delta angle of 33°33'00" and a long chord bearing S 08°46'23" W a distance of 278.36 feet to a point; thence along the southwesterly line of Block One of said Railhead Industrial Park as Amended the following 2 courses:

1) 22.97 feet along the arc of a curve concave to the northeast, having a radius of 478.34 feet, a delta angle of 02°45'06" and a long chord bearing N 57°53'32" W a distance of 22.97 feet to a point;

2) N 56°31'00" W a distance of 1019.82 feet to a point; thence leaving the southwesterly line of said Block One N 33°29'00" E a distance of 320.00 feet to a point on the southwesterly right of way line for said River Road; thence N 33°29'00" E a distance of 368.11 feet to a point on the northeasterly right of way line for U.S. Highway 6 & 50 (I70B); thence S 56°31'00" E along said northeasterly right of way line a distance of 844.24 feet to a point on the section line common with Section 31, Township 1 North, Range 1 West and Section 6, Township 1 South, Range 1 West; thence S 89°44'57" W along said section line a distance of 576.22 feet to a point on the southwesterly right of way line for the Southern Pacific Transportation Railroad; thence S 56°31'00" E along said southwesterly right of way line a distance of 486.77 feet to a point; thence leaving said southwesterly right of way line S 33°29'00" W a distance of 48.11 feet to the point of beginning.

Introduced on first reading this 18th day of October, 2000.

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

/s/ Gene Kinsey
President of the Council

ATTEST:

/s/ Stephanie Nye
City Clerk

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Renaissance in the Redlands Filing 2 – Vacation of Easements		
Meeting Date:	November 15, 2000		
Date Prepared:	November 2, 2000		
Author:	Kristen Ashbeck	Senior Planner	
Presenter Name:	Same		
	Workshop	X	Formal Agenda

Subject: FP-2000-126 Renaissance in the Redlands Filing 2

Summary: Request to vacate temporary turnaround and utility easement at the end of existing Athens Way. **Continued from November 1, 2000 meeting.**

Background Information: See attached staff report.

Budget: N/A

Action Requested/Recommendation: Adopt ordinance vacating temporary turnaround and utility easement.

Citizen Presentation:	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Yes	If Yes,
Name:	Vince Popish, Independent Survey				
Purpose:	Representing Petitioner				

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

DATE: November 1, 2000

CITY COUNCIL

STAFF PRESENTATION: Kristen Ashbeck

AGENDA TOPIC: FP-2000-126 Renaissance in the Redlands Filing 2

SUMMARY: Request to vacate temporary turnaround and utility easement.

BACKGROUND INFORMATION				
Location:		Renaissance Boulevard and South Camp Road		
Applicant:		Cobble Ridge Construction Representative: Independent Survey, Vince Popish		
Existing Land Use:		Vacant		
Proposed Land Use:		Detached Single Family		
Surrounding Land Use:	North	Vacant		
	South	Single Family Residential (Filing 1)		
	East	<u>Vacant</u>		
	West	<u>Liberty Baptist Church</u>		
Existing Zoning:		Residential Single Family 4 units per acre (RSF-4)		
Proposed Zoning:		<u>Same</u>		
Surrounding Zoning:	North	PD		
	South	<u>RSF-4</u>		
	East	RSF-4 and PUD (Mesa County)		
	West	<u>RSF-4</u>		
Growth Plan Designation:		Residential (2 to 4units per acre)		
Zoning within density range?		X	Yes	No

ACTION REQUESTED: Approve vacation of temporary turnaround and utility easement.

STAFF ANALYSIS

Project Background/Summary: The applicant is proposing to subdivide the remaining 13.8-acre portion of the Renaissance in the Redlands into 39 detached single family residential lots. This constitutes the second and final filing of the project. The Final Plat for the subdivision was approved by the Planning Commission at its October 10, 2000 meeting.

Per the adopted Minor Street Plan for this area, proposed access to the project will primarily be from the extension of Renaissance Boulevard to the westerly property line. The street system of Filing 2 also connects with that of Filing 1 with an extension of Athens Way. A street stub will be provided to the north property line for the potential access to the adjacent undeveloped parcel.

Since this is the second filing of an existing subdivision, all utilities are available and can be extended in the rights-of-way and easements of the proposed streets within Filing 2. The various utilities made no comments of significance regarding the proposed project. The site is to be irrigated with existing rights for the property.

Vacation of Easement. The applicant is requesting to vacate a temporary turnaround and utility easement at the end of the presently-constructed Athens Way. The easement was platted with Filing 1 and is no longer needed. The vacation requests meet the criteria of Section 2-11 of the Zoning and Development Code as follows.

Conforms with Adopted Plans of the City. The vacation request conforms with the Growth Plan, major street plan and other adopted plans and policies of the City.

Landlocking. No parcel will be landlocked as a result of the vacation.

Restricted Access. Access will not be restricted to any parcel due to the vacation request.

No Adverse Impacts. The vacation will not have adverse impacts on health, safety, and/or welfare of the general community.

Provision of Public Services. Provision of public services will not be impacted by the proposed vacation.

Benefits to City. The vacation will allow for the completion of a desired public street (Athens Way) connecting portions of this neighborhood.

PLANNING COMMISSION RECOMMENDATION (10/10/00 – 5-0):

Recommendation of approval of the vacation of temporary turnaround and utility easement with the finding that the vacation is consistent with the Growth Plan, the Major Street Plan and Section 2.11 of the Zoning and Development Code.

Attachments: a. Vacation Ordinance

b. General Location Map

c. Reductions of plat showing easement to be vacated.

CITY OF GRAND JUNCTION, COLORADO

Ordinance No.

**VACATING A TEMPORARY TURNAROUND ACCESS
AND UTILITY EASEMENT FOR ATHENS WAY**

The applicant is proposing to construct Filing 2 of the Renaissance In The Redlands subdivision on the vacant parcel northwest of the intersection of Renaissance Boulevard and South Camp Road. When the first filing of this subdivision was platted, a temporary turnaround and utility easement for Athens Way was required. The applicant is proposing to vacate the easement that was previously dedicated with Filing 1 and replace it with dedication and construction of an extension of Athens Way to the northern part of the site.

The Grand Junction Planning Commission, having heard and considered the request at its October 10, 2000 hearing and found the criteria of Section 2-11 of the Zoning and Development Code to have been met, recommended approval of the vacation request.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE TEMPORARY TURNAROUND ACCESS AND UTILITY EASEMENT FOR ATHENS WAY DESCRIBED BELOW IS HEREBY VACATED:

Commencing at the Northeast corner of the NW4 SW4 of Sec 18 T1S R1W, of the UM, from the Southeast corner of the NW4 SW4 of Sec 18, bears S0°29'29"E, 1320.45'; along said line S0°29'29"E, 632.52', to the Northeast corner of Block 2 of Renaissance in the Redlands; S89°38'00"W, 138.46' to the Point of Beginning. Along a curve to the right with a radius of 20.00' and a length of 17.87' whose chord bears N25°13'25"E, 17.28' to a point of radius of 47' and a length of 231.62' whose chord bears S89°38'00"W, 58.93 to a point of reverse curvature; along said curve to the right with a radius of 20.00' and a length of 17.87', whose chord bears S25°57'25"E, 17.28'; S00°22'00"E, 12.82'; thence said easement contains 0.174 acres as described.

INTRODUCED for FIRST READING and PUBLICATION this 18th day of October, 2000.

PASSED on SECOND READING this ___ day of _____, 2000.

ATTEST:

City Clerk

President of Council

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

CITY COUNCIL			
Subject:	Second Reading of the Ordinance vacating a temporary Turn Around Easement located on Lot 1, Block 8, The Knolls Subdivision, Filing 2		
Meeting Date:	November 15, 2000 (continued from Nov.1, 2000)		
Date Prepared:	November 6, 2000		
Author:	Lori V. Bowers	Associate Planner	
Presenter Name:	Lori V. Bowers	Associate Planner	
<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Formal Agenda

Subject: Second reading of the ordinance vacating a temporary turn-around easement located on Lot 1, Block 8, The Knolls Subdivision, Filing 2

Summary: Second reading of the ordinance to vacate the temporary turn-around easement for The Knolls Subdivision, Filing 2. The Knolls Subdivision is located south of the southeast corner of Cortland Avenue and 27 1/2 Road in a PD zone. The developing portion of Filing 4 is now allowing for the continuation of Piazza Way. A temporary turn-around had been provided near Lot 5, Block 4, in Filing 2, and is to be vacated with this request. File #FPP-2000-141.

Background Information: See Attached

Budget: N/A

Action Requested/Recommendation: Second reading of the ordinance to vacate the temporary turn-around right-of-way easement located on Piazza Way, the Knolls Subdivision, Filing 2.

Citizen Presentation:	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes	If Yes,
Name:	David Chase, representative from Banner Associates		
Purpose:			

Report results back to Council:	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	When:	
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Placement on Agenda:	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Indiv. Consideration	<input type="checkbox"/> Workshop
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AGENDA TOPIC: Second reading of the ordinance to vacate the temporary turn-around easement for The Knolls Subdivision, Filing 2. The Knolls Subdivision is located south of the southeast corner of Cortland Avenue and 27 ½ Road in a PD zone. The developing portion of Filing 4 is now allowing for the continuation of Piazza Way. A temporary turn-around had been provided near Lot 5, Block 4, in Filing 2, and is to be vacated with this request. File #FPP-2000-141.

SUMMARY: On July 18, 2000, the Planning Commission approved a new preliminary plan for The Knolls Subdivision. The approval allowed for a Growth Plan Amendment from Residential Medium (4 to 8 du/ac) to Residential Medium Low (2 to 4 du/ac). With the reduced density a rezone to a new Planned Development (PD) zone was approved, all under the old code. (Also approved was a variation in the street standards for the patio homes in future filings). This Subdivision is 32.518 acres in size. With the development of Filing 4, the applicants are requesting a vacation of a temporary turn-around easement. A temporary turn-around had previously been used for traffic on Piazza Way heading south. It is no longer needed as Piazza Way will be constructed and extended to 27 ½ Road. Staff and Planning Commission recommend approval of the vacation of the temporary turn around right-of-way.

ACTION REQUESTED: Second reading of the ordinance to vacate the temporary turnaround right-of-way easement located on Piazza Way, the Knolls Subdivision, Filing 2.

BACKGROUND INFORMATION		
Location:	South of SE Corner 27 ½ & Cortland Road	
Applicants:	O.P. Development Co. LLC	
Existing Land Use:	Vacant	
Proposed Land Use:	Residential (24 Single-Family Homes)	
Surrounding Land Use:	North	Single Family (The Knolls)
	South	Single Family (Spring Valley)
	East	Single Family (Spring Valley)
	West	Single family residential & vacant
Existing Zoning:	PD2.5	
Proposed Zoning:	No change proposed	

Surrounding Zoning:	North	Planned Development		
	South	RMF-5		
	East	RSF-4 & RMF-5		
	West	RMF-5		
Growth Plan Designation:		Residential Medium 4 to 8 units per acre		
Zoning within density range?		X	Yes	No

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 both 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. Roughly the northern portion of the site was in the Residential Medium Low 2 to 4 dwelling units per acre, land use designation, and the southern portion was in the higher 4 to 8 dwelling units per acre area. Despite this difference the entire development, excluding the church site, was zoned to a planned residential zone of 2.7 dwelling units per acre.

The preliminary plan for the Knolls expired and the developer had acquired an additional 6.6-acre parcel. On July 18, 2000, the Planning Commission approved with conditions a Growth Plan Amendment to a lower density; rezoned the parcel to PD2.5; approved a new Preliminary Plat and Plan; and approved a variation in the street standards for the patio homes.

The Applicant is now requesting approval for the vacation of a temporary turn-around easement on Piazza Way since Piazza Way will now be constructed to 27 ½ Road.

Access: Two access points are provided to The Knolls subdivision. All streets in the development access Piazza Way, for access to either Cortland Road to the north, via Filings 1-3, or to 27 ½ Road to the west. The temporary turn-around easement can now be vacated with the completion and connection of Piazza Way. Staff and Planning Commission support the vacation of this easement and find it compliant with Section 2.11 of the Zoning and Development Code. The purpose of section 2.11 is to permit the vacation of surplus right-of-ways and /or easements.

STAFF AND PLANNING COMMISSION RECOMMENDATION: Approval

Attachments to this report include the following:

Ordinance

Location map

Subdivision map

CITY OF GRAND JUNCTION, COLORADO

Ordinance No. _____

**VACATING THE TEMPORARY TURN AROUND EASEMENT ON PIAZZA WAY, THE
KNOLLS SUBDIVISION, FILING 2**

Recitals:

The Planning Commission at their September 19, 2000 meeting recommended approval of the vacation of the temporary turn around provided on Piazza Way in the Knolls Subdivision, Filing 2. The City Council hereby finds that the vacation of the right-of-way is in compliance with the criteria set forth in Section 2.11 of the Zoning and Development Code.

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

That the land described below, known as the temporary turn around on Piazza Way right-of-way, is hereby vacated:

DESCRIPTION OF A TEMPORARY TURN AROUND EASEMENT

An easement located Lot 1, Block 8 of Knolls Subdivision, Filing 2, located in the SW 1/4 of the NE 1/4 of Section 1, Township 1 South, Range 1 West, Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado and is more particularly described as follows:

Beginning at the northwesterly corner of the easement, which is on the right-of-way line of Piazza Way and Tract B, Knolls Subdivision, Filing 2, located in the SW 1/4 of the NE 1/4 of Section 1, Township 1 South, Range 1 West, Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, as recorded in Plat Book 16 at Pages 87 through 90 in the office of the Mesa County Clerk and Recorder, from whence an angle point on the southerly boundary line of said Tract B bears S 68° 06' 13" W, 236.66 feet, with all other bearings contained herein being relative to the recorded plat of said Knolls Subdivision, Filing 2;

1. Thence S 38° 52' 51" E, 14.17 feet;

2. Thence southeasterly 17.82 feet along the arc of a circular curve to the right with a radius of 20.00 feet, a delta of $51^{\circ} 03' 19''$ and a chord bearing S $13^{\circ} 21' 11''$ E, 17.24 feet;
3. Thence northeasterly 231.61 feet along the arc of a circular curve to the left with a radius of 47.00 feet, a delta of $282^{\circ} 20' 42''$ and a chord bearing N $51^{\circ} 00' 07''$ E, 58.94 feet;
4. Thence northwesterly 18.45 feet along the arc of a circular curve to the right with a radius of 20.00 feet, a delta of $52^{\circ} 51' 40''$ and a chord bearing N $63^{\circ} 44' 23''$ W, 17.80 feet;
5. Thence S $68^{\circ} 06' 13''$ W, 46.03 feet to the point of beginning.

The easement as described above contains 7602 square feet more or less.

INTRODUCED for FIRST READING and PUBLICATION this 18th day of October, 2000.

PASSED on SECOND READING this _____ day of _____, 2000.

ATTEST:

City Clerk

President of City Council

**CITY COUNCIL
CITY OF GRAND JUNCTION**

CITY COUNCIL		
Subject:	Reconsideration of Ordinance 3303, Regarding the Residential Requirement in the Mixed Use Zone District	
Meeting Date:	November 15, 2000	
Date Prepared:	November 8, 2000	
Author:	Kathy Portner	Planning Manager
Presenter Name:	Kathy Portner	Planning Manager
	Workshop	x Formal Agenda

Subject:

Reconsideration of Ordinance 3303 regarding the residential requirement in the Mixed Use Zone District.

Summary:

At the November 1st hearing, the City Council adopted the 24 Road Corridor Subarea Plan, amended the Code to add the Mixed Use zone district and adopted a zoning map and design standards and guidelines for the 24 Road study area. Council agreed to reconsider the ordinance creating the Mixed Use zone district to discuss and possibly amend the 25% residential requirement. Also, Council may want to discuss enforcement mechanisms for the residential requirement.

Background Information:

- Code Amendment Adding the Mixed-Use Zoning District**—One of the recommendations of the Subarea Plan was to create a new zone district to accommodate mixed use. The Mixed-Use (M-U) zone district is patterned off the Industrial-Office (I-O) zone district with an added residential component. Retail use is limited to neighborhood commercial with a 30,000 square foot maximum building size for retail and for parcels greater than 5 acres in size, 25% of the land area must be designated for residential to ensure a true “mixed-use” development.

A concern raised with the proposed Mixed-Use designation for much of the 24 Road corridor was the lost potential for medium to high density residential, as was contemplated with the Growth Plan. At the last hearing the City Council was

shown a chart comparing the number of residential units possible under the original growth plan and the number of residential units possible with the proposed zoning for the 24 Road area. Under the original Growth Plan, the potential number of units ranged from 2240 to 3440. Applying the Mixed Use, with a 25% residential requirement, results in the potential number of units ranging from 2159 to 3809.

The above numbers include the total number of residential units possible in the entire study area, not just the Mixed Use zone district. To simplify the comparison, the following numbers reflect the possible number of residential units in the area designated as Mixed Use. The zoning map adopted by City Council at the last hearing established 440 acres as Mixed Use zoning, which requires residential densities of 12 to 24 units per acre. Under the original Growth Plan, 160 acres of the 440 was designated as Residential, 8 to 12 units per acre, for a range of **1,280 to 1,920 residential units**. The remainder of the 440 acres was designated for commercial/industrial development. Applying various percentage requirements for the residential component of the Mixed Use designation would result in the following number of units:

- 25% results in 1,320 to 2,640 potential residential units
- 20% results in 1,056 to 2,112 potential residential units
- 15% results in 792 to 1,584 potential residential units

Based on the above percentages, 25% would guarantee the minimum number of units that would have been built under the original Growth Plan. If the 15% or 20% options were built out at 12 units per acre, which is the minimum required in the Mixed Use zone district, the low end of the original Growth Plan numbers would not be achieved. However, it's likely that residential built in this area would be built toward the upper end of the density range to maximize return and be more compatible with surrounding uses.

Ordinance 3303, approved by the Council on November 1st (see attached) also revised the proposed section 3.4.J.4.f to add the following:

- a. Final plans for the required residential component must be submitted and approved with the overall project.
- b. The required residential component must be built with the overall project.
- c. Residential units may be built as part of the retail/commercial structure.

Other options to assure the required residential is built could include any of the following or any combination. These are listed in order of staff preference.

1. The required residential component shall be finally planned (receives final plan approval) prior to any structure being built anywhere within the overall

- project. All of the infrastructure (streets, open space and utilities) necessary for the residential development shall be included in a Development Improvements Agreement and Guarantee with the first phase of the development plan for the property. [This option would replace “a” and “b” above.]
2. All of the required residential component shall receive final plan approval with the first development plan that is considered for the property and at least 10% (or some percentage) of the required residential component must be built with the first phase of the project, with the rest of the residential units to be built in stages proportional with the other stages of the overall project. [This option would replace “a” and “b” above.]
 3. A deed restriction shall be recorded against the title to all portions of the property, including each non-residential component, requiring that the required residential component be built within the approved development schedule. The City may enforce the deed restriction against the owners of any portion of the overall project, jointly and severally.

Staff recommends option 3 as the enforcement mechanism for the residential requirement.

Council Options

1. Possible amendment to modify the required residential percentage.
2. Possible amendment(s) to modify or enhance the enforcement mechanism to assure the residential component is built.

**Adopted November 1, 2000
Publication Pending**

ORDINANCE NO.

**AMENDING TABLES 3.2 AND 3.5 AND SECTION 3.2.H.4, AND ADDING SECTION
3.4.J
TO THE GRAND JUNCTION ZONING AND DEVELOPMENT CODE TO CREATE A
MIXED-USE ZONE DISTRICT**

RECITALS. One of the recommendations of the 24 Road Corridor Subarea Plan was to create a new zone district to accommodate mixed use. The Mixed-Use (M-U) zone district is patterned off the Industrial-Office (I-O) zone district with an added residential component. This zone district is being added to the Zoning and Development Code and will be applied to the area designated as "Mixed-Use" on the Future Land Use Map of the 24 Road Corridor Subarea Plan. The zone district would also be available for other areas of the City if found to be appropriate.

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

The Zoning and Development Code is hereby amended to add section 3.4.J and amend tables 3.2 and 3.5 as shown on attachment A and amend the first sentence of section 3.2.H.4 to read as follows:

"The maximum height for structures may be increased by up to twenty-five percent (25%) of the allowed height by the Planning Commission, except that in RSF-R, RSF-E, RSF-1, RSF-2, RSF-4 and **MU**, additional height shall only be granted by a variance."

Introduced on first reading this 18th day of October, 2000.

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

ATTEST:

City Clerk

President of the Council

M-U: Mixed Use

1. **Purpose.** To provide for a mix of light manufacturing and office park employment centers, limited retail, service and multifamily residential uses with appropriate screening, buffering and open space and enhancement of natural features and other amenities such as trails, shared drainage facilities, and common landscape and streetscape character. This District implements the *commercial*, *commercial/industrial* and *industrial* future land use classifications of the Growth Plan, as well as serving as a transition between residential and non-residential use areas.

2. **Summary.**

Primary Uses: Employment, residential, limited retail, open space.
Maximum Non-Residential Intensity: 0.50 FAR
Maximum Residential Density: 24 units per acre
Minimum Residential Density: 12 units per are
Maximum Building Size: 150,000 sf; 30,000 sf for retail

3. **Authorized Uses.** Table 3.5 lists the authorized uses in the M-U District.

4. **Intensity.** Subject to the development standards in this Code, the following intensity provisions shall apply:

- a. Non-residential intensity shall not exceed a floor area ratio (FAR) of 0.50;
 - b. Non-residential minimum lot size shall be one acre, except where a continuous commercial center is subdivided;
 - c. Maximum building size shall be 150,000 sf, unless a Conditional Use Permit is issued; 30,000 sf for retail
 - d. Maximum gross residential density shall not exceed 24 units per acre.
 - e. Minimum net residential density shall be 12 units per acre.
 - f. Development parcels and/or projects containing greater than 5 acres shall have a minimum of 25% of the gross land area in residential development. The required 25% may be transferred between parcels that are being planned at the same time.
- Final plans for the required residential component must be submitted and approved with the overall project and the required residential must be built with the overall project. Residential units may be built as part of the retail/commercial structure.**

5. **M-U Performance Standards.**

- a. Refer to any applicable overlay zone district and/or corridor design standards and guidelines.

- b. **Loading/Service Areas.** Loading docks and trash or other service areas shall be located only in the side or rear yards.
- c. **Vibration, Smoke, Odor, Noise, Glare, Wastes, Fire Hazards and Hazardous Materials.** No person shall occupy, maintain or allow any use in an M-U District without continuously meeting the following minimum standards regarding vibration, smoke, odor, noise, glare, wastes, fire hazards and hazardous materials. Conditional Use Permits for uses in this district may establish higher standards and conditions.
- (1) **Vibration:** Except during construction or as authorized by the City, activity or operation which causes any perceptible vibration of the earth to an ordinary person on any other lot or parcel, shall not be permitted.
 - (2) **Noise:** The owner and occupant shall regulate uses and activities on the property so that sound never exceeds 65 db at any point on the property line.
 - (3) **Glare:** Lights, spotlights, high temperature processes or otherwise, whether direct or reflected, shall not be visible from any lot, parcel or right-of-way.
 - (4) **Solid and Liquid Waste:** All solid waste, debris and garbage shall be contained within a closed and screened dumpster, refuse bin and/or trash compactor(s). Incineration of trash or garbage is prohibited. No sewage or liquid wastes shall be discharged or spilled on the property.
 - (5) **Hazardous Materials:** Information and materials to be used or located on the site whether on a full-time or part-time basis, that are required by the SARA Title III Community Right to Know shall be provided at the time of any City review, including site plan. Information regarding the activity or at the time of any change of use or expansion, even for existing uses, shall be provided to the Director.
 - (6) **Outdoor Storage and Display:** Outdoor storage and permanent display areas shall only be located in the rear half of the lot beside or behind the principal structure. Portable display of retail merchandise may be permitted as provided in Chapter Four.
- d. **Performance and development standards for residential uses shall be derived from the underlying multifamily zone district, as defined in Chapter Three of this Code.**

Table 3.2
ZONING DISTRICTS DIMENSIONAL STANDARDS

Zoning District	Minimum Lot Size		Minimum Street Frontage (ft.)	Minimum Setbacks ⁽¹⁾ (Principal/Accessory Building)			Max. Lot Coverage (%)	Max. FAR	Max. Height (ft.)
	Area (sq. ft.)	Width (ft.)		Front ⁽⁸⁾ (ft.)	Side (ft.)	Rear ⁽⁸⁾ (ft.)			
See Section	3.2.B	3.2.C	3.2.D	3.2.E	3.2.E	3.2.E	3.2.F	3.2.G	3.2.H
RSF-R	5 Acres	150	50 ⁽²⁾	20/25	50/50	50/50	5	0.40 ⁽³⁾	35
RSF-E	2 Acres	100	50 ⁽²⁾	20/25	15/5	30/10	15	0.40 ⁽³⁾	35
RSF-1	1 Acres	100	50 ⁽²⁾	20/25	15/3	30/10	20	0.40 ⁽³⁾	35
<i>RSF-2</i>	17,000	100	50 ⁽²⁾	20/25	15/3	30/5	30	0.40 ⁽³⁾	35
RSF-4	8,000	75	20	20/25	7/3	25/5	50	0.40 ⁽³⁾	35
RMF-5	6,500	60	20	20/25	5/3	25/5	60	0.40 ⁽³⁾	35
RMF-8	4,500	40	20	20/25	5/3	10/5	70	0.45 ⁽³⁾	35
<i>RMF-12</i>	4,000	40	20	20/25	5/3	10/5	75	0.50 ⁽³⁾	40
RMF-16	4,000	40	20	20/25	5/3	10/5	75	0.60 ⁽³⁾	40
RMF-24	4,000	40	20	20/25	5/3	10/5	80	0.60 ⁽³⁾	40
R-O	5,000	50	20	20/25	5/5	10/5	70	0.40	35
B-1	10,000	50	N/A	20/25	0/0 ⁽⁵⁾	15/15	N/A	0.50	40
B-2	N/A	N/A	N/A	15/25 ⁽⁷⁾	0/0 ⁽⁵⁾	0/0 ⁽⁶⁾	N/A	4.00	65 ⁽⁴⁾
C-1	0.5 Acre	50	N/A	15/25	0/0 ⁽⁵⁾	10/10	N/A	1.00	40 ⁽⁶⁾
C-2	0.5 Acre	50	N/A	15/25	0/0 ⁽⁵⁾	10/10	N/A	2.00	40
I-0	1 Acre	100	N/A	15/25	15/15	25/25	N/A	0.75	40 ⁽⁶⁾

Zoning District	Minimum Lot Size		Minimum Street Frontage (ft.)	Setbacks ⁽¹⁾ (Principal/Accessory Building)			Max. Lot Coverage (%)	Max. FAR	Max. Height (ft.)
	Area (sq. ft.)	Width (ft.)		Front ⁽⁸⁾ (ft.)	Side (ft.)	Rear ⁽⁸⁾ (ft.)			
See Section	3.2.B	3.2.C	3.2.D	3.2.E	3.2.E	3.2.E	3.2.F	3.2.G	3.2.H
I-1	1 Acre	100	N/A	15/25	5/5 ⁽⁵⁾	10/10	N/A	2.00	40

Zoning District	Minimum Lot Size		Minimum Street Frontage (ft.)	Minimum Setbacks ⁽¹⁾ (Principal/Accessory Building)			Max. Lot Coverage (%)	Max. FAR	Max. Height (ft.)
	Area (sq. ft.)	Width (ft.)		Front ⁽⁸⁾ (ft.)	Side (ft.)	Rear ⁽⁸⁾ (ft.)			
See Section	3.2.B	3.2.C	3.2.D	3.2.E	3.2.E	3.2.E	3.2.F	3.2.G	3.2.H
<u>I-2</u>	1 Acre	100	N/A	15/25	0/0	10/10	N/A	2.00	40
<u>CSR</u>	1 Acre	100	N/A	15/25	5/5	10/5	N/A	1.00	65 ⁽⁴⁾
<u>M-U</u>	1 Acre	100	N/A	15/25	15/15	25/25	N/A	0.5	40 ⁽⁹⁾

GENERAL NOTE: See the Alternative Residential Development Standards of Chapter Five for additional information regarding flagpole lots, attached housing, zero lot line and cluster development.

Footnotes:

⁽¹⁾ Minimum front yard setback for garage, carport or other vehicle storage space (principal and accessory) shall be 20 feet, measured from the storage entrance to the property line.

⁽²⁾ Minimum street frontage on cul-de-sac is 30 feet.

⁽³⁾ RSF-R through RMF-5, the FAR (Floor Area Ratio) applies only to non-residential uses; RMF-8 through RMF-24, the FAR applies to multi-family and non-residential uses.

⁽⁴⁾ Maximum height is 40 feet if adjacent to any residential zoning district.

⁽⁵⁾ 10/5 foot setback if abutting a residential zone or use.

⁽⁶⁾ Maximum height for structures in the C-1 and I-O zone districts which are along Horizon Drive and north of G Road (including Crossroad Boulevard and Horizon Court) shall be 65 feet.

⁽⁷⁾ Setbacks may be reduced to zero feet (0') by the Director if located within the downtown area.

⁽⁸⁾ The setback from the street along the rear half of a double frontage lot shall be the greater of the required front yard setback or the required rear yard setback.

⁽⁹⁾ Maximum building height may be increased up to 65 feet if the building front yard setbacks (**front, side and rear**) is are at least 1.5 times the overall height of the building. A minimum of 50 percent of the resulting front yard setback area must be landscaped per Code requirements.

Attach 21

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Alley Improvement District 2001, Phase A		
Meeting Date:	November 15th, 2000		
Date Prepared:	November 7th, 2000		
Author:	Rick Marcus	Real Estate Technician	
Presenter Name:	Rick Marcus	Real Estate Technician	
	Workshop	X	Formal Agenda

Subject: : Public Hearing and consideration of a Resolution Creating and Establishing Alley Improvement District ST-01, Phase A.

Summary: Petitions have been submitted requesting a Local Improvement District be created to reconstruct the following five alleys:

- East/West Alley from 8th to 9th, between Chipeta Avenue and Ouray Avenue
- East/West Alley from 9th to 10th, between Colorado Avenue and Ute Avenue
- East/West Alley from 10th to 11th, between Main Street and Colorado Avenue
- East/West Alley from 10th to 11th, between Hill Avenue and Teller Avenue
- “T” shaped Alley from 18th to 19th, between Elm Avenue and Bunting Avenue

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

Budget:

2001 Alley Budget	\$333,000
Estimated Cost to construct 2001 Phase A Alleys	\$254,250
Estimated Balance	\$78,750

Action Requested/Recommendation: Conduct public hearing/review and adopt proposed resolution.

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

SUMMARY SHEET

**PROPOSED ALLEY IMPROVEMENT DISTRICT
9th STREET TO 10th STREET
COLORADO AVENUE TO UTE AVENUE**

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
• ERTL ENTERPRISES	50.00	\$ 8.00	\$ 400.00
• REGINA & MARY YOST	50.00	\$ 8.00	\$ 400.00
• LENNY & LINDA HARTTER	50.00	\$15.00	\$ 750.00
LYLE DUMONT	25.00	\$ 8.00	\$ 200.00
ISABEL HERTEL (TRUST)	50.00	\$15.00	\$ 750.00
TIMOTHY NELSON & MAY BOSSON	50.00	\$ 8.00	\$ 400.00
• DARREN COOK	62.50	\$15.00	\$ 937.50
MIYOUNG & TODD TAYLOR	62.50	\$15.00	\$ 937.50
• SCHOOL DISTRICT 51	400.00	\$31.50	<u>\$12,600.00</u>
TOTAL			\$17,375.00
ASSESSABLE FOOTAGE	800.00		

Estimated Cost to Construct	\$ 40,500.00
Absolute Cost to Owners	<u>\$ 17,375.00</u>
Estimated Cost to City	\$ 23,125.00

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

- **Indicates Property Owners Signing Petition = 5/9 or 56% of Owners & 77% of Abutting Footage**

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT 10th STREET TO 11th STREET MAIN STREET TO COLORADO AVENUE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
1021 MAIN ENTERPRISES	50.00	\$31.50	\$1,575.00
• GENEVIEVE HARRIS (TRUSTEE)	50.00	\$31.50	\$1,575.00
• CYNTHIA HAND-TREECE & MARILYNN HAND HOEPF	50.00	\$ 8.00	\$ 400.00
• ADAM PATE	50.00	\$ 8.00	\$ 400.00
• KATHERINE MONROE & ANTHONY BOGART	50.00	\$ 8.00	\$ 400.00
• MESA TRAVEL SERVICE	50.00	\$31.50	\$1,575.00
ED MIGUES & NITA KRONINGER	50.00	\$ 8.00	\$ 400.00
IRIS & JAMES JOHNS	50.00	\$ 8.00	\$ 400.00
• DANIEL BROWN & MAX MORRIS	50.00	\$ 8.00	\$ 400.00
RICHARD JONES	100.00	\$15.00	\$1,500.00
RICHARD & MARY JONES	50.00	\$ 8.00	\$ 400.00
• WELLS PROPERTIES, INC	50.00	\$ 15.00	\$ 750.00
• DANIEL BROWN AND MAX MORRIS	50.00	\$ 8.00	\$ 400.00
HILLTOP HEALTH SERVICES	100.00	\$31.50	<u>\$3,150.00</u>
TOTAL			\$13,325.00
ASSESSABLE FOOTAGE	800.00		

Estimated Cost to Construct	\$ 40,500.00
Absolute Cost to Owners	\$ <u>13,325.00</u>
Estimated Cost to City	\$ 27,175.00

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

- Indicates Property Owners Signing Petition = 8/14 or 57% of Owners & 50% of Abutting Footage

Resolution No. _____

**CREATING AND ESTABLISHING
ALLEY IMPROVEMENT DISTRICT NO. ST-01, PHASE A,
WITHIN THE CORPORATE LIMITS OF THE CITY OF GRAND JUNCTION,
COLORADO, AUTHORIZING THE RECONSTRUCTION OF CERTAIN ALLEYS,
ADOPTING DETAILS, PLANS AND SPECIFICATIONS FOR THE PAVING
THEREON AND PROVIDING FOR THE PAYMENT THEREOF**

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

- East/West Alley from 8th to 9th, between Chipeta Avenue and Ouray Avenue
- East/West Alley from 9th to 10th, between Colorado Avenue and Ute Avenue
- East/West Alley from 10th to 11th, between Main Street and Colorado Avenue
- East/West Alley from 10th to 11th, between Hill Avenue and Teller Avenue
- "T" shaped Alley from 18th to 19th, between Elm Avenue and Bunting Avenue

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

WHEREAS, on the 4th day of October, 2000, the City Council of the City of Grand Junction, Colorado, passed a Resolution Stating its Intent to Create Alley Improvement District No. ST-01, Phase A, Authorizing the City Engineer to prepare full details, plans and specifications for the paving thereon together with a map of the District to be assessed, and Authorizing Notice of Intention to Create said District; and

WHEREAS, the City Engineer has fully and strictly complied with the directions so given, and has filed such specifications and map, all in accordance with said Resolution and the requirements of Ordinance No. 178, as amended, of said City; and

WHEREAS, Notice of Intention to Create said District was duly published.

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

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

LOTS 1 through 32, inclusive, Block 63, of the City of Grand Junction;
AND ALSO, LOTS 1 through 32, inclusive, Block 130, of the City of Grand Junction;
AND ALSO, LOTS 1 through 32, inclusive, Block 112, of the City of Grand Junction;
AND ALSO, South ½ of Lots 1 through 4, inclusive, Block 24; and all of Lots 5 through 32, inclusive, Block 24, of the City of Grand Junction;
AND ALSO, LOTS 1 through 25, inclusive, Block 5, Elmwood Plaza Refile.
All in the City of Grand Junction, and Mesa County, Colorado.

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

3. That the assessments to be levied against and upon each respective property which is part of the District Lands shall be determined by multiplying the linear footage that each respective property abuts the alley right-of-way by the appropriate Residential Single-Family, Residential Multi-Family or Non-Residential assessment rate as defined by City Resolution No. 16-97, passed and adopted on the 17th day of February, 1997, and as established by City Resolution No. 57-99, passed and adopted on the 21st day of April, 1999, as follows:

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

(b) The Residential Multi-Family assessment rate shall be \$15.00 per each linear foot of property abutting the alley right-of-way. The Residential Multi-Family assessment rate shall apply to all properties having a structure or structures which are arranged, designed and intended to be the residence of more than one housekeeping unit independent of other housekeeping units, and properties which are necessary for and appurtenant to the use and occupancy of multi-family residential uses, such as parking lots, clubhouses and recreation facilities, and all vacant properties located within a multi-family residential zone;

(c) The Non-Residential assessment rate shall be \$31.50 per each linear foot of property abutting the alley right-of-way. Except as provided in Section 2(d) below, the Non-Residential assessment rate shall apply to all properties which are used and occupied for any purpose other than single-family or multi-family residential purposes, and all vacant properties located within any zone other than residential;

(d) Properties from which a business or commercial use is conducted (“home occupation”) which also serve as a single-family or multi-family residence may be assessed the applicable single-family or multi-family assessment rate if such home occupation conforms with or has been authorized by the Zoning and Development Code of the City;

(e) Pursuant to City Resolution No. 61-90, passed and adopted on 19th day of September, 1990, properties having alley frontage on more than one side shall be assessed the applicable assessment rate for the frontage on the longest side only.

(f) The assessment rates described above shall be applicable as of the date of the final reading of the assessing ordinance.

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

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

Dated at Grand Junction, Colorado, this 15th day of November, 2000.

BY ORDER OF THE CITY COUNCIL

CITY OF GRAND JUNCTION, COLORADO

By: _____
City Clerk

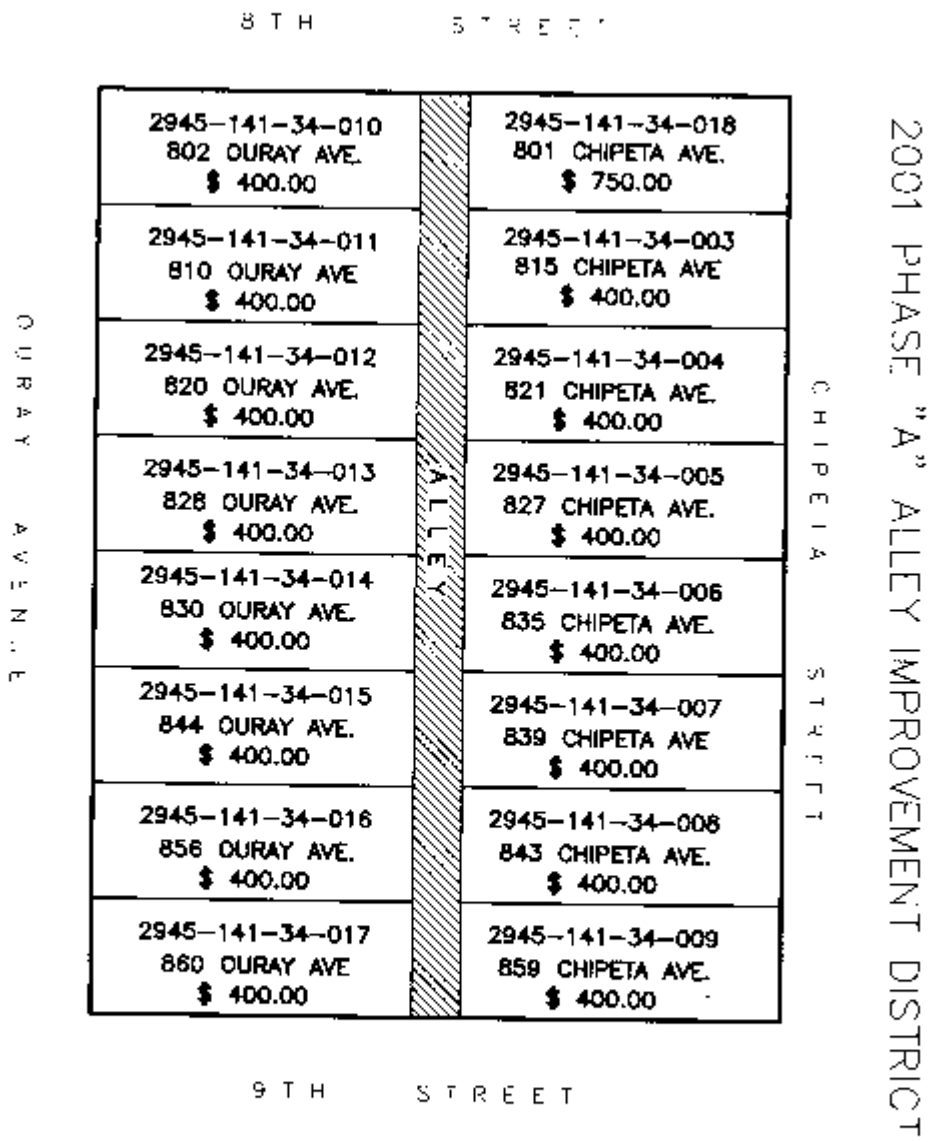
PASSED and **ADOPTED** this 15th day of November, 2000.

President of the Council

Attest:

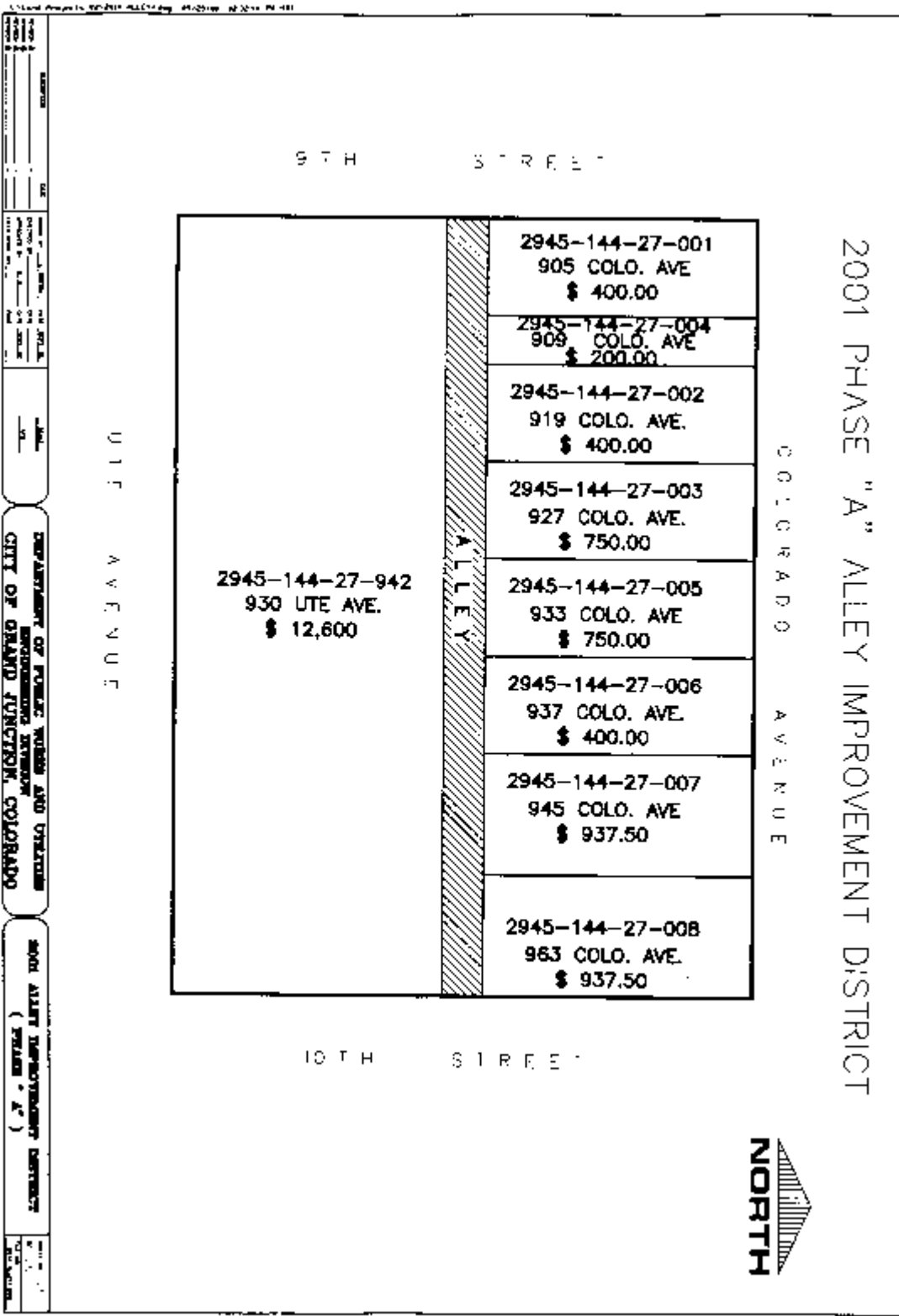
City Clerk

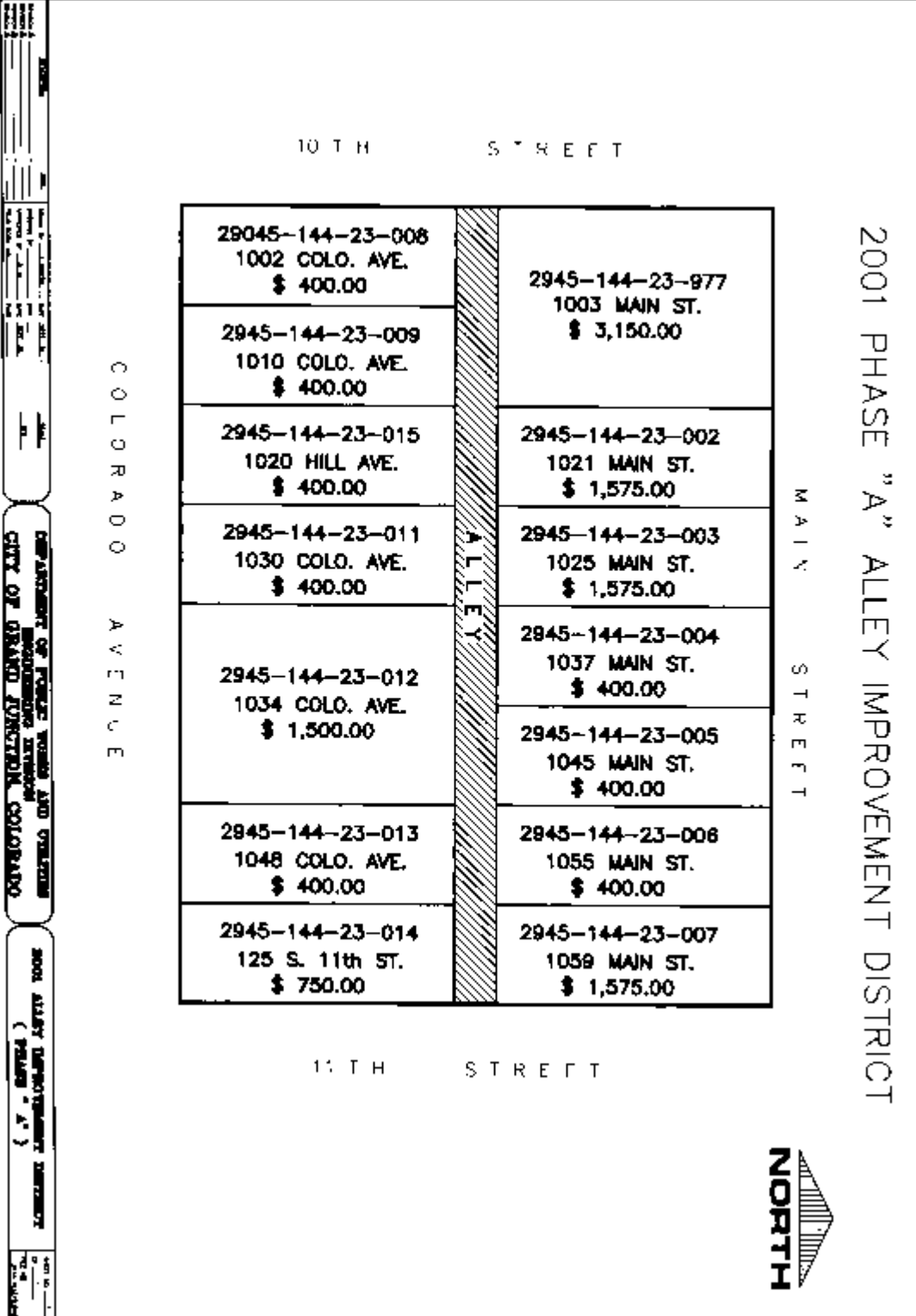
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2001 PHASE "A" ALLEY IMPROVEMENT DISTRICT



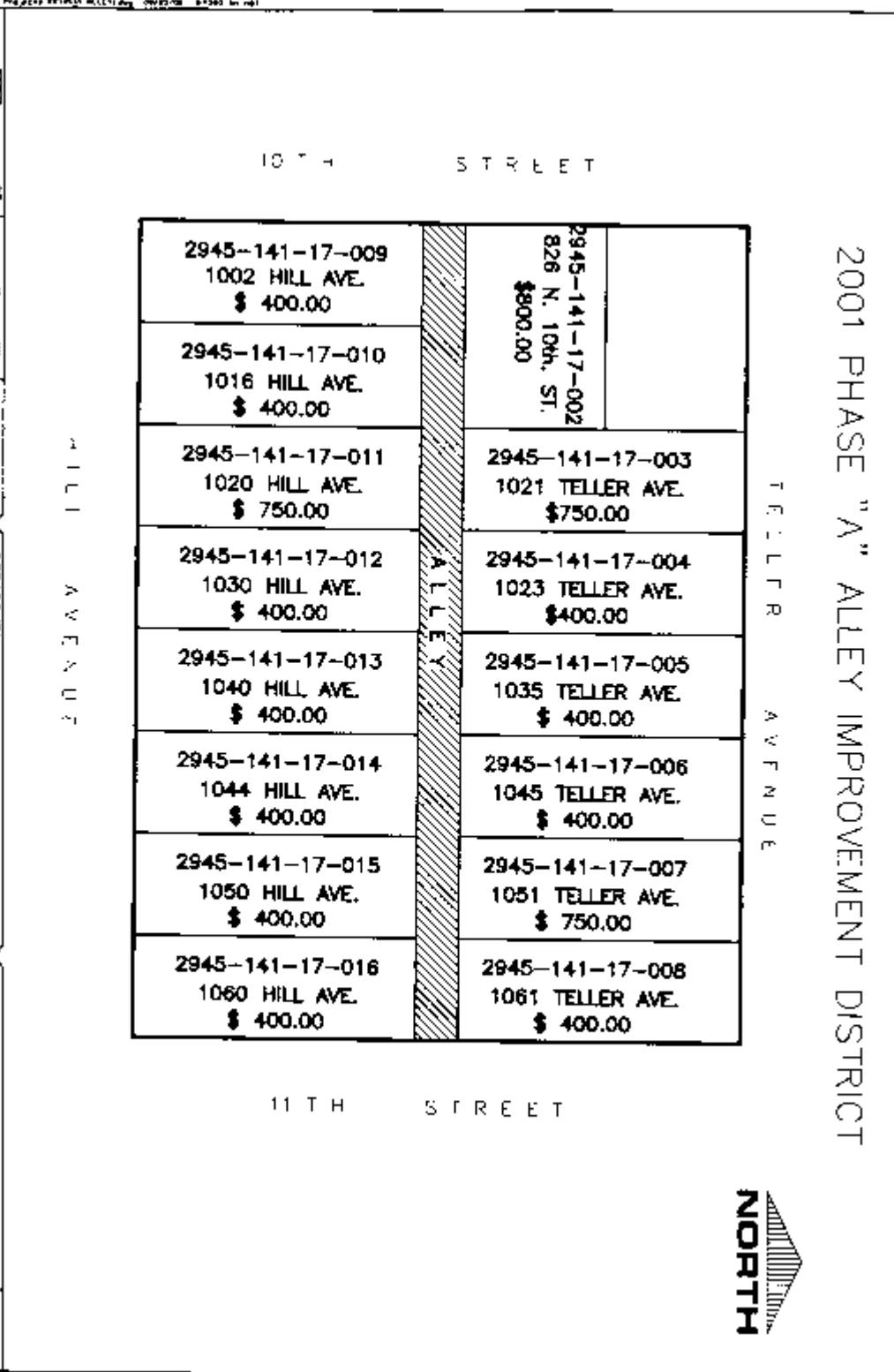




2001 PHASE "A" ALLEY IMPROVEMENT DISTRICT

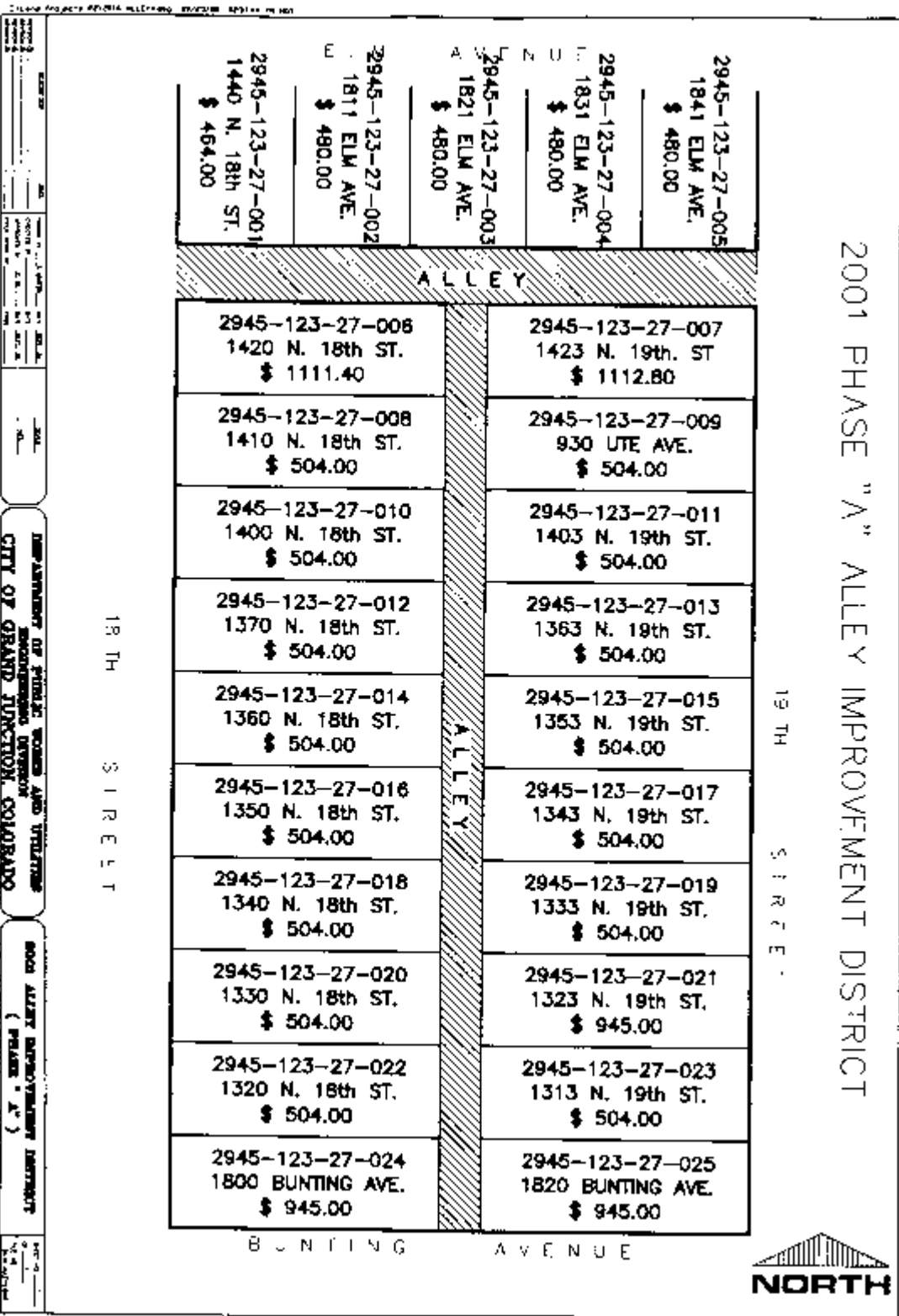


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 2945-141-17-008



2001 PHASE "A" ALLEY IMPROVEMENT DISTRICT





CITY OF GRAND JUNCTION, COLORADO
 DEPARTMENT OF PUBLIC WORKS AND UTILITIES
 ENGINEERING DIVISION
 800 ALBERT BERNHARDT BLVD.
 GRAND JUNCTION, CO 81505

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

CITY COUNCIL		
Subject:	Vacating the remainder of east/west alley right-of-way, retaining the 20 foot utility easement, between Grand Avenue and Ouray Avenue; and vacating the north/south alleyway extending from Grand Avenue to the east/west alley, previously described.	
Meeting Date:	November 1, 2000 (continued to November 15, 2000)	
Date Prepared:	November 6, 2000	
Author:	Lori V. Bowers	Associate Planner
Presenter Name:	Lori V. Bowers	
	Workshop	X Formal Agenda

Subject: The Mesa County Public Library, represented by John Potter of Blythe Design, is requesting approval of the ordinance to vacate the remainder of the east/west alleyway, located between Ouray Avenue and Grand Avenue, to North Fifth Street, and retain the 20-foot wide utility easement in this alley right-of-way; and also vacate the north/south portion of the alley, recorded at Book 1003, Page 162. The remainder of the alley was previously vacated and recorded at Book 1003, Page 161.

Background Information: See Attached

Budget: N/A

Action Requested/Recommendation: First reading of the ordinance to vacate 2 alley right-of-ways for Mesa County Public Library parking lot expansion.

Citizen Presentation:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes If Yes,
Name:	John Potter, Blythe Design, representative for library				
Purpose:					

Report results back to Council:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes When:
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Placement on Agenda:	X	Consent		Indiv. Consideration		Workshop
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CITY OF GRAND JUNCTION

MEETING DATE: November 15, 2000
(Continued from November 1, 2000)

CITY COUNCIL

STAFF PRESENTATION: Lori V. Bowers

AGENDA TOPIC: Second reading of an ordinance to vacate the alley right-of-ways for the Mesa County Public Library parking lot expansion, file # VR-2000-149.

SUMMARY: The Mesa County Public Library, represented by John Potter of Blythe Design, is requesting approval of the ordinance to vacate the remainder of the east/west alleyway, located between Ouray Avenue and Grand Avenue, to North Fifth Street, and retain the 20-foot wide utility easement in this alley right-of-way; and also vacate the north/south portion of the alley, recorded at Book 1003, Page 162. The remainder of the alley was previously vacated and recorded at Book 1003, Page 161.

ACTION REQUESTED: Second reading of the ordinance vacating the remainder of east/west alley right-of-way, retaining the 20 foot utility easement, between Grand Avenue and Ouray Avenue; and vacating the north/south alleyway extending from Grand Avenue to the east/west alley, previously described.

BACKGROUND INFORMATION		
Location:		502 Grand Avenue (NE corner of 5 th and Grand)
Applicants:		Mesa County Public Library Blythe Design, Representative
Existing Land Use:		Alley at Mesa County Library
Proposed Land Use:		Parking lot
Surrounding Land Use:	North	Single family residential
	South	<u>Office</u>
	East	Title Company
	West	<u>Church and parking lot</u>
Existing Zoning:		B-1 (Neighborhood Business)
Proposed Zoning:		B-1 (Neighborhood Business)
Surrounding	North	B-1 (Neighborhood Business)

Zoning:	South	B-2 (Downtown Business)		
	East	RMF-16 (Residential Multi-family) & B-1 (Downtown Business)		
	West	B-1 (Neighborhood Business)		
Growth Plan Designation:		Commercial		
Zoning within density range?	N/A	Yes		No

Project Analysis:

Right-of-Way Vacation: The applicants are requesting that the City Council approve the ordinance for the vacation of the remaining alley that runs in an east/west direction between Ouray Avenue and Grand Avenue. The other portion of the alley runs in a north/south direction off of Grand Avenue. A portion of the east/west alley had been previously vacated at Book 1003, Page 161. The vacation of the alley right-of-way will provide more development options for the future expansion of the Mesa County Public Library. A 20-foot wide utility easement will be retained in the east/west section of the alley right-of-way. At this time the applicants are planning a paved parking lot on the site of the old gas station.

Vacation of Right-of-Way Criteria:

The vacation of the right-of-way must be reviewed for conformance with the criteria established by Section 2.11 of the Zoning and Development Code, as follows:

1. The Growth Plan, major street plan and other adopted plans and policies of the City;
The proposed vacation has no impact on the Growth Plan, major street plan or other adopted plans and policies of the City.
2. No parcel shall be landlocked as a result of the vacation;
The vacation does not affect access to any of the properties involved or adjacent properties.
3. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive, or reduces or devalues any property affected by the proposed vacation:
The vacation will not affect access to any properties or devalue any property.
4. There shall be no adverse impacts on the health, safety, and/or welfare of the general community, and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g. police/fire protection and utility services);

There will not be an impact to health, safety and/or welfare. The existing 20-foot utility easement that runs in the east/west direction will remain.

5. The provisions of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of this Code; and
The proposed vacation will not prevent adequate services to adjacent properties as required by the Code.
6. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, ect.
The proposed vacation will have no affect on maintenance requirements or traffic circulation.

Site Plan Review:

The proposed site plan for the parking lot expansion is currently under review. Staff is currently reviewing the construction documents. A 14-foot multi-purpose easement is being provided along the western most edge of the property. This proposal will not vacate the 20-foot wide utility easement that runs in the east/west portion of the alley.

STAFF RECOMMENDATION:

Staff and Planning Commission recommend approval of the two alley right-of-way vacations for the Mesa County Public Library.

PLANNING COMMISSION RECOMMENDATION:

Approval

Attachments:

- a. Ordinance
- b. Location Map

CITY OF GRAND JUNCTION, COLORADO

Ordinance No. _____

VACATING THE REMAINING EAST-WEST ALLEY RIGHT-OF-WAY BETWEEN GRAND AVENUE AND OURAY AVENUE, RETAINING THE 20 FOOT UTILITY EASEMENT, AND VACATING THE NORTH-SOUTH ALLEY RIGHT-OF-WAY FROM GRAND AVENUE TO A PORTION OF THE ALLEY

Recitals:

The Planning Commission at their October 10, 2000, meeting recommended approval of the vacation of the remaining east-west alley right-of-way between Grand Avenue and Ouray Avenue, retaining the 20-foot utility easement, and vacating the north-south alley right-of-way from Grand Avenue to the portion of the alley, recorded at Book 1003, Page 162. The remainder of the alley was previously vacated and recorded at Book 1003, Page 161. The City Council hereby finds that the vacation of the right-of-way is in compliance with the criteria set forth in Section 2.11 of the Zoning and Development Code.

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

That the land described below, known as the east-west alley right-of-way, is hereby vacated and a 20-foot wide multi-purpose utility easement is retained and the north-south alley right-of-way is hereby vacated:

A parcel of land being part of the alley located in Block 73, City of Grand Junction, Mesa County Colorado, being more particularly described as follows:

Beginning at the Northwest corner of Lot 32, Block 73 City of Grand Junction; Thence North 00 degrees 02 minutes 56 seconds West, along the East right-of-way line of North Fifth Street, a distance of 20.00 feet to the Southwest corner of Lot 1 of said Block 73; Thence North 89 degrees 59 minutes 50 seconds East, along the Northerly line of the alley, a distance of 100.39 feet to the Southeast corner of Lot 4 of said Block 73; Thence South 00 degrees 03 minutes 18 seconds East, a distance 20.00 feet to the Northeast corner of Lot 29; Thence South 00 degrees 03 minutes 18 seconds East, along the East line of Lot 29, a distance of 150.47 feet to the Southeast corner of Lot 29 of said Block 73; Thence North 90 degrees 00 minutes 00 seconds West, along the Northerly right-of-way line of Grand Avenue, a distance of 20.00 feet; Thence North 00 degrees 03 minutes 18 seconds West, a distance of 150.46 feet; Thence South 89

degrees 59 minutes 50 seconds West, along the South line of the existing alley, a distance of 80.40 feet to the POINT OF BEGINNING.

Basis of Bearing:

The 20-foot range line in Grand Avenue between North Sixth Street and North Fifth Street (both corners are in monument boxes). Said line bears North 90 degrees 00 minutes 00 West, a distance of 481.66 feet (bearing assumed).

INTRODUCED for FIRST READING and PUBLICATION this 1st day of November, 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>		
Subject:	Omega Business Park II Vacation of Easement, Second Reading of Ordinance	
Meeting Date:	November 15, 2000	
Date Prepared:	November 6, 2000	
Author:	Joe Carter	Associate Planner
Presenter Name:	Joe Carter	Associate Planner
Workshop	X	Formal Agenda

Subject: Vacation of Easement, VE-2000-161

Summary: The Petitioner, Conquest Developments, LLC, is requesting the vacation of a 25' ingress-egress and utility easement, as shown on the plat of Omega Business Park, Book 12, Pages 421-422. At the October 10, 2000 public hearing, the Planning Commission forwarded a recommendation of approval to the City Council.

Background Information: See Attached

Budget: N/A

Action Requested/Recommendation: Second reading of the ordinance to vacate a 25' ingress-egress and utility easement.

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

Report results back to Council:	X	No	Yes	When:	
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Placement on Agenda:	Consent	X	Indiv. Consideration	Workshop
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BACKGROUND INFORMATION				
Location:		Northeast Corner of 28 Road and Bunting Ave.		
Applicants:		Conquest Developments, LLC, Petitioner Trevor Brown, Representative		
Existing Land Use:		Vacant		
Proposed Land Use:		Commercial Subdivision		
Surrounding Land Use:	North	Residential		
	South	<u>Commercial</u>		
	East	<u>Residential</u>		
	West	Residential and Commercial		
Existing Zoning:		B-1, Neighborhood Business		
Proposed Zoning:		N/A		
Surrounding Zoning:	North	RMF-8 (City)		
	South	C-1 (City)		
	East	RMF-8 (City)		
	West	RMF-8 (City) and C-1 (City)		
Growth Plan Designation:		Commercial		
Zoning within density range?		N/A	Yes	No

Project Analysis

The petitioners are requesting the City Council approve the Ordinance for the vacation of a 25' wide ingress-egress and utility easement.

The applicant's proposal includes a replat of 8 lots and 8 tracts that will be combined into two lots for neighborhood business use.

Accesses for both Lots 1 and 2 will be provided off of Bunting Avenue as shown on the plat. The replat of Lot 2 will result in a Site Plan Review and Conditional Use Permit for Coloramo Federal Credit Union.

The ingress-egress and utility easement was originally created to serve the Omega Business Park Planned Development that was approved in the early 1980's. With the proposed replat of the 8 lots and 8 tracts into two lots, this access and utility easements are no longer needed.

Road Improvements are required along Bunting Avenue. The applicants will be providing left and right turning lanes at the intersection of 28 Road and Bunting Avenue as well as providing a striped left turning lane into Lot 2 along Bunting Avenue. Additionally, the applicants will be closing a non-functioning curb cut along 28 Road.

Staff Analysis:

The vacations must meet several criteria as set forth in Section 8-3 of the 'old' Zoning and Development Code (June 1997). The response to these criteria is listed below:

Landlocking – The vacation of these easements will not landlock any parcel of land. All of the lots proposed with the associated replat have suitable access from Bunting Avenue.

Restrictive Access – The vacation of these easements will not restrict access to any parcel of land.

Quality of Services – The proposed vacation of these easements will not have any adverse impacts on health, safety, and/or welfare of the community and does not reduce the quality of public services provided to any parcel of land.

Adopted Plans and Policies – There are no adopted plans and policies pertinent to this type of vacation request.

Benefits to the City – There will be no effective change to the City. The City of Grand Junction will realize the benefit of creating two large neighborhood business parcels of land in an existing urban setting. Through the vacation of these easements and the associated replat of the 8 lots and 8 tracts of land, the parcels will provide a suitable transition from the commercial uses designated along North Avenue and the residential uses to the north, east and west of this project.

Findings of Review:

The vacations must meet the criteria as set forth in Section 8.3 of the 'old' Zoning and Development Code (June 1997). Staff has determined that the project meets the criteria for an easement vacation.

Planning Commission Recommendation:

On item VE-2000-161, the Planning Commission, upon finding the project Consistent with the Growth Plan and Section 8.3 of the Zoning and Development Code, recommended the City Council accept the Ordinance to vacate a 25' ingress-egress and utility easement for Omega Business Park II.

Attachments:

- a. Ordinance
- b. Composite Site Plan
- c. Plat
- d. Aerial Map

CITY OF GRAND JUNCTION, COLORADO

Ordinance No. _____

**VACATING THE INGRESS-EGRESS EASEMENT AND UTILITY EASEMENT
AS SHOWN ON THE PLAT OF OMEGA BUSINESS PARK,
RECORDED AT PLAT BOOK 12, PAGES 421-422**

Recitals:

The Planning Commission at their October 10, 2000, meeting recommended approval of the vacation of the ingress-egress and utility easement as shown on the plat of Omega Business Park, recorded in Plat Book 12, pages 421-422, said easement situate in Tract C through Tract J, inclusive of said Omega Business Park. The City Council hereby finds that the vacation of the right-of-way is in compliance with the criteria set forth in Section 8.3 of the 'old' Zoning and Development Code.

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

That the land described below, known as the 25' ingress-egress easement and utility easement, is hereby vacated:

An existing ingress-egress and utility easement, twenty-five feet in width, as shown on the plat of Omega Business Park, recorded in Plat Book 12 at pages 421-422, Mesa County Clerk and Recorder, said easement situate in Tract C through Tract J, inclusive, of said Omega Business Park, and being more particularly described as follows:

Commencing at the N.W. Corner of the SW1/4 SW1/4 of Section 7, Township One South, Range One East of the Ute Meridian, Mesa County, Colorado, thence S26°43'13"E 699.71 feet to the point of beginning; thence the following:

1. S89°54'22"E 25.00 feet;
2. N00°05'38"E 106.45 feet;
3. S89°55'23"E 22.00 feet;
4. S00°05'38"W 106.45 feet;
5. S89°54'22"E 25.00 feet;
6. N00°05'38"E 106.45 feet;
7. N00°04'37"E 356.49 feet;
8. N89°55'23"W 75.38 feet;
9. S00°02'46"W 25.00 feet;
10. S89°55'23"E 50.38 feet;
11. S00°04'37"W 306.50 feet;

- 12. N89°55'23"W 157.00 feet;
- 13. N00°04'37"E 115.69 feet;
- 14. S90°00'00"W 25.00 feet;
- 15. S00°04'37"W 140.64 feet;
- 16. S89°55'23"E 135.00 feet;
- 17. S00°05'38"W 106.44 feet to the beginning.

INTRODUCED for FIRST READING and PUBLICATION this ____ day of _____, 2000.

PASSED on SECOND READING this _____ day of _____, 2000.

ATTEST:

City Clerk

President of the Council

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Indecent Exposure ordinance		
Meeting Date:	November 15, 2000		
Date Prepared:	October 24, 2000		
Author:	Stephanie Rubinstein	Staff City Attorney	
Presenter Name:	Stephanie Rubinstein	Staff City Attorney	
	Workshop	xx	Formal Agenda

Subject: Clarification of Indecent Exposure ordinance.

Summary: The words “intimate parts” were inadvertently left out of the “Indecent Exposure” ordinance passed last year. While the intent of Council was clear at the time, and through context, the ordinance is clear, for absolute clarity, these words were included into the ordinance.

Background Information: A typographical error was discovered to the “Indecent Exposure” ordinance, where a phrase was inadvertently left out. The sentence does not make sense without these words, and the intent of Council was clear at the time of adoption of the meaning of the ordinance, that it shall be an indecent exposure if a person exposes his or her own intimate parts, as defined by the ordinance. This mistake was temporarily fixed by the administrative action of City Clerk, Stephanie Nye, by changing the punctuation to the sentence on October 18, 2000, however, to make the ordinance more readable, this ordinance is requested.

Budget: None

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

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

Placement on Agenda:		Consent	X	Indiv. Consideration		Workshop
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ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 24, SECTION 18 OF THE
CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO
REGARDING INDECENT EXPOSURE**

RECITALS: On November 3, 1999, an amendment to the "Indecent exposure" ordinance was passed. Since that time, a typographical error was discovered, which created a fragment of a sentence which did not make sense. On October 18, 2000, City Clerk Stephanie Nye, pursuant to Section 1-10(5) made a slight change to the ordinance by administrative action. This ordinance will clarify that mistake by adding in the words which are missing and fulfilling the intent of Council to create a violation of law when a person's exposed his or her own intimate parts.

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

Section 24-18 of the Code of Ordinances of the City of Grand Junction, be amended as follows:

That the following emphasized language be added to Sec. 24-18 (3) to read:

(3) To willfully or knowingly: be nude; wear any indecent or lewd dress; make or perform any indecent exposure of such person's *intimate parts*; or to make or perform any indecent exposure of the intimate parts of another person. For the purposes of this ordinance: "Intimate Parts" means the external genitalia, the anus, the buttocks, the pubes or the breast or breasts of any person.

Introduced this 1st day of November, 2000.

Passed and adopted this _____ day of _____, 2000.

President of the Council

ATTEST:

City Clerk

Attach 23

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Trolley Park Subdivision Easement Vacation		
Meeting Date:	November 1, 2000		
Date Prepared:	October 12, 2000		
Author:	Patricia Parish	Associate Planner	
Presenter Name:	Patricia Parish	Associate Planner	
	Workshop	X	Formal Agenda

Subject: Vacation of an Easement, File # VE-2000-160

Summary: The Petitioner is requesting vacation of a utility and drainage easement (varies between 15' and 20') along the south side of Trolley Park Subdivision, located at 552 25 Road. At the October 10, 2000 hearing, the Planning Commission forwarded a positive recommendation to City Council.

Background Information: See attached.

Budget: N/A

Action Requested/Recommendation: It is recommended that City Council accept the Resolution to Vacate a Utility and Drainage Easement along the south property line of Trolley Park Subdivision, located at 552 25 Road.

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

Report results back to Council:	X	No	Yes	When:	
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Placement on Agenda:	X	Consent	Indiv. Consideration	Workshop
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BACKGROUND INFORMATION					
Location:		552 25 Road			
Applicants:		Douglas Smith, Big S, LLC – Owner Chris McCallum, TPI Ind., Inc-Developer David Smuin, HydroTerra Inc- Representative			
Existing Land Use:		Vacant Lot			
Proposed Land Use:		Industrial Building			
Surrounding Land Use:	North	General Commercial			
	South	General Commercial			
	East	Vacant			
	West	General Commercial			
Existing Zoning:		C-2			
Proposed Zoning:		Same			
Surrounding Zoning:	North	C-2 (General Commercial)			
	South	C-2 (General Commercial)			
	East	C-2 (General Commercial)			
	West	C-2 (General Commercial)			
Growth Plan Designation:		Commercial Industrial			
Zoning within density range?		X	Yes		No

Project Background/Summary:

The applicant is requesting vacation of the utility and drainage easement along the south side of Trolley Park Subdivision (see Attachment 2). Concurrently, a site plan review is being conducted for a new building to expand the Secret Auto Body business within Lot 3 of Trolley Park Subdivision located at 552 25 Road. Utility lines already exist in the Trolley Court Common Tract, a private road that acts as an access to Lots 1-4. The Grand Junction Drainage District has no owned interest of record in the drainage ditch easement and Public Service has expressed no objections.

Staff Analysis:

The vacation of the easement must be reviewed for conformance with the criteria established by Section 2.11 of the Zoning and Development Code, as follows:

4. The Growth Plan, major street plan and other adopted plans and policies of the City;
The proposed vacation has no impact on the Growth Plan, major street plan or other adopted plans and policies of the City.
5. No parcel shall be landlocked as a result of the vacation;
The vacation does not affect access to any of the properties involved or adjacent properties.
6. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive, or reduces or devalues any property affected by the proposed vacation:
The vacation will not affect access to any properties or devalue any property.
7. There shall be no adverse impacts on the health, safety, and/or welfare of the general community, and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g. police/fire protection and utility services);
There will not be an impact to health, safety and/or welfare.
8. The provisions of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of this Code; and
The proposed vacation will not prevent adequate services to adjacent properties as required by the Code. According to the Petitioner, the utilities to the Lots of Trolley Park Subdivision have already been installed.
9. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.
The proposed vacation will have no affect on maintenance requirements or traffic circulation.

Findings of Review:

The vacations must meet several criteria as set forth in Section 2.11 of the Zoning and Development Code. Staff has determined that the project meets the criteria for an easement vacation.

STAFF RECOMMENDATION: Approval

PLANNING COMMISSION MOTION: On Item VE-2000-160, forwarded a positive recommendation to the City Council to accept the Resolution to Vacate a Utility and Drainage Easement along the south property line of the Trolley Park Subdivision.

Attachments:

1. Resolution
2. Site Plan/ Landscape Plan
3. Aerial Map

CITY OF GRAND JUNCTION

Resolution No.

**VACATING A UTILITY AND DRAINAGE EASEMENT
(TROLLEY PARK SUBDIVISION)**

Recitals:

This resolution vacates a 15 foot wide utility and drainage easement across the south property line of Lot 3 of Trolley Park Subdivision and a 20 foot wide utility and drainage easement across the south portion of the Common Parking Tract and the south property line of Lot 4 of Trolley Park Subdivision, located at 552 25 Road. All relevant utility and drainage companies have agreed to the vacation and the Staff recommends approval.

The Planning Commission has heard and considered the request and found that the criteria of the Code has been met. The Planning Commission recommends that the vacation be approved.

NOW, THERE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT;

1. The following described easement is hereby vacated:

A 15 foot wide utility and drainage easement across Lot 3 of Trolley Park Subdivision situated in the NW 1/4, SW 1/4, of Section 10, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado, being more particularly described as follows:

Commencing at the southwest corner of lot 3 of said subdivision, being a found survey marker pin marked DH Surveys, the basis of bearing being N00o00'00"E to the northwest corner of said lot 3, being another found DH Surveys pin; with the southwest corner of said lot 3 as the point of beginning;

thence S89o 56'00"E a distance of 198.47 feet to the southeast corner of lot 3,

thence N00o04'00"E a distance of 7.31 feet to the southerly boundary of the Trolley Court common tract;

thence along an arc whose radius is 47 feet with an arc length of 27.27 ft and having a chord bearing N73o18'57"W and a chord length of 26.89 feet to another point on the southerly boundary of the Trolley Court common tract;

thence N89o56'00"W a distance of 172.72 feet to the west boundary of lot 3;

thence S00o00'00"W a distance of 15 feet to the point of beginning;

A 20 foot wide utility and drainage easement across Common Parking Tract and Lot 4 of Trolley Park Subdivision situated in the NW 1/4, SW 1/4, of Section 10, Township 1 South, Range 1

West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado, being more particularly described as follows:

Commencing at the southwest corner of lot 3 of said subdivision, being a found survey marker pin marked DH Surveys, the basis of bearing being N00o00'00"E to the northwest corner of said lot 3, being another found DH Surveys pin;
thence S89o 56'00"E a distance of 198.47 feet to the southeast corner of lot 3, being the point of beginning,
thence N00o04'00"E a distance of 7.31 feet to the southerly boundary of the Trolley Court common tract;
thence along an arc whose radius is 47 feet with an arc length of 35.36 ft and having a chord bearing N68o30'27"E and a chord length of 34.53 feet to another point on the southerly boundary of the Trolley Court common tract;
thence S89o56'00"E a distance of 309.96 feet to the east boundary of the slope maintenance and drainage easement for the Buthorn Drain Ditch;
thence S44o46'00"W a distance of 28.14 feet to the south boundary of Trolley Park Common Parking Tract;
thence N89o56'00"W a distance of 297.63 feet to the southeast corner of Lot 3, the point of beginning.

PASSED and ADOPTED this ___ day of _____, 2000.

ATTEST:

City Clerk

President of City Council

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

CITY COUNCIL			
Subject:	Purchase of Portion of River Road Trail property		
Meeting Date:	November 15, 2000 (continued from November 1, 2000 meeting)		
Date Prepared:	October 25, 2000		
Author:	Stephanie Rubinstein	Staff City Attorney	
Presenter Name:	Stephanie Rubinstein	Staff City Attorney	
	Workshop	Xx	Formal Agenda

Subject: River Road Trail purchase contract

Summary/Background Information: The City currently co-owns a portion of the River Road trail along with Stephen and Bobette McCallum. This contract will provide for the purchase of the property by the City, so that the City owns that portion of the property solely.

Budget: \$60,000 for the purchase of the property, and an additional cost, to be determined later, for drainage improvements to the property. This amount has been budgeted.

Action Requested/Recommendation: Authorization of the City Manager to sign the contract.

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

Report results back to Council:	X	No		Yes	When:	
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Placement on Agenda:	X	Consent		Indiv. Consideration		Workshop
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RESOLUTION NO. _____

A RESOLUTION ACCEPTING, ADOPTING AND AFFIRMING THE CONTRACT TO BUY AND SELL REAL AND PERSONAL PROPERTY BETWEEN THE CITY OF GRAND JUNCTION AND STEPHEN D. MCCALLUM AND BOBETTE D. MCCALLUM AND AUTHORIZING THE CITY MANAGER TO SIGN THE CONTRACT AS AN OFFICIAL ACT OF THE CITY OF GRAND JUNCTION

Recitals: The City and Stephen D. McCallum and Bobette D. McCallum have jointly negotiated a contract for the sale of a portion of the River Road Trail which has been co-owned by these parties.

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

That the City Council finds and determines that the purchase of that portion of River Road Trail, in the public interest and furthers the interest of the City and that City Manager Kelly Arnold is hereby authorized to sign the contract between the City of Grand Junction and Stephen D. McCallum and Bobette D. McCallum.

PASSED AND ADOPTED this __ day of November, 2000.

Attest:

Council

President of the

City Clerk

