

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

WEDNESDAY, AUGUST 1, 2001, 7:30 P.M.

CALL TO ORDER

Pledge of Allegiance

Invocation - Gerald Holmquist
Turkish World Outreach

RECOGNITIONS

PRESENTATION OF THE SILVER BUCKLE AWARD FOR 2000 TO THE GRAND JUNCTION POLICE DEPARTMENT BY DUKE SMITH WITH THE COLORADO DEPT. OF TRANSPORTATION

APPOINTMENTS

APPOINTMENTS TO THE PARKS AND RECREATION ADVISORY BOARD

PRESENTATION OF CERTIFICATES OF APPOINTMENT

TO NEWLY APPOINTED MEMBERS OF THE DOWNTOWN DEVELOPMENT AUTHORITY

TO NEWLY APPOINTED MEMBERS OF THE RIDGES ARCHITECTURAL CONTROL COMMITTEE

CITIZEN COMMENTS

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

1. **Minutes of Previous Meetings**

[Attach 1](#)

Action: Approve the Summaries of the July 9, 2001 and July 16, 2001 Workshops, the Minutes of the July 11, 2001 Regular Meeting and the Minutes of the July 18, 2001 Regular Meeting

2. **Contract for Signal Communications Design, Phase 2**

[Attach 2](#)

The contract covers six tasks related to the design of the signal system communications project – review of the schedule and cost estimates in the CIP, design of the next construction project, ongoing support, construction support and project management

Action: Award the Contract for the Signal Communications Design, Phase 2 to Kimley-Horn & Associates, Inc. in an Amount not to Exceed \$97,500.00.

Staff presentation: Mark Relph, Public Works & Utilities Director

3. **Joint Resolution Approving Amended FY2002 Unified Planning Work Program** [Attach 3](#)

Approve and sign a Joint Resolution between Mesa County and the City of Grand Junction adopting the Amended FY 2002 Unified Planning Work Program. The Amended Unified Planning Work Program modifies task A.4 to include a reference to CDOT as a participating entity in the Memorandum of Agreement.

Resolution No. 73-01 – A Joint Resolution of the County of Mesa and the City of Grand Junction Concerning Adoption of the Amended Fiscal Year 2002 Unified Planning Work Program (UPWP)

**Action: Adopt Resolution No. 73-01*

Staff presentation: Mark Relph, Public Works & Utilities Director

4. **Setting a Hearing on Rezoning Colonial Heights Subdivision, Located at SE Corner of 25 Road and G Road** [File #RZP-2001-034] [Attach 4](#)

First reading of the rezoning ordinance to rezone the Colonial Heights Subdivision from Planned Development, 4.4 units per acre (PD 4.4) zone district, to Residential Multi-Family-5 (RMF-5), located at SE corner of 25 Road and G Road.

Proposed Ordinance Rezoning the Colonial Heights Subdivision from Planned Development, 4.4 units per acre (PD 4.4) to Residential Multi-Family-5 (RMF-5), Located at SE Corner of 25 Road and G Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 15, 2001

Staff Presentation: Lisa Gerstenberger, Senior Planner

5. **Setting a Hearing on Zoning the Parham Annexation, Located at 2960 D Road**
[File #ANX-2001-061] [Attach 5](#)

First reading of the zoning ordinance to zone the Parham Annexation from County RSF-R to City RMF-8 (Residential Multi-Family-8), located at 2960 D Road.

Proposed Ordinance Zoning the Parham Annexation Located at 2960 D Road to RMF-8

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 15, 2001

Staff presentation: Lisa Gerstenberger, Senior Planner

6. **Setting a Hearing on Zoning the Grand Meadows Annexation, Located at 30 Road and Gunnison Way** [File #ANX-2001-080] [Attach 6](#)

First reading of the zoning ordinance to zone the Grand Meadows Annexation located at 30 Road, south of Gunnison Way, from County RSF-R to City RMF-5 (Residential Multi-Family-5).

Proposed Ordinance Zoning the Grand Meadows Annexation to Residential Multi-Family-5 (RMF-5), Located at 30 Road South of Gunnison Way

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 15, 2001

Staff presentation: Lisa Gerstenberger, Senior Planner

7. **Setting a Hearing on Appleton Corners Veterinary Clinic Annexations No. 1, No. 2 and No. 3, Located at 797 24 Road and Including Portions of the 24 Road Right-of-Way** [File #ANX-2001-154] [Attach 7](#)

Referral of petition, first reading of the annexation ordinances and exercising land use immediately for the Appleton Corners Veterinary Clinic Annexations No. 1, No. 2 and No. 3 located at 797 24 Road and including portions of the 24 Road right-of-way. The Appleton Corners Veterinary Clinic Annexations No. 1, No. 2 and No. 3 consist of 2.731 acres.

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

Resolution No. 74-01 – 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 – Appleton Corners Veterinary Clinic Annexations No. 1, No. 2 and No. 3 Located at 797 24 Road and including Portions of the 24 Road Right-of-Way

*Action: *Adopt Resolution No. 74-01*

b. Set a Hearing on Proposed Ordinances

- i. Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Appleton Corners Veterinary Clinic Annexation No. 1, Approximately 0.004 Acres, Located in the 24 Road Right-of-way South of 797 24 Road
- ii. Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Appleton Corners Veterinary Clinic Annexation No. 2, Approximately 0.008 Acres, Located in the 24 Road Right-of-way South of 797 24 Road
- iii. Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Appleton Corners Veterinary Clinic Annexation No. 3, Approximately 2.719 Acres Located at 797 24 Road and including a Portion of the 24 Road Right-of-way

*Action: *Adopt Proposed Ordinances on First Reading and Set a Hearing for September 5, 2001*

Staff presentation: David Thornton, Principal Planner

8. Setting a Hearing on Zoning Monument Valley Filing 7

[File #ANX-2001-125]

[Attach 8](#)

The applicant proposes a zone of annexation from County PD to City RSF-2 for the 56.7 acre Monument Valley Filing 7 Annexation. A preliminary plan to subdivide the parcel into 87 single-family lots was approved by the Planning Commission at its July 24, 2001 hearing. The Planning Commission recommends approval.

Proposed Ordinance Zoning the Monument Valley Filing 7 Annexation Residential Single Family – 2 (RSF-2), Located on the East Side of South Camp Road, East of Wingate School

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 15, 2001

Staff presentation: Bill Nebeker, Senior Planner

9. **Setting a Hearing on Rezoning Elm Avenue PD Rezone** [File #RZ-2001-124] [Attach 9](#)

The applicant/owner requests to amend the final plan for the site at 704 Elm Avenue to add a beauty salon as an approved use. Currently only office use is allowed in this planned development zone. The Planning Commission recommends approval.

Proposed Ordinance Zoning a Planned Development Located at 704 Elm Avenue to Add an Additional Allowed Use

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 15, 2001

Staff presentation: Bill Nebeker, Senior Planner

10. **Revocable Permit for Ridges Entry Sign** [Attach 10](#)

The existing Ridges entrance sign on the west side of Ridges Blvd. and Highway 340 is located within public right-of-way. The Redlands Mesa developer has obtained permission from other affected parties to replace that sign with a new stucco and stone sign. The developer needs a revocable permit to allow the sign.

Resolution No. 75-01 – A Resolution Authorizing the Issuance of a Revocable Permit to Redlands Mesa Master Association

*Action: Adopt Resolution No. 75-01

Staff presentation: Dan Wilson, City Attorney

*** END OF CONSENT CALENDAR ***

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

11. **Parking Update from the DDA** [Attach 11](#)

Bruce Hill will update Council on the DDA's request to make changes to the parking situation in the downtown area.

Citizen presentation: Bruce Hill, DDA Board Member

12. **Public Hearing – Authorizing an Optional Premises Liquor License for Redlands Mesa Golf Course** [Attach 12](#)

Redlands Mesa Golf Course has requested that it be permitted to serve alcohol on the newly opened golf course. Section 12-47-310 Colorado Revised Statutes permits a municipality to pass an ordinance to provide optional premises licenses for restaurants that serve liquor on their premises to include an adjacent recreational facility in their license.

Ordinance No. 3359 - An Ordinance For An Optional Premises License for Redlands Mesa Golf Course

Action: Adopt Ordinance No. 3359 on Second Reading

Staff Presentation: Stephanie Rubinstein, City Staff Attorney

13. **Public Hearing – Rezone of Arrowhead Acres II, Filing 2, Located at B ½ Road and Arlington Drive to PD** [File #RZ-2001-108] [Attach 13](#)

Request to rezone the Arrowhead Acres II, Filing 2 Subdivision from RMF-5 (Residential Multi-Family, 5 units per acre) to PD (Planned Development).

Ordinance No. 3360 - An Ordinance Rezoning Arrowhead Acres II, Filing 2, from RMF-5 to PD

Action: Adopt Ordinance No. 3360 on Second Reading

Staff Presentation: Kathy Portner, Planning Manager

14. **Public Hearing – Creating the City of Grand Junction Rimrock Marketplace General Improvement District** [Attach 14](#)

The creation of a general improvement district for Rimrock Marketplace will lead to an election in November of 2001 of affected property owners (only the owners and developers of Rimrock) to issue Special Assessment Bonds to cover costs of public improvements at the development site. These improvements are estimated to cost \$2.8 million.

Ordinance No. 3361 - An Ordinance Creating the City of Grand Junction Rimrock Marketplace General Improvement District; and Providing Other Details Relating Thereto

**Action: Adopt Ordinance No. 3361 on Second Reading*

Staff Presentation: Ron Lappi, Director of Administrative Services
Dan Wilson, City Attorney

15. **NON-SCHEDULED CITIZENS & VISITORS**
16. **OTHER BUSINESS**
17. **ADJOURNMENT**

**Attach 1
Minutes of Previous Meetings**

**GRAND JUNCTION
CITY COUNCIL WORKSHOP**

July 9, 2001

The City Council of the City of Grand Junction, Colorado, met on Monday, July 9, 2001 at 7:04 in the Municipal Hearing Room to discuss workshop items. Those present were Harry Butler, Dennis Kirtland, Bill McCurry, Jim Spehar, Reford Theobald, Janet Terry and President of the Council Cindy Enos-Martinez.

Summaries and action on the following topics:

1. **TWO RIVERS CONVENTION CENTER COLOR SCHEME UPDATE:** Parks & Recreation Director Joe Stevens updated City Council on the time schedule for the Two Rivers remodel. Due to unforeseen delays, the time lines have been revised. They still anticipate reopening in early December, 2001. However, in order to meet those deadlines, some decisions will need to be made quickly. One of those is the color scheme.

Action Summary: After an in depth discussion of the color scheme being presented, the majority of Council was comfortable going forward.

2. **VISIONING PROJECT UPDATE:** Members of the steering committee and the consultant's team updated Council on the progress of the community visioning effort . Brian Mahoney, committee chair, gave a history of the formation of the committee, the composition of the committee and then introduced the consultant James Kent. Mr. Kent detailed the process and the results of their work.

Action Summary: The Council listened, asked questions and encouraged the consultant to go forward.

**GRAND JUNCTION
CITY COUNCIL WORKSHOP**

July 16, 2001

The City Council of the City of Grand Junction, Colorado, met on Monday, July 16, 2001 at 7:09 in the City Hall Auditorium to discuss workshop items. Those present were Harry Butler, Dennis Kirtland, Bill McCurry, Jim Spehar, Reford Theobold, Janet Terry and President of the Council Cindy Enos-Martinez.

Summaries and action on the following topics:

2. **NEW STATUTES REGARDING EXECUTIVE SESSIONS:** Staff updated Council on this new law. Assistant City Attorney John Shaver asked for Council direction on how they would like to proceed. He then reviewed the recommended procedures.

Action Summary: Council directed that the proposed procedures be placed on Wednesday's agenda for adoption.

3. **DOWNTOWN PARKING:** The Downtown Development Authority will present their recommendations for increased parking fees and fines in the downtown area. DDA chair P.J. McGovern presented Council with an informal petition of the downtown business owners supporting the increase. He then reviewed the memo that outlined the five requests for change.

Action Summary: The Council directed Staff to place this item on the Wednesday agenda, such increases to be for a trial period of one year. It was suggested that patrons be given a one month warning before instituting the increase.

4. **STORM EVENTS AND DAMAGES CLAIMED:** Council reviewed a memo dated July 12 from Greg Trainor, Utilities Manager. City Manager Kelly Arnold then detailed the current policy and the legal obligations of Council. He indicated that Council has no obligation to go over the \$150 reimbursement allowed for in the policy but certainly has the option of participating in a greater amount.

Action Summary: Council directed Staff to survey the neighborhood to determine the number of houses with basements to determine if a backflow preventor incentive program might be appropriate and also determined that this problem will be studied during the CIP budgeting. Quick staff response time to

these events was also directed. A compilation of the total damages was requested for Wednesday's meeting. Contacting the County Commissioners was also requested. The City Manager asked that this matter be scheduled as a regular agenda item on Wednesday.

5. **COMMUNICATIONS AUDIT:** Consultant Jim Beaver presented the results of the recently completed communications audit. Information was presented to Council as well as recommendations for both internal and external communications.

Action Summary: The City Manager will review the audit and evaluate the recommendations. He will then bring his recommendation to Council based on what he believes the Council will support. Many of the principals in the report have been on his agenda, two of which being communication and trust. Some of the strategies will be incorporated into the budget this year and in future years.

**GRAND JUNCTION CITY COUNCIL
MINUTES OF THE REGULAR MEETING
WEDNESDAY, JULY 11, 2001**

The City Council of the City of Grand Junction, Colorado, convened into regular session the 11th day of July, 2001, at 7:34 p.m. at the City Hall Auditorium, 250 N. 5th Street. Those present were Dennis Kirtland, Harry Butler, Bill McCurry, Jim Spehar, Janet Terry, Reford Theobald and President of the Council Cindy Enos-Martinez. Also present were Assistant City Manager David Varley, City Attorney Dan Wilson and City Clerk Stephanie Nye.

Council President Enos-Martinez called meeting to order. Councilmember Spehar led in the Pledge of Allegiance. The audience remained standing for the invocation by Reverend Jim Hale, Spirit of Life Christian Fellowship.

APPOINTMENTS

APPOINTMENTS TO THE BOARD OF APPEALS

Councilmember Spehar moved to appoint John Evans and Richard Blosser to the Planning Commission Board of Appeals for three-year terms and selected John Evans as first alternate to the Planning Commission and Richard Blosser as second alternate. Councilmember Terry seconded. Motion carried.

APPOINTMENTS TO THE DOWNTOWN DEVELOPMENT AUTHORITY

Councilmember Terry moved to reappoint Becky Brehmer to the DDA Board of Directors and appoint Gregg Palmer to a four-year term and Ed Chamberlin to a three-year term. Councilmember Spehar seconded. Motion carried.

APPOINTMENT TO THE WALKER FIELD AIRPORT AUTHORITY

Councilmember Kirtland moved to reappoint Ken Sublett to the Walker Field Public Airport Authority for a four-year term. Councilmember McCurry seconded. Motion carried.

PRESENTATION OF CERTIFICATES OF APPOINTMENT TO NEWLY APPOINTED MEMBERS OF THE HISTORIC PRESERVATION BOARD

William Jones and Louise Wagner were present to receive their Certificates of Appointment to the Historic Preservation Board.

CITIZEN COMMENTS

Mark Williams, 692 26 Road, Grand Junction, participated in bike to work day last week. When he called his son to bike downtown and meet him, he expressed his fear to bike down because it was too dangerous. Mr. Williams said he couldn't argue. He sees people using the sidewalk. When he called Public Works, he was told bike lanes are not a high priority due to funding constraints. A policeman told him not to ride on the sidewalk but the bike lanes on the street are dangerous. He asked that bike lanes be made a priority.

Councilmember Terry disagreed that it is not a priority. It is a priority. Motorists are not respectful of bicyclists.

CONSENT ITEMS

Upon motion by Councilmember Theobold, seconded by Councilmember Terry, and carried, Consent Item #1 was approved.

1. **Minutes of Previous Meetings**

Action: Approve the Summary of the June 18, 2001 Workshop and the Minutes of the Regular Meeting June 20, 2001

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

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

Public Hearing - Amending Chapter 36, Section 2, of the Code of Ordinances Relative to Golf Carts on Certain Public Rights-of-Way

In 1990, City Council passed Ordinance No. 2474 which permitted golf carts to be driven on public right-of-way to and from golf courses. A new golf course, Redlands Mesa, has requested that its golf course be included as well. The Council finds that the public interest will be served by including Redlands Mesa Golf Course to allow driving of golf carts on public streets which are included in the designated area.

The public hearing was opened at 7:44 p.m.

Stephanie Rubinstein, Staff City Attorney, reviewed this item.

There were no public comments.

The public hearing was closed at 7:45 p.m.

Upon motion by Councilmember Kirtland, seconded by Councilmember Theobold and carried by roll call vote, Ordinance No. 3355 – An Ordinance Amending Chapter 36 of the Code of Ordinances of the City of Grand Junction, Colorado Allowing Limited Golf Cart Travel Near Redlands Mesa Golf Course, was adopted on second reading and ordered published.

Public Hearing - Vacating Right-of-Way at Mesa State College

[File #-2001-081]

Second reading of the ordinance to vacate an alley between the north/south running streets of College Avenue and Houston Avenue and the east/west running streets of Bunting Avenue and Elm Avenue.

The public hearing was opened at 7:45 p.m.

Pat Cecil, Development Services Supervisor, reviewed this item.

Councilmember Theobold asked if there will still be a utilities easement after the vacation. Mr. Cecil said there would be.

Councilmember Theobold asked if there are utilities currently there. Mr. Cecil indicated once an easement exists, it cannot be built in. The vacation document will not be recorded until an easement is given.

There was no public comment.

The public hearing was closed at 7:49 p.m.

Upon motion by Councilmember Spehar, seconded by Councilmember McCurry and carried by roll call vote, Ordinance No. 3356, An Ordinance Vacating 296.84 Linear Feet of Alley Right-of-Way that Runs North and South between College Avenue and Bunting Avenue, was adopted on second reading and ordered published.

Public Hearing - Zoning Laser Junction Annexation to I-1 and CSR, Located at 2547 River Road [File #ANX-2001-099] – Continued to July 18, 2001 Meeting

Request to zone the Laser Junction Annexation I-1 and CSR, located at 2547 River Road and including a portion of the River Trail. This approximately 3.606-acre annexation consists of one parcel of land. Staff recommends continuing the hearing to July 18, 2001 to be heard in conjunction with the annexation request.

The public hearing was opened at 7:50 p.m.

Pat Cecil, Development Services Supervisor, asked this item be continued to the July 18th Council meeting.

Public hearing closed at 7:50 p.m.

Upon motion by Councilmember Theobald, seconded by Councilmember Terry, the Zoning for Laser Junction Annexation to I-1 and CSR was continued to July 18, 2001. Motion carried.

Participation in the Construction of 7th Street Improvements at St. Mary's Hospital

St. Mary's Hospital is developing plans for major improvements to their campus. As part of these plans, staff is in the process of approving a design exception for a new signalized entrance to St. Mary's Hospital at 7th and Wellington. This intersection improvement will require adjusting the grades along 7th Street from Patterson through Center Street. Staff recommends the Council's consideration to participate in the project, thereby broadening the scope of the work to improve the horizontal alignment and width of 7th Street to meet the City's Transportation Engineering Design Standards.

Mark Relph, Public Works & Utilities Director, reviewed this item and introduced representatives of St. Mary's Hospital.

Staff agrees that a new intersection at 7th and Wellington is the best location for a new entrance into St. Mary's, both for pedestrian safety and traffic progression.

Other options, including a round about and underground tunnels, were looked at, with an intersection being deemed the best option.

Regarding realignment, two issues will need to be addressed: the narrow lanes and the curvature of the street.

Mr. Relph expressed that St. Mary's should pay for the intersection but the City should be responsible for the additional width of the street for an amount not to exceed \$237,000.

City participation could actually be higher for reasons detailed in the staff report:

1. St. Mary's will dedicate 16,350 square feet of new right-of-way for the realignment of 7th Street. St. Mary's will lose about 5,292 square feet of usable property.
2. St. Mary's is losing approximately 22 existing parking spaces to allow for the new horizontal realignment of 7th Street. The estimated value of the above real estate, as parking, is about \$7.00 per square foot, or about \$37,000.
3. The safety along 7th Street between Patterson and Wellington is better because the two existing drive entries are deleted with the new design. Safety is also improved because the vertical gradient at the intersection of Wellington and 7th has been reduced. Reduced gradient allows cars to slow down in adverse conditions with reduced risk of accidents.
4. The new realignment will bring 7th Street into better compliance with the City's TEDS manual regarding both horizontal and vertical alignment. The existing 7th Street alignment does not meet either standard.
5. Cost sharing in today's dollars as part of a larger project is less expensive than waiting to construct improvements in the future.
6. Additional safety factors for pedestrian crossing. The employees of St. Mary's will admittedly benefit from a controlled traffic signal crossing at 7th and Wellington. However, children from Tope Elementary and from the church school located on Bookcliff Avenue will also benefit from an additional crossing area. Pedestrian safety in general will be increased along this portion of 7th Street.

Based on the above considerations, the hospital is requesting that the City increase their participation from 30% to 45%, or \$300,000. The Hospital wants to wait until spring to start, which will mean funding will be in the budget year 2002.

Councilman Theobald questioned the stacking distance as a possible roadblock to this project.

Mr. Relph was concerned about this earlier due to single-lane turn pockets, based on St. Mary's traffic counts. Re-evaluation of their numbers show the original conclusions to be in error and it is no longer a concern for the near term. A threshold of concern might be in 10-13 years.

Mayor Enos-Martinez questioned the effect of widening on adjacent properties. Mr. Relph answered that most of the property belongs to St. Mary's, with one privately owned parcel being identified at Center and 7th Streets.

Councilmember Theobold was concerned with eastbound traffic at peak hours. Mr. Relph said building a right turn pocket to turn south onto 7th Street was needed now.

Councilmember Spehar questioned whether there are funds available to purchase that property now. Mr. Relph responded that is not included in the current numbers.

Dan Prinster, representing St. Mary's Hospital thanked Staff for all their work on this project. He said St. Mary's has already donated the property for a right turn lane onto 7th Street. He indicated that undergrounding lines are being pushed out and they plan to continue to develop parking lots along Wellington Street this fall. Their cost estimates are based on night construction (like 25 Road), with just short-term closures of 7th Street.

St. Mary's cost will be \$1 million, which includes the street, landscaping, and relocation of power lines. There are some costs that are hard to quantify.

It was Traffic Engineer Jody Kliska that had suggested looking at traffic counts again to find the difference in peak vehicles and pedestrians.

Mr. Prinster said in order to realign the intersection, the right-of-way on all four corners needs to be acquired now.

Councilman Spehar questioned how phasing the project would work.

Mr. Prinster said the parking lots on Wellington and Spring would be done in the fall. At the same time, construction will begin on the ambulatory building. In the spring, work will commence on the 7th street alignment and ambulatory building. If shuttling of employees can't be solved, then the ambulatory building will be postponed until fall. Realignment and Holy Cross school drop off points will be done in the fall.

City Attorney Dan Wilson asked when is the last date to acquire the last piece of right-of-way in order to stay on schedule. Mr. Prinster indicated only 60 square feet, of the parking lot remains usable.

There is no contract yet.

Councilmember Terry would support finding the additional \$50,000 for 2002 budget for a total of \$300,000.

Councilmember Theobold would support if it is considered an infill project worth participation. The original idea for this realignment came up for St. Mary's years ago, and former Councilmember Ron Maupin should be given credit.

Upon motion by Councilmember Terry, seconded by Councilmember Theobold, and carried by a roll call vote, with Councilmember Kirtland abstaining, the City will participate in the Construction of 7th Street Improvements, Budget and Provide at Least \$300,000 in 2002 to Cover 45% of the Construction and Property Costs and Authorize Staff to Execute a Development Improvements Agreement Recognizing the City's Participation in this Project was approved.

Development Incentives for the Grand Mesa Center

City Council will consider a request for the City to provide development incentives to AIG Baker for the proposed Grand Mesa Center located on the north side of I-70B near 24.75 Road.

Mark Relph, Public Works & Utilities Director, presented this item. The issue of development incentives has been discussed with AIG Baker for past several weeks. Mr. Relph introduced Jay Timon from Alabama.

Jay Timon, AIG Baker, read a letter from Bill Smith, President of the company. They have been working here 26 months to make this project a reality, and now come before the Council requesting the City's financial participation in this project and to encourage the adoption of a policy to allow such participation. They have made a decision to close on this project after obtaining the required approval from the financial partners.

Councilmember Theobold wished to clarify for people who don't know what is meant by "participation" that the City is not an investor. This is considered an infill project, where Council wants to encourage the redevelopment through incentives.

Councilmember Spehar supported a scenario where the City may agree to move in this direction towards infill incentives on a community-wide basis, but cautioned that there may be other areas that are a priority. There are several areas around town that are apt targets for redevelopment and may have a higher priority.

Mr. Timon asked the Council to understand they are taking a leap of faith by going forward. He indicated they may have another project follow this one, but gave no promises.

Councilmember Theobold suggested that if a prioritization of neighborhoods comes up, that may drive Mr. Timon's selection for his next location. He noted that he has been trying to develop an infill project incentive policy for some time.

Mr. Timon said they would be happy to help to speed up the adoption of such a policy. Councilmember Terry indicated this project will help spur them on. Councilmember Kirtland said this project would be good for community in the long run and he is excited about it.

NON-SCHEDULED CITIZENS & VISITORS

Steve States, 1620 Grand Ave, said the previous night, he witnessed a spray of water mixed with sewer from his toilet. He said the City will only pay \$150 for the clean up and the cost is \$2500. He is frustrated and feels there should be a clear procedure for sewer emergencies, with prompt follow-up and support for citizens, including reimbursement for damages to property.

Councilmember Theobold indicated he was not in position to respond. Mr. States said he understood and just wanted to bring this to the Council's attention.

Assistant City Manager David Varley said Mark Relph, Public Works Director, is preparing a report on the effects of the storm.

Councilmember Spehar asked if there had been other instances of this kind of storm damage.

Mr. Relph said he had heard of a few, but this is one of the most significant. It is not uncommon in this area, however.

Councilmember Theobold mentioned Mr. States' sense of awareness and felt the City should find a way to notify residents of the issue.

Mr. Relph said that was a good point, but not easily addressed with the combined sewer and stormwater situation.

Councilmember Theobold appreciated Staff being on top of this with an update. Reporting procedures and response procedures need to be addressed.

OTHER BUSINESS

There was no other business.

ADJOURNMENT

The meeting adjourned at 8:42 p.m.

Stephanie Nye, CMC
City Clerk

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

JULY 18 , 2001

The City Council of the City of Grand Junction convened into regular session the 18th day of July, 2001 at 7:34 p.m., at the City Auditorium. Those present were Harry Butler, Dennis Kirtland, Bill McCurry, Janet Terry, Reford Theobold, and President of the Council Cindy Enos-Martinez. Councilmember Jim Spehar entered at 7:39 p.m. Also present were City Manager Kelly Arnold, Assistant City Attorney John Shaver, and City Clerk Stephanie Nye.

Council President Enos-Martinez called the meeting to order and Councilmember McCurry led in the pledge. The audience remained standing for the invocation by Pastor Joe Jones, Redlands, Pentecostal Church of God.

APPOINTMENTS TO RIDGES ARCHITECTURAL CONTROL COMMITTEE

Councilmember Terry moved to appoint Robert Anderson, Sharon Cannella, and Frank Renaldi to fill the three four year terms on the Ridges Architectural Control Committee and Tom Tetting as the alternate to that same committee. The motion was seconded by Councilmember Kirtland and carried.

RATIFY APPOINTMENT TO BUILDING AND FIRE CODE BOARD OF APPEALS

Councilmember Reford Theobold moved to ratify the appointment of David Detwiler to the Building and Fire Code Board of Appeals. The motion was seconded by Councilmember McCurry and carried.

CERTIFICATES OF APPOINTMENT

PRESENTATION OF CERTIFICATES OF APPOINTMENT TO NEWLY APPOINTED MEMBERS OF THE BOARD OF APPEALS AND WALKER FIELD AIRPORT AUTHORITY

John Evans, Richard Blosser and Ken Sublett were present to receive their certificates.

CONSENT ITEMS

President of the Council Cindy Enos-Martinez changed the agenda by moving items 6, 7, and 8 from the "Consent Calendar" to "Items Needing Individual Consideration". Item 9 was to be considered first, to be followed by items 6, 7, and 8, and then Item 10.

Upon motion by Councilmember Theobald, seconded by Councilmember McCurry and carried, the following Consent items #1 through 5 were approved:

1. **Setting a Hearing on an Optional Premises License for Redlands Mesa Golf Course**

Redlands Mesa Golf Course has requested that it be permitted to serve alcohol on the newly opened golf course. Section 12-47-310 Colorado Revised Statutes permits a municipality to pass an ordinance to provide optional premises licenses for restaurants that serve liquor on their premises to include an adjacent recreational facility in their license. Service of liquor on the Redlands Mesa Golf Course would benefit the City by an increase in revenue.

Proposed Ordinance For an Optional Premises License for Redlands Mesa Golf Course

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 1, 2001

2. **Award of Contract for Playground Equipment in Pine Ridge Park**

Award a contract to Miracle Recreation Equipment Company to provide the play equipment and safety surface materials for the renovation of the playground at Pine Ridge Park. Miracle Recreation Equipment Company was the best-qualified proposal of the six received and publicly read at 2:00 p.m. on June 26, 2001 at the City's purchasing department. The renovation of the playground is needed because of the age and deteriorating condition of the existing equipment.

Action: Award Contract to Purchase Playground Equipment and Safety Surfacing For Pine Ridge Park to Miracle Recreation Equipment Company in the Amount of \$55,000

3. **Setting a Hearing on Rezoning Arrowhead Acres II, Filing 2 , Located at B 1/2 Road and Arlington Drive, to PD [File # RZ-2001-108]**

Request to rezone the Arrowhead Acres II, Filing 2 Subdivision from RMF-5 (Residential Multi-family, 5 units per acre) to PD (Planned Development).

Proposed Ordinance Rezoning Arrowhead Acres II, Filing 2, from RMF-5 to PD

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 1, 2001

4. **Skyway Area Sewer Design Services Contract**

This project calls for the design and preparation of bid documents as outlined in the "Request for Proposals" for the extension of 24,000 linear feet of 8" sewer main to benefit 230 properties in the Skyway Area. The subdivision is located northeast of Broadway and east of 23 Road on the Redlands as shown on the map below. This work is preparatory to the creation of a sewer improvement district to eliminate septic systems.

Action: Award Contract for Design Services for the Skyway Area Sewer Design to Williams Engineering in the amount of \$145,500 Contingent upon County Commissioner approval

5. **Setting a Hearing on an Ordinance Creating the City of Grand Junction Rimrock Marketplace General Improvement District**

First reading of the ordinance to create a general improvement district for Rimrock Marketplace that will lead to an election in November of 2001 of effected property owners (only the owners and developers of Rimrock) to issue Special Assessment Bonds to cover costs of public improvements at the development site. These improvements are estimated to cost \$2.8 million.

Proposed Ordinance Creating the City of Grand Junction Rimrock Marketplace General Improvement District; and Providing Other Details Relating Thereto

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 1, 2001

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

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

9. **Storm Event and Storm Water and Sewage Flows**

Staff presented additional information on the storm water and sewage flows damage that occurred during the last Tuesday and Saturday storm events.

City Manager Kelly Arnold distributed and reviewed a fact sheet prepared by staff that detailed the clean-up costs, the backflow prevention valve costs and the damage costs. He reviewed the present plans to remediate some of these problems and detailed the map that showed the area potentially affected by this kind of storm problem. He stated the total number of homeowners affected by the two storms is 14. The damage ranges from water in their front yards from clogged storm drains to flooded basements. He also stated that there is not a total damage cost at this time because not all of the 14 homeowners have assessed the total damage.

Councilmember Spehar questioned the City Manager, just to clarify the handouts, if there are three different divisions of the area, one currently budgeted for separation of the storm water and sewer effluent in the 2003 to 2005 time frame for over \$2.8 million dollars and two other areas that are not yet assigned a timeline or been budgeted for that are estimated at \$2.4 million and \$1.25 million.

He also stated that in Workshop on Monday they had asked the Mayor to contact County Commissioners regarding using the sewer fund to partially pay for these charges to the sewer system. Mayor Enos-Martinez stated that she had not been able to contact any of the County Commissioners.

The Mayor then asked for public comments from those property owners affected.

Steve States, 1620 Grand Avenue, had the Clerk play a video of the Saturday storm event and the impact on his property and on the emotions of his family. He specifically pointed out that he was speaking not just for himself and his family, but for a number of other families who had similar damage to their homes in Tuesday's or Saturday's or both rain storms. He then went through a presentation of the events with emphasis on the fact that he and the other families have been displaced, had irreparable damage that they need to be paid for or have their damage adequately cleaned up. Moreover they are frustrated, their lives have been disrupted and they have lost use of the space affected. They are all now living in a potentially unhealthy environment. Many of these people have been unable to adequately clean up their living space because they couldn't afford it. They would like to call in professionals but cannot afford to do this. They feel the City has had 25 years to adequately separate the sewer system from the storm drains since the Clean Water Act was adopted and have not done so.

Mr. States also questioned whether the City has adequately informed the citizens living in the areas that have the potential for this kind of damage, that they are on a combined sewer system. Also, what is the City doing, or planning to do, to insure

that there are long term plans for dealing with combined sewers in its neighborhoods.

Mr. States then presented his suggestions for solutions to this combined sewer problem. His suggestions included; damages and clean up paid for by the City, that the City assist homeowners with the installation of such devices as backflow preventers, and that the City make sewer replacement a priority for the next ten years.

He then presented photographs of the damage to his home and some of the others.

Dwight Espe, 1042 Grand Ave, also had water in his basement. He stated that his purpose was not to point fingers, but to makes some suggestions on the possible cause of this damage. He suggested that the concreted alleys have exacerbated the problem by having more surface run-off. He suggested the sewers be upgraded at the same time as the alleys, and that there be a moratorium on concrete alleys until a study is done to determine what effect they might be having on the run off problem and until a solution is found. He also requested that the City take care of the expenses of this handful of citizens whose property was damaged because of this oversight, and that the City cover the cost of installing backflow preventers in those properties where possible problems have been identified.

Robert Lucas, 529 N. 18th Street, flooded both storms. He requested that steps be taken as soon as possible to eliminate this problem. He stated that he and other members of his family have cleaned up the mess and therefore do not have an estimate of how much time or money was involved.

Mayor Enos-Martinez asked if any of the other citizens in the audience cared to speak. There were none.

Councilmember Theobold said that he appreciates the detail and suggestions made by Mr. States and Mr. Espe, also the fallibility of the local officials. He also feels that it is not unreasonable to think it will be solved in the next ten years. Regarding compensation for the damages, possibly it should be dealt with on a case by case basis. For a start, he suggested the City abandon the maximum \$150 payment amount.

Councilmember Terry stated that since the \$150 amount is in the policy with the County on the sewer budget, policy would be hard to decide at this time, but that it should be discussed with the County Commissioners.

Councilmember Theobold felt that Council shouldn't delay this issue long enough to discuss it with the Commissioners.

Councilmember Terry stated that she feels there are two issues, the policy for the future needs to be discussed with Commissioners, but as to the immediate claims for damages, based on staff's recommendation and analysis, she would be willing to pay those clean-up costs and the damage costs, which should be around \$44,000, and such monies should be advanced as an emergency situation.

Councilmember Spehar agreed and felt the City should allow some flexibility in this situation, but that it should not exceed \$50,000 with documentation. He felt that in the discussion with the County on CIP, this issue should be a priority. He was unsure about the installation of backflow valves. He felt that the cost of these devices, approximately \$2 million for 1000 devices, might be better spent on another section of separating the sewer and waste water lines in order to solve a larger percent of the problem rather than a solution for a limited number of citizens in that area. He further felt that when the sewers are in the alleys, the replacement of the sewer is being done when alleys are done.

Councilmember Butler suggested the City should give homeowners who are affected the option of #1 or #2, either payment of clean-up costs or payment for installation of the backflow preventors.

Councilmember Spehar stated that he has no objection to that choice.

Councilmember Theobold stated he felt that if there is some way to accelerate the installation process of the backflow devices, such as the permit process, that on a staff level the City should make the process as easy as possible for those affected.

Councilmember Butler suggested that should the City get another storm soon and have same problem, the property owners need to have the option to solve this problem as soon as possible.

Councilmember Spehar agreed that they property owner could use the money either way. Councilmember McCurry agreed.

Councilmember Kirtland stated that the City needs to send out word to the citizens in all 3,187 homes in all three areas that they could possibly get backflow insurance. He felt that the City should encourage them to purchase the insurance.

David Pipe, 1645 Sherwood, stated that he felt that the City should make payment contingent on the installation of the backflow preventor in addition to cleanup and repair. This would be to prevent having to make this kind of payment again in the

years to come if the homeowner uses the money on cleanup rather than on the installation of the backflow device.

Lou Manupella, North 14th St, stated that he is putting in a backflow preventor himself because he can't afford to pay someone else to do it. He also has cleaned his basement himself because he couldn't pay someone to clean it. He basically gutted his basement because of the damage. He missed out on work and those wages, has lost value in his home, has been forced to change insurance companies at a higher rate, and bartered work with others to get his basement repaired. He can't give the City a bill for this because it was not done by someone other than himself.

Councilmember Spehar felt the City could still work something out, maybe estimate the value of the installation of the device so one can recoup some of the expenses.

Councilmember Terry felt that if he were to itemize the consequences and let the staff look at those for reimbursement, possibly he could get some of his money back. She stated that the City would do the best it can. She stated that the City would work with everyone on a case by case basis to solve this issue.

Mr. Manupella said that probably a lot of people were doing the same thing.

Councilmember Theobald indicated that they respect those that do the work themselves and indicated that it is more expensive for everyone if they have an outside person do all the work.

Councilmember Butler suggested that possibly Mr. Manupella could share his expertise with the others affected.

Councilmember Spehar suggested everyone could choose how they spend the money, but that the City would value the sweat equity.

Councilmember Kirtland stated that it was a disaster. There was over ½ inch of rain, which is an extraordinary event. He indicated that council should look at a long term solution, but that it should address the emergent needs now so that everyone can get back in their homes and come out feeling good about where they live and maybe what the City has tried to do in this situation.

Robert Shea, 1307 Colorado, stated this happened about 5 years ago, two years later again, and now again. When they paid for new alley, they thought it was taken care of, but it still happened. They have paid for the clean up because they

had someone living in the basement. He would like to have the backflow preventor, but he's already paid for the clean up.

Jim Quacken, does not live in the affected area, but he had a sewer backup without a flood, in January 2000 and was told that it was an Act of God. He accepted that as a risk of being a homeowner, but it happened again in April of this year. He contacted Mr. Trainor who could tell him exactly where the problem was and what the problem was. His question is how will the City handle that situation when it is not a flood, but is a City issue concerning areas where it is a combined sewer area.

Councilmember Theobold indicated that this issue is not the concern before the Council at this time and should be discussed later. Council can't react not knowing the circumstances.

Jim Quacken questioned the procedure to follow in the future. Should he come before council instead of dealing with staff? What is the best way to do this to get reimbursed for more than the \$150 amount?

Councilmember Theobold suggested Mr. Quacken leave his documentation and information with the City Manager to follow up on the issue and give Council a report on the issue.

Dwight Espe, 1042 Grand Avenue, made the suggestion that if compensation for costs and for the installation of a backflow preventor could be done for \$3,000 then it would also prevent it from happening again in the future. It would prevent citizens coming back again next year with the same problem. Council should set a limit per home.

City Manager Kelly Arnold concurred with that suggestion and also suggested that any claim that exceeds the limitation could be dealt with on an individual basis.

Councilmember Theobold stated that he is reluctant to go for a one size fits all solution.

Councilmember Spehar suggested Council set a ceiling and then if it is not enough then individuals can present their case.

Andrew Garcia, 1260 Ouray, stated that there has been a lot of talk about clean up, but hasn't heard any talk about replacement of damaged carpets, furniture and other damage caused by the flooding.

Councilmember Terry indicated that replacement was part of the original intention. Those were the estimates they based the original discussion on. The information they got from the staff included the clean up costs and the damage costs. The damage costs include replacement of furniture, water heaters and carpets.

City Manager Arnold stated that he would probably use a professional adjuster to help guide him through this since it isn't something he normally deals with.

Mayor Enos-Martinez inquired whether the City wants to put a date specific time for submitting estimates.

Councilmember Spehar indicated that, yes there should definitely be a time limit for citizens to get their cost estimates to the staff.

City Manager Arnold suggested two weeks.

Councilmember Butler felt that there should definitely be backflow preventors installed for all of the 14 homeowner affected.

Mayor Enos-Martinez stated she through the City is only asking them to submit their damages and replacement costs. Then it would be up to each individual which way they want to use the money.

Councilmember Spehar felt that the City Manager and staff should have some flexibility to work with the individuals on how they work out the details within the total amount of their claim.

Steve States indicated it was a prudent suggestion to have backflow preventors installed, but felt that \$3000 will be insufficient to cover everything in some cases.

Councilmember Spehar indicated there should be enough room for the staff to work with the homeowners, but that if backflow preventors are not installed, if this happens again, the next time is on the homeowner.

Mayor Enos-Martinez stated she felt that the City should not require the installation of the backflow preventors. The decision should be with the homeowner.

Councilmember Spehar suggested that if they elect not to put the backflow preventor in, then the next event is their responsibility.

City Manager Arnold suggested that the City should have them sign a statement, pay for all prudent clean up and damage costs and encourage check valve

installation, and if they elect not to, they sign something taking responsibility for any further damage.

Assistant City Attorney Shaver stated that the homeowner should sign the same waiver either way, with or without the valve. Any payment needs a release of claim and no admission of responsibility.

Councilmember Kirtland indicated the check valves need to be maintained and checked before the rainy season to make sure they work properly.

Councilmember Theobald stated that there should be language indicating that the City does not guarantee the valves with work every time.

Upon motion by Councilmember Spehar, seconded by Councilmember Kirtland and carried by roll call vote, that the City create, out of the sewer fund and pending consultation with Mesa County Commissioners, a fund not to exceed \$60,000 to reimburse all prudent reimbursement claims, including check valves. That there be an August 15, 2001, deadline, and that the City work within its capital improvement plan to set specific timelines for all three areas for the separation of sewer and drainage lines.

City Manager Arnold indicated that this motion should clarify that it includes reimbursement for this rain event only. Councilmember Spehar stated that was his intent.

EXECUTIVE SESSION PROCEDURES

HB 01-1359 amended the Colorado Open Meetings Law and Open Records Act relative to executive sessions. Staff has drafted a set of procedures, including sample motions and forms, to assist City Council.

Assistant City Attorney Shaver reviewed the minor changes made to the procedures. He recommended that Council adopt these procedures.

Councilmember Spehar felt it should be stated that the reason for this change is a requirement in the State Statutes.

City Assistant Attorney Shaver answered, yes, there is a new bill amending open records and open meetings statutes.

Councilmember Spehar noted that all City boards and commissions are bound by this change and that they will receive these changes and comply with them.

Assistant City Attorney Shaver concurred. Councilmember Kirtland stated that he advised Walker Field Airport Authority at their meeting last night.

Councilmember Terry questioned Item E, clarifying that the intent of the language indicated that the required signature to verify that the tape is of the indicated meeting, if both the Mayor and the Mayor Pro Tem are absent, then another Councilmember can sign. Assistant City Attorney Shaver confirmed that yes, the Acting Mayor can sign.

Upon motion by Councilmember McCurry and seconded by Councilmember Kirtland and carried, the Procedures and Forms for Use for Executive Sessions were approved.

DOWNTOWN PARKING FEES AND FINES

The Resolution authorizes and directs staff to purchase and install 139 additional meters and change the time limits of other meters as requested by the DDA. Change the one and two hour meters from 25 cents an hour to 50 cents, the four and ten-hour meters to 10 cents per hour from 5 cents per hour. Additionally they recommend the formal adoption of an annual parking pass program at \$300 a year, to be restricted to use at four and ten hour meters. Fines for overtime parking to be increased from \$3 to \$10 and other restricted parking from \$5 to \$15. The only other change is a recommendation to increase all fines by \$10 per week the violation remains unpaid instead of the past practice of all fines doubling each week. With the higher proposed fines to start with staff believes this change is appropriate. All changes in fines and fees are to become effective no earlier than 1/01/02, to allow time for education and implementation.

Resolution No. 71-01 - A Resolution Adopting the Municipal Court Fine Schedule for Overtime Parking, Restricted Parking and Handicapped Parking Violations and Setting Meter Rates

Administrative Services and Finance Director Ron Lappi reviewed this item and indicated that the one minor change to the original Resolution was to the amount for an annual pass, which was changed from \$360 to \$300 annually.

Bruce Hill, Chairman of the DDA, was present to answer questions.

Councilmember Butler asked Mr. Hill if all business owners were contacted regarding the proposed change. Mr. Hill indicated that he is following up on the work of P.J. McGovern who made the contacts. He stated that he cannot answer how many businesses he contacted, but he has been in touch with many. A good representation attended the DTA meeting this morning and they showed

full support. The DDA has a letter of support. He stated that the goal of this change is not to increase revenue, but to make more free spaces available to the public. He said they feel this will help eliminate some of the abuses by employees of the free spaces.

Councilmember Butler asked if the free spaces are being taken up by employees.

Mr. Hill stated that it is a mix, the abuse comes from when there is an available space and there is no penalty, an employee will then use the space.

Councilmember Butler mentioned that employees at St. Mary's Hospital have to register their plates and if they park illegally, they get a ticket. Perhaps the City could implement something similar.

Councilmember Spehar asked the purpose of the pass, if it is intended for the employee or can businesses purchase two or three of them for their employees? Administrative Services and Finance Director Lappi indicated that there is no restriction, the passes can be purchased by anyone, although they are intended for purchase by the employee.

Mr. Hill indicated that it is an amenity for those that have to leave and come back periodically during the day. He discussed the rates in other cities in Colorado and that Grand Junction has not had an increase in many years. He feels these fees are very reasonable.

Councilmember Theobald inquired at what meters the pass could be used. Mr. Hill replied that they are for use at the 4 & 10-hour meters only.

Councilmember Kirtland wondered if this would encourage employees to move out of free meters, especially if the employers buy the passes for their employees.

Councilmember Butler inquired whether this program would hurt tourism and possibly send shoppers to the Mall. Mr. Hill stated that they hope not. He feels these rates are reasonable, and that if this change helps to show that there is parking available downtown then these fees will help manage parking.

Councilmember Spehar stated that he would like to include in the motion that Council get together with the DDA Board at end of the 1st quarter 2003, to review the program over the year to see if it has worked and what, if any changes need to be made. Councilmember Kirtland agreed, but would like to look at it in 4th

quarter of 2002 so that changes can be made sooner. Councilmember Terry felt that it could be discussed at the annual joint meeting in the fall.

Councilmember Theobold said he was under the impression this was intended to be used as an experiment, but sees nothing in resolution that has it expiring on a given date.

Administrative Services and Finance Director Lappi stated that his recollection was that it was to be monitored in one year, but that they certainly shouldn't spend \$50,000 on an experiment that might end in one year.

City Manager Arnold recommended it be reviewed in one year.

Administrative Services and Finance Director Lappi pointed out that this does not change any of the 350 free spaces downtown, they are still available. This just changes the long term parking in the outlying areas.

Councilmember Terry noted that this has been portrayed as doubling and tripling the parking costs downtown, going from 5 cents to ten cents, the actual dollar amount is still less than a dollar for a whole day of parking downtown.

Upon motion by Councilmember Kirtland and seconded by Councilmember McCurry and carried by roll call vote, Resolution No. 71-01 was adopted.

CONDEMNATION OF PROPERTY AT SOUTHWEST CORNER OF 29 ROAD AND NORTH AVENUE

As part of the 29 Road reconstruction a small area of land is needed from the property located at the SE corner of the intersection of 29 Road and North Avenue. City staff has negotiated in good faith with the owner and has made a final offer for the acquisition of the land. The owner and the City have been unable to agree on terms.

Resolution No. 72-01 - A Resolution Determining the Necessity of, And Authorizing the Acquisition of, Certain Property by Either Negotiation or Condemnation, for Municipal Public Facilities

Assistant City Attorney Shaver reviewed this item.

Councilmember Theobold asked for what purpose this corner piece of land is needed.

Assistant City Attorney Shaver responded that it is needed for placement of the curb returns for the 29 Road reconstruction project. Public Works Manager Tim Moore added that there will also be placement of the signal pole in that location.

Councilmember Theobald established that it is a little bit less than 6 feet of property.

Councilmember Terry requested that legal staff explain condemnation to the public. Assistant City Attorney Shaver detailed the process the City goes through for condemnation and stated that the City always pays fair market value. The only difference in this particular case has to do with this being a Federally funded project so time is a factor in order to get the release of the Federal funds.

Councilmember Terry mentioned that for those in the audience or on the telecast, discussion and decision by the City to condemn property is not something that this Council takes lightly, and they do exercise due diligence to consider this matter.

Upon motion by Councilmember Spehar and seconded by Councilmember Terry, and carried by roll call vote, Resolution No. 72-01 - A Resolution Determining the Necessity of, and Authorizing the Acquisition of, Certain Property by Either Negotiation or Condemnation, for Municipal Public Facilities was passed.

PUBLIC HEARING - LASER JUNCTION ANNEXATION, LOCATED AT 2547 RIVER ROAD [File #ANX-2001-099]

Referral of petition to annex and second reading of the annexation ordinance for the Laser Junction Annexation located at 2547 River Road and includes a portion of the River Trail. The 3.606-acre Laser Junction Annexation consists of one parcel of land.

Public hearing opened at 9:20 p.m.

Pat Cecil, Development Services Supervisor, Community Development Department, stated that this annexation is a request for a parcel of approximately 3.6 acres along River Road. It does include a portion of the River Trail along the west side of the property. Staff has found that this annexation does meet the Municipal Annexation Act CRS 31-4-104 and recommends that Council adopt the referral petition.

There were no public comments.

Assistant City Attorney Shaver asked if there is an affidavit of findings in the file. Mr. Cecil responded that there is.

Councilmember Theobald asked what is across the river from this parcel. Mayor Enos-Martinez indicated that it is part of the Connected Lakes Park and is in the jurisdiction of the County.

The public hearing closed at 9:22 p.m.

Upon motion by Councilmember Terry, seconded by Councilmember Spehar and carried by roll call vote, Resolution No. 70-01 – A Resolution Accepting a Petition for Annexation, Making Certain Findings and Determining Property Known as the Laser Junction Annexation Located at 2547 River Road Including a Portion of the River Trail, is Eligible for Annexation and Ordinance No. 3357 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Laser Junction Annexation, Approximately 3.606 Acres Located at 2547 River Road and including a portion of the River Trail were adopted.

PUBLIC HEARING – ZONING LASER JUNCTION ANNEXATION TO I-1 AND CSR, LOCATED AT 2547 RIVER ROAD [File #ANX-2001-099] **CONTINUED FROM THE JULY 11, 2001 MEETING**

Request to zone the Laser Junction Annexation to I-1 and CSR, located at 2547 River Road and including a portion of the River Trail. This approximately 3.606-acre annexation consists of one parcel of land.

The public hearing opened at 9:27 p.m.

Pat Cecil, Development Services Supervisor, Community Development Department, stated that the applicant originally request I-2 zoning, but that the City has been adopting I-1 zoning for other areas adjacent this site and just north of this site. Staff recommends a I-1 zoning for this area along with a CSR zoning along the River Trail. The Planning Commission recommends that to the Council and finds that the area meets all of the City conditions for section 2-2-6 of the Zoning Code.

Councilmember Terry questioned the recommendation of CSR zoning for the River Trail regarding the property past the River Trail. Is it also zoned CSR?

Mr.Cecil indicated that yes, the City-owned property is also zoned CSR.

There were no public comments. The public hearing closed at 9:28 p.m.

Upon motion by Councilmember Terry, seconded by Councilmember Spehar, and carried by roll call vote, Ordinance No. 3358 – An Ordinance Zoning Laser Junction Annexation to I-1 and CSR, Located at 2547 River Road Including a Portion of the River Trail was adopted.

UPDATE FROM “STEAM” FOR THE PUBLIC SERVICE STEAM PLANT PROPERTY

City Manager Arnold updated the Council on this project. He first updated new Council members on the history of this property and the group who is finding a use for the building. Council had requested a proposal for uses of this property and given a timeline for a reasonable plan. That timeline was to be the end of this year. The applicants were not ready to present. Mr. Arnold asked for a letter and they did not want to do that.

Councilmember Terry gave the Council more historic perspective. The building has been owned by the City for several years. The City has been trying to get the toxic material cleaned out and this is not the first attempt to get some sort of use out of the building. In past years no one has had any financial means to get anything done. This has been frustrating to the Council and their last direction to the “STEAM” group was that anyone interested would have to be financially viable because of the high cost of doing anything with this particular building, and this has not apparent with STEAM. Councilmember Terry felt this group should have until the end of the year to come forward with a proposal.

Councilmember Theobald disagreed with some things Councilmember Terry said, but agreed about the time issue. He characterized the history of the building as institutional neglect; that is it has been on back burner by administration and staff as they indicated that they were not prepared to accept offers. His frustration is that he thought this looked like a very promising proposal and thought the credentials were worth pursuing. However, he is not seeing much follow-through effort. He would be willing to give them more time and give them the benefit of the doubt but not getting any plan, communication or presence shortens his willingness to keep working with this group. The City has had building for 11 years.

Councilmember Spehar suggested that the new members of the Council could use some information on such items as demolition costs, the effort to find alternative uses, etc. Councilmember Spehar’s patience is also fairly thin and he would like to see it cleaned up. A portion of the building does need to be demolished regardless

of the use. He would like to have this information presented to the council in a workshop in the near future.

City Manager Arnold suggested if something changes between now and September when Council has their CIP meeting he'll get information to Council from the group. If nothing changes then staff will get the cost information to Council as requested.

Councilmember Theobald stated that it has been suggested that the project could be helped along with CDBG funds. He would like to have an idea of what it worth on the open market, both cleaned up and as flat, i.e. vacant ground.

Councilmember Spehar agreed, how it is most marketable, whether it can be sold as-is.

Councilmember Terry asked if the Council would need voter approval to sell.

Councilmember Theobald felt that the building was not purchased for municipal purposes, but to help in the relocation of the County Jail a number of years ago and therefore would not need voter approval to sell.

Assistant City Attorney Shaver suggested he check title to clarify.

City Manager Arnold stated he would keep Council informed of any changes or developments that come along.

NON-SCHEDULED CITIZENS AND VISITORS

Ronald Ashley, 545 Grand Mesa Avenue, was present to address the Council. He owns a construction company and did a job for Grand Junction in 1999. The City owed him \$52,000 but offered him \$27,000. He refused, then they dropped it down to \$7,000. He has talked to everyone he could find. He has been told by City Attorney Dan Wilson that if he doesn't like what the City offered he should sue them. He feels that this is a stupid remedy. He met with the City Manager and would like somebody to listen. The project that he did for the City was an addition to the Persigo Waste Water Plant.

Assistant City Attorney Shaver stated that since this is a potential litigation situation, Council should not engage in any dialogue. The City has requested invoices and documentary evidence from Mr. Ashley, which has not been provided. Mr. Shaver has met with Mr. Ashley's attorney, City Attorney Dan Wilson has met with his attorney, the City Manager has met with Mr. Ashley. The

last status Mr. Shaver knew was that Mr. Ashley had not provided the requested invoices and documentary evidence that was requested.

Mr. Ashley asked how many times does he needs to provide them this information. He stated that he has provided it three different times. He has paid all of his bills for this project and this has just about put him out of business. Mayor Enos-Martinez requested that he submit the documents directly to her. Mr. Ashley agreed to do so.

OTHER BUSINESS

There was none.

ADJOURNMENT

The meeting was adjourned at 9:51 p.m.

Stephanie Nye, CMC
City Clerk

**Attach 2
Signal Communications Design**

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Signal Communications Design Contract		
Meeting Date:	August 1, 2001		
Date Prepared:	June 19, 2001		
Author:	Jody Kliska	Transportation Engineer	
Presenter Name:	Mark Relph	Public Works & Utilities Director	
	Workshop	X	Formal Agenda

Subject: Award of a Professional Services Design Contract for Signal Communications Design Phase 1b to Kimley-Horn & Associates, Inc. in an amount not to exceed \$97,500.00.

Summary: The contract covers six tasks related to the design of the signal system communications project – review of the schedule and cost estimates in the CIP, design of the next construction project, ongoing support, construction support and project management.

Background Information: Two years ago the City, County and CDOT jointly funded a feasibility study for signal communications in the urban valley. The recommendations of the study resulted in programming funds over the next ten years to implement installation of fiber optic line to connect the traffic signals. The first design package for the initial construction project was completed in 2000 and is anticipated to begin construction in 2001.

This contract covers six tasks crucial to the continuation of the design process for signal communications. Task 1 will review the construction schedule and cost information for the complete project and supply information to update the CIP. Task 2 will design the next group of signals to and produce plans and specifications for bid. Task 3 provides ongoing support that includes researching partnering opportunities, coordination with CDOT ITS staff in Denver, and preparation of minor design packages for inclusion in other city projects where it is cost effective to install conduit for fiber optic cable. Task 4 provides bid support for the first construction project. Because this is uncharted territory for the City of Grand Junction, the consultant will provide assistance in the pre-bid process to assure qualified bidders. Task 5 provides construction support including

field observation and design revisions. Task 6 provides project management which includes a quality check by a Senior ITS Engineer with the Kimley-Horn organization.

The firm of Kimley-Horn Associates designed the first project for implementation in 2000. Section 13.2 of the City Purchasing Manual allows for procurement of professional services without competition with the approval of City Council. Staff believes it is important for continuity in the design process to retain the same team and that the Kimley-Horn project team is familiar with the project and very well-qualified for this contract.

The Signal Communications project is a long term commitment by the City of Grand Junction to improve traffic flow and system operations on major corridors.

Budget:

Project Costs:

Design Contract	\$97,500.00
Total Contract Costs	\$97,500.00

Funding:

2001 Budget Activity F 33800	<u>\$252,000.00</u>
Year to Date Expenditures (conduit)	<u>\$3461.00</u>
Balance remaining	<u>\$151,039.00</u>

Staff is pursuing a reimbursement contract from CDOT this year in the amount of \$80,000.00 for the construction, as a number of the signals included in the design are on the state highway system. The remaining fund balance will be spent on materials procurement and initial construction.

Action Requested/Recommendation: Council approval to award the contract for the Signal Communications Design Phase 1b to Kimley-Horn & Associates, Inc. in an amount not to exceed \$97,500.00.

Citizen Presentation:	<input checked="" 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"/>	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"/>
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**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

CITY COUNCIL		
Subject:	Joint Resolution approving Amended FY2002 Unified Planning Work Program	
Meeting Date:	August 1, 2001	
Date Prepared:	June 18, 2001	
Author:	Ken Simms Jody Kliska	RTPO Transportation Planner Transportation Engineer
Presenter Name:	Mark Relph	Public Works & Utilities Director
	X	Formal Agenda

Subject: Approval of a Joint Resolution for the MPO Amended FY 2002 Unified Planning Work Program (UPWP).

Summary: Approve and sign a Joint Resolution with Mesa County and the City of Grand Junction adopting the Amended FY 2002 Unified Planning Work Program. The amended Unified Planning Work Program modifies task A.4 to include a reference to CDOT as a participating entity in the Memorandum of Agreement.

Background Information: The original FY 2002 Unified Planning Work Program was adopted by the City of Grand Junction (GJCC #62-01) and the Mesa County Board of County Commissioners (MCM #2001-91) on June 20, 2001 and June 25, 2001 respectively. In part, Task A.4 of this document calls for an "Update of the 1984 Memorandum of Understanding for the Metropolitan Planning Area among Mesa County, the City of Grand Junction and other potentially eligible municipalities...". This task must also include a reference to CDOT as a participating entity in the Memorandum of Agreement. This document, adopted in July 1984, first established the MPO and its revision is required by CDOT in order to update titles and references to outdated legislation (e.g., section 8 funds).

Mesa County is a co-signer to this agreement.

Budget: There is no financial impact.

Action Requested/Recommendation: Approve and sign the Joint Resolution with Mesa County adopting the amended Unified Planning Work Program.

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

**Attach 4
Colonial Heights Rezone**

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Colonial Heights Subdivision		
Meeting Date:	August 1, 2001		
Date Prepared:	July 23, 2001		
Author:	Lisa Gerstenberger	Senior Planner	
Presenter Name:	Lisa Gerstenberger	Senior Planner	
	Workshop	X	Formal Agenda

Subject: First reading of the Rezoning Ordinance for the Colonial Heights Subdivision, RZP-2001-034.

Summary: First reading of the Rezoning Ordinance to rezone the Colonial Heights Subdivision from Planned Development, 4.4 units per acre (PD 4.4) zone district, to Residential Multi-Family-5 (RMF-5), located at SE corner of 25 Road and G Road.

Background Information: See Attached

Budget: N/A

Action Requested/Recommendation: It is recommended that City Council approve first reading of the Rezoning Ordinance.

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

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

DATE: July 23, 2000

CITY COUNCIL

STAFF PRESENTATION: Lisa Gerstenberger

AGENDA TOPIC: First reading of the Rezoning Ordinance for the Colonial Heights Subdivision, RZP-2001-034.

SUMMARY: First reading of the Rezoning Ordinance to rezone the Colonial Heights Subdivision from Planned Development, 4.4 units per acre (PD 4.4) zone district, to Residential Multi-Family-5 (RMF-5), located at SE corner of 25 Road and G Road.

BACKGROUND INFORMATION			
Location:		SE corner of 25 Road and G Road	
Applicants:		Parkerson Brothers, LLC, Owner Vista Engineering, Representative	
Existing Land Use:		Vacant	
Proposed Land Use:		Residential	
Surrounding Land Use:	North	G Road, residential north of G Road	
	South	Residential	
	East	Residential	
	West	Residential	
Existing Zoning:		Planned Development, 4.4 du/ac	
Proposed Zoning:		Residential Multi-Family-5 (RMF-5)	
Surrounding Zoning:	North	RSF-4	
	South	RMF-8, Planned Development	
	East	Planned Development	
	West	RMF-8	
Growth Plan Designation:		Residential Medium, 4-8 du/ac	
Zoning within density range?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Action Requested/Recommendation: Recommend that City Council approve first reading of the Rezoning Ordinance.

Staff Analysis:

REZONING CRITERIA:

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

- 1. The existing zoning was in error at the time of adoption.** The existing zoning was not in error, however, it was based on a Planned Development with a mix of housing types that the applicant no longer wishes to develop. The requested rezone is based on the new Preliminary Plan and density which are in keeping with the goals and policies of the Growth Plan.
- 2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.** The property is located in an area with developing residential uses. The request for a rezone to RMF-5 is in keeping with the goals and policies of the Growth Plan. The proposed density is consistent with the RMF-5 zone district. The developer wishes to rezone to a zone district that will allow development of single family development which is more in keeping with existing adjacent developments.
- 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.** The street network and subdivision design are compliant with City zoning and development regulations, and as such, will not cause adverse impacts. Stormwater and drainage management have been addressed in accordance with City design standards and will not cause adverse impacts.
- 4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of the Code and other City regulations and guidelines.** The street network and subdivision design are compliant with City zoning and development regulations, and as such, will not cause adverse impacts. Stormwater and drainage management have been addressed in accordance with City design standards and will not cause adverse impacts.
- 5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development.** Adequate public facilities are available, or will be extended to the site during development.
- 6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs.**

There is other land available which would accommodate the needs of the community, however, this area is located in an area with similar residential development. The proposed project is consistent with adjacent developments and is compatible with the goals of the Growth Plan.

7. The community or neighborhood will benefit from the proposed zone.
The proposed rezone would provide the developing neighborhood with additional property to be developed at compatible residential densities.

STAFF RECOMMENDATION

Staff recommends approval of the request to rezone from Planned Development, 4.4 units per acre (PD 4.4) zone district, to Residential Multi-Family 5 du/ac (RMF-5) zone district, with the finding that the proposed rezone is consistent with the Growth Plan land use designation, and with Section 2.6(a) of the Zoning and Development Code.

PLANNING COMMISSION RECOMMENDATION

Approval of the Residential Multi-Family-5 (RMF-5) zone district for the following reasons:

- RMF-5 zone district meets the recommended land use categories as shown through the Growth Plan, as well as the Growth Plan's goals and policies.
- RMF-5 zone district meets the criteria found in Section 2.6(A) of the Zoning and Development Code.

Attachments:

- Rezoning Ordinance
- Preliminary Plan

H:Projects2001/RZP-2001-034/ColonialHeightsCityZord1

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE No. ____

**Ordinance Rezoning the Colonial Heights Subdivision from
Planned Development, 4.4 units per acre (PD 4.4) to
Residential Multi-Family-5 (RMF-5),
Located at SE corner of 25 Road and G Road**

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning the Colonial Heights Subdivision to the **RMF-5** zone district for the following reasons:

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

After public notice and public hearing before the Grand Junction City Council, City Council finds that the **RMF-5** zone district be established.

The Planning Commission and City Council find that the **RMF-5** zoning is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following property shall be rezoned RMF-5, Residential Single Family with a density not to exceed 5 units per acre, zone district:

COLONIAL HEIGHTS SUBDIVISION

Beg at the Mesa Co. Survey marker at the SW cor of the NW1/4 NW1/4 of Sec 3, whence the Mesa Co Survey marker at the NW cor of Sec 3 bears N 00°00'00"E, a distance of 1319.97ft for a basis of bearings, with all bearings contained herein relative thereto; thence along the W ln of the NW1/4 NW1/4 N 00°00'00"E, a distance of 1139.97ft; thence N 89°56'41"E, a distance of 220.00ft; thence N 00°00'00"E, a distance of 180.00ft to the N ln of the NW1/4 NW1/4; thence along said ln N 89°56'41"E, a distance of 859.25ft to a point on the Ely ROW of the GJ and Grand River Valley Railway (as

described in Bk 125 at Pgs 286-288); thence following along the Ely In of ROW S 13°59'29"E, a distance of 989.71ft to a point on the W In of the W1/2 NE1/4 NW1/4; thence S 00°02'09"E, a distance of 371.96ft to the Mesa Co. Survey marker at the SE cor of the NW1/4 NW1/4; thence S 00°01'00"E, a distance of 147.21ft; thence S 74°27'00"W, a distance of 1084.29ft; thence S 64°16'00"W, a distance of 141.00ft; thence S 90°00'00"W, a distance of 147.23ft to a pt on the W In of the SW1/4 NW1/4 of Sec 3; thence along In N 00°00'50"E, a distance of 510.40ft to the POB. Parcel containing 46.839 acres.

Housing type, density and bulk standards shall be for the **RMF-5** zone district.

Introduced on first reading this 1st day of August, 2001.

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

Mayor

ATTEST:

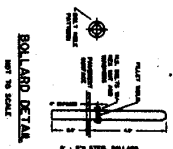
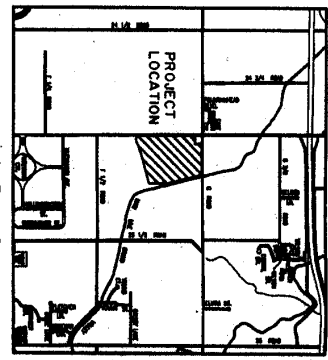
City Clerk

MINIMUM LOT AREA
MINIMUM STREET FRONTAGE
MINIMUM HEIGHT OF STRUCTURES
MINIMUM LOT WIDTH
MINIMUM SET BACKS
MINIMUM REAR YARD SETBACK
MINIMUM FRONT YARD SETBACK
MINIMUM COVERAGE OF LOT BY STRUCTURES
MINIMUM UNITS PER GROSS ACRE

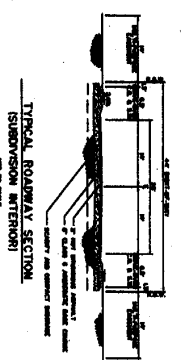
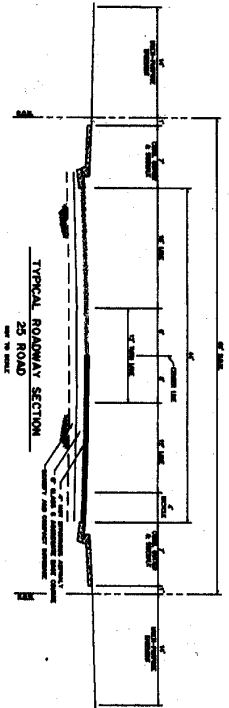
6,500 S.F.
20 FEET
30 FEET
40 FEET
5 FEET
3 FEET
20 FEET
20 FEET
20 FEET
5

SITE DATA BREAKDOWN

PLANNING NO.	NO. OF LOTS	GROSS SPACE	ACRES
1	51	430,000 S.F.	9.87 AC.
2	20	170,000 S.F.	3.88 AC.
3	5	42,500 S.F.	0.97 AC.
TOTAL	76	642,500 S.F.	14.72 AC.



MINIMUM 6" STEEL BOLLARD AT EACH END OF PEDESTRIAN PATH
MINIMUM 6" CONCRETE CURB & 6" CONCRETE SIDE CURB
MINIMUM 6" CONCRETE CURB & 6" CONCRETE SIDE CURB
MINIMUM 6" CONCRETE CURB & 6" CONCRETE SIDE CURB
MINIMUM 6" CONCRETE CURB & 6" CONCRETE SIDE CURB

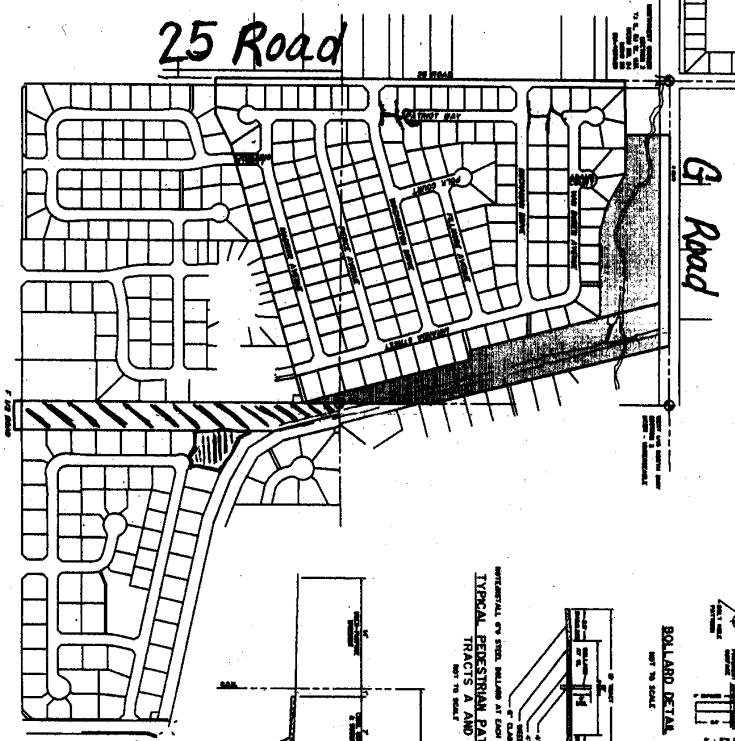


AREA BREAKDOWN

DESCRIPTION	AREA	PERCENT
OPEN SPACE	7,700 S.F.	1.2%
ROADWAY	6,100 S.F.	0.9%
OPEN SPACE TRACT	1,100 S.F.	0.2%
TOTAL	49,200 S.F.	75.0%

PUBLIC FACILITIES

WATER SUPPLY: City of Grand Haven
SEWERAGE: City of Grand Haven
GAS AND ELECTRIC: Public Service Company of Michigan
TELEPHONE: AT&T Communications
CABLE TV: Grand Haven Cable TV
STREET LIGHTS: Grand Haven Light Company

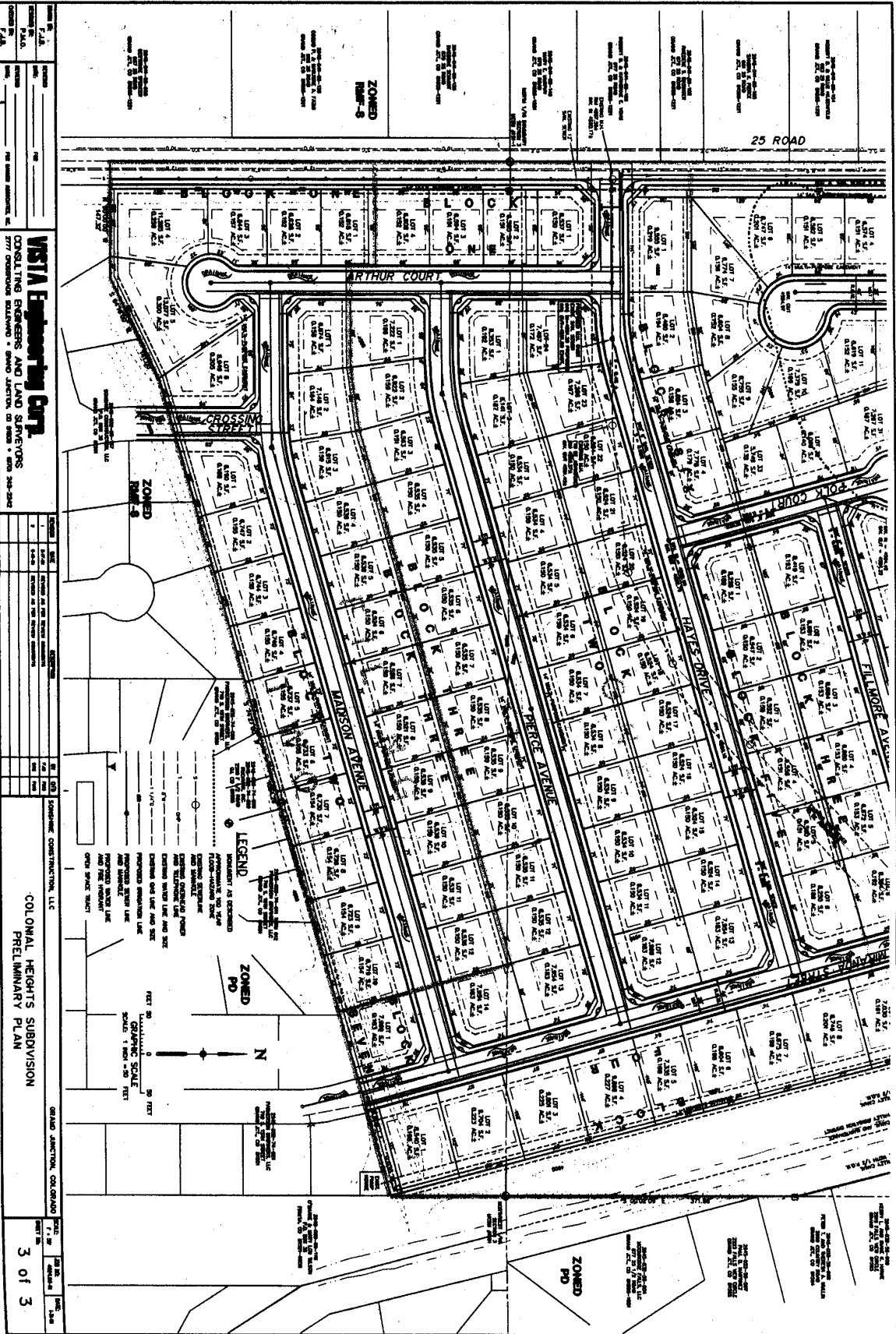


VISTA Engineering Corp.
CONSULTING ENGINEERS AND LAND SURVEYORS
377 CHERRYWOOD BUILDING • GRAND AVENUE, SE 2000 • GRAND HAVEN, MI 49431

GRAND AVENUE CONSTRUCTION, LLC

COLONIAL HEIGHTS SUBDIVISION
PRELIMINARY PLAN

1 of 3



DRAWN BY: J.A. [Name]
 CHECKED BY: P.A. [Name]
 DATE: 1/15/10
 PROJECT NO.: 10-001
 SHEET NO.: 3 OF 3
 PREPARED BY: J.A. [Name]
 DATE: 1/15/10
 PROJECT NO.: 10-001
 SHEET NO.: 3 OF 3

VSIA Engineering Corp.
 CONSULTING ENGINEERS AND LAND SURVEYORS
 2777 OVERSHOULDER BLVD. • SUITE 100 • BIRMINGHAM, AL 35244
 PHONE: (205) 988-1111
 FAX: (205) 988-1112
 WWW.VSIA-ENGINEERING.COM

COLONIAL HEIGHTS SUBDIVISION
 PRELIMINARY PLAN

GRAND JUNCTION, COLORADO
 SHEET NO. 3 OF 3

**Attach 5
Parham Annexation Rezone**

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Parham Annexation		
Meeting Date:	August 1, 2001		
Date Prepared:	July 23, 2001		
Author:	Lisa Gerstenberger	Senior Planner	
Presenter Name:	Lisa Gerstenberger	Senior Planner	
	Workshop	X	Formal Agenda

Subject: First reading of the Zoning Ordinance for the Parham Annexation, ANX-2001-061.

Summary: First reading of the Zoning ordinance to zone the Parham Annexation Residential Multi-Family-8 (RMF-8), located at 2960 D Road.

Background Information: See Attached

Budget: N/A

Action Requested/Recommendation: It is recommended that City Council approve first reading of the Zoning ordinance.

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

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

DATE: July 23, 2000

CITY COUNCIL

STAFF PRESENTATION: Lisa Gerstenberger

AGENDA TOPIC: First reading of the Zoning ordinance for the Parham Annexation, ANX-2001-061.

SUMMARY: First reading of the Zoning ordinance to zone the Parham Annexation Residential Multi-Family-8 (RMF-8), located at 2960 D Road.

BACKGROUND INFORMATION			
Location:		2960 D Road	
Applicants:		Bryan Parham, Owner Richard Atkins, Representative	
Existing Land Use:		Residential/Vacant	
Proposed Land Use:		Residential	
Surrounding Land Use:	North	Residential/Agricultural	
	South	Residential	
	East	Residential/Agricultural	
	West	Residential/Agricultural	
Existing Zoning:		County AFT	
Proposed Zoning:		Residential Multi-Family-8 (RMF-8)	
Surrounding Zoning:	North	Residential	
	South	County AFT	
	East	County AFT	
	West	County AFT	
Growth Plan Designation:		Residential Medium, 4-8 du/ac	
Zoning within density range?		<input checked="" type="checkbox"/>	Yes
		<input type="checkbox"/>	No

Action Requested/Recommendation: Recommend that City Council approve first reading of the Zoning ordinance.

Staff Analysis:

ZONE OF ANNEXATION:

The proposed zoning for the Parham Annexation, also known as Flint Ridge Subdivision, is the Residential Multi-family, 8 units/acre (RMF-8) zone district. The proposed use of the site is residential, which is in keeping with the goals of the Growth Plan and RMF-8 zone district. Section 2.14(F), Zoning of Annexed Properties, of the Zoning and Development Code, states that land annexed into the City shall be zoned in accordance with Section 2.6 to a district that is consistent with the adopted Growth Plan or consistent with existing County zoning.

REZONING CRITERIA:

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

- 1. The existing zoning was in error at the time of adoption.** This property is being annexed into the City and has not been previously considered for zoning, therefore, there has not been an error in zoning.

- 2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.** The property is located in an area with developing residential uses. The request for Residential Multi-family, 8 units/acre (RMF-8) zoning is in keeping with the Growth Plan and Section 2.14, Annexations, of the Zoning and Development Code.

- 3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances.** All development standards of the Zoning and Development Code will be adhered to during the development review and construction processes to ensure that there are no adverse impacts.

- 4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of the Code and other City regulations and guidelines.** The proposal is in conformance with the Growth Plan, and the policies and requirements of the Zoning and Development Code and other City regulations and guidelines.

- 5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development.** Adequate public facilities and services are available at this time or will be installed with development of the site.

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

An adequate supply of land is available in the community, however, it is located in the County and has not yet developed. This area is designated as Residential Medium, 4-8 units/acre on the Future Land Use Map of the Growth Plan. In accordance with Section 2.14, Annexations, of the Zoning and Development Code, the Residential Multi-family, 8 units/acre (RMF-8) zone district is appropriate for this property when it develops.

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

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

STAFF RECOMMENDATION

Staff recommends approval of the Residential Multi-Family 8 du/ac (RMF-8) zone district, with the finding that the proposed zone district is consistent with the Growth Plan land use designation, and with Section 2.6(a) of the Zoning and Development Code.

PLANNING COMMISSION RECOMMENDATION

Approval of the Residential Multi-Family-8 (RMF-8) zone district for the following reasons:

- RMF-8 zone district meets the recommended land use categories as shown through the Growth Plan, as well as the Growth Plan's goals and policies.
- RMF-8 zone district meets the criteria found in Section 2.6(A) of the Zoning and Development Code.

Attachments:

- Zoning Ordinance
- Annexation Map

H:Projects2001/ANX-2001-061/ParhamCityZord1

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE No. ____

**Ordinance Zoning the Parham Annexation to Residential Multi-Family-8 (RMF-8),
Located at 2960 D Road**

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning the Parham Annexation to the **RMF-8** zone district for the following reasons:

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

The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the **RMF-8** zone district be established.

The Planning Commission and City Council find that the **RMF-8** zoning is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following property shall be rezoned RMF-8, Residential Single Family with a density not to exceed 8 units per acre, zone district:

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.

Housing type, density and bulk standards shall be for the **RMF-8** zone district.

**Attach 6
Grand Meadows Annexation Zoning**

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Grand Meadows Annexation		
Meeting Date:	August 1, 2001		
Date Prepared:	July 23, 2001		
Author:	Lisa Gerstenberger	Senior Planner	
Presenter Name:	Lisa Gerstenberger	Senior Planner	
	Workshop	X	Formal Agenda

Subject: First reading of the Zoning Ordinance for the Grand Meadows Annexation, ANX-2001-080.

Summary: First reading of the Zoning Ordinance to zone the Grand Meadows Annexation Residential Multi-Family-5 (RMF-5), located at 30 Road south of Gunnison Way.

Background Information: See Attached

Budget: N/A

Action Requested/Recommendation: It is recommended that City Council approve first reading of the Zoning ordinance.

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

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

DATE: July 23, 2000

CITY COUNCIL

STAFF PRESENTATION: Lisa Gerstenberger

AGENDA TOPIC: First reading of the Zoning ordinance for the Grand Meadows Annexation, ANX-2001-080.

SUMMARY: First reading of the Zoning ordinance to zone the Grand Meadows Annexation Residential Multi-Family-5 (RMF-5), located at 30 Road South of Gunnison Way.

BACKGROUND INFORMATION			
Location:		30 Road South of Gunnison Way	
Applicants:		Charles and Ruby Fitzpatrick, Owners Jerry Slaugh, Representative	
Existing Land Use:		Vacant	
Proposed Land Use:		Residential	
Surrounding Land Use:	North	Residential	
	South	Residential/Vacant	
	East	Residential/Vacant	
	West	Commercial	
Existing Zoning:		County RSF-R	
Proposed Zoning:		Residential Multi-Family-5 (RMF-5)	
Surrounding Zoning:	North	County RSF-4	
	South	County RSF-R	
	East	County RSF-R	
	West	County Industrial	
Growth Plan Designation:		Residential Medium, 4-8 du/ac	
Zoning within density range?		x	Yes
			No

Action Requested/Recommendation: Recommend that City Council approve first reading of the Zoning ordinance.

Staff Analysis:

ZONE OF ANNEXTION:

The proposed zoning for the Grand Meadows Annexation, also known as Grand Meadows Subdivision, is the Residential Multi-family, 5 units/acre (RMF-5) zone district. The proposed use of the site is residential, which is in keeping with the goals of the Growth Plan and RMF-5 zone district. Section 2.14(F), Zoning of Annexed Properties, of the Zoning and Development Code, states that land annexed into the City shall be zoned in accordance with Section 2.6 to a district that is consistent with the adopted Growth Plan or consistent with existing County zoning.

REZONING CRITERIA:

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

- 1. The existing zoning was in error at the time of adoption.** This property is being annexed into the City and has not been previously considered for zoning, therefore, there has not been an error in zoning.

- 2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.** The property is located in an area with developing residential uses. The request for Residential Multi-family, 5 units/acre (RMF-5) zoning is in keeping with the Growth Plan and Section 2.14, Annexations, of the Zoning and Development Code.

- 3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances.** All development standards of the Zoning and Development Code will be adhered to during the development review and construction processes to ensure that there are no adverse impacts.

- 4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of the Code and other City regulations and guidelines.** The proposal is in conformance with the Growth Plan, and the policies and requirements of the Zoning and Development Code and other City regulations and guidelines.

- 5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development.** Adequate public facilities and services are available at this time or will be installed with development of the site.

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

An adequate supply of land is available in the community, however, it is located in the County and has not yet developed. This area is designated as Residential Medium, 4-8 units/acre on the Future Land Use Map of the Growth Plan. In accordance with Section 2.14, Annexations, of the Zoning and Development Code, the Residential Multi-family, 5 units/acre (RMF-5) zone district is appropriate for this property when it develops.

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

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

STAFF RECOMMENDATION

Staff recommends approval of the Residential Multi-Family 5 du/ac (RMF-5) zone district, with the finding that the proposed zone district is consistent with the Growth Plan land use designation, and with Section 2.6(a) of the Zoning and Development Code.

PLANNING COMMISSION RECOMMENDATION

Approval of the Residential Multi-Family-5 (RMF-5) zone district for the following reasons:

- RMF-5 zone district meets the recommended land use categories as shown through the Growth Plan, as well as the Growth Plan's goals and policies.
- RMF-5 zone district meets the criteria found in Section 2.6(A) of the Zoning and Development Code.

Attachments:

- Zoning Ordinance
- Annexation Map

H:Projects2001/ANX-2001-080/GrandMeadowsCityZord1

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE No. ____

**Ordinance Zoning the Grand Meadows Annexation to Residential Multi-Family-5
(RMF-5),
Located at 30 Road South of Gunnison Way**

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 rezoning the Grand Meadows Annexation to the **RMF-5** zone district for the following reasons:

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

After public notice and public hearing before the Grand Junction City Council, City Council finds that the **RMF-5** zone district be established.

The Planning Commission and City Council find that the **RMF-5** zoning is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following property shall be rezoned RMF-5, Residential Single Family with a density not to exceed 5 units per acre, zone district:

GRAND MEADOWS ANNEXATION

A parcel of land situate in the SE 1/4 NE 1/4 of Section 17 and in the SW 1/4 NW 1/4 of Section 16, 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 N 1/16 corner on the east line of Section 17; thence S 00°00'00" E along the east line of the SE 1/4 NE 1/4 of said Section 17 a distance of 3.00 feet to the True Point of Beginning of the parcel contained herein; thence N 89°58'19" W along a line

3.00 feet south of and parallel with the north line of the SE 1/4 NE 1/4 of said Section 17 a distance of 27.00 feet to a point; thence S 00°00'00" E along a line 3.00 feet east of and parallel with the west right of way line for 30 Road a distance of 806.63 feet to a point; thence S 89°58'41" E a distance of 1.00 feet to a point; thence N 00°00'00" W along a line 4.00 feet east of and parallel with the west right of way line for said 30 Road a distance of 150.00 feet to a point; thence S 89°58'41" E a distance of 26.00 feet to a point on the west line of the SW 1/4 NW 1/4 of Section 16; thence N 00°00'00" W along the west line of said SW 1/4 NW 1/4 a distance of 29.81 feet to a point; thence N 89°55'54" E a distance of 40.00 feet to a point on the east right of way line for said 30 Road; thence along the east right of way line for said 30 Road the following 3 courses:
N 00°00'00" W a distance of 134.85 feet to a point;
S 89°55'30" W a distance of 10.00 feet to a point;
N 00°00'00" W a distance of 165.15 feet to a point;
thence leaving said east right of way line N 89°55'30" E a distance of 1292.16 feet to a point on the east line of the SW 1/4 NW 1/4 of said Section 16; thence N 00°05'30" W along the east line of said SW 1/4 NW 1/4 a distance of 329.80 feet to the NW 1/16 corner of said Section 16; thence S 89°55'30" W along the north line of said SW 1/4 NW 1/4 (said north line also being the south line of Fruitwood Subdivisions, Filings 5,3 & 8) a distance of 1091.63 feet to a point; thence leaving said north line S 00°00'00" E a distance of 190.90 feet to a point; thence S 89°55'30" W a distance of 230.00 feet to a point on the west line of the SW 1/4 NW 1/4 of said Section 16; thence N 00°00'00" W along said west line a distance of 187.92 feet to the point of beginning, containing 9.65 acres, more or less.

Housing type, density and bulk standards shall be for the **RMF-5** zone district.

—

Introduced on first reading this 1st day of August, 2001.

PASSED and ADOPTED on second reading this ___ day of August, 2001.

Mayor

ATTEST:

City Clerk

Attach 7

Appleton Corners Veterinary Clinic Annexations No. 1, No. 2 and No. 3

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

CITY COUNCIL			
Subject:	Appleton Corners Veterinary Clinic Annexation		
Meeting Date:	August 1, 2001		
Date Prepared:	July 25, 2001		
Author:	Dave Thornton	Principal Planner	
Presenter Name:	Dave Thornton	Principal Planner	
	Workshop	X	Formal Agenda

Subject: Annexation of the Appleton Corners Veterinary Clinic Annexation, a serial annexation comprising Appleton Corners Veterinary Clinic Annexations No. 1, No. 2 and No. 3, #ANX-2001-154

Summary: Resolution for Referral of Petition to Annex/First reading of the annexation ordinance/Exercising land use jurisdiction immediately for the Appleton Corners Veterinary Clinic Annexation located at 797 24 Road and including a portion of the 24 Road right-of-way (#ANX-2001-154). The 2.731-acre Appleton Corners Veterinary Clinic 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 resolution for the referral of petition to annex, first reading of the annexation ordinance and exercise land use immediately for the Appleton Corners Veterinary Clinic Annexation and set a hearing for September 5, 2001.

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

Report results back to Council:	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When:	
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Placement on Agenda:	<input checked="" type="checkbox"/>	Consent	<input type="checkbox"/>	Indiv. Consideration	<input type="checkbox"/>	Workshop
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BACKGROUND INFORMATION						
Location:		797 24 Road				
Applicant:		Richard Pennington				
Existing Land Use:		Single Family Residential				
Proposed Land Use:		Veterinary Clinic				
Surrounding Land Use:	North	Residential				
	South	Residential/Commercial - vacant				
	East	Residential/Commercial				
	West	Residential				
Existing Zoning:		RSF-R				
Proposed Zoning:		RSF-R				
Surrounding Zoning:	North	Business (County)				
	South	RSF-R (County)				
	East	RSF-R (County)				
	West	PUD – Residential (County)				
Growth Plan Designation:		Residential Estate				
Zoning within density range?		<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	

Staff Analysis:

ANNEXATION:

This annexation area consists of annexing 2.731 acres of land including portions of the 24 Road right-of-way. Owners of the property have signed a petition for annexation as part of their request to develop the site for a veterinary clinic, 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 Appleton Corners Veterinary Clinic 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.

<i>APPLETON CORNERS VETERINARY CLINIC ANNEXATION No. 1, No. 2, and No. 3 SUMMARY</i>	
File Number:	ANX-2001-154
Location:	797 24 Road
Tax ID Number:	2701-321-00-087
Parcels:	1
Estimated Population:	0
# of Parcels (owner occupied):	0
# of Dwelling Units:	1
Acres land annexed:	2.731 acres for annexation area
Developable Acres Remaining:	2 acres
Right-of-way in Annexation:	24 Road, See Map
Previous County Zoning:	RSF-R (County)
Proposed City Zoning:	(RSF-R) Residential Single Family Rural not to exceed 1 unit per 5 acres
Current Land Use:	Single Family Residential
Future Land Use:	Veterinary Clinic

Values:	Assessed:	= \$ 5,710
	Actual:	= \$ 62,430
Census Tract:		16
Address Ranges:		797 and 799 24 Road & 2395, 2397, and 2399 H Road
Special Districts:	Water:	Ute Water
	Sewer:	
	Fire:	Grand Junction Rural Fire
	Drainage:	Grand Junction Drainage District
	School:	District 51
	Pest:	

The following annexation and zoning schedule is being proposed.

<u>ANNEXATION SCHEDULE</u>	
Aug 1st	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
Aug 14th	Planning Commission considers Zone of Annexation
Aug 15th	First Reading on Zoning by City Council
Sept 5th	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
Oct 7th	Effective date of Annexation and Zoning

Action Requested/Recommendation: It is recommended that City Council approve the Appleton Corners Veterinary Clinic Annexations No.1, No. 2 and No. 3.

Attachments:

- Resolution of Referral of Petition/Exercising Land Use Immediately
- Annexation Ordinances
- 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 the 1st day of August, 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**

APPLETON CORNERS VETERINARY CLINIC ANNEXATION

**A SERIAL ANNEXATION COMPRISING:
APPLETON CORNERS VETERINARY CLINIC ANNEXATION NO. 1,
APPLETON CORNERS VETERINARY CLINIC ANNEXATION NO. 2 &
APPLETON CORNERS VETERINARY CLINIC ANNEXATION NO. 3**

**LOCATED AT 797 24 ROAD AND
INCLUDING A PORTION OF THE 24 ROAD RIGHT-OF-WAY**

WHEREAS, on the 1st day of August, 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:

APPLETON CORNERS VETERINARY CLINIC ANNEXATION NO. 1

A certain parcel of land for Annexation purposes located in the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of Section 32 and the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) of Section 33, Township 1 North, Range 1 West of the Ute Principal Meridian, Mesa County, Colorado, being more particularly described as follows:

BEGINNING at the Southeast corner of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of Section said 32, and considering the East line of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of said Section 32 to bear S 00°00'30" E with all bearings contained herein being relative thereto; thence S 89°58'53" W along the South line of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of said Section 32, a distance of 30.00' to a point on the West line of the open, used and historical right-of-way for 24 Road; thence N 00°00'30" W along said West right-of-way, a distance of 119.00 feet; thence N 89°59'30" E, a distance of 1.00 feet; thence S 00°00'30" E along a line 1.00 feet East of and parallel with said West right-of-way, a distance of 118.00 feet; thence N 89°58'53" E along a line 1.00 feet North of and parallel with the South line of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of said Section 32, a distance of 29.00 feet to a point on the East line of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of said Section 32; thence S 89°49'31" E along a line 1.00 feet North of and parallel with the South line of the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) of said Section 33, a distance of 30.00 feet to a point on the East line of the open, used and historical right-of-way for 24 Road; thence S 00°00'30" E along said East right-of-way, a distance of 1.00 feet to a point on the South line of the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) of said Section 33; thence N 89°49'31" W along said South line of the Northwest Quarter of the Northwest Quarter of said Section 33, a distance of 30.00 feet to the POINT OF BEGINNING.

Containing 178.0 square feet or 0.004 acres, more or less, as described, all of which is located within the open, used and historical right-of-way for 24 Road.

APPLETON CORNERS VETERINARY CLINIC ANNEXATION NO. 2

A certain parcel of land for Annexation purposes located in the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of Section 32, Township 1 North, Range 1 West of the Ute Principal Meridian, Mesa County, Colorado, being more particularly described as follows:

COMMENCING at the Southeast corner of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of Section said 32, and considering the East line of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of said Section 32 to bear S 00°00'30" E

with all bearings contained herein being relative thereto; thence N 00°00'30" W along the East line of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of said Section 32, a distance of 1.00 feet; thence S 89°58'53" W along a line 1.00 feet North of and parallel with the South line of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of said Section 32, a distance of 28.00 feet to the TRUE POINT OF BEGINNING; thence continuing S 89°58'53" W along said parallel line, a distance of 1.00 feet; thence N 00°00'30" W along a line 1.00 feet East of and parallel with the West line of the open, used and historical right-of-way for 24 Road, a distance of 352.00 feet; thence N 89°59'30" E, a distance of 1.00 feet; thence S 00°00'30" E along a line 2.00 feet East of and parallel with said West right-of-way, a distance of 352.00 feet to the POINT OF BEGINNING.

Containing 352.0 square feet or 0.008 acres, more or less, as described, all of which is located within the open, used and historical right-of-way for 24 Road.

APPLETON CORNERS VETERINARY CLINIC ANNEXATION NO. 3

A certain parcel of land for Annexation purposes located in the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of Section 32 and the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) of Section 33, Township 1 North, Range 1 West of the Ute Principal Meridian, Mesa County, Colorado, being more particularly described as follows:

COMMENCING at the Southeast corner of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of Section said 32, and considering the East line of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of said Section 32 to bear S 00°00'30" E with all bearings contained herein being relative thereto; thence N 00°00'30" W along the East line of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of said Section 32, a distance of 1.00 feet to the TRUE POINT OF BEGINNING; thence S 89°58'53" W along a line 1.00 feet North of and parallel with the South line of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of said Section 32, a distance of 28.00 feet; thence N 00°00'30" W along a line 2.00 feet East of and parallel with the West line of the open, used and historical right-of-way for 24 Road, a distance of 352.00 feet; thence S 89°59'30" W, a distance of 1.00 feet; thence S 00°00'30" E along a line 1.00 feet East of and parallel with said West right-of-way, a distance of 234.00 feet; thence S 89°59'30" W a distance of 1.00 feet to a point on said West right-of-way for 24 Road; thence N 00°00'30" W, along said West right-of-way, a distance of 881.35 feet to a point being the Southeast corner of that certain parcel of land entitled "R. A. Pennington", being a 'not-included' parcel of land as shown on the Plat of Appleton Ranchettes, as same is recorded in Plat Book 13, Page 464, Reception No. 1540539, Public Records of Mesa County, Colorado; thence S 89°58'39" W, along the South line of said parcel of land, said line also being the North line of a portion of Lot 4 of said

Appleton Ranchettes, a distance of 281.40 feet to the Southwest corner of said parcel; thence N 01°47'00" E, along the West line of said parcel, also being the East line of said Lot 4, a distance of 290.64 feet to a point on the South line of the open, used and historical right-of-way for H Road, said point also being the Northeast corner of said Lot 4; thence N 89°58'34" E along said South right-of-way, being a line 30.00 feet South of and parallel with the North line of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of said Section 32, a distance of 302.41 feet to a point on the East line of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of said Section 32, said point lying S 00°00'30" E a distance of 30.00 feet from the Northeast corner of said Section 32; thence S 89°52'25" E along a line 30.00 feet South of and parallel with the North line of the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) of said Section 33, a distance of 30.00 feet to a point on the East line of the open, used and historical right-of-way for 24 Road; thence S 00°00'30" E along said East right-of-way, a distance of 300.15 feet; thence S 89°58'39" W along a line being the Easterly extension of the South line of said Lot 4 of said Appleton Ranchettes, a distance of 59.00 feet; thence S 00°00'30" E along a line 1.00 feet East of and parallel with said West right-of-way for 24 Road, a distance of 636.62 feet; thence N 89°59'30" E, a distance of 2.00 feet; thence S 00°00'30" E along a line 3.00 feet East of and parallel with said West right-of-way for 24 Road, a distance of 23.79 feet; thence N 89° 58'53" E, a distance of 57.00 feet to a point on the East line of said East right-of-way for 24 Road; thence S 00°00'30" E along said East right-of-way, a distance of 329.31 feet; thence N 89°49'31" W along a line 1.00 feet North of and parallel with the South line of the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) of said Section 33, a distance of 30.00 feet, more or less, to the POINT OF BEGINNING.

Containing 118,457.5 square feet or 2.719 acres, more or less, as described.

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 5th day of September, 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 1st day of August , 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>
August 3, 2001
August 10, 2001

August 17, 2001

August 24, 2001

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

APPLETON CORNERS VETERINARY CLINIC ANNEXATION No. 1

APPROXIMATELY 0.004 ACRES

LOCATED IN THE 24 ROAD RIGHT-OF-WAY SOUTH OF 797 24 ROAD

WHEREAS, on the 1st day of August, 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 _____ day of _____, 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:

APPLETON CORNERS VETERINARY CLINIC ANNEXATION NO. 1

A certain parcel of land for Annexation purposes located in the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of Section 32 and the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) of Section 33, Township 1 North, Range 1 West of the Ute Principal Meridian, Mesa County, Colorado, being more particularly described as follows:

BEGINNING at the Southeast corner of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of Section said 32, and considering the East line of the Northeast Quarter

of the Northeast Quarter (NE ¼ NE ¼) of said Section 32 to bear S 00°00'30" E with all bearings contained herein being relative thereto; thence S 89°58'53" W along the South line of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of said Section 32, a distance of 30.00' to a point on the West line of the open, used and historical right-of-way for 24 Road; thence N 00°00'30" W along said West right-of-way, a distance of 119.00 feet; thence N 89°59'30" E, a distance of 1.00 feet; thence S 00°00'30" E along a line 1.00 feet East of and parallel with said West right-of-way, a distance of 118.00 feet; thence N 89°58'53" E along a line 1.00 feet North of and parallel with the South line of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of said Section 32, a distance of 29.00 feet to a point on the East line of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of said Section 32; thence S 89°49'31" E along a line 1.00 feet North of and parallel with the South line of the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) of said Section 33, a distance of 30.00 feet to a point on the East line of the open, used and historical right-of-way for 24 Road; thence S 00°00'30" E along said East right-of-way, a distance of 1.00 feet to a point on the South line of the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) of said Section 33; thence N 89°49'31" W along said South line of the Northwest Quarter of the Northwest Quarter of said Section 33, a distance of 30.00 feet to the POINT OF BEGINNING.

Containing 178.0 square feet or 0.004 acres, more or less, as described, all of which is located within the open, used and historical right-of-way for 24 Road.

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

INTRODUCED on first reading on the 1st day August, 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**

APPLETON CORNERS VETERINARY CLINIC ANNEXATION No. 2

APPROXIMATELY 0.008 ACRES

LOCATED IN THE 24 ROAD RIGHT-OF-WAY SOUTH OF 797 24 ROAD

WHEREAS, on the 1st day of August, 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 _____ day of _____, 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:

APPLETON CORNERS VETERINARY CLINIC ANNEXATION NO. 2

A certain parcel of land for Annexation purposes located in the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of Section 32, Township 1 North, Range 1 West of the Ute Principal Meridian, Mesa County, Colorado, being more particularly described as follows:

COMMENCING at the Southeast corner of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of Section said 32, and considering the East line of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of said Section 32 to bear S 00°00'30" E

with all bearings contained herein being relative thereto; thence N 00°00'30" W along the East line of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of said Section 32, a distance of 1.00 feet; thence S 89°58'53" W along a line 1.00 feet North of and parallel with the South line of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of said Section 32, a distance of 28.00 feet to the TRUE POINT OF BEGINNING; thence continuing S 89°58'53" W along said parallel line, a distance of 1.00 feet; thence N 00°00'30" W along a line 1.00 feet East of and parallel with the West line of the open, used and historical right-of-way for 24 Road, a distance of 352.00 feet; thence N 89°59'30" E, a distance of 1.00 feet; thence S 00°00'30" E along a line 2.00 feet East of and parallel with said West right-of-way, a distance of 352.00 feet to the POINT OF BEGINNING.

Containing 352.0 square feet or 0.008 acres, more or less, as described, all of which is located within the open, used and historical right-of-way for 24 Road.

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

INTRODUCED on first reading on the 1st day August, 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**

APPLETON CORNERS VETERINARY CLINIC ANNEXATION No. 3

APPROXIMATELY 2.719 ACRES

**LOCATED AT 797 24 ROAD AND
INCLUDING A PORTION OF THE 24 ROAD RIGHT-OF-WAY**

WHEREAS, on the 1st day of August, 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 _____ day of _____, 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:

APPLETON CORNERS VETERINARY CLINIC ANNEXATION NO. 3

A certain parcel of land for Annexation purposes located in the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of Section 32 and the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) of Section 33, Township 1 North, Range 1 West of the Ute Principal Meridian, Mesa County, Colorado, being more particularly described as follows:

COMMENCING at the Southeast corner of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of Section said 32, and considering the East line of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of said Section 32 to bear S 00°00'30" E with all bearings contained herein being relative thereto; thence N 00°00'30" W along the East line of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of said Section 32, a distance of 1.00 feet to the TRUE POINT OF BEGINNING; thence S 89°58'53" W along a line 1.00 feet North of and parallel with the South line of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of said Section 32, a distance of 28.00 feet; thence N 00°00'30" W along a line 2.00 feet East of and parallel with the West line of the open, used and historical right-of-way for 24 Road, a distance of 352.00 feet; thence S 89°59'30" W, a distance of 1.00 feet; thence S 00°00'30" E along a line 1.00 feet East of and parallel with said West right-of-way, a distance of 234.00 feet; thence S 89°59'30" W a distance of 1.00 feet to a point on said West right-of-way for 24 Road; thence N 00°00'30" W, along said West right-of-way, a distance of 881.35 feet to a point being the Southeast corner of that certain parcel of land entitled "R. A. Pennington", being a 'not-included' parcel of land as shown on the Plat of Appleton Ranchettes, as same is recorded in Plat Book 13, Page 464, Reception No. 1540539, Public Records of Mesa County, Colorado; thence S 89°58'39" W, along the South line of said parcel of land, said line also being the North line of a portion of Lot 4 of said Appleton Ranchettes, a distance of 281.40 feet to the Southwest corner of said parcel; thence N 01°47'00" E, along the West line of said parcel, also being the East line of said Lot 4, a distance of 290.64 feet to a point on the South line of the open, used and historical right-of-way for H Road, said point also being the Northeast corner of said Lot 4; thence N 89°58'34" E along said South right-of-way, being a line 30.00 feet South of and parallel with the North line of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of said Section 32, a distance of 302.41 feet to a point on the East line of the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of said Section 32, said point lying S 00°00'30" E a distance of 30.00 feet from the Northeast corner of said Section 32; thence S 89°52'25" E along a line 30.00 feet South of and parallel with the North line of the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) of said Section 33, a distance of 30.00 feet to a point on the East line of the open, used and historical right-of-way for 24 Road; thence S 00°00'30" E along said East right-of-way, a distance of 300.15 feet; thence S 89°58'39" W along a line being the Easterly extension of the South line of said Lot 4 of said Appleton Ranchettes, a distance of 59.00 feet; thence S 00°00'30" E along a line 1.00 feet East of and parallel with said West right-of-way for 24 Road, a distance of 636.62 feet; thence N 89°59'30" E, a distance of 2.00 feet: thence S 00°00'30" E along a line 3.00 feet East of and parallel with said West right-of-way for 24 Road, a distance of 23.79 feet; thence N 89° 58'53" E, a distance of 57.00 feet to a point on the East line of said East right-of-way for 24 Road; thence S 00°00'30" E along said East right-of-way, a distance of 329.31 feet; thence N 89°49'31" W along a line 1.00 feet North of and parallel with the South line of the Northwest Quarter of the

Northwest Quarter (NW ¼ NW ¼) of said Section 33, a distance of 30.00 feet, more or less, to the POINT OF BEGINNING.

Containing 118,457.5 square feet or 2.719 acres, more or less, as described.

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

INTRODUCED on first reading on the 1st day August, 2001.

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

Attest:

President of the Council

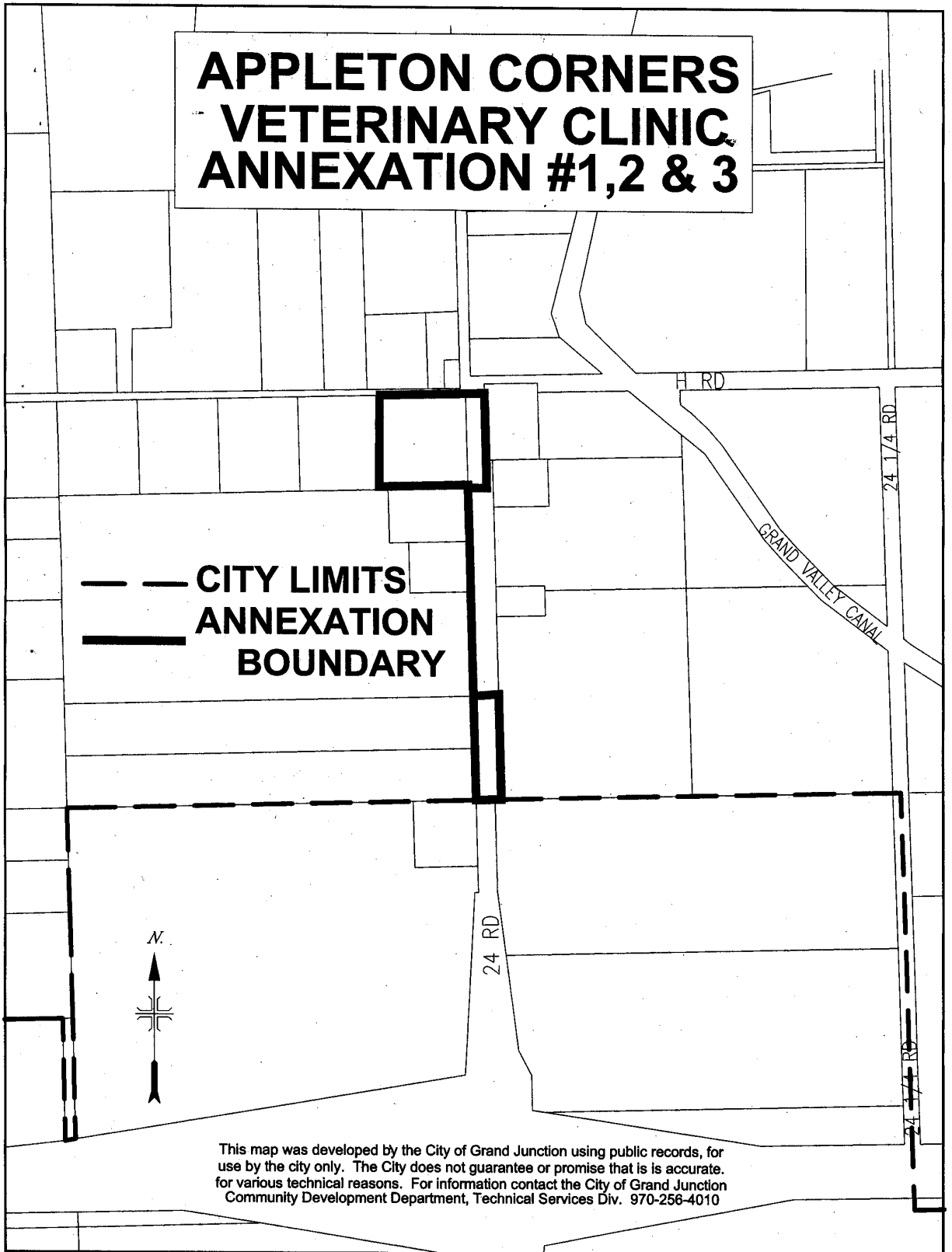
City Clerk

APPLETON CORNERS VETERINARY CLINIC ANNEXATION #1,2 & 3

— — CITY LIMITS
ANNEXATION
BOUNDARY



This map was developed by the City of Grand Junction using public records, for use by the city only. The City does not guarantee or promise that is is accurate. for various technical reasons. For information contact the City of Grand Junction Community Development Department, Technical Services Div. 970-256-4010



**Attach 8
Zoning Monument Valley Filing 7**

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Monument Valley Filing 7 - Zone of Annexation		
Meeting Date:	August 1, 2001		
Date Prepared:	July 25, 2001		
Author:	Bill Nebeker	Senior Planner	
Presenter Name:	Bill Nebeker	Senior Planner	
	Workshop	X	Formal Agenda

Subject: Zone of Annexation - Monument Valley Filing 7 Subdivision, #ANX-2001-125.

Summary: The applicant proposes a zone of annexation from county PD to city RSF-2 for the 56.7 acre Monument Valley Filing 7 Annexation. A preliminary plan to subdivide the parcel into 87 single-family lots was approved by the Planning Commission at its July 24, 2001 hearing. The Planning Commission recommends approval.

Background Information: See Attached

Budget: N/A

Action Requested/Recommendation: Set a hearing for August 15, 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:		E side So. Camp Road, E of Wingate School			
Applicants:		John Thomas for Eugene B. Fletcher Inc.			
Existing Land Use:		Vacant			
Proposed Land Use:		Single family residential (87)			
Surrounding Land Use:	North	SF residential (Renaissance @ Redlands)			
	South	SF residential (Monument Valley)			
	East	SF residential (Canyon View)			
	West	Vacant and Ute Water Tanks			
Existing Zoning:		County – Planned Development			
Proposed Zoning:		RSF-2			
Surrounding Zoning:	North	RSF-4			
	South	County PD			
	East	City PD			
	West	City PD & CSR			
Growth Plan Designation:		Residential Low (.5 to 2.0 acres/du)			
Zoning within density range?		X	Yes		No

Staff Analysis: Monument Valley Subdivision is a planned development located in unincorporated Mesa County located south of the subject parcel on the north and south sides of South Camp Road. Filings 1-6 of the subdivision were previously approved and constructed in the county. This seventh filing is proposed for annexation and development in the city.

Mesa County approved the original preliminary plan for Filing 7 with 105 single-family lots on 57 acres at an approximate density of 1.8 dwellings per acre. Lot sizes ranged between 0.25 to 1.15 acres in size with 4.8 acres of open space. Filing 7 proposed under the City’s jurisdiction (this application) proposes 87 lots on approximately 57 acres at a density of 1.5 dwellings per acre with 9.84 acres of open space preserved.

The Future Land Use Map for this area requires a density between one-half and two dwellings per acre. The proposed RSF-2 zone district is consistent with the higher density of the map, although the actual density of the proposed subdivision is 1.53 dwellings per acre. The proposed zoning and resulting average lot size is consistent with other

subdivisions that have developed in this area, although the lots in Monument Valley Filing 6 to the south are generally larger. They range in size from .93 to 1.2 acres. The lots in Filing 7 range in size between .39 to .83 acres in size.

At its hearing of July 24, 2001 the Planning Commission finds that the zone of annexation is in conformance with the criteria in Section 2.6A of the Zoning and Development Code as follows:

1. The existing zoning was **not** in error at the time of adoption. *At the time of adoption the PD zone district reflected the approved County ODP for this parcel. The RSF-2 zone district reflects a similar density in a straight zone designation.*
2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc. *There has been a change in character in the area due to the construction of new subdivisions in the area. However the zone change is not increasing the proposed density on this parcel.*
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. *The zone change is generally compatible with the surrounding neighborhoods. Lot sizes proposed in this subdivision are similarly sized with those in adjacent neighborhoods, with exceptions noted in this report.*
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. Yes
5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development. Yes.
6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs. *Not applicable.*

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

PLANNING COMMISSION RECOMMENDATION: Approval of the Zone of Annexation to RSF-2 with a finding that it complies with the Growth Plan and Section 2.6.A of the Zoning and Development Code.

ATTACHMENTS:

1. Vicinity map
2. Aerial photo
3. Annexation map

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CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. ____

ZONING THE MONUMENT VALLEY FILING 7 ANNEXATION RESIDENTIAL SINGLE FAMILY – 2 (RSF-2), LOCATED ON THE EAST SIDE OF SOUTH CAMP ROAD, EAST OF WINGATE SCHOOL

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of applying a Residential Single Family - 2 (RSF-2) zone district to this annexation.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-2 zone district be established 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 Residential Single Family - 2 (RSF-2) zone district

Includes the following tax parcel 2945-192-10-001.

A certain parcel of land located in the West Half (W1/2) of Section 19, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Block A, Monument Valley Subdivision, as same is recorded in Plat Book 16, Pages 269 and 270, Reception No. 1865256, Public Records of Mesa County, Colorado.

Introduced on first reading this ____ day of _____, 2001.

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

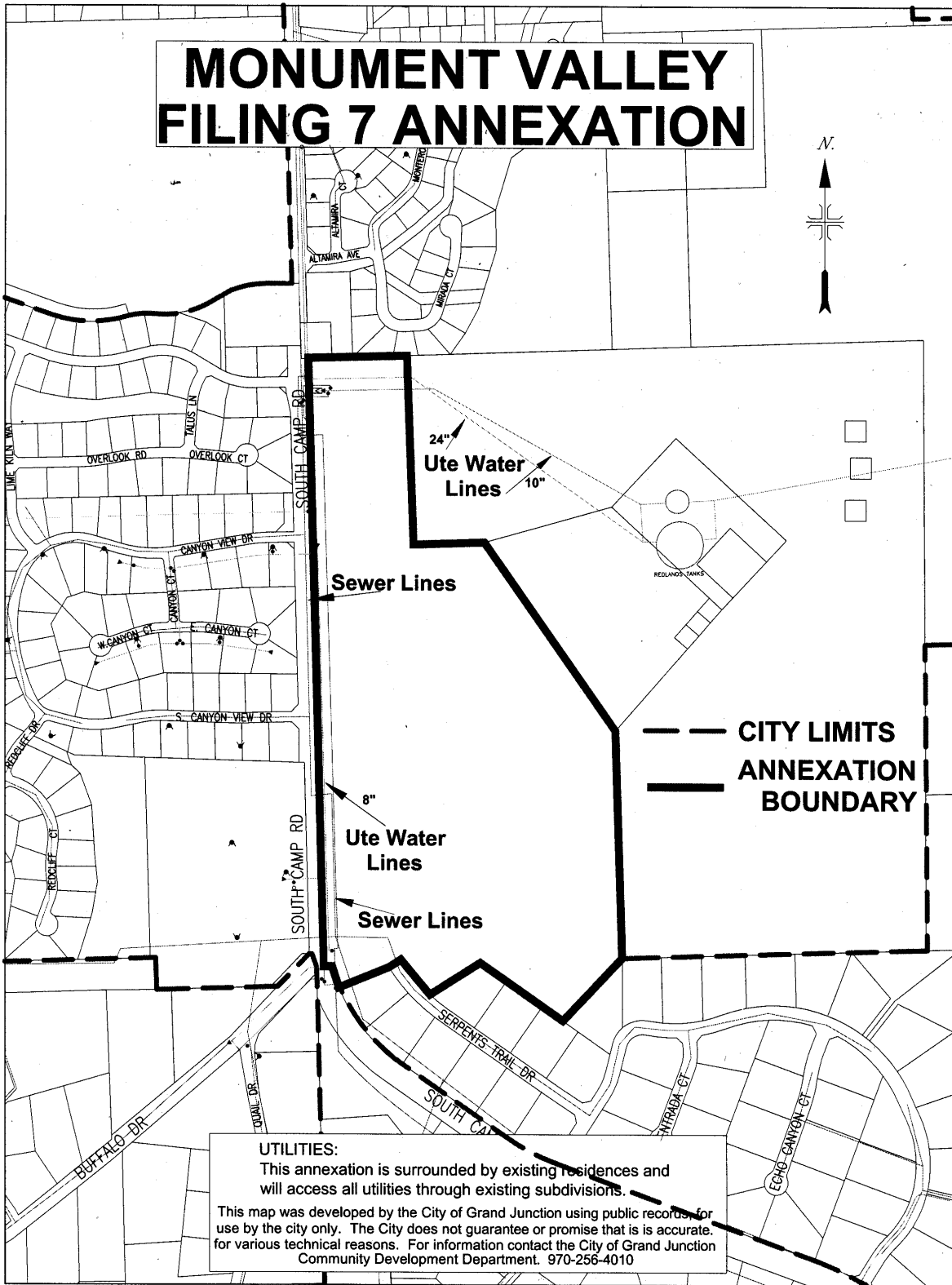
Attest:

President of the Council

City Clerk

(Annexation Zoning Ordinance.doc)

MONUMENT VALLEY FILING 7 ANNEXATION



UTILITIES:
This annexation is surrounded by existing residences and will access all utilities through existing subdivisions.
This map was developed by the City of Grand Junction using public records, for use by the city only. The City does not guarantee or promise that is is accurate, for various technical reasons. For information contact the City of Grand Junction Community Development Department. 970-256-4010



2945-192-10-001



**Attach 9
Rezoning Elm Avenue**

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Elm Avenue PD Rezone		
Meeting Date:	August 1, 2001		
Date Prepared:	July 26, 2001		
Author:	Bill Nebeker	Senior Planner	
Presenter Name:	Bill Nebeker	Senior Planner	
	Workshop	X	Formal Agenda

Subject: Elm Avenue PD Rezone – Beauty Salon; 704 Elm Ave; File #RZ-2001-124.

Summary: The applicant/owner requests to amend the final plan for the site at 704 Elm Avenue to add a beauty salon as an approved use. Currently only office use is allowed in this planned development zone. The Planning Commission recommends approval.

Background Information: See Attached

Budget: N/A

Action Requested/Recommendation: Set a hearing for August 15, 2001.

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	

BACKGROUND INFORMATION				
Location:		704 Elm Avenue		
Applicant:		<u>Doug Skelton & Jackie Guccini</u>		
Existing Land Use:		Office		
Proposed Land Use:		Beauty Salon		
Surrounding Land Use:	North	Single family residential		
	South	Single family residential		
	East	Single family residential		
	West	Single family residential & Office		
Existing Zoning:		PD		
Proposed Zoning:		PD		
Surrounding Zoning:	North	RMF-8		
	South	RMF-8		
	East	RMF-8		
	West	R-O		
Growth Plan Designation:		Residential Medium 4-8 Dwellings Per Acre		
Zoning within density range?		N/A	Yes	No

Staff Analysis: The applicant/owner requests to amend the final plan for the site at 704 Elm Avenue to add a beauty salon as an approved use. In 1988 the structure, previously a single family home, was rezoned to PB (Planned Business) to allow for office use. The owner now proposes to amend the final plan and add an additional allowed use – a beauty salon. Currently the only use allowed in this planned development zone is office. The use is located within a remodeled single family home and no exterior changes are proposed to the structure.

At its hearing of July 10, 2001 the Planning Commission found that the proposed rezone of this parcel meets the criteria established in Section 2.6A of the Grand Junction Zoning and Development Code as noted below:

- 1. The existing zoning was in error at the time of adoption:** No. The existing zoning only allows office use and the owner/applicant wishes to slightly increase the allowable uses on site.

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.:** Yes – increasing commercialization of the 7th Street corridor.
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:** Yes. It is anticipated that the change in use from office to a beauty salon will result in less traffic and less parking as compared with the office use.
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:** Yes. Sufficient parking is provided for a two-station hair salon. The rezone allows a use commonly found in or near residential areas. Generally the proposed use is in conformance with the goals and policies of the Growth Plan and other adopted plans.
5. **Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development:** Yes.
6. **There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs:** not applicable
7. **The community or neighborhood will benefit from the proposed zone:** The benefits to the neighborhood are the location of neighborhood services closer to home and the lessening of the parking problems in the area.

PLANNING COMMISSION RECOMMENDATION: Approval

ATTACHMENTS:

1. vicinity map
2. aerial photo
3. existing site plan

bn\rz\01124ElmAvePD-pcr.doc\report prepared072601

CITY OF GRAND JUNCTION, COLORADO

Ordinance No. _____

ZONING A PLANNED DEVELOPMENT LOCATED AT 704 ELM AVENUE
TO ADD AN ADDITIONAL ALLOWED USE

Recitals.

The applicant/owner requests to amend the final plan for the site at 704 Elm Avenue to add a beauty salon as an approved use. In 1988 the structure, previously a single family home, was rezoned to PB (Planned Business) to allow for office use. The owner now proposes to amend the final plan and add an additional allowed use – a beauty salon. Currently the only use allowed in this planned development zone is office. The use is located within a remodeled single family home and no exterior changes are proposed to the structure.

After public notice and public hearing, the City Planning Commission found that the proposed zoning is in conformance with Section 2.6A of Grand Junction Zoning and Development Code and recommended approval of this zone change at its July 10, 2001 hearing.

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

Council finds that the proposed rezone meets the criteria as set forth in Section 2.6A of the Zoning and Development Code and in accordance therewith the following described parcel zoned PD is amended to allow uses for office and a beauty salon:

The south 70.5 feet of Lot 1, Elm Avenue Subdivision, except the south 4 feet as conveyed to incorporated City of Grand Junction in deed recorded August 21, 1937, book 364, page 395.

INTRODUCED for FIRST READING and PUBLICATION this day of 2001.

PASSED on SECOND READING this day of 2001.

ATTEST:

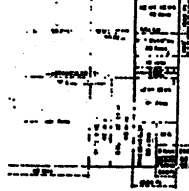
City Clerk

President of City Council

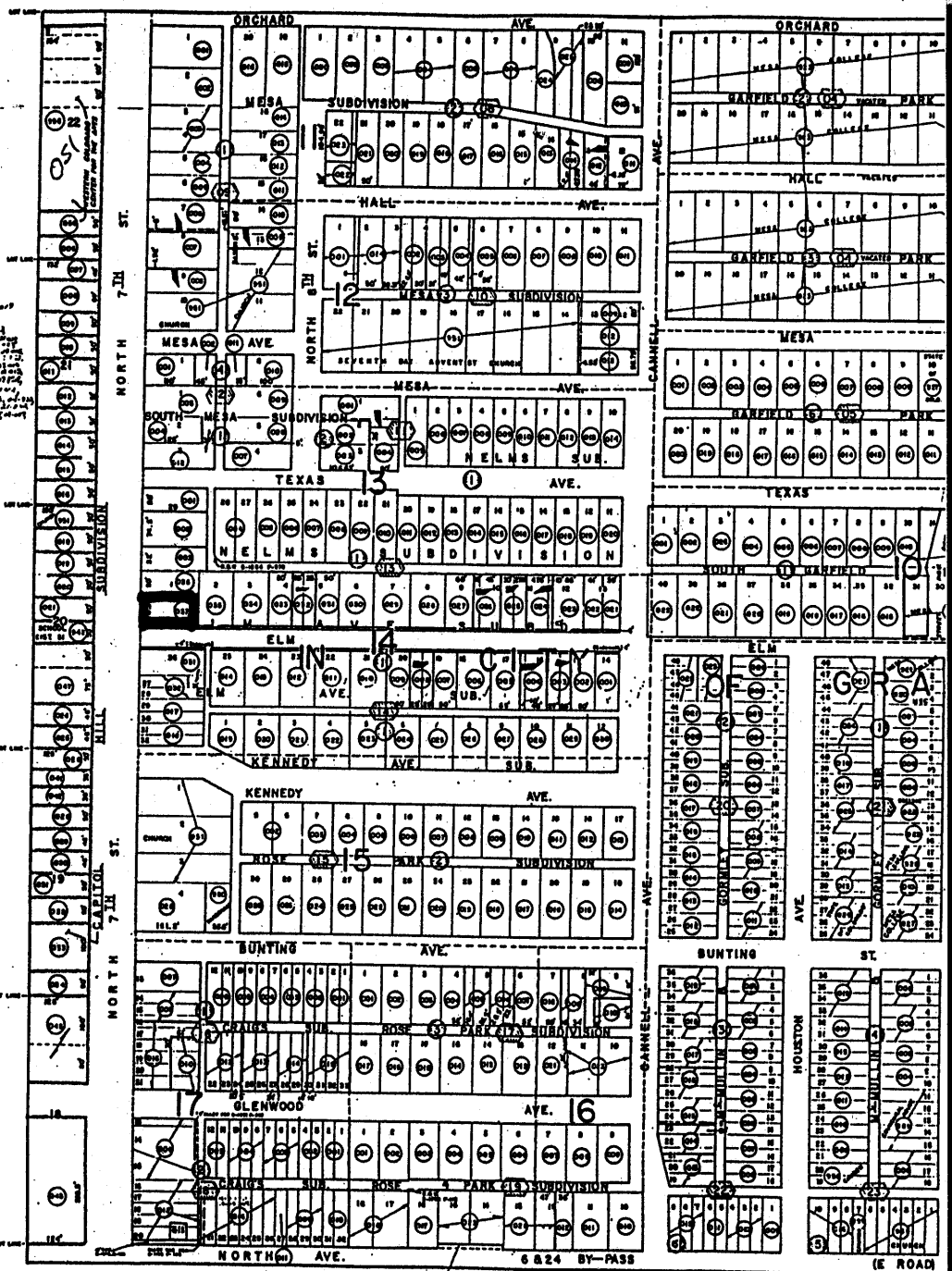
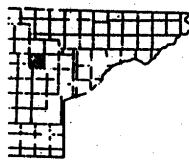
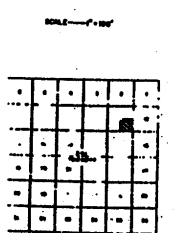
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THE CITY ENGINEER HEREBY CERTIFIES THAT THE SEVERAL LOTS SHOWN ON THIS MAP HAVE BEEN MEASURED AND FOUND TO CONFORM TO THE RECORDS OF THE CITY ENGINEER'S OFFICE.

RECORDED IN THE CITY ENGINEER'S OFFICE
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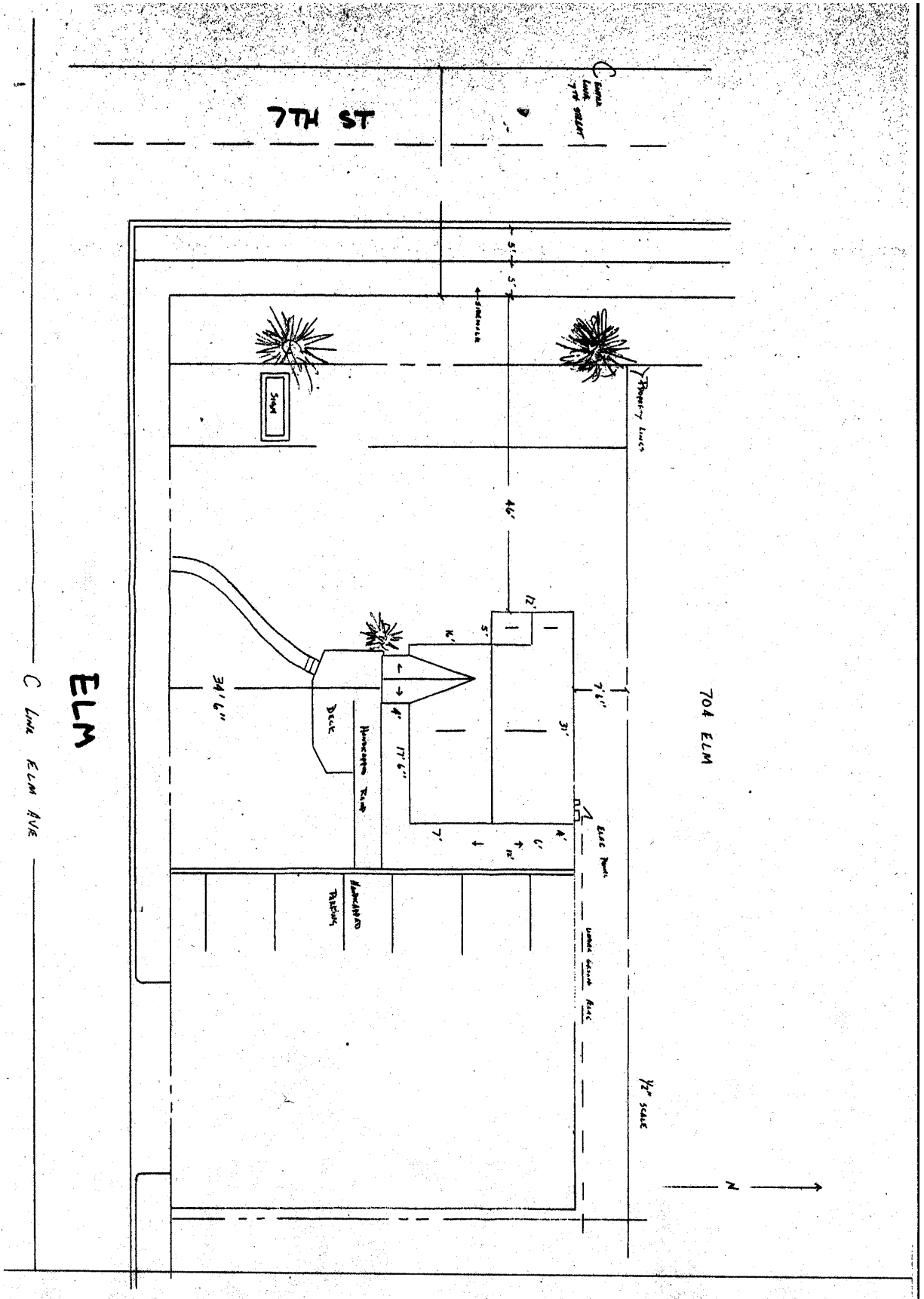
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2946113



Adjoining
T.13. R.1W.
2946141



2945-114-13-037



7TH ST

Concrete
curb
with
7th street

5' 5' 5'

SEWER

PROPERTY LINES

46'

704 ELM

ELM

C LANE ELM AVE

34'6"

DRIVE

HOUSE

17'6"

5'

12'

7'6"

31'

4'

6'

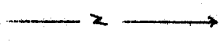
12'

7'

ELITE PORCH

UNSATURATED BASE

1/2" SCALE



**Attach 10
Revocable Permit Ridges Entry Sign**

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Revocable Permit for Ridges Entry Sign		
Meeting Date:	August 1, 2001		
Date Prepared:	July 25, 2001		
Author:	Dan Wilson	City Attorney	
Presenter Name:	Dan Wilson	City Attorney	
	Workshop	X	Formal Agenda

Subject: Revocable permit to allow reconstruction of the western entrance sign to the Ridges at State Highway 340.

Summary: The existing Ridges entrance sign on the west side of Ridges Blvd. and Highway 340 is located within public right-of-way. The Redlands Mesa developer has obtained permission from other affected parties to replace that sign with a new stucco and stone sign. The developer needs a revocable permit to allow the sign.

Budget: None

Action Requested/Recommendation: Approval of the revocable permit.

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

Report results back to Council:	X	No	Yes	When:	
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Placement on Agenda:	X	Consent	Indiv. Consideration	Workshop
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RESOLUTION NO. -01

**AUTHORIZING THE ISSUANCE OF A REVOCABLE PERMIT TO REDLANDS MESA
MASTER ASSOCIATION**

1. Redlands Mesa, LLC (“developer”) is developing residential properties within the Ridges, along with an 18 hole golf course known as Redlands Mesa. To assist its efforts, developer has caused to be formed the Redlands Mesa Master Association (“Association”) , a Colorado nonprofit corporation, one duty of which is to give better visibility to the new development while updating the entry signs to the Ridges. Through these efforts, the developer desires to replace the approximately 30 year old monument sign with a new one in the same location. The existing sign was originally constructed in public right of way.
2. The developer and the Association (“petitioner”) have requested that the City Council issue a revocable permit pursuant to City Charter § 127 to allow the petitioner to install, operate, maintain, repair and replace an entry sign and landscape improvements within the limits of the described public right-of-way, to wit: in the location of the existing Ridges entrance sign at the western edge of the pavement and the intersection of Ridges Boulevard and Broadway (State Highway 340).
3. Since the existing monument sign has been in its current location without apparent public detriment since it was built, and since neither the state nor the City currently has plans to make road improvements in this location, the City Council finds that this permit will serve the interests of the Ridges and the inhabitants of the City of Grand Junction.

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

The City Manager is hereby authorized and directed to issue the attached Revocable Permit to the above-named petitioner for the purposes and in the location as described herein, subject to each and every term and condition contained in the attached Revocable Permit.

PASSED and ADOPTED this ____ day of August, 2001.

The City Council of the City of Grand Junction

By: _____
Council President Cindy Enos-Martinez

ATTEST: _____
Stephanie Nye, City Clerk

**REVOCABLE PERMIT
For the Ridges Entry Sign**

Recitals.

4. Redlands Mesa LLC (“developer”) is developing residential properties within the Ridges, along with an 18 hole golf course known as Redlands Mesa. As a part of that process, the developer has caused to be formed the Redlands Mesa Master Association, a Colorado nonprofit corporation (“Petitioner”), one of the duties of which is to build and maintain an attractive and visible entry to the Ridges, and to the new development (known as Redlands Mesa). To do so, the Master Association and the developer desire to replace the approximately 30 year old monument sign with a new one in the same location. The existing sign was originally constructed in public right of way.

5. The developer has requested that the City Council issue a revocable permit pursuant to City Charter § 127 to allow the petitioner to install, operate, maintain, repair and replace an entry sign and landscape improvements within the limits of the described public right-of-way, to wit: in the location of the existing Ridges entrance sign at the western edge of the pavement and the intersection of Ridges Boulevard and Broadway (State Highway 340).

6. Since the existing monument sign has been in its current location without public detriment, and since neither the state nor the City currently has plans to make road improvements in this location, the City staff has no objection to this permit.

7. The developer has obtained the needed approvals from the Ridges architectural board and property association.

8. Based on the foregoing, the City Council finds that this permit will serve the interests of the Ridges and the inhabitants of the City of Grand Junction.

NOW, THEREFORE, IN ACCORDANCE WITH THE ACTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO in Resolution No. _____:

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

1. The installation, operation, maintenance, repair and replacement of improvements by the Petitioner within the public right-of-way as authorized pursuant to this Permit shall be performed with due care or any other higher standard of care as may be required to avoid creating hazardous or dangerous situations and to avoid damaging public roadway, sidewalks, utilities, or any other facilities presently existing or which may in the future exist in said right-of-way.

2. Under the City's charter that authorizes this permit, the Petitioner does not obtain any permanent or irrevocable interest in land, nor any permanent right to install, repair, maintain or improve the sign; rather, the City can only allow the temporary use of the right of way by the Petitioner until such time as the City determines, without cause or reason being stated, to terminate this permit.

3. (a) The Petitioner (for this document this term includes its successors, owners and assigns) agrees and covenants that it shall hold the City of Grand Junction (and the officers, employees, agents and officials of the City, hereinafter "City") harmless from and with respect to every claim, cause of action or other real or asserted liability reasonably relating to Petitioner's use, work, occupancy or other activities under this permit and with regard to any sign(s), appurtenances and/or facility to be installed, repaired, maintained, removed or replaced by the Petitioner pursuant hereto, including but not limited to any City, state, county or other governmental activity or use of such right of way and including installation, operation, maintenance, repair and/or replacement of public improvements and/or public activities in the area;

(b) Petitioner hereby agrees and covenants to hold harmless and to indemnify the City with respect to any damage, injury, claim, cause of action or other action or remedy that in any way arises out of or relates to Petitioner's use of the right of way described herein and/or relating to any future revocation or change or limitation of this Revocable Permit;

(c) This permit shall be effective only upon concurrent execution by the Petitioner of an agreement whereby Petitioner agrees to hold harmless and indemnify the City as therein provided;

(d) The terms of such agreement are supplemental to the terms of this Permit;

(e) The provisions of this section 3 shall survive any termination or revocation of the Permit for all actions, failure to act and periods prior to removal of Petitioner's sign, facilities and/or appurtenances.

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

Petitioner covenants to comply with all applicable governmental requirements and regulations at all times.

5. The City may terminate or revoke this Permit without cause being stated by mailing to Petitioner at its last known address (according to the records of Mesa County) a notice that the Permit shall be revoked or terminated thirty days after the date of the notice. Such revocation is effective 30 days after mailing or equivalent delivery.

(a) If the Permit is revoked, Petitioner shall, at its sole cost and expense, peaceably surrender said public right-of-way and remove any sign, facility and/or appurtenance so that, as determined by the City's engineer, the right of way is available for use by the City and/or the state.

6. The Petitioner agrees to maintain the sign, and facilities and appurtenances to a first class condition at all times without cost, expense or effort by the City.

7. This Permit shall not be effective until Petitioner has recorded the signed original hereof in the office of the Mesa County Clerk and Recorder.

Dated this _____ day of August, 2001.

The City of Grand Junction

By: _____
Kelly Arnold, City Manager

ATTEST: _____
Stephanie Nye, City Clerk

Acceptance by the Petitioner:

Executive Board Member of
Redlands Mesa Master Association
STATE OF COLORADO

COUNTY OF MESA

The foregoing instrument was acknowledged before me this _____ day of August, 2001 by _____, City Manager, and attested by _____, the City Clerk.

Witness my hand and official seal:

Notary Public

My Commission expires:

STATE OF COLORADO

COUNTY OF MESA

The foregoing instrument was acknowledged before me this _____ day of August, 2001 by _____, the petitioner.

Witness my hand and official seal:

Notary Public

My Commission expires:

Attach 11
DDA Parking Update

Survey conducted July 23, 2001 between 1 & 4pm with a personal visit to each business with exception of telephone conversation with Doo Zoo director Shannon French with-in time frame, telephone conversations with Vaughn Park July 19th & 20th, 2001 and personal visit by the Bitting's in my office July 20th 2001.

Currently the south side of the 400 Block of Colorado has no meters and they have recently been changed from 2hr free to 1hr free with a petition that was supported by the majority of local property owners. Recent media information leads them to believe that they would be getting parking meters. I have personally spoken with each property owner or business owner about the issue of additional meters, increase in parking rates and fines, plans for a parking structure across the street on the north side of Colorado Ave. and have the following to report.

I asked them how they felt about specific parts of the issue.

The following are the general questions that I asked;

1. Meters The South side of the 400 Block is not targeted to get meters and never has been! Are you ok with that?

2. [Rate & Fine Increase](#) Knowing that you are not going to get meters are you ok with the parking rate & fine increase?
3. [Parking Structure](#) What do you think about building a parking structure across the street from you? (North side of 400 block of Colorado – Woolworth’s block).

401 Colorado Ave. Credit Jewelers

Orrin Thompson

- [Meters](#) - Doesn't matter – has his own Loading Zone sign
- [Rate & Fine Increase](#) – Doesn't matter but thinks it's a negative to downtown business.
- [Parking Structure](#) – Thinks it would be better suited at 3rd & Main

421 Colorado Ave. Doo Zoo Shannon French

- [Meters](#) Doesn't matter
 - Unhappy with 2hr free went to 1hr free without being consulted or asked what she thinks. Change came without notice.

- [Rate & Fine Increase](#) – OK with rate increase
- [Parking Structure](#) – OK with Parking Structure but is concerned with kids and moms having to cross street but realizes that is part of being a downtown Children’s attraction that they will have to deal with traffic, parking and crossing streets safely.

429 Colorado Ave. Horn O’ Plenty Tony Costanzo

- [Meters](#) Ok if no meters go in but does not trust that meters will not be put in.
- [Rate & Fine Increase](#) – Ok as long as no meters go in.
- [Parking Structure](#) – Against Parking Structure – Believes a parking structure is dangerous and will have ongoing problems with street people & crime.

431 Colorado Ave. Western Pawn George Todd

- [Meters](#) Ok with no meters.
- [Rate & Fine Increase](#) – Ok with rate increase.
- [Parking Structure](#) – Thinks a parking structure is good. Concerned about who would own retail

space. Thinks Park – south of Museum would be a good place for a parking structure.

437 Colorado Ave. JBK Interiors Jeannie Kilgore

- [Meters](#) Ok with no meters
- [Rate & Fine Increase](#) – Ok with rate increase
- [Parking Structure](#) – Question never asked or answered

437 Colorado Ave. Landlords Rollin & Donna Bitting

- [Meters](#) Ok with no meters
- [Rate & Fine Increase](#) – Ok with rate increase
- [Parking Structure](#) – Ok with parking structure but concerned about details.

441 Colorado Ave. Nurse Uniforms Marie Wohlfahrt

- [Meters](#) Ok with no meters. Would like loading Zone
- [Rate & Fine Increase](#) – Ok with rate increase
- [Parking Structure](#) – Ok with parking structure but very concerned about what we are going to

do about parking as the structure is being built – shuttle service to area lots for both employees and customers?

457 Colorado Ave Adams Vacuum Mary
Alice

- [Meters](#) Ok with no meters
- [Rate & Fine Increase](#) – Ok with rate fine increase
- [Parking Structure](#) – Ok with parking structure

445 Colorado Ave Sleep Factory Vaughn Park

- [Meters](#) Ok with no meters
- [Rate & Fine Increase](#) – Unknown
- [Parking Structure](#) – Unknown
- Note: I have spoken to Vaughn Park twice by telephone and he agrees that no meters and 1 hour parking are appropriate for the south side of the 400 block of Colorado Ave. but has not shared with me his feelings on rate increases or the parking structure and I have conveyed to him that I will provide him opportunities to share

his opinion with the DDA board of directors along with making sure he can voice his opinion to City Council.

449 Colorado Ave Shoeman Dale Park

- [Meters](#) Ok with no meters
- [Rate & Fine Increase](#) – Ok with fee & fine increases but has feedback from customers that are mostly negative in both reality and perception.
- [Parking Structure](#) – Ok with parking structure

Attach 12

Optional Premises Liquor License for Redlands Mesa Golf Course

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Optional Premises Liquor License for Redlands Mesa		
Meeting Date:	Aug. 1, 2001		
Date Prepared:	July 11, 2001		
Author:	Stephanie Rubinstein	Staff City Attorney	
Presenter Name:	Stephanie Rubinstein	Staff City Attorney	
	Workshop	xx	Formal Agenda

Subject: Optional Premises Liquor License for Redlands Mesa Golf Course

Summary/Background Information: Redlands Mesa Golf Course has requested that it be permitted to serve alcohol on the newly opened golf course. Section 12-47-310 Colorado Revised Statutes permits a municipality to pass an ordinance to provide optional premises licenses for restaurants that serve liquor on their premises to include an adjacent recreational facility in their license.

Budget: None.

Action Requested/Recommendation: Adopt ordinance on Second Reading.

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

AN ORDINANCE FOR AN OPTIONAL PREMISES LICENSE FOR REDLANDS MESA GOLF COURSE

The City Council of Grand Junction makes the following findings:

1. Section 12-47-310 Colorado Revised Statutes permits a municipality to pass an ordinance to provide optional premises licenses for restaurants that serve liquor on their premises to include an adjacent recreational facility in their license.
2. This ordinance refers to the Redlands Mesa Golf Course only, and does not effect the status of any other liquor licenses or lack thereof, of any other golf course.

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

Section 1. Definitions. For the purposes of this ordinance, the following words or phrases shall have the meanings set forth.

- a. *Optional premises* means the same as that defined in the Colorado Liquor Code under § 12-47-103 (22) and 12-47-310, C.R.S. The only type of license authorized in this ordinance, is a “restaurant with optional premises,” which may be referred to as “optional premises” unless otherwise stated.
- b. *Licensee*, for the purpose of this license means Redlands Mesa Golf Course.

Section 2. Standards. The following standards are for the issuance of an optional premises license for the Redlands Mesa Golf Course that holds a liquor license and has an outdoor sports and recreational facility, namely the Redlands Mesa Golf Course, adjacent to its facility. The standards are adopted pursuant to the provisions of § 12-47-310 C.R.S. The standards adopted shall be considered in addition to all other

standards applicable to the consideration and/or issuance of licenses under the Colorado Liquor Code and any and all applicable local laws, rules and regulations.

Section 3. Form of Application. Application for the optional premises license shall be made to the City Clerk on forms, which shall contain the following information in addition to information, required by the State. The application shall be heard publicly by the local hearing officer.

- (1) A map or other drawing illustrating the optional premises boundaries and the location of the proposed optional premises license requested; and
- (2) Proposed location(s) for permanent, temporary or movable structure(s) which are proposed to be used for the sale or service of alcohol beverages and a statement as to whether mobile carts will be used for the sale or service of alcohol beverages; and
- (3) A description of the method which shall be used to identify the boundaries of the optional premises license when it is in use and how the licensee will ensure alcohol beverages are not removed from such premises; and
- (4) Proof of the applicant's right to possession of the optional premises including a legal description and supporting documentation to the satisfaction of the local licensing authority; and
- (5) A description of provisions, including a description of facilities, which have been made for storing the alcohol beverages in a secured area on or off the optional premises and for future use on the optional premises if or when alcohol beverages are not served.
- (6) A description of the provisions which will be implemented to control over service and prevent underage service of alcohol beverages.

Section 4. Eligibility. The licensee is a holder of a hotel-restaurant license which is located on or adjacent to an 18-hole golf course.

Section 5. Size of Premises. There is no minimum size, other than being a regulation 18-hole course, of the optional premises license or number of optional premises licenses for the licensee.

Section 6. Additional Conditions. Nothing contained in this ordinance shall preclude the Licensing Authority in its discretion, from imposing conditions, restrictions, or limitations on any optional premises license in order to serve the public health, safety

and welfare. Any such conditions may be imposed when the license is initially issued, issued for any specific event, or renewed. The Authority shall have the right to deny any request for an optional premises license or it may suspend or revoke the optional premises license in accordance with the procedures specified by law.

Section 7. Notice filed with the Liquor Licensing Authority. It shall be unlawful for alcohol beverages to be served on the optional premises until the optional premises licensee has filed written notice with the State and the Authority stating the specific days and hours during which the optional premises will be used. Notice must be recorded with the Liquor Licensing Authority 48 hours prior to serving alcohol beverages on the optional premises. No notice shall specify any period of use in excess of 180 days nor shall it specify any date more than 180 days after the date of the original notice. The licensee may file with the Liquor Licensing Authority more than one such notice during a calendar year; however, should any special or unusual event be anticipated to occur during any extended period of time, no less than 48 hours written notice should be given to the Liquor Licensing Authority, which shall have authority to impose any conditions reasonably related toward serving the public health, safety and welfare or it may deny the use after hearing.

INTRODUCED ON FIRST READING THIS 18th day of July, 2001.

PASSED AND ADOPTED ON SECOND READING THIS 1st day of August, 2001.

Mayor

ATTEST:

City Clerk

Attach 13
 Rezone Arrowhead Acres II, Filing 2

**CITY COUNCIL AGENDA
 CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Arrowhead Acres II, Filing 2 Rezone		
Meeting Date:	July 18, 2001		
Date Prepared:	July 11, 2001		
Author:	Kathy Portner	Planning Manager	
Presenter Name:	Kathy Portner	Planning Manager	
	Workshop	X	Formal Agenda

Subject: RZ-2001-108 Rezone—Arrowhead Acres II, Filing 2

Summary: Request to rezone the Arrowhead Acres II, Filing 2 Subdivision from RMF-5 (Residential Multi-family, 5 units per acre) to PD (Planned Development)

Background Information: See Attached

Budget: N/A

Action Requested/Recommendation: Consideration of the 2nd reading of the rezoning ordinance.

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

Report results back to Council:	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When:	
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Placement on Agenda:	<input type="checkbox"/>	Consent	<input checked="" type="checkbox"/>	Indiv. Consideration	<input type="checkbox"/>	Workshop
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AGENDA TOPIC: RZ-2001-108 Rezone – Arrowhead Acres II, Filing 2

SUMMARY: Request to rezone the Arrowhead Acres II Subdivision, Filing 2 from RMF-5 (Residential Multi-Family 5 units/ac) to PD (Planned Development).

BACKGROUND INFORMATION				
Location:		B ½ and Arlington Drive		
Applicants:		HW Grace Building and Development		
Existing Land Use:		Residential		
Proposed Land Use:		Same		
Surrounding Land Use:	North	Residential		
	South	Undeveloped		
	East	Residential		
	West	Undeveloped		
Existing Zoning:		RMF-5		
Proposed Zoning:		PD (Planned Development)		
Surrounding Zoning:	North	RMF-5		
	South	RMF-5		
	East	RMF-8		
	West	RMF-8		
Growth Plan Designation:		Residential Medium, 4 – 8 units/acre		
Zoning within density range?		X	Yes	No

ACTION REQUESTED: Approval of the ordinance to rezone from RMF-5 to PD (Planned Development)

Staff Analysis:

Arrowhead Acres II, Filing 2 was approved and platted in October of 2000. The zoning of the property is RMF-5 (Residential Multi-family, 5 units per acre). In February of 2001 a

Planning Clearance was issued for a proposed house at 2826 B.4 Road (lot 1, block 2). The lot is on the corner of B.4 Road and Arlington Drive, although the sketch plan submitted with the Planning Clearance did not identify either of the streets. The house is oriented toward B.4 Road with driveway access to B.4 Road.

The RMF-5 zoning requires a 20' front yard setback. Section 3.2.E.1 of the Zoning and Development Code requires that structures meet the front yard setback from all abutting streets. The sketch that was submitted with the Planning Clearance application shows a setback of 14' along the west property line, but it does not show the right-of-way dedicated for Arlington Drive.

Arlington Drive (as shown on the plat for this filing of the subdivision adjacent to the property) was not clearly or carefully described on the application or the plat. Because Arlington Drive was platted as a multipurpose easement, then was "re-dedicated" as a right-of-way and is depicted differently than other right-of-way on the plat, the error in the application and in the issuance of the Planning Clearance was inadvertent. However, the 14' setback, as approved and built, is in violation of the requirements of the RMF-5 zoning.

Given the set of circumstances, and because the house is all but complete, the applicant, on the advice of the staff, is proposing a rezone of filing 2 from RMF-5 to PD (Planned Development). The PD zone would maintain the RMF-5 zoning as an underlying zone district with all the same requirements with the following exceptions:

- Front yard setback along Arlington Drive for lot 1, block 2; lots 1 and 16, block 3; lot 1, block 4 would be 14'.
- Front yard setback along Maverick Drive for lots 8 and 9, block 3 would be 14'.

The change is recommended for those lots because they are the most similar in size and location with lot 1, block 2. Garages or carports with driveway access from Arlington Drive or Maverick Drive would require a 20' setback.

In considering a rezone the following criteria must be considered (section 2.6 of the Zoning and Development Code), however, some of the listed criteria is not applicable to this type of zone change since it does not change uses or density.

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

The existing zoning was not in error at the time of adoption. The rezone is proposed to rectify a mistake.

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.

Not applicable.

- 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.*

The proposed change in setbacks will only impact the character of the subdivision. Front yard setbacks of 20' are generally to create a pleasing streetscape where houses might front the street and provide adequate room to park a car in a driveway in front of a garage. The side streets where the 14' setbacks are proposed will likely not have houses fronting on them because they are only two lots deep and the garage would still have to be 20' back if accessed from that street.

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

Setbacks can be varied in a PD zone district.

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

Adequate public facilities are available and this proposed change has no additional impact.

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

Not applicable.

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

The owner of lot 1, block 2 will certainly benefit from the rezone since the house is already constructed. Also, the owners of the other 5 lots will benefit with additional design flexibility for those corner lots.

This is not a typical application for PD zoning. Chapter 5 of the Zoning and Development Code describes the purpose of a PD zone to apply to mixed-use or unique single-use projects where design flexibility is desired. The request to change the front yard setback on select corner lots is to achieve design flexibility, but it's difficult to determine a "community benefit", as is required by the Code, for a project that is already approved and built. In this case the PD zoning would be applied to correct an error that was made and would appear to not have any negative impact on the subdivision or surrounding area.

STAFF RECOMMENDATION: Staff recommends approval of the rezone from RMF-5 to PD as proposed.

PLANNING COMMISSION RECOMMENDATION:

At their June 19, 2001 hearing, the Planning Commission recommended approval of the rezone.

ATTACHMENTS:

1. Location Map
2. Subdivision Plat
3. Letter to Bill Grace regarding setback issue
4. Letter from Bill Grace regarding setback issue
5. Photograph of 2825 B.4 Road house encroaching in Arlington Drive setback
6. Property owner list for filing 2

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE REZONING ARROWHEAD ACRES II, FILING 2 FROM RMF-5 TO PD

RECITALS:

The Arrowhead Acres II, Filing 2 Subdivision was originally platted and developed under the RMF-5 zoning district. The owners of the lots within Filing 2 have requested a rezone to PD (Planned Development) to allow for a 14' frontyard setback for corner lots on side streets.

The Planning Commission has reviewed the request and found it consistent with the rezoning criteria of section 2.6 of the Zoning and Development Code and recommends approval.

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:

Arrowhead Acres II, Filing 2 as recorded in Plat Book 18, Pages 17 and 18, Mesa County Clerk and Recorder

be and is hereby rezoned to PD with RMF-5 as the underlying zone district and the following deviations:

- Front yard setback along Arlington Drive for lot1, block 2; lots 1 and 16, block 3; lot 1, block 4 shall be 14'.
- Front yard setback along Maverick Drive for lots 8 and 9, block 3 shall be 14'.
- Garages or carports with driveway access from Arlington Drive or Maverick Drive shall require a 20' setback.

INTRODUCED on first reading on the 18th day of July, 2001.

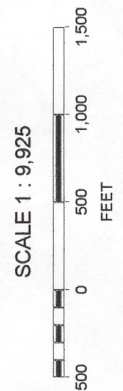
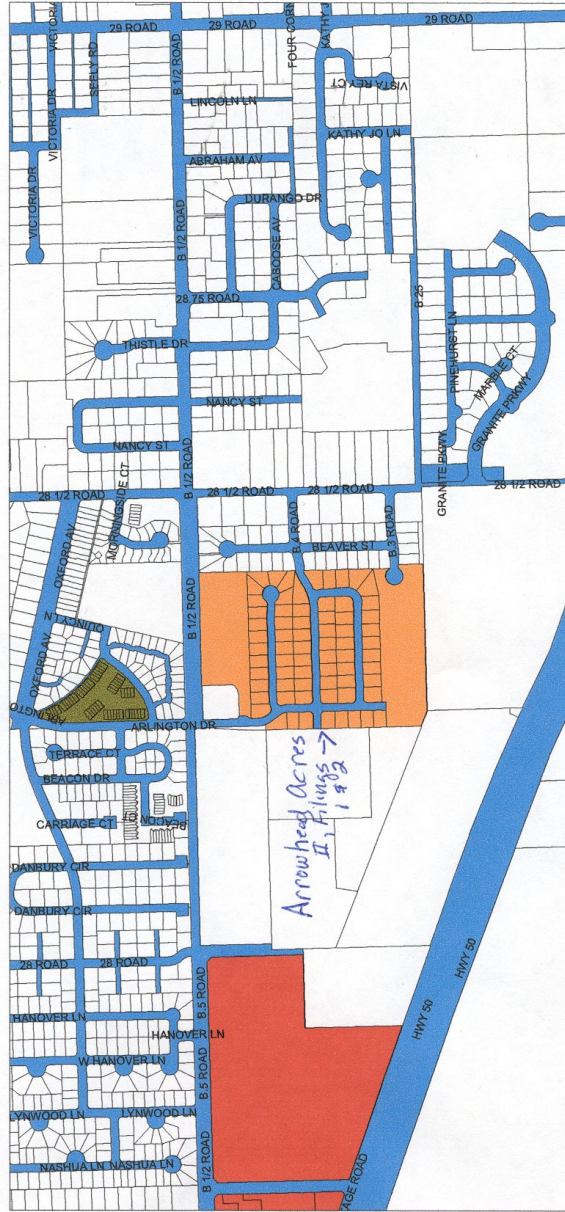
ADOPTED and ordered published this ___ day of _____, 2001.

Attest:

President of the Council

City Clerk

City of Grand Junction GIS Map



ARROWHEAD ACRES II, FILING TWO

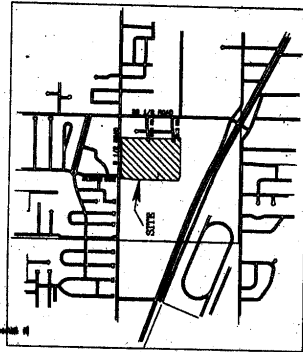
A REPLAT OF LOT 1, BLOCK 4 and LOT 1, BLOCK 5, ARROWHEAD ACRES II

FP-2000-008

REF-5

TCP-0
SIF-292

C-13
T-84



DEDICATION

THE CITY OF GRAND JUNCTION, COLORADO, HAS THE HONOR TO DEDICATE TO THE PUBLIC THE FOLLOWING DESCRIBED PROPERTY AS SHOWN ON THE ATTACHED MAP AND TO ACCEPT THE SAME AS PART OF THE PUBLIC HIGHWAY SYSTEM OF THE CITY OF GRAND JUNCTION, COLORADO, TO BE KNOWN AS LOT 1, BLOCK 4 and LOT 1, BLOCK 5, ARROWHEAD ACRES II.

THE CITY OF GRAND JUNCTION, COLORADO, HAS THE HONOR TO DEDICATE TO THE PUBLIC THE FOLLOWING DESCRIBED PROPERTY AS SHOWN ON THE ATTACHED MAP AND TO ACCEPT THE SAME AS PART OF THE PUBLIC HIGHWAY SYSTEM OF THE CITY OF GRAND JUNCTION, COLORADO, TO BE KNOWN AS LOT 1, BLOCK 4 and LOT 1, BLOCK 5, ARROWHEAD ACRES II.

ALL RIGHTS AND INTERESTS IN THE CITY OF GRAND JUNCTION, COLORADO, ARE HEREBY DEDICATED TO THE PUBLIC HIGHWAY SYSTEM OF THE CITY OF GRAND JUNCTION, COLORADO, TO BE KNOWN AS LOT 1, BLOCK 4 and LOT 1, BLOCK 5, ARROWHEAD ACRES II.

IN WITNESS WHEREOF, the Mayor and City Council of the City of Grand Junction, Colorado, have hereunto set their hands and seals this 15th day of August, 1984.

[Signature]
Mayor

[Signature]
City Clerk

THIS INSTRUMENT IS SUBJECT TO THE EASEMENTS, RIGHTS, AND INTERESTS IN THE PROPERTY DESCRIBED HEREIN AS SHOWN ON THE ATTACHED MAP AND TO THE EXTENT OF THE SAME AS SHOWN ON SAID MAP.

CITY APPROVAL
This plat of Arrowhead Acres II, Filing Two is a subdivision of the City of Grand Junction, Colorado, and is subject to the provisions of the City of Grand Junction, Colorado, Ordinance No. 1234567, passed on 12/15/83.

[Signature]
City Clerk

CHECK AND SIGNATURES CHECKED BY

CITY OF GRAND JUNCTION
COUNTY OF GARFIELD
STATE OF COLORADO

CITY OF GRAND JUNCTION

REGISTERED CHECKPOINTS

A SEARCH OF THE RECORDS OF THE COUNTY OF GARFIELD, STATE OF COLORADO, HAS REVEALED THE FOLLOWING CHECKPOINTS TO BE REGISTERED IN THE PUBLIC RECORDS OF THE COUNTY OF GARFIELD, STATE OF COLORADO, TO BE KNOWN AS LOT 1, BLOCK 4 and LOT 1, BLOCK 5, ARROWHEAD ACRES II.



CITY OF GRAND JUNCTION
COUNTY OF GARFIELD
STATE OF COLORADO

CITY OF GRAND JUNCTION
COUNTY OF GARFIELD
STATE OF COLORADO

ARROWHEAD ACRES II, FILING TWO
LOCATED BY THE
N 1/2 SW 1/4 SEC. 30, T15S, R10E, U1M
D H SURVEYS, INC.
110 COURAY AVE - GRAND JUNCTION, CO.
(970) 242-8749

ARROWHEAD ACRES II, FILING TWO
LOCATED BY THE
N 1/2 SW 1/4 SEC. 30, T15S, R10E, U1M
D H SURVEYS, INC.
110 COURAY AVE - GRAND JUNCTION, CO.
(970) 242-8749

ARROWHEAD ACRES II, FILING TWO

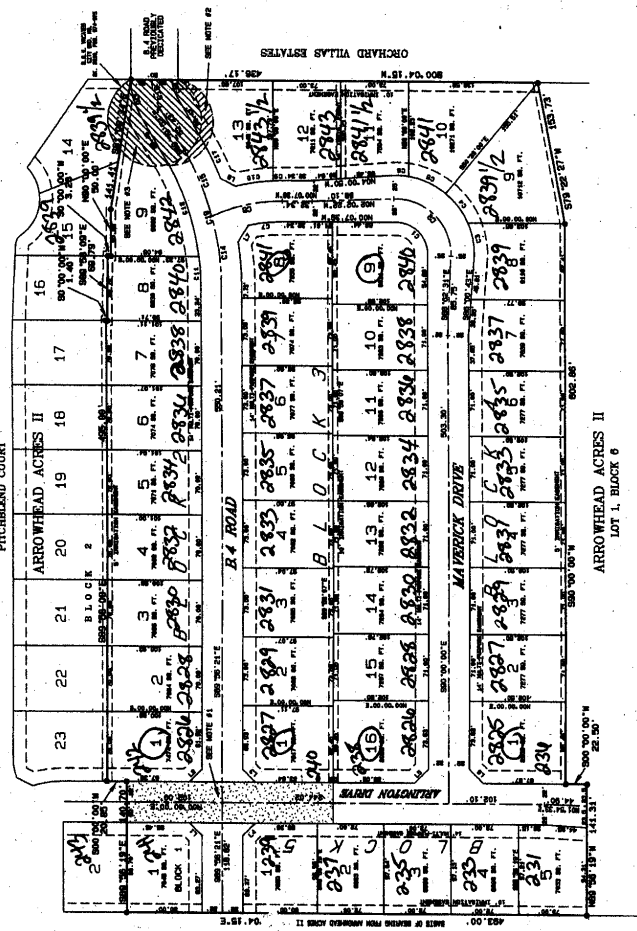
A REPLAT OF LOT 1, BLOCK 4 and LOT 1, BLOCK 5, ARROWHEAD ACRES II

FP-2000-008
RSF-5
TCP #0
SIF #292

C-13
T-84

LINE / CURVE TABLE

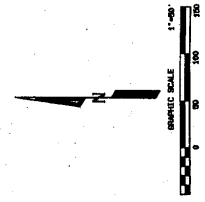
LINE NO.	BEARING	LENGTH	CHORD	ANGLE	AREA
1	N 89° 57' 00" W	100.00	100.00	0° 00' 00"	0.00
2	S 89° 57' 00" E	100.00	100.00	0° 00' 00"	0.00
3	N 00° 00' 00" E	100.00	100.00	0° 00' 00"	0.00
4	S 00° 00' 00" W	100.00	100.00	0° 00' 00"	0.00
5	N 89° 57' 00" W	100.00	100.00	0° 00' 00"	0.00
6	S 89° 57' 00" E	100.00	100.00	0° 00' 00"	0.00
7	N 00° 00' 00" E	100.00	100.00	0° 00' 00"	0.00
8	S 00° 00' 00" W	100.00	100.00	0° 00' 00"	0.00
9	N 89° 57' 00" W	100.00	100.00	0° 00' 00"	0.00
10	S 89° 57' 00" E	100.00	100.00	0° 00' 00"	0.00
11	N 00° 00' 00" E	100.00	100.00	0° 00' 00"	0.00
12	S 00° 00' 00" W	100.00	100.00	0° 00' 00"	0.00
13	N 89° 57' 00" W	100.00	100.00	0° 00' 00"	0.00
14	S 89° 57' 00" E	100.00	100.00	0° 00' 00"	0.00
15	N 00° 00' 00" E	100.00	100.00	0° 00' 00"	0.00
16	S 00° 00' 00" W	100.00	100.00	0° 00' 00"	0.00
17	N 89° 57' 00" W	100.00	100.00	0° 00' 00"	0.00
18	S 89° 57' 00" E	100.00	100.00	0° 00' 00"	0.00
19	N 00° 00' 00" E	100.00	100.00	0° 00' 00"	0.00
20	S 00° 00' 00" W	100.00	100.00	0° 00' 00"	0.00
21	N 89° 57' 00" W	100.00	100.00	0° 00' 00"	0.00
22	S 89° 57' 00" E	100.00	100.00	0° 00' 00"	0.00
23	N 00° 00' 00" E	100.00	100.00	0° 00' 00"	0.00
24	S 00° 00' 00" W	100.00	100.00	0° 00' 00"	0.00
25	N 89° 57' 00" W	100.00	100.00	0° 00' 00"	0.00
26	S 89° 57' 00" E	100.00	100.00	0° 00' 00"	0.00
27	N 00° 00' 00" E	100.00	100.00	0° 00' 00"	0.00
28	S 00° 00' 00" W	100.00	100.00	0° 00' 00"	0.00
29	N 89° 57' 00" W	100.00	100.00	0° 00' 00"	0.00
30	S 89° 57' 00" E	100.00	100.00	0° 00' 00"	0.00
31	N 00° 00' 00" E	100.00	100.00	0° 00' 00"	0.00
32	S 00° 00' 00" W	100.00	100.00	0° 00' 00"	0.00
33	N 89° 57' 00" W	100.00	100.00	0° 00' 00"	0.00
34	S 89° 57' 00" E	100.00	100.00	0° 00' 00"	0.00
35	N 00° 00' 00" E	100.00	100.00	0° 00' 00"	0.00
36	S 00° 00' 00" W	100.00	100.00	0° 00' 00"	0.00
37	N 89° 57' 00" W	100.00	100.00	0° 00' 00"	0.00
38	S 89° 57' 00" E	100.00	100.00	0° 00' 00"	0.00
39	N 00° 00' 00" E	100.00	100.00	0° 00' 00"	0.00
40	S 00° 00' 00" W	100.00	100.00	0° 00' 00"	0.00
41	N 89° 57' 00" W	100.00	100.00	0° 00' 00"	0.00
42	S 89° 57' 00" E	100.00	100.00	0° 00' 00"	0.00
43	N 00° 00' 00" E	100.00	100.00	0° 00' 00"	0.00
44	S 00° 00' 00" W	100.00	100.00	0° 00' 00"	0.00
45	N 89° 57' 00" W	100.00	100.00	0° 00' 00"	0.00
46	S 89° 57' 00" E	100.00	100.00	0° 00' 00"	0.00
47	N 00° 00' 00" E	100.00	100.00	0° 00' 00"	0.00
48	S 00° 00' 00" W	100.00	100.00	0° 00' 00"	0.00
49	N 89° 57' 00" W	100.00	100.00	0° 00' 00"	0.00
50	S 89° 57' 00" E	100.00	100.00	0° 00' 00"	0.00



- NOTES**
- 1.) This is a Multi-purpose instrument dedicated to Arrowhead Acres II, and shall be used for all purposes as indicated on the plat.
 - 2.) This is a replat of Arrowhead Acres II, and shall be used for all purposes as indicated on the plat.
 - 3.) This is a replat of Arrowhead Acres II, and shall be used for all purposes as indicated on the plat.
 - 4.) The plat is a replat of Arrowhead Acres II, and shall be used for all purposes as indicated on the plat.
 - 5.) This is a replat of Arrowhead Acres II, and shall be used for all purposes as indicated on the plat.



ARROWHEAD ACRES II, FILING TWO
 LOCATED IN THE
 N 1/2 ST 1/4, SEC. 30, T15, R1E, U1M
D. H. SURVEYS INC.
 115 OURAY AVE. - GRAND JUNCTION, CO.
 (970) 245-8749
 D.H.S. S.L.H.
 ALL RIGHTS RESERVED
 2 OF 2



AREA SUMMARY

15% IMPROVEMENTS / 100% TOTAL
 15% IMPROVEMENTS / 100% TOTAL
 15% IMPROVEMENTS / 100% TOTAL

City of Grand Junction

Community Development Department
Planning • Zoning • Code Enforcement
250 North 5th Street
Grand Junction, CO 81501-2668

Phone: (970) 244-1430
FAX: (970) 256-4031



May 11, 2001

Bill Grace
H.W. Grace Building and Development
Pinnacle Homes
518 28 Road, Suite A107
Grand Junction, CO 81501

Sent Via Certified Mail Return Receipt Requested

Re: 2826 B.4 Road

Dear Mr. Grace:

It has come to my attention that the house being built at 2826 B.4 Road (Lot 1, Block 2, Arrowhead Acres II Filing 2) does not meet the required 20' setback along Arlington Drive.

The property located at 2826 B.4 Road is zoned RMF-5, which requires a 20' front yard setback. Section 3.2.E.1 of the Zoning and Development Code requires that structures meet the front yard setback from all abutting streets. The sketch that was submitted with the Planning Clearance application shows a setback of 14' along the west property line but it does not show either the former easement or the right of way dedicated with the plat. Rights of way must be shown on Planning Clearance applications.

Arlington Drive (as shown on the plat for this filing of the subdivision adjacent to the property) is not clearly or carefully described on the application or the plat. Because Arlington Drive was platted as a multipurpose easement, then was "re-dedicated" as a right of way and is depicted differently than other right of way on the plat, I find that the error in the application and in the issuance of the Planning Clearance was inadvertent and in the totality of the circumstances excusable, however, for the home to be lawful some form of correction is required.

Section 2.16 of the Zoning and Development Code allows for the Director of Community Development to vary a setback up to 10% for a construction error. Because the set back infringement at 2826 B.4 is greater than 2' the Director has no authority to remedy the problem.

Grace Homes may apply for a variance but the Board of Appeals is legally constrained in granting the same. A variance may only be approved when it is necessitated by conditions peculiar to the property and not as a result of the action of the applicant.



Printed on recycled paper

Grace Homes
May 11, 2001
Page 2

Given the circumstances of this setback violation I believe it would be impossible for the Board to lawfully grant a variance.

After consultation with City Manager Kelly Arnold and John Shaver of the City Attorneys Office, I am authorized to propose a solution short of requiring removal of the structure. That solution would be to rezone Filing 2 of Arrowhead Acres II to a planned development zone. By effecting a change in zoning the setbacks may lawfully be adjusted. If you and other affected owners agree, it would be my recommendation that the setbacks and other bulk standards (lot coverage, minimum lot area and all setbacks except as provided herein remain the same with the PD zoning except for the front yard setback along Arlington Drive for Lot 1, Block 2; Lots 1 and 16, Block 3; Lot 1, Block 4 and the front yard setback along Maverick Drive for Lots 8 and 9, Block 3.

While the City would prepare and process the application it would be your responsibility to secure signatures from the lot owners. The City would waive the rezone application fee.

The Planning Clearance issued on February 21, 2001 for 2826 B.4 Road will remain revoked until such time as the rezoning is approved by the City Council and the ordinance becomes effective (*i.e.*, 30 days after the second reading approval by Council). As we discussed you may finish the home but it shall not be sold or offered for sale unless and until the rezoning ordinance becomes effective. The home may be used as a model home. Any additional work that you perform is done at your sole cost and jeopardy; there is no guarantee that the problem will be resolved and if not the City may order the home to be removed/reconstructed to meet current zoning.

You are required to elect and provide to the City, by the close of business on May 25, 2001, either the necessary information for a rezoning application, the necessary information for a variance application or a schedule and financial guarantee for bringing the structure into compliance with the zoning. Failing one of these options being pursued, enforcement action will begin on Monday May 21, 2001. While the staff cannot guarantee that the Planning Commission and/or City Council will agree, the rezone option is preferred.

If you have questions, please call me at 244-1446. Thank you.

Sincerely,



Katherine M. Portner
Acting Director of Community Development

May 11, 2001

Attention: Kathy Portner
Acting Director of Community Planning
250 N. 5th Street
Grand Junction, CO 81501

Pinnacle Homes
518 28 Road
Suite A107
Grand Junction, CO 81501

RECEIVED
MAY 16 2001
COMMUNITY DEVELOPMENT
DEPT.

Dear Kathy,

I, Bill Grace, Vice-President of Pinnacle Homes (formerly known as HW Grace Builders and Development), here by guarantee as signer for Pinnacle Homes, that the property and house at 2826 B.4 Road in Arrowhead Acres II will not be sold until all issues pertaining to the setbacks are resolved in accordance with the Planning Department. With your permission, this house will only be used as a 'show' house until setback issues are resolved. Thank you for your help in resolving this matter.

Sincerely,



Bill Grace
Vice-President Pinnacle Homes



11-01-01-01

JUN 1 2001

RE: RZ-2001-108 - REZONE OF ARROWHEAD ACRES II FILING #2

COMMUNITY DEVELOPMENT

HW Grace Building and Development (Pinnacle Homes) has applied for a rezone to change the existing zoning on Arrowhead Acres II Filing #2 from RMF-5 (Residential Single Family 2-5 units/acre) to PD (Planned Development). The setbacks and other bulk standards (lot coverage, minimum lot area and all setbacks except as provided herein) remain the same with the PD zoning except for the front yard setback along Arlington Drive for Lot 1, Block 2; Lots 1 & 16 Block 3; Lot 1, Block 4 and the front yard setback along Maverick Drive for Lots 8 & 9, Block 3. The new setback for these lots would be 14' along Arlington Drive & Maverick Drive

I, the undersigned, am a property owner within Arrowhead Acres II Filing #2 and understand and agree to the information stated in the preceding paragraph.

OWNER	PARCEL_NUM	LOCATION	CITY	ST	ZIP
A C RINDERLE TRUST	2943-303-66-006	231 ARLINGTON DR	GRAND JUNCTION	CO	81503-84983-
<i>To Charles Rinderle, Trustee</i>	2943-303-66-003	237 ARLINGTON DR	GRAND JUNCTION	CO	81503-84983-
<i>To Charles Rinderle, Trustee</i>	2943-303-66-001	241 ARLINGTON DR	GRAND JUNCTION	CO	81503-84983-
<i>To Charles Rinderle, Trustee</i>	2943-303-64-017	2826 MAVERICK DR	GRAND JUNCTION	CO	81503-84983-
<i>To Charles Rinderle, Trustee</i>	2943-303-67-002	2827 MAVERICK DR	GRAND JUNCTION	CO	81503-84983-
<i>To Charles Rinderle, Trustee</i>	2943-303-67-003	2829 MAVERICK DR	GRAND JUNCTION	CO	81503-84983-
<i>To Charles Rinderle, Trustee</i>	2943-303-67-004	2831 MAVERICK DR	GRAND JUNCTION	CO	81503-84983-
<i>To Charles Rinderle, Trustee</i>	2943-303-67-005	2833 MAVERICK DR	GRAND JUNCTION	CO	81503-84983-
<i>To Charles Rinderle, Trustee</i>	2943-303-64-013	2834 MAVERICK DR	GRAND JUNCTION	CO	81503-84983-
<i>To Charles Rinderle, Trustee</i>	2943-303-67-006	2835 MAVERICK DR	GRAND JUNCTION	CO	81503-84983-
<i>To Charles Rinderle, Trustee</i>	2943-303-64-011	2838 MAVERICK DR	GRAND JUNCTION	CO	81503-84983-
<i>To Charles Rinderle, Trustee</i>	2943-303-64-003	2829 B 4/10 RD	GRAND JUNCTION	CO	81503-84983-
<i>To Charles Rinderle, Trustee</i>	2943-303-64-004	2831 B 4/10 RD	GRAND JUNCTION	CO	81503-84983-
<i>To Charles Rinderle, Trustee</i>	2943-303-63-005	2832 B 4/10 RD	GRAND JUNCTION	CO	81503-84983-
<i>To Charles Rinderle, Trustee</i>	2943-303-64-005	2833 B 4/10 RD	GRAND JUNCTION	CO	81503-84983-
<i>To Charles Rinderle, Trustee</i>	2943-303-63-006	2834 B 4/10 RD	GRAND JUNCTION	CO	81503-84983-
<i>To Charles Rinderle, Trustee</i>	2943-303-64-006	2835 B 4/10 RD	GRAND JUNCTION	CO	81503-84983-
<i>To Charles Rinderle, Trustee</i>	2943-303-63-007	2836 B 4/10 RD	GRAND JUNCTION	CO	81503-84983-
<i>To Charles Rinderle, Trustee</i>	2943-303-64-007	2837 B 4/10 RD	GRAND JUNCTION	CO	81503-84983-
<i>To Charles Rinderle, Trustee</i>	2943-303-63-008	2838 B 4/10 RD	GRAND JUNCTION	CO	81503-84983-
<i>To Charles Rinderle, Trustee</i>	2943-303-64-008	2839 B 4/10 RD	GRAND JUNCTION	CO	81503-84983-
<i>To Charles Rinderle, Trustee</i>	2943-303-63-009	2840 B 4/10 RD	GRAND JUNCTION	CO	81503-84983-
<i>To Charles Rinderle, Trustee</i>	2943-303-63-010	2842 B 4/10 RD	GRAND JUNCTION	CO	2262

I, the undersigned, am a property owner within Arrowhead Acres II Filing #2 and understand and agree to the information stated in the preceding paragraph.

<i>Geo. S. Breidenbach</i> GEORGE SINGER BREIDENBACH	<i>Anna Margaret Breidenbach</i> ANNA MARGARET	2943-303-67-008	2839 MAVERICK DR	GRAND JUNCTION CO	81501-2262
GERALD G SLAUGH		2943-303-64-015	2830 MAVERICK DR	GRAND JUNCTION CO	81503-2262
<i>Michael Dean Mallory</i> MICHAEL DEAN MALLORY	SANDRA A MALLORY	2943-303-67-009	2839 1/2 MAVERICK DR	GRAND JUNCTION CO	81504
<i>Michael D Mallory</i> PINNACLE HOMES INC	<i>Sandra A Mallory</i>	2943-303-66-005	233 ARLINGTON DR	GRAND JUNCTION CO	81503-2262
<i>Bill Young</i>		2943-303-66-004	235 ARLINGTON DR	GRAND JUNCTION CO	81584
<i>Bill Young</i>		2943-303-66-002	239 ARLINGTON DR	GRAND JUNCTION CO	84983
<i>Bill Young</i>		2943-303-67-001	2825 MAVERICK DR	GRAND JUNCTION CO	84983
<i>Bill Young</i>		2943-303-64-016	2828 MAVERICK DR	GRAND JUNCTION CO	84983
<i>Bill Young</i>		2943-303-64-014	2832 MAVERICK DR	GRAND JUNCTION CO	84983
<i>Bill Young</i>		2943-303-64-012	2836 MAVERICK DR	GRAND JUNCTION CO	84983
<i>Bill Young</i>		2943-303-67-007	2837 MAVERICK DR	GRAND JUNCTION CO	2262
<i>Bill Young</i>		2943-303-67-011	2841 1/2 MAVERICK DR	GRAND JUNCTION CO	81504
<i>Bill Young</i>		2943-303-67-012	2843 MAVERICK DR	GRAND JUNCTION CO	81504
<i>Bill Young</i>		2943-303-67-013	2843 1/2 MAVERICK DR	GRAND JUNCTION CO	81504
<i>Bill Young</i>		2943-303-63-002	2826 B 4/10 RD	GRAND JUNCTION CO	81584
<i>Bill Young</i>		2943-303-64-002	2827 B 4/10 RD	GRAND JUNCTION CO	2262
<i>Bill Young</i>		2943-303-63-003	2828 B 4/10 RD	GRAND JUNCTION CO	81584
<i>Bill Young</i>		2943-303-63-004	2830 B 4/10 RD	GRAND JUNCTION CO	2262
<i>Bill Young</i>		2943-303-64-010	2840 B 4/10 RD	GRAND JUNCTION CO	81584
<i>Bill Young</i>		2943-303-64-009	2841 B 4/10 RD	GRAND JUNCTION CO	2262
<i>Sheila A. Groninger</i> SHEILA A GRONINGER		2943-303-67-010	2841 MAVERICK DR	GRAND JUNCTION CO	81501-6867

**Attach 14
Rimrock Marketplace General Improvement District**

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL</i>			
Subject:	Approval of an Ordinance Creating the City of Grand Junction Rimrock Marketplace General Improvement District.		
Meeting Date:	July 18, 2001		
Date Prepared:	July 12, 2001		
Author:	Ron Lappi	Title: Director of Admin Svcs	
Presenter Name:	Ron Lappi and Dan Wilson	Title: Director of Admin Svcs Title: City Attorney	
	Workshop	X	Formal Agenda

Subject: Approval of an ordinance creating the City of Grand Junction Rimrock Marketplace General Improvement District.

Summary: The creation of a general improvement district for Rimrock Marketplace will lead to an election in November of 2001 of effected property owners (only the owners and developers of Rimrock) to issue Special Assessment Bonds to cover costs of public improvements at the development site. These improvements are estimated to cost \$2.8 million.

Background Information: Rimrock Marketplace has recently been approved for development by the Planning Commission. It is a 53-acre parcel of land located south of SAMS Club across Highway 6 & 50. This project has been under consideration for development for the past four or five years and has now been cleared to proceed.

Budget: The City has no obligation for the repayment of the bonds. The payment of the bonds will be handled by the property owners.

Action Requested/Recommendation: Approval of the ordinance on first reading with adoption of the ordinance on August 1st, 2001 after the second reading.

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:	
--	-------------------------------------	-----------	--------------------------	------------	--------------	--

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

ORDINANCE NO. _____

AN ORDINANCE CREATING THE CITY OF GRAND
JUNCTION RIMROCK MARKETPLACE GENERAL
IMPROVEMENT DISTRICT; AND PROVIDING OTHER
DETAILS RELATING THERETO

WHEREAS, a Petition for the Organization of a General Improvement District in the City of Grand Junction, Colorado (the "Petition"), has been filed in the office of the City Clerk of the City of Grand Junction (the "City"); and

WHEREAS, the Petition has been reviewed by the City Clerk; and

WHEREAS, the Petition states that it has been signed by one hundred percent of the owners of taxable real property to be included within the proposed district and contains a request, pursuant to Section 31-25-607 (3.5), C.R.S., for waiver of all requirements for notice, publication, and a hearing set forth in Sections 31-25-606 and 31-25-607, C.R.S., and of the requirement for filing an organizational bond set forth in Section 31-25-605, C.R.S.

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

Section 1. Findings and Determinations. The City Council hereby accepts the Petition for the Organization of a General Improvement District in the City of Grand Junction, Colorado, which requests the formation of a general improvement district to be known as "City of Grand Junction Rimrock Marketplace General Improvement District." The Council hereby finds and determines as follows:

- a. that the Petition is signed by one hundred percent of the owners of taxable real property to be included within the proposed district;
- b. that the Petition contains a request for waiver of all requirements for notice, publication, and a hearing set forth in Sections 31-25-606 and 31-26-607, C.R.S., and of the organizational bond set forth in Section 31-25-605, C.R.S.;
- c. that the Petition is signed by not less than thirty percent or two hundred (whichever is less) of the electors of the proposed district in compliance with §31-25-604(1), C.R.S.;
- d. that the signatures on the Petition are genuine;

e. that a review of the tax rolls and the last official registration list of Mesa County, together with other available evidence, shows that the total number of electors of the proposed district is three and the total valuation for assessment of the real and personal property within the proposed district is \$\$452,700;

f. that the proposed district is located entirely within the City's boundaries in Mesa County, Colorado;

g. that the proposed district will not provide the same improvements or service as those provided by an existing special district within the territory of such existing special district;

h. that the proposed district's improvements to be acquired, constructed, installed, operated, or maintained:

(1) are improvements that the City is authorized to provide under the City's home rule charter (the "Charter"); and

(2) do not duplicate or interfere with any municipal improvement already constructed or planned to be constructed within the limits of the proposed district;

i. that the costs of the improvements will not be excessive as compared with the value of the property in the proposed district;

j. that the creation of the proposed district and proposed improvements therein will confer a general benefit on the proposed district;

k. that the organization of the proposed district will serve a public use and will promote the health, prosperity, security and general welfare of the inhabitants of the City and the proposed district;

l. that the request for waiver is hereby granted; and

m. that the district should be established.

These findings and determinations of the Council are final and conclusive on all parties in interest, whether appearing or not.

Section 2. Establishment of District. It appearing that the Petition has been duly signed and presented in conformity with Colorado law and that the allegations of the Petition are true, the Council, by this ordinance, hereby finds that it has full jurisdiction under the law to adopt this ordinance, that the proposed district for which the Petition has been filed is hereby declared organized and shall be known as "City of Grand

Junction Rimrock Marketplace General Improvement District" (the "District"), by which, in all proceedings, it shall hereafter be known. The District shall be a public or quasi-municipal subdivision of the State of Colorado and a body corporate with the limited proprietary powers set forth in Part 6, Article 25, Title 31, C.R.S.

Section 3. District Boundaries. The District boundaries are as described in Appendix I hereto.

Section 4. District Improvements. A general description of the improvements to be acquired, constructed, installed, operated, or maintained within the District is as follows:

the construction of public roadways, including sidewalks, access and related parking improvements, landscaping, irrigation, site and traffic lighting within the right of way, and drainage improvements.

Section 5. Recording of Ordinance. Within thirty days after Council action on this ordinance, the City Clerk shall transmit to the County Clerk and Recorder of Mesa County a copy of this ordinance for recording.

Section 6. Ordinance Conclusive. This ordinance shall finally and conclusively establish the regular organization of the District against all persons unless an action attacking the validity of the organization is commenced in a court of competent jurisdiction within thirty days after the adoption of this ordinance. Thereafter, any such action shall be perpetually barred.

Section 7. Repealer. All bylaws, orders, resolutions and ordinances of the City, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency as applicable to this matter only. This repealer shall not be construed to revive any other such bylaw, order, resolution or ordinance of the City, or part thereof, heretofore repealed. All rules of the City Council, if any, which might prevent the final passage and adoption of this ordinance measure at this meeting of the City Council be, and the same hereby are, suspended.

Section 8. Severability. If any section, subsection, paragraph, clause or other provision of this ordinance for any reason is invalid or unenforceable, the invalidity or unenforceability of such section, subsection, paragraph, clause or other provision shall not affect any of the remaining provisions of this ordinance, the intent being that the same are severable.

Section 9. Effective Date, Recording and Authentication. This ordinance shall

be in full force and effect 30 days after publication following final passage. This ordinance, as adopted by the Council, shall be numbered and recorded by the City Clerk in the official records of the City. The adoption and publication shall be authenticated by the signatures of the President of the Council and City Clerk, and by the certificate of publication.

INTRODUCED, PASSED ON FIRST READING, APPROVED AND ORDERED
PUBLISHED IN FULL this 18th day of July, 2001.

INTRODUCED, PASSED ON SECOND READING, APPROVED AND
ORDERED PUBLISHED IN FULL this _____ day of _____, 2001

CITY OF GRAND JUNCTION, COLORADO

President of the Council

Attest:

City Clerk
(SEAL)

STATE OF COLORADO)
)
COUNTY OF MESA) SS.
)
CITY OF GRAND JUNCTION)

I, the duly elected, qualified and acting City Clerk of the City of Grand Junction, Colorado (the "City") do hereby certify:

1. The foregoing pages are a true, correct and complete copy of an ordinance (the "Ordinance") which was introduced, passed on first reading and ordered published in full by the Council at a regular meeting thereof held on July 18, 2001 and was duly adopted and ordered published in full by the City Council at a regular meeting thereof held on August 1, 2001 which Ordinance has not been revoked, rescinded or repealed and is in full force and effect on the date hereof.

2. The Ordinance was duly moved and seconded and the Ordinance was passed on first reading at the meeting of July 18, 2001, by an affirmative vote of a majority of the members of the Council as follows:

Those Voting Aye: _____

Those Voting Nay: _____

Those Absent: _____

3. The Ordinance was duly moved and seconded and the Ordinance was finally passed at the meeting of August 1, 2001, by an affirmative vote of a majority of the members of the Council as follows:

Those Voting Aye: _____

Those Voting Nay: _____

Those Absent: _____

4. The members of the Council were present at such meetings and voted on the passage of such Ordinance as set forth above.

5. The Ordinance was approved and authenticated by the signature of the President of the Council, sealed with the City seal, attested by the City Clerk and recorded in the minutes of the Council.

6. There are no bylaws, rules or regulations of the Council which might prohibit the adoption of said Ordinance.

7. Notices of the meetings of July 18, 2001 and August 1, 2001 in the forms attached hereto as Exhibit A were posted at City Hall in accordance with law.

8. The Ordinance was published in full in The Daily Sentinel, a daily newspaper of general circulation in the City, on July __, 2001 and on August __, 2001 as required by the City Charter. True and correct copies of the affidavits of publication are attached hereto as Exhibit B.

9. That on _____, 2001, I transmitted a copy of the Ordinance to the Mesa County Clerk and Recorder for recording.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City this ____ day of _____, 2001.

(SEAL)

City Clerk

EXHIBIT A
(Attach Notice of Meeting)

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

WEDNESDAY, JULY 18 , 2001, 7:30 P.M.

CALL TO ORDER

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

APPOINTMENTS

APPOINTMENTS TO RIDGES ARCHITECTURAL CONTROL COMMITTEE

RATIFY APPOINTMENT TO BUILDING AND FIRE CODE BOARD OF APPEALS

CERTIFICATES OF APPOINTMENT

CERTIFICATES OF APPOINTMENT WILL BE PRESENTED TO NEWLY APPOINTED MEMBERS OF THE BOARD OF APPEALS, DOWNTOWN DEVELOPMENT AUTHORITY BOARD OF DIRECTORS AND WALKER FIELD AIRPORT AUTHORITY

CITIZEN COMMENTS

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

1. **Setting a Hearing on an Optional Premises License for Redlands Mesa Golf Course** *Attach 1*

Redlands Mesa Golf Course has requested that it be permitted to serve alcohol on the newly opened golf course. Section 12-47-310 Colorado Revised Statutes permits a municipality to pass an ordinance to provide optional premises licenses for restaurants that serve liquor on their premises to include an adjacent recreational facility in their license. Service of liquor on the Redlands Mesa Golf Course would benefit the City by an increase in revenue.

proposed Ordinance Regarding an Optional Premises License for Redlands Mesa Golf Course

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 1, 2001

Staff presentation: Stephanie Rubinstein, City Staff Attorney

2. **Award of Contract for Playground Equipment in Pine Ridge Park** **Attach 2**

Award a contract to Miracle Recreation Equipment Company to provide the play equipment and safety surface materials for the renovation of the playground at Pine Ridge Park. Miracle Recreation Equipment Company was the best-qualified proposal of the six received and publicly read at 2:00 p.m. on June 26, 2001 at the City's purchasing department. The renovation of the playground is needed because of the age and deteriorating condition of the existing equipment.

Action: Award Contract to Purchase Playground Equipment For Pine Ridge Park to Miracle Recreation Equipment Company in the Amount of \$55,000.

Staff presentation: Shawn Cooper, Parks Planner

3. **Setting a Hearing on Rezoning Arrowhead Acres II, Filing 2 , Located at B 1/2 Road and Arlington Drive to PD** [File # RZ-2001-108] **Attach 3**

Request to rezone the Arrowhead Acres II, Filing 2 Subdivision from RMF-5 (Residential Multi-family, 5 units per acre) to PD (Planned Development).

Proposed Ordinance Rezoning Arrowhead Acres II, Filing 2, from RMF-5 to PD

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 1, 2001

Staff presentation: Kathy Portner, Planning Manager

4. **Skyway Area Sewer Design Services Contract** **Attach 4**

This project calls for the design and preparation of bid documents as outlined in the "Request for Proposals" for the extension of 24,000 linear feet of 8" sewer main to benefit 230 properties in the Skyway Area. The subdivision is located northeast of Broadway and east of 23 Road on the Redlands as shown on the map below. This work is preparatory to the creation of a sewer improvement district to eliminate septic systems.

The following qualified, lump sum fee proposals were received on July 9, 2001:

Consultant	From	District	Sewer Fund (for Scenic Lift Station Elimination)	Total Lump Sum Fee
Williams	Fruita	\$130,000	\$15,500	\$145,500
Sear-Brown	Denver	\$146,200	\$6,800	\$153,000

Action: Award Contract for Design Services for the Skyway Area Sewer Design to Williams Engineering in the amount of \$145,500 Contingent upon County Commissioner approval.

Staff presentation: Greg Trainor, Utilities Manager

5. **Setting a Hearing on an Ordinance Creating the City of Grand Junction Rimrock Marketplace General Improvement District** **Attach 5**

First reading of the ordinance to create a general improvement district for Rimrock Marketplace that will lead to an election in November of 2001 of effected property owners (only the owners and developers of Rimrock) to issue Special Assessment Bonds to cover costs of public improvements at the development site. These improvements are estimated to cost \$2.8 million.

Proposed Ordinance Creating the City of Grand Junction Rimrock Marketplace General Improvement District; and Providing Other Details Relating Thereto

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for August 1, 2001

Staff Presentation: Ron Lappi, Director of Administrative Services
Dan Wilson, City Attorney

6.*** **Executive Session Procedures** **Attach 9**

HB 01-1359 amended the Colorado Open Meetings Law and Open Records Act relative to executive sessions. Staff has drafted a set of procedures, including sample motions and forms, to assist City Council.

Action: Adopt the Procedures and Forms for Use for Executive Sessions

Staff presentation: John Shaver, Assistant City Attorney

7. *** **Downtown Parking Fees and Fines**

Attach 10

The Resolution authorizes and directs staff to purchase and install 139 additional meters and change the time limits of other meters as requested by the DDA. Change the one and two hour meters from 25 cents and hour to 50 cents, the four and ten hour meters to 10 cents per hour from 5 cents per hour. Additionally they recommend the formal adoption of an annual parking pass program at \$300 a year, to be restricted to use at four and ten hour meters. Fines for overtime parking to be increased from \$3 to \$10 and other restricted parking from \$5 to \$15. The only other change is a recommendation to increase all fines by \$10 per week the violation remains unpaid instead of the past practice of all fines doubling each week. With the higher proposed fines to start with staff believes this change is appropriate. All changes in fines and fees are to become effective no earlier than 1/01/02, to allow time for education and implementation.

Resolution No. 71-01 - A Resolution Adopting the Municipal Court Fine Schedule for Overtime Parking, Restricted Parking and Handicapped Parking Violations and Setting Meter Rates

**Action: Adopt Resolution No. 71-01*

Staff presentation: Barbara Creasman, DDA Director
Ron Lappi, Administrative Services Director

8. *** **Condemnation of Property at Southeast Corner of 29 Road and North Avenue**

Attach 11

As part of the 29 Road reconstruction a small area of land is needed from the property located at the SE corner of the intersection of 29 Road and North Avenue. City staff has negotiated in good faith with the owner and has made a final offer for the acquisition of the land. The owner and the City have been unable to agree on terms.

Resolution No. 72-01 - 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. 72-01*

Staff presentation: John Shaver, Assistant City Attorney

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

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

10. **Storm Event and Storm Water and Sewage Flows**

Staff will present additional information on the storm water and sewage flows that occurred during the last Tuesday and Saturday storm events. There are citizens that wish to speak on this issue.

Staff presentation: Greg Trainor, Utilities Manager

10. **Public Hearing - Laser Junction Annexation, Located at 2547 River Road** [File #ANX-2001-099] **Attach 6**

Referral of petition to annex and second reading of the annexation ordinance for the Laser Junction Annexation located at 2547 River Road and includes a portion of the River Trail. The 3.606-acre Laser Junction Annexation consists of one parcel of land.

a. Resolution Accepting Petition

Resolution No. 70–01 – A Resolution Accepting a Petition for Annexation, Making Certain Findings and Determining Property Known as the Laser Junction Annexation Located at 2547 River Road Including a Portion of the River Trail, is Eligible for Annexation

Action: Adopt Resolution No. 70–01

b. **Ordinance Annexing**

Ordinance No. 3357 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Laser Junction Annexation, Approximately 3.606 Acres Located at 2547 River Road and including a portion of the River Trail

Action: Adopt Ordinance No. 3357 on Second Reading

Staff presentation: Pat Cecil, Development Services Supervisor

11. Public Hearing - Zoning Laser Junction Annexation to I-1 and CSR, Located at 2547 River Road [File #ANX-2001-099] Attach 7
CONTINUED FROM THE JULY 11, 2001 MEETING

Request to zone the Laser Junction Annexation to I-1 and CSR, located at 2547 River Road and including a portion of the River Trail. This approximately 3.606-acre annexation consists of one parcel of land.

Ordinance No. 3358 – An Ordinance Zoning Laser Junction Annexation to I-1 and CSR, Located at 2547 River Road Including a Portion of the River Trail

**Action: Adopt Ordinance No. 3358 on Second Reading*

Staff presentation: Pat Cecil, Development Services Supervisor

12. Update from "STEAM" for the Public Service Steam Plant Property Attach 8

"STEAM" will update City Council on the status of this project for the steam plant property.

Action: Decision on Update

Staff presentation: Tim Woodmansee, Real Estate Manager

13. NON-SCHEDULED CITIZENS & VISITORS

14. OTHER BUSINESS

15. ADJOURNMENT

EXHIBIT B
(Attach Affidavit of Publication)
PETITION
FOR THE ORGANIZATION OF A GENERAL IMPROVEMENT DISTRICT
IN CITY OF GRAND JUNCTION, COLORADO

We, the undersigned, who electors in the general improvement district proposed herein, hereby petition the City Council (the "Council") of City of Grand Junction, Colorado (the "City") for the organization of a general improvement district within the City, pursuant to Part 6, Article 25, Title 31, Colorado Revised Statutes. In support of this petition, we state as follows:

1. The proposed general improvement district shall be located within the City, and the name of the proposed general improvement district is "City of Grand Junction Rimrock Marketplace. General Improvement District."

2. A general description of the improvements to be acquired, constructed, installed, operated, or maintained or the services to be provided within and for the district is as follows:

the construction of public roadways, including sidewalks, access and related parking improvements, landscaping, irrigation, site and traffic lighting within the right of way, and drainage improvements.

3. The estimated cost of the proposed improvements is \$2,800,000.

4. The proposed general improvement district encompasses approximately 53 acres within the City. The proposed district includes property, which is generally located as follows:

The legal description of the boundaries of the proposed district are Lot 1, Rimrock Marketplace as recorded in Plat Book 16, at page 2 & 3 of the Mesa County Records. A map of the boundaries of the district is attached hereto as Exhibit 1.

5. The undersigned petitioners for the organization of the proposed general improvement district name the following three electors of the district to represent them in the organization of the district and to enter into agreements relating to the organization of the district (which agreements shall be binding on the district, if created):

(a) Thomas C. Volkmann
371 McFarland Court
Grand Junction, Co 81501

(b) Susan M. Volkmann
371 McFarland Court
Grand Junction, Co 81501

(c) John P. Gormley
361 Music Lane
Grand Junction, CO 81506

6. The persons who have signed this petition own 100% of the taxable real property located in the proposed district.

WHEREFORE, we request that the above-described City of Grand Junction, Rimrock Marketplace General Improvement District be organized in accordance with Part 6, Article 25, Title 31, Colorado Revised Statutes, and all other statutes and laws of the State of Colorado amendatory thereof or supplemental thereto, and ask the City Council to take all steps and procedures required by law for the organization of said district; and request that, pursuant to Section 31-25-607(3.5), Colorado Revised Statutes, the City Council waive all the requirements for notice, publication and a hearing set forth in Sections 31-25 -606 and 31-25 -607, Colorado Revised Statutes , and for the organizational bond set forth in Section 31-25-605, Colorado Revised Statutes, and adopt an ordinance declaring the district organized.

Elector Signature Page to the Petition
for the Organization of a General Improvement District
in City of Grand Junction, Colorado

Name	Address of Residence	Signature
Thomas C. Volkmann	371 McFarland Court Grand Junction, Co 81501	_____
Susan M. Volkmann	371 McFarland Court Grand Junction, Co 81501	_____
John P. Gormley	361 Music Lane Grand Junction, CO 81506	_____

"Elector of a district" means a person who, at the designated time or event, is qualified to register to vote in general elections in this state and:

(a) Has been a resident of the district or of the area to be included in the district for not less than thirty days; or

(b) Owns, or whose spouse owns, taxable real or personal property within the district or within the area to be included within the district, whether the person resides within the district or not.

Property Owner Consent to Inclusion
in a General Improvement District
in City of Grand Junction, Colorado

Name	Mailing Address	Signature
THF Belleville, LP	2127 Innerbelt Business	
By: TH F Belleville In c. a Missouri		
a Missouri Center Corporation, General Partner		
Limited Partnership Saint Louis, MO 63114		
By: _____		
Michael K. Staenberg		
Its President		

EXHIBIT I

(Attach map of boundaries for proposed
City of Grand Junction Rimrock Marketplace
General Improvement District)

Rimrock Marketplace

Legal Description:

Parcel 1:

A parcel of land in the Northeast Quarter of Section 15, and the Southeast Quarter of the Southwest Quarter of Section 10, T1S, R1W of the UM, being more particularly desc'd as follows: Beg at the North Quarter Cor of Sec 15, T1S, R1W, UM, whence the CN 1/16 Cor of said Sec 15 bears S 00°06'33"E, a dis of 1325.14' for a basis of bearings with all bearings being relative thereto; Thence S 00°06'33"E, along the East line of the NE1/4 NW1/4 of said Sec 15, a dis of 691.14'; Thence S 89°53'27" W, a dis of 33.0' to the SE corner of Lot 1, Rimrock Marketplace Subdivision; Thence N 00°06'33" W, along the East Line of said Lot 1, a dis of 691.34'; Thence N 00°04'20"E, continuing along said E ln, a dis of 130.0'; Thence S 89°46'00"E, a distance of 33.0', to a pt on the E ln of SE1/4 SW1/4 of Sec 10; Thence S 00°04'20"W, along said E ln, a distance of 130.0' to the POB. The above described parcel contains 0.622 acres.

Parcel 2:

Lot 1 Rimrock Marketplace, as recorded in plat Bk 16, at Pg. 2 & 3, Mesa County records. Said lot contains 52.905 acres as measured.