

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

WEDNESDAY, APRIL 4, 2001, 7:30 P.M.

CALL TO ORDER

Pledge of Allegiance
Invocation - Eldon Coffey, Retired Minister
Veterans Administration Chaplain

RECOGNITIONS / PROCLAMATIONS

PROCLAMATION DECLARING APRIL 19, 2001 AS "ARBOR DAY" IN THE CITY OF GRAND JUNCTION

PRESENTATION OF CERTIFICATE OF APPOINTMENT TO NEWLY APPOINTED MEMBER OF THE VISITORS AND CONVENTION BUREAU BOARD OF DIRECTORS

CANVASS APRIL 3, 2001 ELECTION RESULTS

CITIZEN COMMENTS

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

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

Action: Approve the Minutes of the Special Meeting March 19, 2001, the Summary of the March 19, 2001 Workshop and the Minutes of the Regular Meeting March 21, 2001

2. **2001 4X4 Backhoe/Loader for Streets Division** [Attach 2](#)

The City purchased one unit from the same specifications last year. Honnen Equipment Co. of Grand Junction has agreed to supply this additional Backhoe/Loader at the same price as last year.

Action: Approve Purchase of One 2001 John Deere 410G 4X4 Backhoe/Loader from Honnen Equipment Company in the Amount of \$69,924

Staff presentation: Ron Watkins, Purchasing Manager
Chuck Leyden, Fleet & Facilities Manager

3. **Revised Purchasing Manual** [Attach 3](#)

As a Home Rule City under the State of Colorado Statutes, the City has the right to adopt its own written purchasing policies and procedures. City Council Resolution No. 61-97 requires Council approval for any change in the Purchasing Manual that affects the competitive bidding and approval requirements. Forms and processes can be modified with the approval of the City Manager.

Resolution No. 29-01 – A Resolution Adopting a Policies and Procedures Manual for Purchasing of Equipment, Materials, Supplies and Non-Personnel Services by the City of Grand Junction, Colorado

**Action: Adopt Resolution No. 29-01*

Staff presentation: Ron Watkins, Purchasing Manager
Ron Lappi, Administrative Services Director

4. **2001 Waterline Replacements** [Attach 4](#)

The following bids were received on March 27, 2001:

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
Palisade Constructors, Inc.	Palisade, CO	\$451,436.68
MA Concrete Construction	Grand Junction, CO	\$479,382.70
Engineer's Estimate		\$491,986.88

Action: Award Contract for 2001 Waterline Replacements to Palisade Constructors, Inc., in the Amount of \$451,436.68

Staff presentation: Greg Trainor, Utilities Manager

5. **Vacating a Utility Easement at 567 Rio Linda Lane** [File #VE-2001-035] [Attach 5](#)

The petitioner is requesting the vacation of a 10' utility easement. The project is located at 567 Rio Linda Lane in Loma Rio Subdivision. At the March 13, 2001 hearing, the Planning Commission forwarded a recommendation of approval to the City Council.

Resolution No. 30-01 – A Resolution Vacating a Utility Easement in Loma Rio Subdivision

**Action: Adopt Resolution No. 30-01*

Staff presentation: Joe Carter, Associate Planner

6. **Setting a Hearing on Vacating the Road Right-of-Way for Flower Street between Central Drive and G 3/8 Road** [File #VR-2001-037] [Attach 6](#)

The project petitioners are requesting the vacation of a road right-of-way that was dedicated via a recorded plat.

Proposed Ordinance Vacating a Portion of Flower Street Located South of Central Drive

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for April 18, 2001

Staff presentation: Pat Cecil, Development Services Supervisor

7. **Setting a Hearing on Snidow Annexation No. 1 and No. 2 Located at 3165 D Road** [File #ANX-2001-062] [Attach 7](#)

The 34.14-acre Snidow Annexation No. 1 and No. 2 consists of one parcel of land located at 3165 D Road and includes portions of the of the 29 5/8 Road and D Road rights-of-way.

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

Resolution No. 31-01 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation and Exercising Land Use Control – Snidow Annexation, a Serial Annexation Comprising Snidow Annexation No. 1 and Snidow Annexation No. 2 Located at 3165 D Road and Including a Portion of the 29 5/8 Road and D Road Rights-of-Way

**Action: Adopt Resolution No. 31-01 Setting a Hearing for May 16, 2001*

b. Set a Hearing on Annexation Ordinances

- (1) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Snidow Annexation No. 1, Approximately 13.78 Acres Located in the 29 5/8 Road and D Road Rights-of-Way
- (2) Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Snidow Annexation No. 2, Approximately 20.36 Acres Located at 3165 D Road and Including a Portion of the D Road Right-of-Way

Action: Adopt Proposed Ordinances on First Reading and Set a Hearing for May 16, 2001

Staff presentation: Pat Cecil, Development Services Supervisor

8. **Setting a Hearing on Gamble/Sage Annexation Located at 3070 I-70 Business Loop** [File #ANX-2001-043] [Attach 8](#)

The 10.78-acre Gamble/Sage Annexation located at 3070 I-70 Business Loop consists of one parcel of land approximately 6.06 acres in size. The remaining acreage is comprised of approximately 582.28 feet along E ¼ Road; 256.37 feet along I-70 B. There are no existing structures on the site. The owner of the property has signed a petition for annexation.

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

Resolution No. 32-01 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation and Exercising Land Use Control – Gamble/Sage Annexation Located at 3070 I-70 B

**Action: Adopt Resolution No. 32-01 Setting a Hearing for May 16, 2001*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Gamble/Sage Annexation, Approximately 10.78 Acres Located at 3070 I-70 B

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 16, 2001

Staff presentation: Lori Bowers, Associate Planner

9. **Setting a Hearing on Parham Annexation Located at 2960 D Road** [File #ANX-2001-061] [Attach 9](#)

The 14.53-acre Parham Annexation consists of one parcel of land located at 2960 D Road and includes a portion of D Road right-of-way.

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

Resolution No. 33-01 – A Resolution Referring a Petition to the City Council for the Annexation of Lands to the City of Grand Junction, Colorado, Setting a Hearing on Such Annexation and Exercising Land Use Control – Parham Annexation Located at 2960 D Road and Including a Portion of D Road Right-of-Way

**Action: Adopt Resolution No. 33-01 Setting a Hearing for May 16, 2001*

b. Set a Hearing on Annexation Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Parham Annexation, Approximately 14.53 Acres Located at 2960 D Road and Including a Portion of D Road Right-of-Way

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for May 16, 2001

Staff presentation: Lisa Gerstenberger, Senior Planner

10. **Setting a Hearing on Zoning Berthod Annexation, Located at 2982 Gunnison Avenue** [File #ANX-2001-033] [Attach 10](#)

First reading of the zoning ordinance for the Berthod Annexation located at 2982 Gunnison Avenue.

Proposed Ordinance Zoning the Berthod Annexation to Light Industrial (I-1), Located at 2982 Gunnison Avenue

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for April 18, 2001

Staff presentation: Patricia Parish, Associate Planner

11. **Conveyance of Lots 1-10, Block 122 to the City of Grand Junction by the Downtown Development Authority** [Attach 11](#)

The City is engaged in a remodeling project at the Two Rivers Convention Center. Construction of additional parking for Two Rivers is part of this project. To help implement the project, the Board of Directors of the Grand Junction, Colorado, Downtown Development Authority has voted to convey these lots to the City.

Resolution No. 34-01 – A Resolution Accepting a Warranty Deed for Lots 1-10, Block 122, City of Grand Junction, from the Downtown Development Authority

**Action: Adopt Resolution No. 34-01*

Staff presentation: Dan Wilson, City Attorney

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

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

12. **NON-SCHEDULED CITIZENS & VISITORS**
13. **OTHER BUSINESS**
14. **EXECUTIVE SESSION** to Discuss Property Negotiations for 159 Colorado Avenue and Several Other Properties
15. **ADJOURNMENT**

**Attach 1
Minutes of Previous Meetings**

**GRAND JUNCTION CITY COUNCIL
MINUTES OF SPECIAL MEETING**

March 19, 2001

The City Council of the City of Grand Junction convened into special session the 19th day of March 2001 at 7:00 pm at the City Auditorium. Those present were Cindy Enos-Martinez, Earl Payne, Jack Scott, Jim Spehar, Janet Terry, Reford Theobold, and President of the Council Gene Kinsey. Also present were City Manager Kelly Arnold, City Attorney Dan Wilson and City Clerk Stephanie Nye.

Mayor Kinsey announced that since a meeting for public input had already taken place, Council would not be taking any public comment this evening.

Ten Commandments Monument

Councilmember Theobold distributed a proposed resolution to retain the monument. The beginning of the resolution was the history of the monument, the last three "Whereases" were more specifically related to City of Grand Junction's issues. He also reviewed a suggested a process for creating a Plaza.

Councilmember Spehar distributed and read a resolution to remove the monument. This included establishing a nine-member committee to determine a location for it to be relocated.

Mayor Kinsey stated that the majority wants the monument to stay; yet this country is not about majority rules, but rather a constitutional republic. The display, as it stands now, does not meet the definition of the Supreme Court, and he feels that removing it would not take away the majority's rights.

Councilmember Terry stated that she had learned a lot about the Constitution through all of this and how it affects our daily lives. She also stated she believes there may be some legal basis for displaying the monument; by doing so will represent the majority of constituents. She felt comfortable with Councilmember Theobold's option.

Councilmember Scott stated that Council is obligated to uphold the law. Council has had a lot of calls both ways and believes Council has tried to respond to all with a gentle tongue. There are several entrances to City Hall and he cannot see how the current placement of the Ten Commandments is a problem for people entering City Hall. He stated that the monument, as it stands, is not promoting a religion. The majority of people entering City Hall don't really even look at. He likes what Councilmember Theobold has proposed, but stated it may need some minor adjustments. He would like

to see the community more involved. He has looked at it both ways and feels it should stay with other monuments.

Councilmember Enos-Martinez stated that she took the same oath as the other six Councilmembers, but stated she supports leaving the monument there with a disclaimer. She agrees with most of what Councilmember Theobold's proposal as well.

Councilmember Payne said that he was unable to find anywhere in the Constitution where it stated the monument cannot be displayed as it is. He stated that judges across the country are unable to agree on this issue, so he has no problem supporting leaving the monument where it stands. It is not necessary that majority rules, but he is going to put it on a principle that he does not believe a small minority of people should be able to tell the majority the Ten Commandments should be removed. He asked, if it can be shown where in the Constitution it states this is unlawful, then he would likely change his mind. As stated before, lawyers and judges are unable to agree. He likes Councilmember Theobold's ideas, it is something to pursue and feels that the Plaza could be done in good taste. He would like to see more monuments displayed in front of City Hall and the disclaimer would be appropriate.

Councilmember Theobold would like to hear suggestions on changes to the process, but could be discussed further at a later time. He suggested that Council make the decision tonight on whether or not to keep the monument and to discuss the process later. There has been no lawsuit filed yet and the chances of a lawsuit may be reduced by adding the disclaimer. Knowing the plaza will be created may lessen the probability of a lawsuit even more. The disclaimer would indicate that the City is not promoting a religion. The Ten Commandments Monument cannot be treated as a religious monument; therefore, the message would not be diluted. He stated education is important and other important documents, such as the Declaration of Independence, Magna Carta, Mayflower Compact and others, would be appropriate and important for children to see, read and appreciate. These seem to be unsung aspects of our cultural heritage.

Councilmember Spehar stated that he appreciated promoting those other documents and is convinced that Council has not seen the end of this. He stated he is bothered by this resolution, and that it seems pretty clear Council is attempting to preserve the Ten Commandments in front of City Hall. He stated that he is concerned Council is setting themselves up for something in the future. He quoted a friend as saying there is a time to be smart, and a time to be wise. He feels the issue is not whether they stay or go but what the Ten Commandments are within us. He reminded Council that this did not just start a few months ago, and that in the files is a letter from two years ago suggesting the Ten Commandments be removed. Various community leaders have wondered how the City has gotten away with it. He therefore suggests, respectfully, to relocate it promptly and get on with the business of local government.

Councilmember Enos-Martinez stated that she agrees this may not be the end of the discussion. A concern, though, is if Council decides to relocate the monument, would

this be setting a precedent for the next group who finds something offensive at City Hall, and then it must be removed as well.

Councilmember Spehar said that each case should be determined on its own individual merits.

Councilmember Payne stated that Council has not heard the end of this discussion. If Council decides to remove the monument, it won't be the end of it either. There is a strong population in the community that will be speaking loud, rather than face a legal problem.

Councilmember Spehar stated that he doesn't disagree, but feels that it is time to move on. It is obvious the direction Council is headed, and is concerned with what the legal and constitutional issues are. He also stated the time involvement and the potential six-figure loss.

Councilmember Terry commented on Mr. Spehar's statement that this does not need to be a decision that is just classified as smart but wise, and believes that those who wrote our Constitution were wise. They also cited religious beliefs as a basis for the formation of our Constitution. She does not see this issue as a characterization of religious versus secular, but represents both religious and secular as some of the basics of the Ten Commandments are adopted by the law. Based upon the legal advice Council has received, she believes this is a legal decision and believes there is a legal basis for Mr. Theobold's proposal. She also does not feel this is an unwise expenditure of taxpayers dollars.

Councilmember Payne stated that this not a foregone conclusion that this would be defeated in court.

Councilmember Spehar clarified that he doesn't feel this would necessarily be defeated in court. He stated that the City could face a couple of years of trouble and prolong the controversy. The City may win in the courts but wonders at what cost.

Councilmember Theobold stated he feels that Mr. Spehar is also referring to the emotional cost, not only the financial cost, and agrees with him. But he feels Council will face that either way and that is why he not swayed by trying to avoid the decision. But rather, he wants to do what is right and sound and let those who want to turn this into a prolong battle let them do so on their own desire.

Upon motion by Councilmember Theobold, seconded by Cindy Enos-Martinez, Resolution No. 28-01 was adopted by roll call vote, with Councilmember Spehar and Mayor Kinsey voting **NO**.

Discussion ensued on the process of designing the Plaza. Councilmember Theobold moved to accept the process with item 3 being changed to include that citizens could nominate monuments.

City Attorney Wilson stated that the best odds were to use dates, deadlines and to specifically direct staff to put something together quickly.

Councilmember Payne felt the July 4, 2001 date was too quick. The rest of the Council felt that date was fine.

Councilmember Theobold suggested the disclaimer be in place by Wednesday. Councilmember Terry stated that it would be in a temporary form pending a permanent sign in order to expedite putting the disclaimer in place.

Councilmember Theobold moved the City of Grand Junction use the disclaimer from Pocatello, Idaho with one change, which is to add "Thomas" to Jefferson. The disclaimer was read to Council. Councilmember Scott seconded the motion.

Councilmember Theobold restated the motion on the process with #3 adding that the public can nominate monuments for consideration by April 13, 2001 with Council voting on April 16, 2001. Councilmember Terry discussed how this should be publicized and nominations solicited through advertising. Assistance would be needed, such as landscape architects, who may be willing to donate their expertise. It should also note solicitation of funds from any party wanting or willing to contribute to this fund and suggested monuments.

City Manager Arnold asked if the monuments would need to be current, existing monuments or are they to be newly made.

Councilmember Spehar stated Council should not dismiss redesigning the display.

Councilmember Terry stated Council could define recommendations for the monuments including concept designs.

The second to Councilmember Theobold's motion was reiterated by Council-member Scott. The motion carried by a unanimous vote of the Council.

ADJOURNMENT

Mayor Kinsey adjourned the special meeting at 8:00 p.m.

Stephanie Nye, CMC
City Clerk

GRAND JUNCTION CITY COUNCIL WORKSHOP

March 19, 2001

The City Council of the City of Grand Junction, Colorado, met on Monday, March 19, 2001 at 8: 22 pm. in the City Hall Auditorium to discuss workshop items. Those present were Cindy Enos-Martinez, Earl Payne, Jack Scott, Jim Spehar, Janet Terry, Reford Theobold, and President of the Council Gene Kinsey. Janet Terry left early at 7:55 p.m. after item #1.

Summaries and action on the following topics:

1. **CITY SCHOLARSHIP PROGRAM (UTEC/MCEDC):** Representatives from MCEDC and UTEC presented a proposal for a City funded scholarship program. Steve Ausmus, MCEDC, and Kerry Youngblood, UTEC, asked for Council's financial support for scholarships.

Action Summary: After details were agreed upon, the City Council directed staff to add the item to Wednesday's Consent Agenda.

2. **24 ROAD AREA TRANSPORTATION PLAN:** Public Works staff presented the preferred option for this plan. The preferred option was the split diamond approach to provide adequate capacity fifty years down the road. Another major roadway in the preferred option was F ½ Parkway. Funding options were then discussed.

Action Summary: Staff is directed to work on developing guidelines for the funding options and bring them back to Council.

3. **REVIEW OF BOARDS AND COMMISSIONS:** Council discussion to determine changes to the process and procedure for administering boards and commissions.

Action Summary: Councilmember Spehar listed the issues for Council to consider. Due to the lateness of the hour, Council asked that this be brought back to them at the April 30 workshop.

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

March 21, 2001

The City Council of the City of Grand Junction, Colorado, convened into regular session the 21st day of March, 2001, at 7:30 p.m. at the City Hall Auditorium, 250 N. 5th Street. Those present were Cindy Enos-Martinez, Earl Payne, Jim Spehar, Janet Terry and President of the Council Gene Kinsey. Jack Scott and Reford Theobald were absent. 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 Enos-Martinez led in the Pledge of Allegiance. The audience remained standing during the invocation by Scott Hogue, First Baptist Church.

PRESENTATION OF THREE AWARDS FROM THE HOSPITALITY SALES AND MARKETING ASSOCIATION INTERNATIONAL TO THE GRAND JUNCTION VISITORS AND CONVENTION BUREAU

Debbie Kovalik, VCB Director, explained the three awards and presented them to City Council.

PRESENTATION OF CERTIFICATES OF APPOINTMENT TO NEWLY APPOINTED MEMBERS OF THE COMMISSION ON ARTS AND CULTURE

Joan Meyers, Bill Whaley and Seth Brown were present to receive their certificates.

CONSENT ITEMS

Upon motion by Councilmember Enos-Martinez , seconded by Councilmember Payne and carried by roll call vote, the following Consent Calendar Items #1 through 11:

1. **Minutes of Previous Meetings**

Action: Approve the Summary of the March 5, 2001 Workshop and the Minutes of the Regular Meeting March 7, 2001

2. **Purchase of Six 2001 Police Vehicles**

The following bids were received:

Western Slope Auto	Grand Junction, CO	\$129,456
Hellman Motor Company	Delta, CO	\$130,062

Action: Approve Purchase of Six New 2001 Ford Crown Victoria Police Interceptor Vehicles from Western Slope Auto in the Amount of \$129,456

3. **Purchase of Four 2001 ½-Ton 4 x 2 Pickups**

The following bids were received:

Western Slope Auto	Grand Junction, CO	\$53,096
Hellman Motor Company	Delta, CO	\$56,665
Western Slope Chrysler	Grand Junction, CO	\$53,330
Fuoco Motor Company	Grand Junction, CO	\$57,921

Action: Approve Purchase of Four 2001 ½-Ton 4 x 2 Pickups from Western Slope Auto in the Amount of \$53,096

4. **Construction of Canyon View Baseball Field Restrooms**

The restroom is needed to accommodate those persons participating in sports activities in the north east area of Canyon View Park. The building is approximately 1,700 square feet built with 8” concrete block walls. The Park Improvement Advisory Board (PIAB) has identified restrooms for the east side of Canyon View Park as a high priority.

The following responsive bids were received for the project:

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
Tusca II Inc.	Grand Junction	\$191,900
Vostatek Const.	Clifton	\$203,583
John Dyer Const.	Grand Junction	\$208,269
K & G Enterprises, Inc.	Grand Junction	\$234,510
Quality Const.	Grand Junction	\$248,275
R. W. Jones Inc.	Fruita	\$265,000

Action: Award Construction Contract for Canyon View Baseball Field Restrooms to Tusca II Inc. in the Amount of \$191,900

5. **Sole Source Purchase of a Wide Area Mower for the Division of Parks Operations**

City Council authorization for the sole source purchase from L.L. Johnson, Inc. of Denver, one Toro wide area mower for \$35,890; the same price as was bid in March, 2000. This mower will be used throughout the parks system.

Action: Approve Sole Source Purchase of a Toro Wide Area Mower from L.L. Johnson, Inc. in the Amount of \$35,890

6. **24½ Road Sidewalk Improvement Project**

The following bids were received on March 6, 2001:

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
United Companies	Grand Junction	\$68,290.00
Precision Paving	Grand Junction	\$63,674.03
BPS Concrete	Grand Junction	\$61,374.72
G & G Paving	Grand Junction	\$61,000.00
Vista Paving, L.L.C.	Grand Junction	\$58,996.54
Engineer's Estimate		\$75,360.00

Action: Award Contract for 24½ Road Sidewalk Improvement Project to Vista Paving, L.L.C., in the Amount of \$58,996.54

7. **Asphaltic Road Material (Road Oil) for 2001 City Chip Seal Projects**

The City of Grand Junction requests utilizing prices from the State of Colorado Department of Transportation bid prices to purchase approximately 162,000 gallons of road oil for 2001.

Action: Approve Purchase of 162,000 Gallons of Asphaltic Road Material from Koch Performance Asphalt in an Approximate Amount of \$142,000

8. **Amendment to the FY 2001-2006 MPO Transportation Improvement Program**

The Grand Junction/Mesa County MPO is applying for \$400,000 in Section 5309 grant funding for the restoration of the existing historic train station. The resolution and amendment are necessary to apply for the grant.

Resolution No. 24-01 – A Joint Resolution of the County of Mesa and the City of Grand Junction Concerning Adoption of Administrative Amendment to the 2001-2006 Transportation Improvement Program

Action: Adopt Resolution No. 24-01

9. **Designating the Richard Warren Motor Company Building (749 Main Street) in the City Register of Historic Sites, Structures and Districts**
[File #HBD-2001-02.01]

Integrated Partners, LLC, as the owner of the Richard Warren Motor Company Building located at 749 Main Street, is requesting the building be designated as historic in the City Register of Historic Sites, Structures and Districts

Resolution No. 25–01 – A Resolution Designating the Richard Warren Motor Company Building at 749 Main Street in the City Register of Historic Sites, Structures and Districts

Action: Adopt Resolution No. 25–01

10. **Acquisition of Lots 11 and 12, Block 122, City of Grand Junction (159 Colorado Avenue)**

The proposed resolution will authorize the City to initiate condemnation proceedings to acquire Lots 11 and 12, inclusive, Block 122, of the City of Grand Junction, also known as 159 Colorado Avenue

Resolution No. 26–01 – A Resolution Determining the Necessity of and Authorizing the Acquisition of Certain Property, by Either Negotiation or Condemnation, for Municipal Public Facilities

Action: Adopt Resolution No. 26–01

11. **City Scholarship Program**

City Council is proposing the establishment of the City of Grand Junction Scholarship program to cover the annual cost of full tuition, books and fees to attend Mesa State College for an Associate of Applied Science (A.A.S.) technical degree and certificate for three students. The UTEC Scholarship Committee will award the scholarships to residents of the City of Grand Junction based on criteria and priorities determined.

Action: Approve the Establishment of the City of Grand Junction Scholarship Program

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

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

PUBLIC HEARING - TRAVER ANNEXATION NO. 1 AND TRAVER ANNEXATION NO. 2, LOCATED AT 2980 ROOD AVENUE AND 2986 D ROAD [FILE #ANX-2001-011]

The 31.98-acre Traver Annexation consists of two parcels of land located at 2980 Rood Avenue and 2986 D Road, including a portion of the D Road right-of-way.

The public hearing opened at 7:43 p.m.

Kristen Ashbeck, Senior Planner, Community Development Department, reviewed this item, noting it is a serial annexation. The annexation was triggered by the Persigo Agreement when the property owner decided to subdivide and develop the property. The Preliminary Plan is currently under review and will be heard by the Planning Commission within the next month. The property owner signed a petition for annexation. The annexation meets all State statutory requirements and Staff recommends approval.

There were no public comments. The public hearing was closed at 7:45 p.m.

a. Resolution Accepting Petition

Resolution No. 27-01 – A Resolution Accepting A Petition For Annexation, Making Certain Findings, Determining That Property Known As Traver Annexation No. 1 And Traver Annexation No. 2, A Serial Annexation Located At 2980 Rood Avenue And 2986 D Road, And Including A Portion Of The D Road Right-Of-Way, Is Eligible For Annexation

b. Annexation Ordinances

(1) Ordinance No. 3332 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Traver Annexation No. 1, Approximately 0.54 Acres, Located at 2986 D Road, and Including a Portion of the D Road Right-of-Way

(2) Ordinance No. 3333 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Traver Annexation No. 2, Approximately 31.44 Acres, Located at 2986 D Road and 2980 Rood Avenue, Including a Portion of the D Road Right-of-Way Upon motion by Councilmember Spehar, seconded by Councilmember Terry and carried by roll call vote, Resolution No. 27-01 was adopted, and Ordinances No. 3332 and No. 3333 were adopted on second reading and ordered published.

PUBLIC HEARING - ZONING TRAVER ANNEXATION TO RSF-4, LOCATED AT 2980 ROOD AVENUE/2986 D ROAD [FILE #ANX-2001-011]

The 31.98-acre Traver Annexation located at 2980 Rood Avenue/2986 D Road consists of two parcels of land. State law requires the City to zone newly annexed areas within 90 days of the annexation. The proposed City zoning conforms to the Growth Plan's Future Land Use map and recommendation for residential land uses between 4 and 7.9 units per acre for this area.

The public hearing opened at 7:46 p.m.

Petitioner Mr. Rich Traver, Foresight Associates, had no specific comments.

Kristen Ashbeck, Community Development Department, reviewed the item. The proposed zoning is at the low end of the density range per the Growth Plan. The proposed zone is consistent with the Plan submitted by the petitioner. The density will be 3 and 3.5 units/acre. Planning Commission found the proposal to meet the criteria of Sections 2.6 and 2.14 of the Zoning and Development Code, and recommended approval of the zone of Traver Annexation.

There were no public comments. The public hearing closed at 7:49 p.m.

Ordinance No. 3334 – An Ordinance Zoning the Traver Annexation to Residential Single Family with a Maximum Density of 4 Units per Acre (RSF-4) Located at 2980 Rood Avenue and 2986 D Road

Upon motion by Councilmember Payne, seconded by Councilmember Spehar and carried by roll call vote, Ordinance No. 3334 was adopted on second reading and ordered published.

PUBLIC HEARING - AMENDING CHAPTER 36 OF THE CITY CODE OF ORDINANCES REGARDING UNSAFE BACKING

On December 6, 2000, the 1995 Model Traffic Code was adopted, which included a provision referring to backing a car in such a manner so as not to be unsafe. The current reading of this section refers only to backing when it occurs on public or private parking lots, the shoulder of any road, or a controlled-access highway. This amendment removes the "controlled-access" portion of the ordinance, making this section of the Code one that can be charged throughout the City, protecting all citizens, no matter where they may be travelling.

The public hearing opened at 7:49 p.m.

City Attorney Dan Wilson reviewed this item. The 1995 Model Traffic Code was recently adopted by City Council. This amendment includes unsafe backing onto a shoulder or a roadway, a more typical circumstance where this comes up, rather than the provisions in the 1995 Model Traffic Code.

There were no public comments. The public hearing closed at 7:50 p.m.

Ordinance No. 3335 – An Ordinance Amending Chapter 36, Section 36-38(b) of the Code of Ordinances of the City of Grand Junction, Colorado Regarding Unsafe Backing

Upon motion by Councilmember Terry, seconded by Councilmember Enos-Martinez and carried by roll call vote, Ordinance No. 3335 was adopted on second reading and ordered published.

NON-SCHEDULED CITIZENS & VISITORS

Property at 159 Colorado Avenue

Julie Fisher, 234 27 Road, spoke regarding the Colorado Catfish condemnation qualifications. She asked what was the purpose of this property. City Attorney Dan Wilson said it is a public benefit to be used for Two Rivers expansion, specifically parking improvements to serve that area of town.

Mayor Kinsey made it clear that Consent Item #10 is not a condemnation action, it merely authorizes City legal counsel to prepare for those proceedings if negotiations are not successful on the property, thus not to lose an option. A decision has not been made on condemnation.

City Attorney Wilson said this action authorizes City staff to negotiate in good faith. If negotiations fail, then this would be the action of the Council saying this is a public benefit. It is an important public step. The City is trying to negotiate to acquire the property for fair market value. He noted Council does not want to get into a debate tonight, but wants to reach a deal with the property owner.

Ms. Fisher said she didn't believe the people of the City would support eminent domain for a parking lot.

City Attorney Wilson said the City is required by State Statute to pay fair market and the City is getting it appraised. The property owner is also getting his own appraisal.

Ms. Fisher said a parking lot is not for the public good, in contrast to perhaps a highway or viaduct.

Councilmember Terry said this Council gives serious consideration to any condemnation action. She noted Council postponed this item two weeks ago hoping the issue could be resolved. They are operating in good faith with the public. This is part of a major plan, and not due to lack of planning on the City's part. Council doesn't take this step lightly.

Ms. Fisher felt as a citizen it is her obligation to show concern about this situation.

Councilmember Terry assured Ms. Fisher condemnation is not something Council wants to do.

Bill Thompson, 634 Ouray Avenue, didn't think this action leads to good negotiations. He asked Council to give it a little more time. Councilmember Payne pointed out that the City is still in negotiations. Councilmember Spehar reiterated Councilmember Terry's statement about postponing this item two weeks ago and noted there is also a deadline where construction begins in April, 2001.

Mr. Thompson suggested waiting and letting the appraisal come in. Councilmember Payne said this will be done.

Ray McGhy, 1826 O Road, has a business inside the City. He was concerned that such proceedings could happen to his business as well. Everyday he is putting money into his business. He asked if the people affected by this expansion have been notified. If he was aware of a condemnation proceeding, he would not put additional money into his business.

Councilmember Terry said Council does not take this job or this responsibility lightly and felt certain Mr. McGhy knew that. She could not give Mr. McGhy a date when this property was first discussed, but it was much longer than two weeks ago.

Councilmember Spehar said a citizen's group worked for quite a while on the expansion of Two Rivers Convention Center. Council reviewed the plans quite a while ago, and decided on some standards to include, one of which was parking. Once Council gave some direction on how much parking was needed in the area, the City immediately contacted the property owners regarding acquisition. The initial discussion was on the building remodel only. Then the parking needs came up and property owners were contacted.

Mr. McGhy said the greater plan was talked about without the people directly affected. From past experience, he felt the property owners directly affected are usually the last ones to find out and become involved.

Councilmember Enos-Martinez asked Mr. McGhy if Mr. Miller, owner of 159 Colorado Avenue, has said he has not been notified. Mr. McGhy said no. Councilmember Enos-Martinez said if Mr. Miller feels he hasn't had a fair time period, then it is up to him to negotiate.

Councilmember Spehar said he felt several in the audience have been misled by Mr. Miller.

Bobby Miller, 3494 F ¾ Road, Palisade, said he did not send anybody up to speak on his behalf. He was concerned that City Manager Kelly Arnold has asked Council to give him eminent domain authority during negotiations. He felt if Mr. Arnold has the power to say “take it or leave it”, the negotiation is not on even ground for both parties.

Councilmember Enos-Martinez asked if the attorneys are still in negotiations. Mr. Miller said yes. The City has said it has a completed appraisal. Mr. Miller hired an appraiser approximately two weeks ago. He is currently getting an appraisal that should be complete by the end of the week. Mr. Miller felt eminent domain is threatening.

City Attorney Dan Wilson said the statutes require the City to negotiate in good faith and that includes advising of the possible options. Those options include that if the negotiations are not leading to an agreement, then Council has the authority to go forward with condemnation. He assured Mr. Miller that Council is not going to be party to being a bully. It will negotiate in good faith, in fact the law requires that.

Councilmember Spehar said if Council gets to condemnation, the court sets the value after looking at both appraisals and hearing Mr. Miller’s case. After considering Mr. Miller’s appraisal along with the City’s appraisal, the courts will decide on a fair market value.

Mr. Miller said he felt the reason citizens are attending this meeting is because of the very threat of condemnation, not so much his property in particular.

City Attorney Wilson said it is the City’s duty to inform all concerned. It was not meant to be a threat. The notice was mailed to explain to Mr. Miller how the system works. City Attorney Wilson asked to see the purchase agreement from the City Manager allowing only 24 hours in which to answer as stated by Mr. Miller. Mr. Miller said he would supply Mr. Wilson with a copy of the agreement.

Mayor Kinsey appreciated those citizens who came forth tonight. He said things are not always resolved immediately. Councilmember Enos-Martinez said the public’s input is important to Council.

Carl David Murphy, 244 Sherman Drive, said he met Mr. Miller for the first time the previous evening. He was somewhat concerned with what he had read in the newspaper. The paperwork says Mr. Miller has until April 2, 2001 to either vacate the building or whatever is left in the building shall become the property of the City. He felt that is a very short time frame. He said all of Mr. Miller’s employees have quit because they don’t think Mr. Miller will be in business in a few days. He felt Mr. Miller needs more appraisals on his property.

William Jarvis, Jr., 401 25 Road, said a lot of property owners in attendance are concerned. Sometimes there are communication problems that Staff has with people. He noticed other property purchases this week for the library and wondered if those purchases required condemnation proceedings. Council explained the library is a special district of its own and has nothing to do with the City.

Patty Barrett, a local realtor, felt the City needs parking. Last year at a Council meeting, there was discussion of the need to go vertical for parking. Attorneys need office space near the new Justice Center. There is no building area to build an office building. She felt parking is not the highest and best use for downtown properties, and felt it was a waste of money. It is too much money for the amount of land because Grand Junction has too high an appreciation rate. She felt using the property the City has and stacking parking is the best use. The land is needed for commerce. The attorneys want to be able to walk to the Justice Center. There is no building area for the office buildings needed. If the City wants to expand the downtown area for business, stacked parking is the answer.

Councilmember Spehar said Council has had ongoing discussion on such parking with the Downtown Development Authority over the past two years. The City has discussed adjusting parking fees, etc. to make it financially feasible to build such a parking facility. They have even discussed a location for such parking. Vertical parking is the most expensive type of parking. Councilmember Spehar said the DDA has chosen the property behind the old Woolworth's building as a possible site for a parking structure. He suggested Ms. Barrett get in touch with Barbara Creasman, the DDA Director, and discuss the parking issue with her.

Ms. Barrett said it is expensive, but it is also the most economical.

Councilmember Terry said Council is concerned about this very issue.

ADJOURNMENT

The meeting adjourned at 8:35 p.m.

Stephanie Nye, CMC
City Clerk

**Attach 2
Purchase of Backhoe/Loader**

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

CITY COUNCIL			
Subject:	Purchase 2001 4X4 Backhoe/Loader		
Meeting Date:	April 4, 2001		
Date Prepared:	March 27, 2001		
Author:	Ron Watkins	Title: Purchasing Manager	
Presenter Name:	Ron Watkins Chuck Leyden	Title: Purchasing Manager Title: Fleet & Facilities Manager	
	Workshop	X	Formal Agenda

Subject: Purchase one 2001 John Deere 410G Backhoe/Loader.

Summary: This purchase is to replace unit #1170.

Background Information: The City purchased one unit from the same specifications last year in 2000. Honnen Equipment Co. of Grand Junction, Colorado has agreed to supply this additional Backhoe/Loader at the same price as last year. When we checked the Colorado State contract we found that Honnen Equipment also has that award, but the guaranteed price from last year is less than the State Contract price of \$74,748 by \$4,824.

Budget: Sufficient 2001 funds have been budgeted for this purchase.

Action Requested/Recommendation: Authorize the City Purchasing Manager to purchase one 2001 John Deere 410G 4X4 Backhoe/Loader from Honnen Equipment Company, Grand Junction, Colorado for the price of \$69,924 F.O.B. Grand Junction, Colorado.

Citizen Presentation:	X	No	Yes	If Yes,
Name:	N/A			
Purpose:	N/A			

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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**Attach 3
Purchasing Manual Revision**

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

CITY COUNCIL			
Subject:	Purchasing Manual Revision		
Meeting Date:	April 4, 2001		
Date Prepared:	March 27, 2001		
Author:	Ron Watkins	Purchasing Manager	
Presenter Name:	Ron Watkins Ron Lappi	Purchasing Manager Admin Services Director	
	Workshop	X	Formal Agenda

Subject: Approval of the April 2001 Purchasing Manual Revision

Summary: As a Home Rule City under the State of Colorado Statutes we have the right to adopt our own written purchasing policies and procedures. City Council Resolution No. 61-97 requires Council approval for any change in the Purchasing Manual that affects the competitive bidding and approval requirements. Forms and processes can be modified with the approval of the City Manager.

Background Information: The City Purchasing Manager has revised the Purchasing manual to delegate certain purchasing activities to the departments and divisions. The majority of the revisions are a matter of process, which can be modified with the approval of the City Manager. As part of the revision, the Purchasing Manager has requested the minimum required informal competitive quote threshold be increased to \$5,000 from the current \$1,000. He has also requested the Purchasing Card maximum individual purchase limit be increased from \$1,000 to \$2,500. Both the bid threshold and the purchasing card revisions require Council's approval. The Purchasing Manager has confirmed that the trend within Colorado and the balance of the Country is to empower the using departments by increasing their delegated authority to purchase. We strongly encourage competitive quotes when at all possible and the Purchasing Staff will require that we obtain solicitations when several purchases are to be made throughout the year with an aggregate in excess of \$5,000. Annual supply contracts and the City Stores operation already provide many of the commonly used small purchase items under \$5,000, which will continue.

Over \$5,000 quotes are required and the documentation will be maintained for audit purposes within the Purchasing Office with the Purchase Order or Contract. The formal competitive sealed bid/proposal process remains a requirement over \$10,000 and Council approval of expenditures over \$50,000 remains unchanged.

Budget: N/A

Action Requested/Recommendation: Adopt a resolution to accept the revisions to the City Purchasing Manual as presented to the Council by the Purchasing Manager and to further authorize the City Manager to approve related forms and processes.

A copy of the detailed changes can be obtained by contacting Ron Lappi in Administrative Services or Ron Watkins in the Purchasing Office.

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

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"/>	<input type="checkbox"/>	<input type="checkbox"/>
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RESOLUTION NO. ____-01

A RESOLUTION ADOPTING A POLICIES AND PROCEDURES MANUAL FOR PURCHASING OF EQUIPMENT, MATERIALS, SUPPLIES AND NON-PERSONNEL SERVICES BY THE CITY OF GRAND JUNCTION, COLORADO.

WHEREAS, as a home rule city under Colorado statutes, we have the right to adopt our own written purchasing policies and procedures; and,

WHEREAS, the City of Grand Junction believes a systematic, consistent, unified, and standardized purchasing program contributes to the efficiency and effectiveness of the entire City organization; and,

WHEREAS, the City of Grand Junction requires that procurement of all goods and services necessary for the performance of City operations take place within a prescribed framework of rules and regulations designed to protect the public interest; and,

WHEREAS, it is in the best interest of the City to adopt and follow such policies and procedures, as described in Exhibit A.

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

- (a) All Purchases made on behalf of the City of Grand Junction shall be made in accordance with and conforming to the rules and regulations as published in the revised City of Grand Junction Purchasing Manual dated April 4, 2001.
- (b) The forms and processes described herein can from time to time be modified with approval of the City Manager, but such changes shall not affect the competitive bidding and approval requirements.

PASSED and ADOPTED this 4th day of April, 2001.

Attest:

President of the City Council

City Clerk

**Attach 4
2001 Waterline Replacements Contracts**

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

CITY COUNCIL		
Subject:	Award of Construction Contract for 2001 Waterline Replacements	
Meeting Date:	April 4, 2001	
Date Prepared:	March 23, 2001	
Author:	Kent W. Marsh	Project Engineer
Presenter Name:	Greg Trainor	Utility Manager
	Workshop	X Formal Agenda

Subject: Award of a Construction Contract for the **2001 Waterline Replacements** to Palisade Constructors, Inc. in the amount of **\$451,436.68**

Summary: Bids were received and opened on March 27, 2001 for the **2001 Waterline Replacements** construction project. The low bid was submitted by **Palisade Constructors, Inc.** in the amount of **\$451,436.68**.

Background Information: This project generally consists of replacing the existing CI water main within 7th Street with a new PVC water main. The existing 6" CI line between Bunting Ave. and Orchard Ave. will be replaced with new 8" C-900 PVC waterline, while the existing 10" CI line from Bunting Ave. to Patterson Road will be replaced with 12" C-900 PVC waterline. The proposed waterline will be placed directly adjacent to the existing waterline within City right-of-way.

The projects calls for the installation of approximately 2,699 lineal feet of 12" diameter C-900 PVC waterline, 2,308 lineal feet of 8" diameter C-900 PVC waterline, new valves and fittings, and approximately 2,364 lineal feet of 3/4" copper water service line. The waterline replacement will begin south of Bunting Ave, and continue north in the easternmost northbound lane to Patterson Road. The new line water line will provide increased flows and residual pressures to neighboring residents and businesses along the 7th Street Corridor.

The waterline replacements were designed by City staff. Work on the project will be delayed until June 4 due to the number of City utility projects scheduled for the summer of 2001. Work will continue for 8 weeks with an anticipated completion date of May 28, 2001.

The following bids were received for this project:

<u>Contractor</u>	<u>From</u>	Bid Amount
Palisade Constructors, Inc.	Palisade, CO.	\$451,436.68
MA Concrete Construction	Grand Jct.,	\$479,382.70
Engineer's Estimate		\$491,986.88

Budget:

2001 Waterline Replacements – Fund 301

Project Costs:

Construction	\$451,436.68
Design	\$11,094.73
City Inspection and Administration (Estimate)	\$13,448.00
Total Project Costs	\$475,979.41

Funding: 2001 Waterline Replacements \$600,000

Action Requested/Recommendation: City Council motion authorizing the City Manager to execute a Construction Contract for the **2001 Waterline Replacements** with Palisade Constructors, Inc. in the amount of **\$451,436.68**.

Citizen Presentation:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Report results back to Council:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	When:	
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Placement on Agenda:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Attach 5
Olson Easement Vacation**

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

CITY COUNCIL			
Subject:	Olson Easement Vacation		
Meeting Date:	April 3, 2001		
Date Prepared:	March 21, 2001		
Author:	Joe Carter	Associate Planner	
Presenter Name:	Joe Carter	Associate Planner	
	Workshop	X	Formal Agenda

Subject: Vacation of Easement, VE-2001-035

Summary: The Petitioner is requesting the vacation of a 10' utility easement. The project is located at 567 Rio Linda Lane in Loma Rio Subdivision. At the March 13, 2001 hearing, the Planning Commission forwarded a recommendation of approval to the City Council.

Background Information: See Attached

Budget: N/A

Action Requested/Recommendation: It is recommended that City Council accept the Resolution to vacate a 10' wide 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:	X	Consent	Indiv. Consideration	Workshop
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CITY OF GRAND JUNCTION

MEETING DATE: April 3, 2001

PLANNING COMMISSION

STAFF PRESENTATION: Joe Carter

AGENDA TOPIC: Vacation of Easements, VE-2001-035, Olson Vacation of Easement.

SUMMARY: The petitioner is requesting approval of a Vacation of a 10' utility easement in an RSF-4 zone.

ACTION REQUESTED: It is recommended that City Council accept the Resolution to vacate a 10' wide utility easement.

BACKGROUND INFORMATION					
Location:		567 Rio Linda Lane			
Applicants:		Loren Olson, Petitioner and Representative			
Existing Land Use:		Residential			
Proposed Land Use:		Residential			
Surrounding Land Use:	North	Residential			
	South	Residential			
	East	Residential			
	West	Residential			
Existing Zoning:		RSF-4, Residential Single Family, 4 du/ac			
Proposed Zoning:		Same			
Surrounding Zoning:	North	RSF-4, City			
	South	RSF-4, City			
	East	RSF-4, City			
	West	RSF-4, (County)			
Growth Plan Designation:		Residential Medium Low 2-4 du/acre			
Zoning within density range?		N/A	Yes		No

PROJECT ANALYSIS

The petitioners are requesting a recommendation of approval for the vacation of a 10' utility easement in an RSF-4 zone. The only utility existing in the easement is the individual residential phone line that will not be affected by this project.

The vacation of this easement is a result of the desire to expand the existing residential structure.

The proposed residential expansion meets the RSF-4 setbacks.

There are no objections from utility providers.

PUBLIC COMMENT

Two neighbors requested additional information regarding this proposal. Neither neighbor objected to the proposal.

STAFF ANALYSIS

The vacations must meet several criteria as set forth in Section 2.11 of the Zoning and Development Code. The response to these criteria is listed below:

Adopted Plans and Policies

There are no adopted plans and policies pertinent to this type of vacation request.

Landlocking

The proposed easement vacation will not landlock any parcel of land.

Restrictive Access

The vacation of this easement will not restrict access to any parcel of land. The utility easement in the rear of the property will remain accessible.

Quality of Services

The proposed vacation of easement 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.

Benefits to the City

There will be no effective change to the City.

FINDINGS OF REVIEW

The vacations must meet the 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

RECOMMENDED PLANNING COMMISSION MOTION

The Planning Commission forwarded a recommendation of approval.

Attachments:

- a. Resolution
- b. General location map
- c. Site Plan

CITY OF GRAND JUNCTION

RESOLUTION NO. _____

VACATING A UTILITY EASEMENT

Recitals:

This resolution vacates a ten-foot wide utility easement across Lot 25 of Loma Rio Subdivision located at 567 Rio Linda Lane. All relevant utility companies have agreed to the vacation and Staff recommends approval.

The Planning Commission has heard and considered the request and found that the criteria of the Zoning and Development Code have 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 Tract or Parcel of Land situated in Lot 25 in Block 20 of Loma Rio Subdivision and being more particularly described as follows:

Commencing at the SE corner of said Lot 25 whose South line is recorded as bearing S68d17'23"W and all bearings contained herein to be relative thereto; thence S68d17'23"W 6.00 feet to the point of beginning; thence continuing S68d17'23"W 110.96 feet; thence N0d07'39"W 10.75 feet; thence N68d17'23"E 107.38 feet; thence along the arc of a curve to the left 10.01 feet, with a radius of 131.00 feet, central angle of 4d22'41" and whose long chord bears S19d30'56"E 10.01 feet to the point of beginning, Mesa County, Colorado.

PASSED and ADOPTED this _____ day of _____, 2001.

ATTEST:

City Clerk

President of City Council

**Attach 6
Flower Street Right-of-Way Vacation**

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

CITY COUNCIL			
Subject:	Vacation of Right-of-way, VR-2001-037		
Meeting Date:	April 4, 2001		
Date Prepared:	March 22, 2001		
Author:	Pat Cecil	Development Services Supervisor	
Presenter Name:	Pat Cecil	Development Services Supervisor	
	Workshop	X	Formal Agenda

Subject: First reading of the ordinance to vacate the road right-of-way for Flower Street between Central Drive and G 3/8 Road.

Summary: The project petitioners are requesting the vacation of a road right-of-way that was dedicated via a recorded plat.

Background Information: The project petitioner has applied for a Simple Subdivision in conjunction with the vacation application, to replat the two lots which would take access from the proposed vacation area into two flag lots.

Budget: N/A

Action Requested/Recommendation: Approval of the request for vacation of the dedicated road right-of-way.

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

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

MEETING DATE: April 4, 2001

CITY COUNCIL

STAFF PRESENTATION: Pat Cecil

CONSENT AGENDA

AGENDA TOPIC: Vacation of right-of-way (VR-2001-037)

SUMMARY: Vacation of the unused road right-of-way for Flower Street located between Central Drive and G 3/8 Road.

ACTION REQUESTED: First reading of an ordinance to abandon the Flower Street right-of-way between Central Drive and G 3/8 Road.

BACKGROUND INFORMATION					
Location:		Flower Street between Central Drive and G 3/8 Road			
Applicants:		Bruce and Rose Ward John and Fran Jessup Carla Eden LANDesign, Representative			
Existing Land Use:		Undeveloped road right-of-way			
Proposed Land Use:		Reconfiguration to create two flag lots through the simple subdivision process			
Surrounding Land Use:	North	Residential			
	South	Residential			
	East	Vacant residential, approved for subdivision			
	West	Residential			
Existing Zoning:		Residential Single Family-2 dwelling units per acre (RSF-2)			
Proposed Zoning:		Same			
Surrounding Zoning:	North	RSF-2			
	South	RSF-2			
	East	RSF-2			
	West	RSF-2			
Growth Plan Designation:		Residential Low 2-4 dwellings per acre			
Zoning within density range?		X	Yes		No

Staff Analysis: The applicants are requesting approval of the vacation of road right-of-way for Flower Street located between Central Drive and G 3/8 Road. The right-of-way was created with the recording of the plat for the Melody Park Subdivision, to give road frontage and access to two interior lots. The road has never been constructed and the interior lots remain undeveloped.

The property owners have decided to request the vacation of the road right-of-way, to enable a replat of the two vacant interior lots into a flag lot configuration via the simple subdivision process.

With the reconfiguration, the northerly interior lot would take access via a 50 foot wide access to G 3/8 Road, and the southerly interior lot would take access via a 50 foot wide access to Central Drive.

Vacation of Easement Criteria:

The vacation of the road 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;

Adequate access will be assured via the simple subdivision process.

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:

Access will be provided that is adequate for the future development of the two undeveloped interior lots. There is no terrain limitations that would make construction of a driveway to the building sites unfeasible.

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 be no adverse impacts to health, safety and/or general welfare as a result of the vacation of the road right-of-way.

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

There is an existing Grand Valley Water Users Association (GVWUA) easement within the right-of-way vacation area. The existing GVWUA facilities are proposed to be relocated into a new easement as part of the simple subdivision process. The vacation of the right-of-way is conditioned upon recording of the simple subdivision, and the documents for the vacation shall be recorded concurrently with the simple subdivision.

6. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, ect.

The elimination of the public road right-of-way will eliminate future City maintenance responsibility.

Conditions:

1. Applicant's shall pay the recording fees for the vacation documents.
2. The final plat for SS-2001-038 shall designate a easement for the GVWUA irrigation transmission facilities in a location approved by the GVWUA.

PLANNING COMMISSION RECOMMENDATION: That the City Council find the vacation of the Flower Street right-of-way between Central Drive and G 3/8 Road consistent with the Growth plan, the Major Street Plan and section 2.11 of the Zoning and Development Code and approve of the vacation of the road right-of-way identified as VR-20001-037 subject to the conditions listed above.

RECOMMENDED CITY COUNCIL MOTION: Mr. Chairman, on item VR-2001-037, I move we approve the vacation of right-of-way based on the findings and conditions listed above.

- Attachments:**
- a. General location map
 - b. Ordinance with vacation plat (Exhibit "A")
 - c. Project narrative

CITY OF GRAND JUNCTION

ORDINANCE NO.

**VACATING THE PORTION OF FLOWER STREET
LOCATED SOUTH OF CENTRAL DRIVE**

RECITALS:

A vacation of a portion of the dedicated right-of-way for Flower Street located north of Central Drive and south of G 3/8 Road has been requested by the adjoining property owners. The existing dedicated right-of-way is presently undeveloped.

The City Council finds that the request is consistent with the Growth Plan, the adopted Major Street Plan and Section 2.11 of the Zoning and Development Code.

The Planning Commission, having heard and considered the request, found the criteria of the Code to have been met, and recommends that the vacation be approved.

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

The following described dedicated right-of-way is hereby vacated subject to the condition that a irrigation easement be created within the vacation area in favor of the Grand Valley Water Users Association prior to completion of the vacation process. Said irrigation easement shall be noted on the final plat for SS-2001-037.

The following right-of-way is shown on "Exhibit A" as part of this vacation of right-of-way description.

Dedicated right-of-way to be vacated:

That portion of Flower Street, a fifty (50) foot wide right-of-way, adjoining lots 5, 6, 7 and 8, Block 2, Melody Park Subdivision, as recorded in Plat Book 8, Page 100, Mesa County Records.

Introduced for first reading on this day of , 2001

PASSED and ADOPTED this day of , 2001.

ATTEST:

City Clerk

President of City Council

**Attach 7
Snidow Annexation**

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Snidow Annexation No. 1 and No. 2		
Meeting Date:	April 4, 2001		
Date Prepared:	March 27, 2001		
Author:	David Thornton	Principal Planner	
Presenter Name:	Pat Cecil	Development Services Supervisor	
	Workshop	X	Formal Agenda

Subject: Annexation of the Snidow Annexation, #ANX-2001-062

Summary: Resolution for Referral of Petition to Annex and First Reading of the annexation ordinance for the Snidow Annexation No. 1 and No. 2 located at 3165 D Road and including portions of the 29 5/8 Road and D Road Rights-of-way. (#ANX-2001-062). This 34.14 acre annexation consists of one parcel of land.

Background Information: See Attached

Budget: N/A

Action Requested/Recommendation: It is recommended that City Council approve the Referral of Petition to Annex and First Reading of the annexation ordinances for the Snidow Annexation and set a hearing for May 16, 2001.

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

Report results back to Council:	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When:	
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Placement on Agenda:	<input checked="" type="checkbox"/>	Consent	<input type="checkbox"/>	Indiv. Consideration	<input type="checkbox"/>	Workshop
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BACKGROUND INFORMATION						
Location:		3165 D Road				
Applicants:		Donald and Tamera Snidow				
Existing Land Use:		Residential				
Proposed Land Use:		Commercial subdivision				
Surrounding Land Use:	North	Residential/Agricultural				
	South	Commercial/Industrial				
	East	Commercial/Industrial				
	West	Agricultural				
Existing Zoning:		RSF-R (AFT) in County				
Proposed Zoning:		C-2 Heavy Commercial				
Surrounding Zoning:	North	PUD (Residential)				
	South	Planned Industrial				
	East	Planned Commercial				
	West	RSF-R (AFT)				
Growth Plan Designation:		Commercial/Industrial				
Zoning within density range?		<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Staff Analysis:

ANNEXATION:

This annexation area consists of annexing 34.14 acres of land including portions of the 29 5/8 Road and D Road Rights-of-way. The property owners have requested annexation into the City as the result of needing a rezone in the County to commercial subdivision. Under the 1998 Persigo Agreement all rezones east of the 31 Road line and outside of the Clifton Sanitation District boundary require annexation and processing in the City.

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 Snidow 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 and zoning schedule is being proposed.

<u>ANNEXATION SCHEDULE</u>	
April 4th	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
April 17th	Planning Commission considers Zone of Annexation
May 2nd	First Reading on Zoning by City Council
May 16th	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
June 17th	Effective date of Annexation and Zoning

Action Requested/Recommendation: It is recommended that City Council approve the Snidow Annexation.

Attachments:

- 1. Snidow Annexation Summary
- 2. Resolution of Referral of Petition
- 3. Annexation Ordinances
- 4. Annexation Map

SNIDOW ANNEXATION SUMMARY		
File Number:	ANX-2001-062	
Location:	3165 D Road	
Tax ID Number:	2943-221-00-092	
Parcels:	1	
Estimated Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	34.14 acres for annexation area	
Developable Acres Remaining:	16.594 acres	
Right-of-way in Annexation:	<u>D Road:</u> Entire remaining ROW width between 29 5/8 Road and 3165 D Road, See Map <u>29 5/8 Road:</u> Entire ROW width south of D Road to where ROW ends, See Map	
Previous County Zoning:	RSF-R (County)	
Proposed City Zoning:	(C-2) Heavy Commercial	
Current Land Use:	1 house w/ 2 outbuildings to be	
Future Land Use:	Pipe Trades Commercial Park	
Values:	Assessed:	= \$ 11,480
	Actual:	= \$ 71,870
Census Tract:	17.01	
Address Ranges:	3165 D Road	
Special Districts:	Water:	Clifton Water and Ute Water
	Sewer:	Central Grand Valley

	Fire:	Clifton Fire
	Drainage:	Grand Junction Drainage District
	School:	District 51
	Pest:	Upper Grand Valley Pest

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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 4th day of April, 2001, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

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

SNIDOW ANNEXATION

**(A serial Annexation comprising
Snidow Annexation No 1 and Snidow Annexation No. 2)**

**LOCATED AT 3165 D ROAD
and Including a Portion of the 29 5/8 Road and D Road Rights-of-way**

WHEREAS, on the 4th day of April, 2001, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

SNIDOW ANNEXATION NO. 1

A parcel of land situate in the SW1/4 of Section 15, in Section 16, in the NE1/4 of Section 20, in Section 21, and in the NW1/4 of Section 22 all in Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the N1/4 Corner of said Section 20, thence S00° 01'52"W along the west line of the NE1/4 of said Section 20 a distance of 1324.28 feet to the south west corner of the NW1/4 NE1/4 of said Section 20; thence S89°46'35"E on the southerly line of the NW1/4 NE1/4 of said Section 20 a distance of 30.00 feet to the easterly right-of-way line of 29-5/8 Road; thence N00°01'52"E a distance of 1274.42 feet to the southerly right-of-way line of D Road; thence on said southerly right-of-way line the following:

1. N89°57'50"E a distance of 1287.50 feet to a point;
2. N00°02'21"W a distance of 20.00 feet to a point;
3. N89°57'32"E a distance of 1317.46 feet to a point on the easterly line of said Section 20;
4. S00°21'47"E on said easterly line a distance of 10.00 feet to a point;
5. N89°55'06"E a distance of 330.11 feet to a point;
6. N00°03'10"W a distance of 10.00 feet to a point;

7. N89°55'06"E a distance of 2311.13 feet to the easterly line of the NW1/4 of said Section 21;
8. N89°55'06"E a distance of 2641.66 feet to the east line of said Section 21;
9. S00°01'02"W on said east line a distance of 20.00 feet to a point;
10. S89°52'50"E a distance of 784.25 feet to a point;
11. N00°11'23"E a distance of 20.00 feet to a point;
12. S89°52'50"E a distance of 1840.83 feet to a point on the east line of the NW1/4 of said Section 22; thence leaving said southerly right-of-way line of D Road N00°06'54"E a distance of 30.00 feet to the N1/4 Corner of said Section 22; thence N89°52'50"W a distance of 2625.20 feet to the Northwest Corner of said Section 22; thence N00°00'00"E on the west-line of said Section 15 a distance of 40.00 feet to the northerly right-of-way line of said D Road; thence on said northerly right-of-way line the following:
 1. S89°55'06"W a distance of 660.61 feet to a point;
 2. N00°00'00"E a distance of 10.00 feet to a point;
 3. S89°55'06"W a distance of 740.45 feet to a point;
 4. S00°00'00"W a distance of 20.00 feet to a point;
 5. S89°55'06"W a distance of 269.83 feet to a point;
 6. N00°00'00"E a distance of 20.00 feet to a point;
 7. S89°55'06"W a distance of 820.82 feet to a point;
 8. S00°00'00"W a distance of 20.00 feet to a point;
 9. S89°55'06"W a distance of 150.04 feet to a point;
 10. N00°04'54"W a distance of 10.00 feet to a point;
 11. S89°55'06"W a distance of 978.21 feet to a point;
 12. S00°18'23"E a distance of 10.00 feet to a point;
 13. S89°55'06"W a distance of 1197.08 feet to a point;
 14. N00°04'54"W a distance of 11.00 feet to a point;
 15. S89°55'06"W a distance of 394.77 feet to a point;
 16. N69°52'41"W a distance of 11.88 feet to a point;

thence leaving said northerly right-of-way line of D Road S00°01'05"W a distance of 50.19 feet to the southerly line of the Parham Annexation; thence, continuing along said annexation boundary, N90°00'00"W a distance of 60.00 feet to the west line of said Section 21; thence S89°57'32"W a distance of 30.00 feet; thence S00°02'28"E a distance of 5.00 feet; thence S89°57'32"W a distance of 312.46 feet; thence N00°01'40"W a distance of 5.00 feet; thence S89°57'32"W a distance of 974.97 feet; thence N00°02'28"W a distance of 5.00 feet; thence S89°57'50"W a distance of 1317.48 feet to the beginning.

SNIDOW ANNEXATION NO. 2

A parcel of land situate in Section 15 and in the NE 1/4 of Section 22 all in Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the N 1/4 Corner of said Section 22; thence S00°06'54"W a distance of 30.00 feet to a point; thence on the southerly right-of-way line of D Road S89°52'17"E a distance of 656.06 feet; thence on the easterly right-of-way line of 31-5/8 Road S00°27'01"W a distance of 1064.76 feet; thence leaving said right-of-way line S89°52'58"E a distance of 664.23 feet to a point; thence N00°01'56"E a distance of 1094.61 feet to the north line of said Section 22; thence N00°06'41"E a distance of 40.00 feet to the northerly right-of-way line of D Road; thence on said northerly right-of-way line the following:

1. N89°52'17"W a distance of 412.57 feet to a point;
2. S00°19'23"E a distance of 10.00 feet to a point;
3. N89°52'17"W a distance of 132.00feet to a point;
4. N00°09'21"E a distance of 10.00 feet to a point;
5. N89°52'17"W a distance of 767.99 feet to a point;
6. N89°52'50"W a distance of 1312.66 feet to a point;
7. S00°13'21"E a distance of 10.00 feet to a point;
8. N89°52'50"W a distance of 1005.60 feet to a point;
9. N00°08'11"W a distance of 20.00 feet to a point;
10. N89°52'50"W a distance of 76.00 feet to a point;
11. S00°08'11"E a distance of 20.00 feet to a point;
12. N89°52'50"W a distance of 231.06 feet to a point on the west line of said

Section 15; thence leaving said northerly right-of-way line S00°00'00"W a distance of 30.00 feet to the S.W. Corner of said Section 15; thence S89°52'50"E a distance of 2625.20 feet to the beginning.

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

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

1. That a hearing will be held on the 16th day of May, 2001, in the auditorium of the Grand Junction City Hall, located at 250 N. Fifth Street, Grand Junction, Colorado, at 7:30 p.m. to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an

assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED this 4th day of April, 2001.

Attest:

President of the Council

City Clerk

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

City Clerk

<i>PUBLISHED</i>
April 6, 2001
April 13, 2001
April 20, 2001
April 27, 2001

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

SNIDOW ANNEXATION NO. 1

APPROXIMATELY 13.78 ACRES

LOCATED IN THE 29 5/8 ROAD AND D ROAD RIGHTS-OF-WAY

WHEREAS, on the 4th day of April, 2001, 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 16th day of May, 2001; 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 SW1/4 of Section 15, in Section 16, in the NE1/4 of Section 20, in Section 21, and in the NW1/4 of Section 22 all in Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the N1/4 Corner of said Section 20, thence S00° 01'52"W along the west line of the NE1/4 of said Section 20 a distance of 1324.28 feet to the south west corner of the NW1/4 NE1/4 of said Section 20; thence S89°46'35"E on the southerly line of the NW1/4 NE1/4 of said Section 20 a distance of 30.00 feet to the easterly right-of-way line of 29-5/8 Road; thence N00°01'52"E a distance of 1274.42 feet to the southerly right-of-way line of D Road; thence on said southerly right-of-way line the following:

1. N89°57'50"E a distance of 1287.50 feet to a point;

2. N00°02'21"W a distance of 20.00 feet to a point;
 3. N89°57'32"E a distance of 1317.46 feet to a point on the easterly line of said Section 20;
 4. S00°21'47"E on said easterly line a distance of 10.00 feet to a point;
 5. N89°55'06"E a distance of 330.11 feet to a point;
 6. N00°03'10"W a distance of 10.00 feet to a point;
 7. N89°55'06"E a distance of 2311.13 feet to the easterly line of the NW1/4 of said Section 21;
 8. N89°55'06"E a distance of 2641.66 feet to the east line of said Section 21;
 9. S00°01'02"W on said east line a distance of 20.00 feet to a point;
 10. S89°52'50"E a distance of 784.25 feet to a point;
 11. N00°11'23"E a distance of 20.00 feet to a point;
 12. S89°52'50"E a distance of 1840.83 feet to a point on the east line of the NW1/4 of said Section 22;
- thence leaving said southerly right-of-way line of D Road N00°06'54"E a distance of 30.00 feet to the N1/4 Corner of said Section 22; thence N89°52'50"W a distance of 2625.20 feet to the Northwest Corner of said Section 22; thence N00°00'00"E on the west-line of said Section 15 a distance of 40.00 feet to the northerly right-of-way line of said D Road; thence on said northerly right-of-way line the following:
1. S89°55'06"W a distance of 660.61 feet to a point;
 2. N00°00'00"E a distance of 10.00 feet to a point;
 3. S89°55'06"W a distance of 740.45 feet to a point;
 4. S00°00'00"W a distance of 20.00 feet to a point;
 5. S89°55'06"W a distance of 269.83 feet to a point;
 6. N00°00'00"E a distance of 20.00 feet to a point;
 7. S89°55'06"W a distance of 820.82 feet to a point;
 8. S00°00'00"W a distance of 20.00 feet to a point;
 9. S89°55'06"W a distance of 150.04 feet to a point;
 10. N00°04'54"W a distance of 10.00 feet to a point;
 11. S89°55'06"W a distance of 978.21 feet to a point;
 12. S00°18'23"E a distance of 10.00 feet to a point;
 13. S89°55'06"W a distance of 1197.08 feet to a point;
 14. N00°04'54"W a distance of 11.00 feet to a point;
 15. S89°55'06"W a distance of 394.77 feet to a point;
 16. N69°52'41"W a distance of 11.88 feet to a point;

thence leaving said northerly right-of-way line of D Road S00°01'05"W a distance of 50.19 feet to the southerly line of the Parham Annexation; thence, continuing along said annexation boundary, N90°00'00"W a distance of 60.00 feet to the west line of said Section 21; thence S89°57'32"W a distance of 30.00 feet; thence S00°02'28"E a distance of 5.00 feet; thence S89°57'32"W a distance of 312.46 feet; thence N00°01'40"W a distance of 5.00 feet; thence S89°57'32"W a distance of 974.97 feet; thence N00°02'28"W a distance of 5.00 feet; thence S89°57'50"W a distance of 1317.48 feet to the beginning.

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

INTRODUCED on first reading on the 4^h day April, 2001.

ADOPTED and ordered published this ____ day of _____, 2001.

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**

SNIDOW ANNEXATION NO. 2

APPROXIMATELY 20.36 ACRES

**LOCATED AT 3165 D ROAD
AND INCLUDING A PORTION OF THE D ROAD RIGHT-OF-WAY**

WHEREAS, on the 4th day of April, 2001, 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 16th day of May, 2001; and

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

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

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

A parcel of land situate in Section 15 and in the NE 1/4 of Section 22 all in Township One South, Range One East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the N 1/4 Corner of said Section 22; thence S00°06'54"W a distance of 30.00 feet to a point; thence on the southerly right-of-way line of D Road S89°52'17"E a distance of 656.06 feet; thence on the easterly right-of-way line of 31-5/8 Road S00°27'01"W a distance of 1064.76 feet; thence leaving said right-of-way line S89°52'58"E a distance of 664.23 feet to a point; thence N00°01'56"E a distance of 1094.61 feet to the north line of said Section 22; thence N00°06'41"E a distance of

40.00 feet to the northerly right-of-way line of D Road; thence on said northerly right-of-way line the following:

1. N89°52'17"W a distance of 412.57 feet to a point;
2. S00°19'23"E a distance of 10.00 feet to a point;
3. N89°52'17"W a distance of 132.00feet to a point;
4. N00°09'21"E a distance of 10.00 feet to a point;
5. N89°52'17"W a distance of 767.99 feet to a point;
6. N89°52'50"W a distance of 1312.66 feet to a point;
7. S00°13'21"E a distance of 10.00 feet to a point;
8. N89°52'50"W a distance of 1005.60 feet to a point;
9. N00°08'11"W a distance of 20.00 feet to a point;
10. N89°52'50"W a distance of 76.00 feet to a point;
11. S00°08'11"E a distance of 20.00 feet to a point;
12. N89°52'50"W a distance of 231.06 feet to a point on the west line of said

Section 15;

thence leaving said northerly right-of-way line S00°00'00"W a distance of 30.00 feet to the S.W. Corner of said Section 15; thence S89°52'50"E a distance of 2625.20 feet to the beginning.

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

INTRODUCED on first reading on the 4^h day April, 2001.

ADOPTED and ordered published this ____ day of _____, 2001.

Attest:

President of the Council

City Clerk

**Attach 8
Gamble-Sage Annexation**

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

CITY COUNCIL			
Subject:	Gamble/Sage Annexation		
Meeting Date:	April 4, 2001		
Date Prepared:	March 28, 2001		
Author:	Lori V. Bowers	Associate Planner	
Presenter Name:	Lori V. Bowers	Associate Planner	
	Workshop	X	Formal Agenda

Subject: Resolution for Referral of the Annexation Petition/ First reading of the annexation ordinance/Exercising land use jurisdiction immediately for the Gamble/Sage Annexation, located at 3070 I-70 B.

Summary: The 10.78-acre Gamble/Sage Annexation area consists of one parcel of land, approximately 6.06 acres in size. The remaining acreage is comprised of approximately 582.28 feet along E ¼ Road; 256.37 feet along I-70 B. There are no existing structures on the site. The owner of the property has signed a petition for annexation.

Background Information: See attached Staff Report

Budget: N/A

Action Requested/Recommendation: Acceptance of the Annexation Petition, and first reading of the Annexation Ordinance granting Land Use Jurisdiction.

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: Resolution for Referral of the Annexation Petition/ First reading of the annexation ordinance/Exercising land use jurisdiction immediately for the Gamble/Sage Annexation, located at 3070 I-70 B.

SUMMARY: The 10.78-acre Gamble/Sage Annexation area consists of one parcel of land, approximately 6.06 acres in size. The remaining acreage is comprised of approximately 582.28 feet along E ¼ Road; 256.37 feet along I-70 B. There are no existing structures on the site. The owner of the property has signed a petition for annexation.

BACKGROUND INFORMATION			
Location:		3070 I-70B	
Applicants:		Sage Properties, LLC, Owner RG Consulting Engineers, Representative	
Existing Land Use:		Vacant land	
Proposed Land Use:		Office, Warehouse/shop/indoor storage	
Surrounding Land Use:	North	Residential	
	South	I-70 B and Southern Pacific Railroad	
	East	Commercial / Dale Broom RV Sales	
	West	Commercial	
Existing Zoning:		B-2	
Proposed Zoning:		C-1	
Surrounding Zoning:	North	(Mesa County) B-2 and RSF-4	
	South	I-1 (across highway and RR)	
	East	C-1	
	West	(Mesa County) B-2	
Growth Plan Designation:		Commercial	
Zoning within density range?	X	Yes	No

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

ordinance and exercise land use jurisdiction immediately for the Gamble/Sage Annexation and set a hearing for May 16, 2001.

Staff Analysis:

ANNEXATION:

This annexation area consists of annexing 10.78-acres of land. The request for annexation comes from a request to subdivide this 6.06-acre parcel for two commercial lots. One lot will house FCI Construction's new office with an enclosed shop building. The other lot will be available for other commercial development. The property currently is zoned Commercial in the County. A minor subdivision and site plan are forthcoming for review. The property is now being annexed into the City of Grand Junction.

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

<u>ANNEXATION SCHEDULE</u>	
April 4th	Referral of Petition to Annex & 1 st Read (30 Day Notice)
April 10th	Planning Commission considers Zone of Annexation
May 2nd	First Reading on Zoning by City Council
May 16th	Public hearing on Annexation and Zoning by City Council

June 17th	Effective date of Annexation and Zoning
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RECOMMENDATION:
Approval

Attachments: Gamble/Sage Annexation Map...A

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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 4th day of April, 2001, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO.

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

GAMBLE / SAGE ANNEXATION

LOCATED AT 3070 I-70 B

WHEREAS, on the 4th day of April, 2001, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

**PERIMETER BOUNDARY LEGAL DESCRIPTION
GAMBLE / SAGE ANNEXATION**

A parcel of land situate in the NE 1/4 SE 1/4 and in the NW 1/4 SE 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 northeast corner of the NW 1/4 SE 1/4 of said Section 9; thence S 89°58'48" E along the north line of the NE 1/4 SE 1/4 of Section 9 a distance of 331.00 feet to a point; thence leaving the north line of said NE 1/4 SE 1/4 S 00°09'13" E a distance of 728.86 feet to the True Point of Beginning of the parcel described herein; thence S 00°09'13" E a distance of 525.40 feet to a point on the northerly right of way line for I-70B (said point also being the southwest corner of Lot 5 of 31 Road Business Park); thence N 68°45'00" E along the northerly right of way line for said I-70B a distance of 256.37 feet to a point; thence leaving said northerly right of way line S 00°18'27" E a distance of 237.05 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 I-70B a distance of 833.81 feet to a point; thence leaving said line N 00°09'13" W a distance of 208.23 feet to a point on the northerly right of way line for said I-70B; thence leaving said northerly right of way line N 00°09'13" W a distance of 537.87 feet to a point on the northerly right of way line for E 1/4 Road (said point also being the southwest corner of Lot 1 of Solar Horizons Village); thence N 73°04'12" E along the northerly right of way line for said E 1/4 Road a distance of 582.28 feet to the point of beginning.

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

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

1. That a hearing will be held on the 16th day of May, 2001, in the City of Grand Junction Auditorium, located at 250 North 5th Street, Grand Junction, Colorado, at 7:30 p.m. to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED this _day of _____, 2001.

Attest:

President of the Council

City Clerk

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

City Clerk

Published:

April 6, 2001
April 13, 2001
April 20, 2001
April 27, 2001

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

**GAMBLE / SAGE ANNEXATION
APPROXIMATELY 10.78 ACRES
LOCATED AT 3070 I-70 B**

WHEREAS, on the 4th day of April, 2001, 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 16th day of May, 2001; 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
GAMBLE / SAGE ANNEXATION**

A parcel of land situate in the NE 1/4 SE 1/4 and in the NW 1/4 SE 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 northeast corner of the NW 1/4 SE 1/4 of said Section 9; thence S 89°58'48" E along the north line of the NE 1/4 SE 1/4 of Section 9 a distance of 331.00 feet to a point; thence leaving the north line of said NE 1/4 SE 1/4 S 00°09'13" E a distance of 728.86 feet to the True Point of Beginning of the parcel described herein; thence S 00°09'13" E a distance of 525.40 feet to a point on the northerly right of way line for I-70B (said point also being the southwest corner of Lot 5 of 31 Road Business Park); thence N 68°45'00" E along the northerly right of way line for said I-70B a distance of

256.37 feet to a point; thence leaving said northerly right of way line S 00°18'27" E a distance of 237.05 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 I-70B a distance of 833.81 feet to a point; thence leaving said line N 00°09'13" W a distance of 208.23 feet to a point on the northerly right of way line for said I-70B; thence leaving said northerly right of way line N 00°09'13" W a distance of 537.87 feet to a point on the northerly right of way line for E 1/4 Road (said point also being the southwest corner of Lot 1 of Solar Horizons Village); thence N 73°04'12" E along the northerly right of way line for said E 1/4 Road a distance of 582.28 feet to the point of beginning.

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

INTRODUCED on first reading on the ___ day of _____, 2001.

ADOPTED and ordered published this ___ day of _____, 2001.

Attest:

President of the Council

City Clerk

**Attach 9
Parham Annexation**

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Parham Annexation		
Meeting Date:	April 4, 2001		
Date Prepared:	March 20, 2001		
Author:	Lisa Gerstenberger	Senior Planner	
Presenter Name:	Lisa Gerstenberger	Senior Planner	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda

Subject: Parham Annexation, ANX-2001-061.

Summary: Resolution for Referral of Petition to Annex/First reading of the annexation ordinance/Exercising land use jurisdiction immediately for the Parham Annexation located at 2960 D Road and including a portion of D Road right-of-way.

Background Information: See Attached

Budget: N/A

Action Requested/Recommendation: Recommend City Council approve the Resolution for the Referral of Petition to Annex, first reading of the Annexation Ordinance and exercise land use immediately for the Parham Annexation and set a hearing for May 16, 2001.

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

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

DATE: March 20, 2001

CITY COUNCIL

STAFF PRESENTATION: Lisa Gerstenberger

AGENDA TOPIC: ANX-2001-061, Parham Annexation.

SUMMARY: Resolution for Referral of Petition to Annex/First reading of the Annexation Ordinance/Exercising land use jurisdiction immediately for the Parham Annexation located at 2960 D Road and including a portion of D Road right-of-way.

BACKGROUND INFORMATION					
Location:		2960 D Road			
Applicants:		Bryan Parham			
Existing Land Use:		Vacant Residential Unit and Barn			
Proposed Land Use:		Residential			
Surrounding Land Use:	North	Vacant			
	South	Residential			
	East	Residential			
	West	Residential			
Existing Zoning:		County AFT			
Proposed Zoning:		City RMF-8			
Surrounding Zoning:	North	County Planned Residential 3.31 units/acre			
	South	County AFT			
	East	County AFT			
	West	County AFT			
Growth Plan Designation:		Residential Medium			
Zoning within density range?		x	Yes		No

Staff Analysis:

ANNEXATION:

The owner of the property has signed a petition for annexation as part of the request to construct a single family residential subdivision, 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 Parham 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.

ROUTE 30 PARTNERS ANNEXATION SUMMARY	
File Number:	ANX-2001-061
Location:	2960 D Road
Tax ID Number:	2945-174-00-186
Parcels:	1 parcel and D Road right-of-way
Estimated Population:	0
# of Parcels (owner occupied):	N/A
# of Dwelling Units:	1 (vacant)
Acres land annexed:	14.53 acres for annexation area
Developable Acres Remaining:	13 acres
Right-of-way in Annexation:	1.53 acres, See Annexation Map
Previous County Zoning:	AFT
Proposed City Zoning:	Residential Multi-family, 8 du/ac
Current Land Use:	Vacant
Future Land Use:	Residential

Values:	Assessed:	= \$98,500
	Actual:	= \$9,600
Census Tract:		8
Address Ranges:		2960 D Road
Special Districts:	Water:	Ute Water
	Sewer:	Central Grand Valley Sanitation
	Fire:	GJ Rural Fire
	Drainage:	GJ Drainage District
	School:	District 51
	Pest:	N/A

The following annexation and zoning schedule is being proposed.

<i>ANNEXATION SCHEDULE</i>	
4-4-2001	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
4-10-2001	Planning Commission considers Zone of Annexation
5-2-2001	First Reading on Zoning by City Council
5-16-2001	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
6-17-2001	Effective date of Annexation and Zoning

Action Requested/Recommendation: It is recommended that City Council approve the Parham Annexation.

Attachments:

- Resolution of Referral of Petition/Exercising Land Use Immediately
- Annexation Ordinance
- Annexation Map

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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on April 4, 2001, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. ____

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

PARHAM ANNEXATION

**LOCATED AT 2960 D ROAD and
Including a portion of D Road Right-of-Way**

WHEREAS, on April 4, 2001, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

PARHAM ANNEXATION

A parcel of land situate in the SW 1/4 and SE 1/4 of Section 17 and in the NE 1/4 of Section 20, all in Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the S 1/4 corner of Section 17; thence S 89°57'50" W along the south line of the SE 1/4 SW 1/4 of said Section 17 a distance of 716.19 feet to a point; thence N 00°02'10" W a distance of 5.00 feet to a point; thence N 89°57'50" E along a line 5.00 feet north of and parallel with the south line of said SE 1/4 SW 1/4 a distance of 716.19 feet to a point on the west line of the SW 1/4 SE 1/4 of said Section 17; thence N 00°03'26" W along the west line of said SW 1/4 SE 1/4 a distance of 45.00 feet to a point on the north right of way line for D Road; thence N 89°57'50" E along the north right of way line for said D Road a distance of 329.34 feet to a point on the east line of the W 1/4 SW 1/4 SE 1/4 of said Section 17; thence N 00°03'26" W along the east line of said W 1/4 SW 1/4 SE 1/4 a distance of 1270.57 feet to the northeast corner of said W 1/4 SW 1/4 SE 1/4; thence N 89°58'55" E along the north line of the SW 1/4 SE 1/4 of said Section 17 a distance of 988.81 feet to the SE 1/16 corner of said Section 17; thence S 00°01'40" E along the east line of said SW 1/4 SE 1/4 a distance of 324.92 feet to a point on the centerline for the Grand Valley Irrigation Company Canal; thence along said centerline the following 5 courses:

N 67°31'47" W a distance of 67.05 feet to a point;
N 59°26'07" W a distance of 137.94 feet to a point;
N 70°43'27" W a distance of 60.07 feet to a point;
N 76°08'25" W a distance of 132.54 feet to a point;
N 71°48'17" W a distance of 286.92 feet to a point;

thence S 00°02'13" E a distance of 1182.69 feet to a point on the north right of way line for said D Road; thence along the north right of way line for said D Road the following 3 courses:

N 89°57'50" E a distance of 309.00 feet to a point;

S 00°02'10" E a distance of 20.00 feet to a point;

N 89°57'50" E a distance of 119.39 feet to a point;

thence leaving said north right of way line S 00°01'40" E a distance of 25.00 feet to a point;

thence N 89°57'50" E along a line 5.00 feet north of and parallel with the south line of the SW 1/4 SE 1/4 of said Section 17 a distance of 210.00 feet to a point on the west line of the SE 1/4 SE 1/4 of said Section 17; thence S 00°01'40" E along the west line of said SE 1/4 SE 1/4 a distance of 5.00 feet to the E 1/16 corner on the south line of said Section 17;

thence N 89°57'32" E along the south line of said SE 1/4 SE 1/4 a distance of 980.00 feet to a point; thence S 00°01'40" E a distance of 5.00 feet to a point; thence N 89°57'32" E

along a line 5.00 feet south of and parallel with the north line of the NE 1/4 NE 1/4 of Section 20 a distance of 307.46 feet to a point; thence S 00°02'28" E a distance of 5.00

feet to a point; thence S 89°57'32" W along a line 10.00 feet south of and parallel with the north line of said NE 1/4 NE 1/4 a distance of 312.46 feet to a point; thence N 00°01'40" W

a distance of 5.00 feet to a point; thence S 89°57'32" W along a line 5.00 feet south of and parallel with the north line of said NE 1/4 NE 1/4 a distance of 975.00 feet to a point on the west line of said NE 1/4 NE 1/4 of said Section 20; thence N 00°02'21" W along said west

line a distance of 5.00 feet to the E 1/16 corner on the north line of said Section 20; thence S 89°57'50" W along the north line of the NW 1/4 NE 1/4 of said Section 20 a distance of

1317.48 feet to the N 1/4 corner of said Section 20 and point of beginning, containing

14.53 acres more or less.

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

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

1. That a hearing will be held on the May 16, 2001, in the auditorium of the Grand Junction City Hall, located at 250 N. Fifth Street, Grand Junction, Colorado, at 7:30 p.m. to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other

annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED this 4th day of April, 2001.

Attest:

President of the Council

City Clerk

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

City Clerk

PUBLISHED
April 6, 2001
April 13, 2001
April 20, 2001
April 27, 2001

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

PARHAM ANNEXATION

**APPROXIMATELY 14.53 ACRES LOCATED AT 2960 D ROAD AND
INCLUDING A PORTION OF D ROAD RIGHT-OF-WAY**

WHEREAS, on the April 4, 2001, 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 May 16, 2001; 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:

PARHAM ANNEXATION

A parcel of land situate in the SW 1/4 and SE 1/4 of Section 17 and in the NE 1/4 of Section 20, all in Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the S 1/4 corner of Section 17; thence S 89°57'50" W along the south line of the SE 1/4 SW 1/4 of said Section 17 a distance of 716.19 feet to a point; thence N 00°02'10" W a distance of 5.00 feet to a point; thence N 89°57'50" E along a line 5.00 feet north of and parallel with the south line of said SE 1/4 SW 1/4 a distance of 716.19 feet to a point on the west line of the SW 1/4 SE 1/4 of said Section 17; thence N 00°03'26" W along the west line of said SW 1/4 SE 1/4 a distance of 45.00 feet to a point on the north right of way line for D Road; thence N 89°57'50" E along the north right of way line for said D Road a distance of 329.34 feet to a point on the east line of the W 1/4 SW 1/4 SE 1/4 of said Section 17; thence N 00°03'26" W along the east line of said W 1/4 SW 1/4 SE 1/4 a distance of 1270.57 feet to the northeast corner of said W 1/4 SW 1/4 SE 1/4; thence N 89°58'55" E along the north line of the SW 1/4 SE 1/4 of said Section 17 a distance of

988.81 feet to the SE 1/16 corner of said Section 17; thence S 00°01'40" E along the east line of said SW 1/4 SE 1/4 a distance of 324.92 feet to a point on the centerline for the Grand Valley Irrigation Company Canal; thence along said centerline the following 5 courses:

N 67°31'47" W a distance of 67.05 feet to a point;

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N 70°43'27" W a distance of 60.07 feet to a point;

N 76°08'25" W a distance of 132.54 feet to a point;

N 71°48'17" W a distance of 286.92 feet to a point;

thence S 00°02'13" E a distance of 1182.69 feet to a point on the north right of way line for said D Road; thence along the north right of way line for said D Road the following 3 courses:

N 89°57'50" E a distance of 309.00 feet to a point;

S 00°02'10" E a distance of 20.00 feet to a point;

N 89°57'50" E a distance of 119.39 feet to a point;

thence leaving said north right of way line S 00°01'40" E a distance of 25.00 feet to a point;

thence N 89°57'50" E along a line 5.00 feet north of and parallel with the south line of the SW 1/4 SE 1/4 of said Section 17 a distance of 210.00 feet to a point on the west line of the SE 1/4 SE 1/4 of said Section 17; thence S 00°01'40" E along the west line of said SE 1/4 SE 1/4 a distance of 5.00 feet to the E 1/16 corner on the south line of said Section 17;

thence N 89°57'32" E along the south line of said SE 1/4 SE 1/4 a distance of 980.00 feet to a point; thence S 00°01'40" E a distance of 5.00 feet to a point; thence N 89°57'32" E along a line 5.00 feet south of and parallel with the north line of the NE 1/4 NE 1/4 of Section 20 a distance of 307.46 feet to a point; thence S 00°02'28" E a distance of 5.00 feet to a point; thence S 89°57'32" W along a line 10.00 feet south of and parallel with the north line of said NE 1/4 NE 1/4 a distance of 312.46 feet to a point; thence N 00°01'40" W a distance of 5.00 feet to a point; thence S 89°57'32" W along a line 5.00 feet south of and parallel with the north line of said NE 1/4 NE 1/4 a distance of 975.00 feet to a point on the west line of said NE 1/4 NE 1/4 of said Section 20; thence N 00°02'21" W along said west line a distance of 5.00 feet to the E 1/16 corner on the north line of said Section 20; thence S 89°57'50" W along the north line of the NW 1/4 NE 1/4 of said Section 20 a distance of 1317.48 feet to the N 1/4 corner of said Section 20 and point of beginning, containing 14.53 acres more or less.

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

INTRODUCED on first reading on the April 4, 2001.

ADOPTED and ordered published this 16th day of May, 2001.

Attest:

President of the Council

City Clerk

**Attach 10
Zoning Berthod Annexation**

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Zoning the Berthod Annexation		
Meeting Date:	April 4, 2001		
Date Prepared:	March 9, 2001		
Author:	Patricia Parish	Associate Planner	
Presenter Name:	Patricia Parish	Associate Planner	
	Workshop	X	Formal Agenda

Subject: Zoning the Berthod Annexation, #ANX-2001-033

Summary: First reading of the Zone of Annexation ordinance for the Berthod Annexation located at 2982 Gunnison Avenue. (#ANX-2001-033)

Background Information: See attached.

Budget: N/A

Action Requested/Recommendation: It is recommended that City Council approve the first reading of the Zone of Annexation ordinance for the Berthod Annexation and set a hearing for April 18, 2001.

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

Report results back to Council:	<input checked="" type="checkbox"/>	<input type="checkbox"/> No	<input type="checkbox"/> Yes	When:	
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Placement on Agenda:	<input checked="" type="checkbox"/>	<input type="checkbox"/> Consent	<input type="checkbox"/> Indiv. Consideration	<input type="checkbox"/> Workshop
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BACKGROUND INFORMATION			
Location:		2982 Gunnison Avenue	
Applicants:		James and Jill Berthod, Owners Craig Hoff, NTCH Colo. Inc., Representative	
Existing Land Use:		Vacant	
Proposed Land Use:		100' Tower	
Surrounding Land Use:	North	Commercial Industrial	
	South	Commercial Industrial	
	East	Commercial Industrial	
	West	Commercial Industrial	
Existing Zoning:		I-1 (Industrial-County)	
Proposed Zoning:		I-1 (Light Industrial) Effective Annexation Date: 1/7/01	
Surrounding Zoning:	North	I-1 (Industrial-County)	
	South	I-2 (Industrial-County)	
	East	I-2 (Industrial- County)	
	West	I-2 (Industrial- County)	
Growth Plan Designation:		Commercial 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 Light Industrial (I-1) is identical to or nearly identical to corresponding Mesa County zoning for the properties.

The Berthod Annexation property consists of 0.712 acres. The existing Mesa County zoning for the Berthod parcel is Industrial. The proposed Zone of Annexation for the Berthod property is I-1 (Light Industrial). The 0.712 acres of land owned by James and Jill Berthod is being annexed in accordance with the Persigo Agreement as a result of the plan to construct a telecommunications tower and build an equipment shed, which is concurrently undergoing a Planning Commission review for a Conditional Use Permit.

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.

<u>ANNEXATION SCHEDULE</u>	
March 7, 2001	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
March 20, 2001	Planning Commission considers Zone of Annexation
April 4, 2001	First Reading on Zoning by City Council
April 18, 2001	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
May 20, 2001	Effective date of Annexation and Zoning

STAFF RECOMMENDATION:

Approval of the zone of annexation to Light Industrial (I-1).

PLANNING COMMISSION RECOMMENDATION:

Zone of Annexation:

Recommendation of approval of Light Industrial (I-1) on File #ANX-2001-033, for the following reasons:

- I-1 zone district is similar to the existing Mesa County zoning I.
- I-1 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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE No. ____

**ZONING THE BERTHOD ANNEXATION TO LIGHT INDUSTRIAL (I-1)
LOCATED AT 2982 GUNNISON 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-1 zone district to this annexation.

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

Includes the following tax parcel 2943-171-07-010

BERTHOD ANNEXATION

Lot 10, Banner Industrial Park (Plat Book 11, Page 362) Situate in the SE 1/4 NE 1/4, Section 17, T1S, R1E, U.M. County of Mesa, State of Colorado

Introduced on first reading this 4th day of April, 2001.

PASSED and ADOPTED on second reading this ____ day of _____, 2001.

Attest:

President of the Council

City Clerk

BERTHOD ANNEXATION SUMMARY

File Number: ANX-2001-033

Location: 2982 GUNNISON AVENUE

Tax ID Number: 2943-171-07-010

Parcels: 1

Estimated Population: 0

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

Acres: 0.712 acres in annexation area

Developable Acres Remaining: 0

Right-of-way in Annexation: GUNNISON AVE. ALREADY ANNEXED

Previous County Zoning: I-1

Proposed City Zoning: I-1

Current Land Use: VACANT

Future Land Use: 100' TOWER

Assessed Values: Land = \$5,750 Improvements = \$0
TOTAL VALUE = \$5,750

Market Values: Total=\$19,840

Census Tract: 8

Address Ranges: 2982 GUNNISON 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

**Attach 11
DDA Lots to City**

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

CITY COUNCIL			
Subject:	Conveyance of Lots 1 through 10, Block 122 to the City of Grand Junction by the Downtown Development Authority		
Meeting Date:	April 4, 2001		
Date Prepared:	March 28, 2001		
Author:	Dan Wilson	City Attorney	
Presenter Name:	Dan Wilson	City Attorney	
	Workshop	X	Formal Agenda

Subject: Resolution Accepting a Warranty Deed for Lots 1 through 10, Block 122, from the Downtown Development Authority.

Background Information: The City is engaged in a remodeling project at the Two Rivers Convention Center. Construction of additional parking for Two Rivers is part of this project. To help implement the project, the Board of Directors of the Grand Junction, Colorado, Downtown Development Authority has voted to convey these lots to the City.

Action Requested/Recommendation: Authorize the City Attorney to effectuate the transfer of Lots 1 through 10, Block 122, City of Grand Junction, Mesa County, Colorado from the Grand Junction, Colorado, Downtown Development Authority to the City.

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

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

RESOLUTION NO. -01

**RESOLUTION ACCEPTING A WARRANTY DEED
FOR LOTS 1-10, BLOCK 122, CITY OF GRAND JUNCTION
FROM THE DOWNTOWN DEVELOPMENT AUTHORITY**

Recitals.

The City is engaged in a remodeling project at the Two Rivers Convention Center. Construction of additional parking for Two Rivers is part of this project. The Grand Junction, Colorado, Downtown Development Authority and the City have agreed that the DDA owned Lots 1 through 10 in Block 122 are to be an integral part of that project.

To help implement the project, the Board of Directors of the Grand Junction, Colorado, Downtown Development Authority has voted to convey these lots to the City. The City Council has previously approved the transfer of said lots from the DDA to the City.

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

1. The City Attorney is authorized to take such steps as are reasonably required to effectuate the transfer of, pursuant to warranty deed, Lots 1-10, inclusive, Block 122, City of Grand Junction, Mesa County, Colorado from the Grand Junction, Colorado, Downtown Development Authority to the City.

Signed this 4th day of April, 2001.

Gene Kinsey, Mayor

ATTEST:

Stephanie Nye, City Clerk

