

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

WEDNESDAY, SEPTEMBER 18, 2002, 7:30 P.M.

CALL TO ORDER

Pledge of Allegiance
Invocation - Rocky Shrable, Sonrise Church of God

APPOINTMENTS

TO THE STORMWATER STEERING COMMITTEE

PRESENTATION OF CERTIFICATE OF APPOINTMENTS

TO THE PLANNING COMMISSION BOARD OF APPEALS MEMBER AND 2ND
ALTERNATE TO PLANNING COMMISSION

TO URBAN TRAILS COMMITTEE MEMBERS

SCHEDULED CITIZEN COMMENTS

David Cruse Regarding Revocation of Planning Clearance

[Attach 1](#)

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

1. **Minutes of Previous Meeting**

[Attach 2](#)

Action: Approve the Minutes of the September 4, 2002 Regular Meeting

2. **Selenium Water Quality Trading Grant and Approval of the Cooperative Agreement**

[Attach 3](#)

Resolution accepting the award of the EPA Selenium Water Quality Trading Project Grant Application in the amount of \$75,000.
Resolution No. 85-02 – A Resolution Authorizing a Cooperative Agreement Between the City of Grand Junction and the United States Environmental

This agenda is intended as a guideline for the City Council. Items on the agenda are subject to change as is the order of the agenda.

*** Indicates New Item

* Requires Roll Call Vote

Protection Agency Whereby the City of Grand Junction Receives \$75,000 in Grant Funding from the EPA for the Study of Selenium and Other Water Quality Parameters in the Grand Valley

**Action: Adopt Resolution No. 85-02*

Staff presentation: Eileen List, Environmental Compliance Coordinator

3. **Setting a Hearing for Assessing for Alley Improvement District No. 2002**

[Attach 4](#)

Improvements to the following alleys have been completed as petitioned by a majority of the adjoining property owners:

- East/West Alley from 2nd to 3rd, between Hill Avenue and Gunnison Avenue
- East/West Alley from 3rd to 4th, between Hill Avenue and Teller Avenue
- East/West Alley from 4th to 5th, between Colorado Avenue and Ute Avenue
- East/West Alley from 11th to 12th, between Grand Avenue and Ouray Avenue
- East/West Alley from 12th to 13th, between Kennedy Avenue and Bunting Avenue
- East/West Alley from 15th to 16th, between Hall Avenue and Texas Avenue
- "T" shaped Alley from 7th to Cannell, between Kennedy Avenue and Bunting Avenue

Proposed Ordinance Approving the Assessable Cost of the Improvements Made in and for Alley Improvement District No. ST-02 in the City of Grand Junction, Colorado, Pursuant to Ordinance No. 178, Adopted and Approved the 11th Day of June, 1910, as Amended; Approving the Apportionment of Said Cost to Each Lot or Tract of Land or Other Real Estate in Said District; Assessing the Share of Said Cost Against Each Lot or Tract of Land or Other Real Estate in Said District; Approving the Apportionment of Said Cost and Prescribing the Manner for the Collection and Payment of Said Assessment

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for October 16, 2002

Staff presentation: Rick Marcus, Real Estate Technician

4. **Subrecipient Contract with HomewardBound of the Grand Valley, Inc. for the City's 2002 Program Year Community Development Block Grant Program**

[Attach 5](#)

The Subrecipient Contract formalizes the City's award of \$10,000 to HomewardBound of the Grand Valley, Inc. (HBGV) for purchase of bunk beds for the Community Homeless Shelter located at 2853 North Avenue. These funds were allocated from the City's 2002 Community Development Block Grant (CDBG) Program.

Action: Authorize the City Manager to Sign the Subrecipient Contract with HBGV for the City's 2002 Program Year, Community Development Block Grant Program

Staff presentation: Kristen Ashbeck, Senior Planner

5. **Setting a Hearing on ISRE Annexation No. 2 Located at 2980 D-1/2 Road**
[File #ANX-2002-176] [Attach 6](#)

Resolution for Referral of Petition to Annex/First Reading of the Annexation Ordinance/Exercising Land Use Jurisdiction immediately for the ISRE Annexation No. 2, a parcel of land located at 2980 D-1/2 Road. This 6.27-acre annexation consists of a single parcel of land and a portion of the D-1/2 Road right-of-way.

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

Resolution No. 86-02 - 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 ISRE Annexation No. 2, Located at 2980 D-1/2 Road and Including a Portion of the D-1/2 Road Right-Of-Way

**Action: Adopt Resolution No. 86-02*

b. Set a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, ISRE Annexation No. 2, Approximately 6.27 Acres Located at 2980 D-1/2 Road and Including a Portion of the D-1/2 Road Right-Of-Way

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for November 6, 2002

Staff presentation: Kristen Ashbeck, Senior Planner

6. **Setting a Hearing on the Dakota West Annexation Located at 3088 and 3090 D ½ Road** [File #ANX-2002-168] [Attach 7](#)

The Dakota West Annexation area consists of three parcels of land, approximately 10.91 acres in size. A petition for annexation has been presented as part of a Preliminary Plan, in accordance with the 1998 Persigo Agreement with Mesa County. The physical addresses for the properties are 3088 and 3090 D ½ Road.

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

Resolution No. 87-02 – 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 Jurisdiction, Dakota West Subdivision, Located at 3088 & 3090 D ½ Road

**Action: Adopt Resolution No. 87-02*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Dakota West Subdivision, Approximately 10.9105 Acres, Located at 3088 & 3090 D ½ Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for November 6, 2002

Staff Presentation: Lori V. Bowers, Senior Planner

7. **Setting a Hearing on Rezoning the Property at the Southeast Corner of Patterson Road and 12th Street for City Market** [File #RZ-2002-118] [Attach 9](#)

City Market is requesting a rezoning of approximately 8.26 acres from the Neighborhood Business (B-1) District and the Residential Multiple Family – 8 (RMF-8) District to the Planned Development (PD) District. The Planning Commission, on August 27, 2002, recommended approval of the zoning to the City Council.

Proposed Ordinance Rezoning 8.26 Acres of Land Located at the Southeast Corner of the Intersection of Patterson Road and 12th Street from B-1 and RMF-8 to PD (City Market)

Action: Adopt Proposed Ordinance and Set a Public Hearing for October 2, 2002

Staff presentation: Pat Cecil, Development Services Supervisor

8. **2002 Colorado Methamphetamine Enforcement Program Grant** [Attach 10](#)

The Bureau of Justice Assistance through the Colorado Department of Public Safety is offering grant funding to help law enforcement agencies protect peace officers involved in clandestine methamphetamine (meth) lab investigations against hazardous materials and to provide the tools for effective investigative work. The intent of this program is to address meth problems in Western Colorado.

Action: Authorization to Apply for this Methamphetamine Enforcement Program Grant in the Amount of \$120,933

Staff presentation: Greg Morrison, Chief of Police

9. **Setting a Hearing on Issuing \$1.6 Million in Private Activity Bonds** [Attach 11](#)

TOT, LLC has requested the use of the City's Private Activity Bond allocation. The use will allow TOT, LLC to finance a portion of their construction of a manufacturing facility for Pyramid Printing through adjustable rate revenue bonds. This ordinance authorizes the issuance of \$1.6 million in PABs in 2002.

Proposed Ordinance Authorizing the Issuance and Sale of City of Grand Junction, Colorado, Adjustable Rate Revenue Bonds (Pyramid Printing, Inc. Project), Series 2002, in the Aggregate Principal Amount Not to Exceed \$1,600,000 and Series 2003, in the Aggregate Principal Amount Not to Exceed \$1,600,000; Making Determinations as to Sufficiency of Revenues and as to Other Matters Related to the Project and Approving the Form and Authorizing the Execution of Certain Documents Relating Thereto

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for October 2, 2002

Staff presentation: Ron Lappi, Administrative Services Director

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

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

10. **Setting a Hearing on the Kresin Annexation, 2052 South Broadway** [File #ANX-2002-157] (The Applicant has requested to withdraw petition)

[Attach 8](#)

The Kresin Annexation is an annexation comprised of 1 parcel of land located at 2052 South Broadway, comprising a total of 8.2013 acres. The petitioner is seeking annexation as part of a request for Preliminary Plan approval pursuant to the 1998 Persigo Agreement with Mesa County.

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

Resolution No. 88-02 - 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, Kresin Annexation Located at 2052 South Broadway

**Action: Adopt Resolution No. 88-02*

b. Set a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Kresin Annexation, Approximately 8.2013 Acres Located at 2052 South Broadway

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for November 6, 2002

Staff presentation: Pat Cecil, Development Services Supervisor

11. **Change Order to Construction Contract for Redlands Village Northwest Sewer Improvement District for Relocation of Proposed Sewer Lift Station**

[Attach 12](#)

Change order on the current contract with Sorter Construction for Redlands Village Northwest Sewer Improvement District in the amount of \$75,335.50 for relocation of the currently proposed Redlands Village North lift station to a point that will allow the station to serve a much larger drainage basin as well as appropriate funds for future extension of sewer up Limekiln Gulch.

Action: Authorize the City Manager to Execute a Change Order to the Redlands Village Northwest Sewer Improvement District Construction Contract with Sorter Construction in an Amount of \$75,335.50

Staff presentation: Trent Prall, Utility Engineer

12. **Public Hearing – Gerick Annexation, Located at 324 Quail Drive** [File #ANX-2002-136] [Attach 13](#)

Resolution for acceptance of the petition to annex and second reading of the annexation ordinance for the Gerick Annexation located at 324 Quail Drive. The annexation consists of 4.5293 acres on one parcel of land.

The petitioner is seeking annexation as part of their request for an administrative review of a simple subdivision, pursuant to the 1998 Persigo Agreement with Mesa County.

a. Accepting Petition

Resolution No. 89-02 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as Gerick Annexation is Eligible for Annexation Located at 324 Quail Drive

**Action: Adopt Resolution No. 89-02*

b. Annexation Ordinance

Ordinance No. 3452 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Gerick Annexation Approximately 4.5293 Acres Located at 324 Quail Drive

**Action: Adopt Ordinance No. 3452 on Second Reading*

Staff presentation: Ronnie Edwards, Associate Planner

13. **Public Hearing – Zoning the Gerick Annexation Located at 324 Quail Drive**
[File # ANX-2002-136] [Attach 14](#)

The Gerick Annexation is one parcel of land consisting of 4.5293 acres located at 324 Quail Drive. The petitioner is requesting a zone of Residential Single Family with a density not to exceed one unit per acre (RSF-1), which conforms to the Growth Plan Future Land Use Map. Planning Commission recommended approval at its August 13, 2002 meeting. The owners have signed a petition for annexation as part of a proposed simple subdivision, which is an administrative review.

Ordinance No. 3453 - An Ordinance Zoning the Gerick Annexation to Residential Single Family with a Density Not to Exceed One Unit Per Acre (RSF-1) Located at 324 Quail Drive

**Action: Adopt Ordinance No. 3453 on Second Reading*

Staff presentation: Ronnie Edwards, Associate Planner

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

15. **OTHER BUSINESS**

16. **EXECUTIVE SESSION:** For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, relative to amending existing contracts under C.R.S. section 24-6-402(4)(e) and to consult with the City Attorney under C.R.S. 24-6-402(4)(b) and receive legal advice in regards to the Persigo agreement.

17. **ADJOURNMENT**

**Attach 1
Revocation of Planning Clearance**

September 11, 2002

Grand Junction City Council
250 North 5 Street
Grand Junction, CO 81501

RE: David Cruse, 743 23 Road, Grand Junction, CO 81505

On May 9, 2002 I attended a general meeting with Lori Bower and Eric Hahn for a permit for equipment yard and mobile home placement. Ms Bower and Mr. Hahn that I could live on this property if I farmed the property informed me at this meeting. I have began cleaning up the property and plowing for farming.

On May 10, 2002 I received planning clearance with the City of Grand Junction by paying the \$10.00 fee in cash. And I applied for permit to build, had the radon survey and sewer inspection.

I was notified of approval for building permit and picked up the permit after paying \$75.00 on May 22, 2002.

I moved mobile home onto property on May 24, 2002, Mesa County Inspectors came on May 27, 2002. The Inspectors cleared electrical inspection, gas received approval, water line to be changed to copper or cpvc pipe and additional blocks inserted. I began work on both cleaning up property as well as farming.

July 8, 2002 I received notification that the clearance was revoked. The letter states the reason being permanent foundation requirements. The Inspector waived the permanent foundation requirement (see report). My mobile home sits on the site of the previous mobile home on property.

July 8, 2002 Code Enforcement Officials posted a notice that I did not have planning clearance.

My plea to you is to over see this matter. I believed I had all permits and planning clearance in order. This is my home and livelihood and any assistance from you to help me remedy this situation would be appreciated.

I request a place on the agenda at your next meeting.

Sincerely,



David Cruse.

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



July 5, 2002

David Cruse
743 23 Road
Grand Junction, CO 81505

Via Certified Mail Return Receipt Requested and Hand Delivery

Re: 743 23 Road-Revocation of Planning Clearance

Dear Mr. Cruse:

It has come to my attention that the permit for a manufactured home at 743 23 Road, Grand Junction was issued on inaccurate and/or incomplete information. In particular the applicant represented that the new home replaced another manufactured home formerly on the property. Because of that representation a permanent foundation and other Zoning and Development Code requirements were not imposed. A copy of the permit is attached. Please note that the signer of the application is acknowledging that the information contained therein is correct. Furthermore, the form provides that legal action may be taken; that action includes disallowing occupancy.

Grand Junction Code Enforcement recently became aware that this permit was issued. Code Enforcement has specifically confirmed that there has never been a manufactured home on the property. Code Enforcement maintains records from 1996 to the present. Those records disclose the existence of a camping/recreational vehicle on the site but not a manufactured home. A camping/recreational vehicle is not allowed for residential purposes and the replacement of that with a manufactured home does not satisfy the Code.

Section 3.8A.3b(3) of the Grand Junction Zoning and Development Code provides that "removal of a non-conforming mobile home or manufactured home, not in a mobile home park, from its foundation or pad for a continuous period of twelve (12) months shall constitute abandonment of the use and placement of a new unit must comply with the provisions of this Code." Because the permit allowed for the replacement of a manufactured home when none existed it is void.



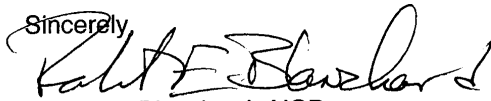
Printed on recycled paper

After consultation with Assistant City Attorney John Shaver I am writing to formally revoke the Planning Clearance and declare it void. You may not lawfully occupy the home nor shall it be sold or offered for sale with the underlying realty unless and until proper permitting has been issued, which will include but not be limited to the construction of a foundation, proper connection of water and sanitary facilities and the satisfaction of all Zoning, Building and other applicable Code requirements.

Any additional work that you perform or investment that you make is done at your sole cost and jeopardy; there is no guarantee that the necessary approvals will be made. If you do not take immediate action to satisfy the law the City may order the home to be removed or reconstructed to meet current Code requirements.

If you have questions, please call me at 244-1430.

Sincerely,



Robert E. Blanchard, AICP
Director of Community Development

cc: Nina McNally, Code Enforcement Officer
John Shaver, Assistant City Attorney
Bob Lee, Mesa County Building Department



CITY OF GRAND JUNCTION

Code Enforcement Division
2549 River Road ~ Grand Junction, CO 81501
(970) 244-1593 ~ FAX (970) 256-4114

DAVID CRUSE
743 23 RD
GRAND JCT CO 81505

LOCATION OF VIOLATION: 743 23 RD
PARCEL NO. 2701-314-00-2109
CASE NO. 02-8818

NOTICE OF VIOLATION

I have this day inspected the property at the above location and find violation(s) of City of Grand Junction Municipal Code of Ordinances/Zoning and Development Code, as follows:

___ JUNK/JUNK VEHICLES: Unlawful storage of junk, including but not limited to, wood products, appliances, rubber or plastic products, abandoned household goods, dismantled or inoperable machinery, equipment, tools, junk vehicles or building materials. (Municipal Code Sec. 16)

___ WEEDS/RUBBISH: Unlawful accumulation of weeds and/or rubbish, including but not limited to weeds/brush over 6" in height or cut and not removed from the property and/or bottles, cans, unusable household furnishings or appliances, cardboard, tree branches and limbs, waste building materials and other discarded items. (Municipal Code Sec. 16)

X OTHER: MFG. HOME NO PLANNING CLEARANCE
CODE SEC. 2.1

You may correct the violation(s) within ten (10) days of receipt of this Notice to avoid further legal action. If you have questions regarding correction of the violation or require further information, contact the City of Grand Junction Code Enforcement Division at 244-1593.

You may request an administrative hearing if done within ten (10) days of the receipt of this Notice. If a hearing is not requested and the violation(s) are not corrected during the specified time period, a **summons to Municipal Court may be issued**. Violations of Municipal Code Sec. 16 (Junk and Rubbish) may be removed at owner's expense.

INSPECTED BY *S. Monally*
Code Enforcement Officer

DATE 7-8-02

SEE \$ <u>10.00</u>
TCP \$ <u>0</u>
SIF \$ <u>0</u>

PLANNING CLEARANCE
 (Single Family Residential and Accessory Structures)
Community Development Department

BLDG PERMIT NO. 84519



Your Bridge to a Better Community

BLDG ADDRESS 743-23 Rd. SQ. FT. OF PROPOSED BLDGS/ADDITION 910
 TAX SCHEDULE NO. 2701-314-00-209 SQ. FT. OF EXISTING BLDGS old mobile to be removed
 SUBDIVISION _____ TOTAL SQ. FT. OF EXISTING & PROPOSED 1000
 FILING _____ BLK _____ LOT _____ NO. OF DWELLING UNITS:
 Before: 1 After: _____ this Construction
 NO. OF BUILDINGS ON PARCEL
 Before: 1 After: _____ this Construction
 (1) OWNER Evelyn M. Bowing
 (1) ADDRESS P.O. Box 364 Glenwood Springs CO 81602
 (1) TELEPHONE 970-963-2639 USE OF EXISTING BUILDINGS none
 (2) APPLICANT David Cruse DESCRIPTION OF WORK & INTENDED USE Farming
 (2) ADDRESS 743 23 Rd. TYPE OF HOME PROPOSED:
 (2) TELEPHONE 970-242-5124 Site Built Manufactured Home (UBC)
 Manufactured Home (HUD)
 Other (please specify) _____

REQUIRED: One plot plan, on 8 1/2" x 11" paper, showing all existing & proposed structure location(s), parking, setbacks to all property lines, ingress/egress to the property, driveway location & width & all easements & rights-of-way which abut the parcel.

THIS SECTION TO BE COMPLETED BY COMMUNITY DEVELOPMENT DEPARTMENT STAFF

ZONE T-2 Maximum coverage of lot by structures NA
 SETBACKS: Front 15/25 from property line (PL) Permanent Foundation Required: YES _____ NO
 or _____ from center of ROW, whichever is greater Parking Req't PERMANENT FOUNDATION NOT REQUIRED
 Side 0/0 from PL, Rear 10/10 from PL Special Conditions PER SECTION 3.8.A.3.D.3.
 Maximum Height 40 CENSUS _____ TRAFFIC _____ ANNEX# BT 5-22-02

Modifications to this Planning Clearance must be approved, in writing, by the Community Development Department. The structure authorized by this application cannot be occupied until a final inspection has been completed and a Certificate of Occupancy has been issued, if applicable, by the Building Department (Section 305, Uniform Building Code).

I hereby acknowledge that I have read this application and the information is correct; I agree to comply with any and all codes, ordinances, laws, regulations or restrictions which apply to the project. I understand that failure to comply shall result in legal action, which may include but not necessarily be limited to non-use of the building(s).

Applicant Signature David Cruse Date 5-9-02
 Department Approval Pat Bushman Date 5-10-02
As per Rori Bouwers

Additional water and/or sewer tap fee(s) are required:	YES	NO <input checked="" type="checkbox"/>	W/O No. _____
Utility Accounting	<u>Tracy Steyer</u>		Date <u>5/9/02</u>

VALID FOR SIX MONTHS FROM DATE OF ISSUANCE (Section 9-3-2C Grand Junction Zoning & Development Code)

(White: Planning) (Yellow: Customer) (Pink: Building Department) (Goldenrod: Utility Accounting)

GENERAL MEETING INFORMATION

In order for City development review staff to provide you adequate information regarding application(s) and approval(s) required to implement your proposal, the following information must be supplied:

1. Name of Applicant: David Cruise
 Address: 755 23 rd

 Telephone: 242 5121 x 250 4093006
2. Site Address: 793 23 rd
3. Assessor's Parcel #: _____
4. Lot/Parcel Size: 17.97 acres
5. Current Use: vacant
6. Existing Structures on Site: none (old barn will demo)
7. General Description of the proposal: SKR 30 a trailer lot +
water main access + storage yard / retail sales
for farm equipment

OFFICE USE ONLY	
General Meeting Date/Time:	<u>Thursday May 9 @ 3:00 pm</u>
Assigned Planner:	<u>Lois P. Pitt</u>
Site Zoning:	<u>F-2</u>
Land Use Map Designation:	North: _____ East: _____ South: _____ West: _____
Related Files/Projects:	_____
Comments:	_____

The following additional information would be helpful to have at the General Meeting in order for the City development review staff to identify potential issues and development improvements that may be associated with your proposal:

1. A sketch plan showing the following:
 - a. The general configuration of the property.
 - b. The location of driveways (existing and/or proposed).
 - c. Existing and/or proposed structures.
 - d. Any on-site drainage facilities.
 - e. Existing and/or proposed paved or graveled areas.
 - f. Any existing landscaping improvements.
 - g. The location of any easements on the property.
2. Identification of providers of the following utility services to the property:
 - a. Water: UTE water
 - b. Sewer: septic tank
 - c. Drainage District: Grand Valley Drainage Dist
 - d. Irrigation District: Grand Valley Irrigation

(White - Planner)

(Yellow - Planning Tech)

(Pink - Applicant)

16416

City of Grand Junction
 Department of Community Development



Your Bridge to a Better Community

Date 5-10-02
 Payee Name Kaanda Cruise
 Address, City, State, Zip 743 23rd
 Telephone 242-5121
 Project Address/File/Name park

* PLEASE CIRCLE ALL THAT APPLY

DESCRIPTION *	AMT	DESCRIPTION *	AMT
DEVELOPMENT PROJECTS		PERMITS	
100-321-43195-13-109465 (DEV)		100-321-43195-13-124415 (PERMIT)	
Rezone		Temporary Use Permit	
Conditional Use		Floodplain Permit	
Special Use		Sign Permit (#)	
Major Sub-ODP, Prelim, Final		Special Events Permit (#)	
Simple Subdivision		Fence Permit (#)	
PDR - ODP, Prelim, Final		Home Occupation Permit	
ROW / Easement Vacation			
Replat / Property Line Adj		OTHER	
Variance		School Impact 701-905-43994 (SLD)	
Site Plan Review		Drainage 202-61314-43995-30 (DRAIN)	
Minor Change		TCP 2071-61314-43993-30 (TCP)	
Change of Use		Sign Dep 100-21090-131840 (SIGN)	
PLANNING CLEARANCE (# 1)	10	Manuals, Copies, etc.	
100-321-43195-13-124450 (PLAN)		100-321-43195-13-120515 (MANUAL)	

PB Treasurer Receipt No. 103218 TOTAL \$ 10.00

(White: Customer) (Canary: Finance) (Pink: Planning) (Goldenrod: File)

PERMIT TO BUILD

MESA COUNTY PUBLIC WORKS DEPARTMENT
BUILDING INSPECTION DIVISION

DATE: _____

VALUE: _____

PERMIT TYPE: _____

PERMIT NUMBER: _____

- MESA COUNTY _____
- COLLBRAN _____
- DEBEOUE _____
- FRUIT A _____
- GRAND JCT _____
- PAUISADE _____

OWNER: Paul House MOBILE HOME TAX ID NO: _____

PROJECT ADDRESS: 742 27th St TAX SCHEDULE NUMBER: _____

SUBDIVISION: _____ LOT NO. _____ BLOCK NO. _____ FILING NO. _____

CONTRACTOR	ADDRESS	PHONE NUMBER	LICENSE NO.
DESCRIPTION OF WORK:			

REQUIRED DOCUMENTS:

RADON SURVEY: _____ SEWER: _____ SEPTIC PERMIT: _____ SEPTIC CLEARANCE _____
 FIRE DEPARTMENT CLEARANCE: _____ FOOD HANDLING: _____ PLANNING: _____

OCCUPANCY: _____

SPECIAL CONDITIONS: _____

ELECTRICAL CONTRACTOR _____	LICENSE NUMBER _____	VALUE _____
PLUMBING CONTRACTOR _____	LICENSE NUMBER _____	VALUE _____
MECHANICAL CONTRACTOR _____	LICENSE NUMBER _____	VALUE _____

MESA COUNTY USE TAX

EXEMPT _____ MONTHLY _____ ON COMPLETION _____
 EXEMPTION NUMBER _____
 I hereby acknowledge the USE TAX filing status noted above and agree to abide by the provisions and regulations of the COUNTY SALES AND USE TAX RESOLUTION MCM-81-199. I understand that I am responsible for maintaining adequate accounting records that are subject to audit for 3 years to substantiate my use tax return.

Paul House

CITY OF GRAND JUNCTION USE TAX

- USE TAX UPON PURCHASES OF ALL MATERIALS WHICH THE GRAND JUNCTION SALES TAX HAS NOT BEEN PAID. You may summarize by supplier on USE TAX FORM No. 116 the amount of materials used. This shall be done upon completion of the job and paid directly on the FINANCE DIRECTOR'S OFFICE.
- PAYMENT OF TAX DIRECTLY TO SUPPLIER. I hereby certify that all materials used in the above construction will be purchased within the city limits and the Sales Tax paid directly to the supplier. All purchase records and invoices will be retained for 3 years. I certify that the statements made herein are true and correct to the best of my knowledge.

X

I hereby acknowledge that the above information is correct to the best of my knowledge, and I agree to comply with all city or county ordinances regulating building construction.

Paul House
CONTRACTOR OWNER SIGNATURE

[Signature]
BUILDING DEPARTMENT SIGNATURE

PERMIT FEE 7500

PLANNING FEE 0

Attach 2

Minutes from Previous Meeting

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

September 4, 2002

The City Council of the City of Grand Junction convened into regular session on the 4th, day of September 2002, at 7:34 p.m. in the City Auditorium. Those present were Councilmembers Harry Butler, Dennis Kirtland, Bill McCurry, Janet Terry, Reford Theobold and President of the Council Cindy Enos-Martinez. Councilmember Jim Spehar was absent. Also present were City Manager Kelly Arnold, City Attorney Dan Wilson and City Clerk Stephanie Tuin.

President of the Council Cindy Enos-Martinez called the meeting to order. Councilmember McCurry led in the pledge of allegiance. The audience remained standing for the invocation by Jim Hale, Spirit of Life Christian Fellowship.

PROCLAMATIONS / RECOGNITIONS

PROCLAIMING SEPTEMBER 17 THROUGH 24, 2002 AS "CONSTITUTION WEEK" IN THE CITY OF GRAND JUNCTION

APPOINTMENTS

APPOINTMENT TO THE PLANNING COMMISSION BOARD OF APPEALS AND 2ND ALTERNATE TO PLANNING COMMISSION

Councilmember Theobold moved to appoint Travis Cox to the Planning Commission Board of Appeals for a term that expires October 2004, and as 2nd Alternate to the Planning Commission. Councilmember McCurry seconded the motion. Motion carried.

RATIFY APPOINTMENTS TO THE URBAN TRAILS COMMITTEE

Councilmember Terry moved to ratify the reappointments of Birgit Bostelman, Diana Cort and Timothy Fry and to appoint Walid Bou-Matar to the Urban Trails Committee for three-year terms. Councilmember Kirtland seconded the motion. Motion carried.

PRESENTATION OF CERTIFICATES OF APPOINTMENTS

TO RIVERFRONT COMMISSION MEMBERS

The Mayor presented Certificates of Appointment to William Findlay and John Gormley.

SCHEDULED CITIZEN COMMENTS

There were none.

CONSENT CALENDAR

It was moved by Councilmember McCurry, seconded by Councilmember Terry, and carried, to approve Consent Items #1 through #11.

1. **Minutes of Previous Meetings**

Action: Approve the Summary of the August 19, 2002 Workshop and the Minutes of the August 21, 2002 Regular Meeting

2. **Contract for Persigo Waterline Replacement**

Bids were received and opened on August 20, 2002 for the Persigo Waterline Replacement. The low bid was submitted by M.A. Concrete Construction, Inc. in the amount of \$352,449.00.

The bids were as follows:

Contractor	From	Schedule 1	Schedule 2	Total
Precision Excavation	Hayden, CO	\$497,874.35	\$ 91,203.10	\$589,077.45
Precision Paving	Grand Junction	\$460,633.50	\$114,203.10	\$574,836.60
Sorter Construction	Grand Junction	\$402,526.00	\$ 91,921.00	\$494,447.00
Schmueser & Assoc.	Rifle, CO	\$367,418.10	\$ 79,086.00	\$446,504.10
M.A. Concrete	Grand Junction	\$297,702.00	\$ 54,747.00	\$352,449.00
Engineer's Estimate		\$308,249.00	\$ 69,501.00	\$377,750.00

Action: Authorize the City Manager to Execute a Construction Contract for the Persigo Waterline Replacement with M.A. Concrete Construction, Inc. in the Amount of \$352,449.00

3. **Alley Improvement District 2002, and Giving Notice of a Hearing**

Improvements to the following Alleys have been completed as petitioned by a majority of the adjoining owners:

- East/West Alley from 2nd to 3rd, between Hill Avenue and Gunnison Avenue
- East/West Alley from 3rd to 4th, between Hill Avenue and Teller Avenue
- East/West Alley from 4th to 5th, between Colorado Avenue and Ute Avenue
- East/West Alley from 11th to 12th, between Grand Avenue and Ouray Avenue
- East/West Alley from 12th and 13th, between Kennedy Avenue and Bunting Avenue
- East/West Alley from 15th to 16th, between Hall Avenue and Texas Avenue
- "T" shaped Alley from 7th to Cannell, between Kennedy Avenue and Bunting Avenue

Resolution No. 80-02 – A Resolution Approving and Accepting the Improvements Connected with Alley Improvement District No. ST-02

Action: Adopt Resolution No. 80-02 and Set a Hearing for October 16, 2002

4. **Setting a Hearing on Zoning the Gerick Annexation Located at 324 Quail Drive** [File #ANX-2002-136]

The Gerick Annexation is one parcel of land located at 324 Quail Drive. The petitioner is requesting a zone of Residential Single Family with a density not to exceed one unit per acre (RSF-1), which conforms to the Growth Plan Future Land Use Map. Planning Commission recommended approval at its August 13, 2002 meeting.

Proposed Ordinance Zoning the Gerick Annexation to Residential Single Family with a Density Not to Exceed One Unit Per Acre (RSF-1), Located at 324 Quail Drive

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for September 18, 2002

5. **Setting a Hearing on the DM South Annexations #1 & #2 Located at 511 30 Road** [File #ANX-2002-138]

Resolution for Referral of Petition to Annex/First reading of the annexation ordinance/Exercising land use jurisdiction immediately for the DM South Annexations #1 & #2 located at 511 30 Rd. The 1.7327-acre DM South Annexation is a serial annexation consisting of one parcel of land and a portion of the 30 Road right-of-way.

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

Resolution No. 81-02 - 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 for the DM South Annexation, a Serial Annexation Comprising DM South Annex #1 and DM South Annex #2 and Including a Portion of the 30 Road Right-Of-Way, Located at 511 30 Road

Action: Adopt Resolution No. 81-02

b. Set a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, DM South Annexation #1, Approximately 0.0207 Acres, Located Near 511 30 Road Within 30 Road R.O.W.

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, DM South Annexation #2, Approximately 1.712 Acres, Located at 511 30 Road and Includes a Portion of 30 Road R.O.W.

Action: Adopt Proposed Ordinances on First Reading and Set a Hearing for October 16, 2002

6. **Setting a Hearing on Summit View Meadows Annexation Located at 3146 D ½ Road** [File #ANX-2002-153]

The 12.568-acre Summit View Meadows Annexation area consists of two parcels equal to 9.71 acres and 2.858 acres of right-of-way along D ½ Road. There is a single-family residence on one of the parcels being annexed, and the owner of the property has signed a petition for annexation.

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

Resolution No. 82-02 – 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 for Summit View Meadows Annexation Located at 3146 D ½ Road

Action: Adopt Resolution No. 82-02

b. Set a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Summit View Meadows Annexation No. 1, Approximately 0.1699 Acres, Right-Of-Way Located Along D ½ Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado Summit View Meadows Annexation No. 2, Approximately 0.5770 Acres, Right-Of-Way Located Along D ½ Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado Summit View Meadows Annexation No. 3, Approximately 11.8211 Acres, Located at 3146 D ½ Road

Action: Adopt Proposed Ordinances on First Reading and Set a Hearing for October 16, 2002

7. **Setting a Hearing on the Iles Annexation Located at 3080 D ½ Road** [File #ANX-2002-171]

The 5.854-acre Iles Annexation area consists of one parcel of land. There is a single-family residence on this lot, and the owner of the property has signed a petition for annexation.

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

Resolution No. 83-02- 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 for the Iles Annexation Located at 3080 D ½ Road

Action: Adopt Resolution No. 83-02

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado Iles Annexation, Approximately 5.854 Acres, Located at 3080 D ½ Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for October 16, 2002

8. **Two Rivers Convention Center Carpet**

This request is for the purchase and installation of Carpet Tiles, complete with coving and finish trim at Two Rivers Convention Center exhibition hall. Only one responsive, responsible bid was received.

Office Outfitters	Grand Junction	\$61,750.00
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Action: Authorize the City Purchasing Manager to Contract for Carpet and Installation at Two Rivers Convention Center from Office Outfitters, Grand Junction, Colorado in the Amount of \$61,750.00

9. **FAA Grant Agreement & Supplemental Co-Sponsorship for AIP-23 (Aircraft Rescue and Fire Fighting Vehicle)**

The Walker Field Public Airport Authority is requesting a grant from the FAA for the acquisition of an Aircraft Rescue and Firefighting Vehicle.

Action: Approve the Grant Agreement and Supplemental Co-Sponsorship Agreement for AIP-23 with the Federal Aviation Administration

10. **FAA Grant Agreement & Supplemental Co-Sponsorship for AIP-24 (Terminal Renovations)**

The Walker Field Public Airport Authority is requesting a grant from the FAA for Terminal Boarding Area Renovations (in conjunction with Transportation Security Administration (TSA) passenger screening point modifications), General Aviation Site Development and Taxiway Extension, and for the acquisition of Electronic Fingerprinting System.

Action: Approve the Grant Agreement and Supplemental Co-Sponsorship Agreement for AIP-24 with the Federal Aviation Administration

11. **FAA Grant Agreement & Supplemental Co-Sponsorship for AIP-26 (Cargo Site and Security Updates)**

The Walker Field Public Airport Authority is requesting a grant from the FAA for engineering and design services for (1) Air Cargo site development and access road relocation; and (2) Security Access System and Closed Circuit TV installation to meet federally mandated security requirements.

Action: Approve the Grant Agreement and Supplemental Co-Sponsorship Agreement for AIP-26 with the Federal Aviation Administration

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

Grant Application for Enforcement of Underage Drinking

The Colorado Department of Transportation and the Department of Public Safety are offering grant funding for projects aimed at reducing the availability and consumption of alcohol by minors. This grant is actually funded by the Department of Justice, Office of Juvenile Delinquency Prevention in Washington, D.C.

Greg Morrison, Chief of Police, reviewed this item. He pointed out that the grant will have no TABOR implications since it will be federal money. He identified the three components that will be included in the use of the money, if the grant is awarded.

Councilmember Terry asked about the difference between DARE and the new Alcohol Awareness Program. Chief Morrison stated that DARE targets 5th & 6th graders. The new program targets 8th, 9th & 10th graders.

Councilmember Terry asked Chief Morrison to speak about the program's successes. Chief Morrison said it is hard to measure prevention, but in going to the DARE graduations the kids and the parents support the program. Councilmember Terry said she was concerned that the kids that need to be reached are not being reached for education and prevention programs and wanted to know if enforcement is the only alternative. Chief Morrison said it is not known if the School District will mandate the student participation.

Councilmember Terry asked about educating parents. Chief Morrison said there is a component to educate those that might provide alcohol to underage persons.

Upon motion made by Councilmember Terry, seconded by Councilmember Butler, and carried by a roll call vote, Council authorized the City Manager to sign the Grant Application for an Underage Drinking Grant in the amount of \$107,219.

Intergovernmental Agreement with Grand Junction Rural Fire Protection District for the Fire Protection in the Redlands

A new intergovernmental agreement with the District to address fire protection in the existing District boundaries and in any overlay district formed as a result of the November ballot issue.

Dan Wilson, City Attorney, said he delivered the draft to Staff only today, and therefore a draft will be provided to Council prior to the Rural Fire District Board's next meeting, which is scheduled for September 10th. Then, by the time the voters are at the polls, they will know who will be responsible for what if the sub district is formed. The District will certify the ballot question to the County Clerk and Recorder on the 10th of September.

City Manager Kelly Arnold said this is the last opportunity for Council to voice concerns on the item being placed on the ballot. To his knowledge, the District has not yet coordinated with the County but City Staff will work with them to ensure the deadline is met.

Mr. Arnold advised Council that Fire Chief Beaty will respond to Councilmember Theobold's question on percentages. City Attorney Dan Wilson explained the memo he provided Council covering the Fair Campaign Practices Act, and he reviewed what Council can and cannot do under the law.

Mr. Wilson said a \$50 spending limit is imposed, Council can take a position, and can direct Staff to develop factual pro and con statements. He said the issue happens (the clocks starts), when the language of the ballot issue is approved by the board and sent to the County Clerk and Recorder, which is September 10th. He stated that non-managerial fire department employees are free to do what ever they want on their off time, but are naturally required to work for the City during their shift.

Fire Chief Rick Beaty addressed Councilmember Theobold's earlier question regarding the percentages of calls for the proposed new district in the Redlands. The results are 75% of the calls are in the District, 25% in the City. The assessed values for the area are 76% in the District, 24% in the City. Population distribution is 80% in the District, 20% in the City. Councilmember Theobold next asked about the cost sharing.

Ron Lappi, Administrative Services Director, stated that the cost sharing is 46% for the District and 54% for the City. Mr. Lappi said that the total operating cost for the full fire station would come to \$1,053,705, which will result in a cost share of \$488,297 for the District and \$565,408 for the City.

Councilmember Theobold noted that meant a \$200,000 a year difference in the cost sharing. Fire Chief Beaty said \$1.4 million would be the Rural District's new contract. Mr. Theobold noted that the District should be asking for a 19-mill levy in order for them to pay their fair share, and he wanted to know if that was discussed. Chief Beaty replied yes, and the Task Force decided against it since it could not sell that kind of increase to the voters. Councilmember Theobold pointed out that now City residents are subsidizing the fire station for use outside the City limits. Mr. Theobold then wanted to know who of the Councilmembers already knew about the subsidy. City Council President Cindy Enos-Martinez replied that two Councilmembers were on the Task Force.

City Manager Kelly Arnold informed Council that they had the discussion at a workshop where they discussed voter salability. He said 3/4 million dollars was already allocated for a downsized station that also will provide service to other areas.

Councilmember Terry said she knew about it and the Subdistrict proposal actually lowers the subsidy and therefore Council should support it.

Councilmember Kirtland commented that the City's subsidy might help show voters the City's commitment.

City Manager Kelly Arnold informed Council that the Rural Fire Board has also pledged to use their reserves for paying the contract for the balance of the District fire protection. He said Staff would get the Intergovernmental Agreement draft to Council as soon as possible.

There was no motion made.

Legal and Ethical Standards for Members Serving on City Boards and Commissions

Resolution adopting standards for advisory boards and City groups, as well as for the members of City Boards and Commissions that have final administrative decision-making duties.

Resolution No. 84-02 - A Resolution Clarifying the Ethical Standards for Members of the City's Boards, Commissions and Similar Groups

Dan Wilson, City Attorney, reviewed this item and recommended the adoption of the Resolution Alternative #2.

Councilmember Terry inquired about appointments like to the Riverview Technology Corporation and other jointly appointed boards and questioned if the standards for all members are the same.

Mr. Wilson supported an effort to get consensus from the other appointing bodies.

Councilmember Terry asked what happens if the other bodies do not agree. Mr. Wilson suggested removing those jointly appointed boards from the list. Council adopted Mr. Wilson's suggestion. Councilmember Butler said he would like the City appointees to be held to the higher standards. Those jointly appointed boards would be flagged for reconsideration if the other entities do not concur.

Upon motion made by Councilmember Terry, seconded by Councilmember Theobald, and carried by a roll call vote, Resolution No. 84-02 was adopted with the condition that the resolution would be forwarded to the other appointing bodies.

NON-SCHEDULED CITIZENS & VISITORS

There were none.

OTHER BUSINESS

There was none.

ADJOURNMENT

The City Council meeting adjourned at 8:35 p.m.

Stephanie Tuin, CMC
City Clerk

Attach 3
Selenium Water Quality Trading Grant
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Selenium Water Quality Trading Grant Resolution and approval of the EPA Cooperative Agreement						
Meeting Date	September 18, 2002						
Date Prepared	September 10, 2002				File #		
Author	Eileen List			Environmental Compliance Coordinator			
Presenter Name	Eileen List			Environmental Compliance Coordinator			
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Resolution accepting the award of the EPA Selenium Water Quality Trading Project Grant Application in the amount of \$75,000.

Budget: There are no matching fund requirements.

Action Requested/Recommendation: Authorize the City Manager to sign the cooperative agreement /award for the EPA Selenium Water Quality Grant Application and review and adopt the resolution accepting the EPA Grant in the amount of \$75,000.

Attachments:

1. Resolution

Background Information:

At the June 5 City Council meeting submittal of a grant application for \$75,000 in funding was approved for submittal to the Environmental Protection Agency (EPA). The grant proposal is for the study of selenium and other water quality parameters in the Grand Valley and resulting impacts of these parameters on the City of Grand Junction wastewater discharge into Persigo Wash. The grant is sole-source and to sub-recipient URS Corporation, who put together the original grant application to EPA and are recognized as national experts in the trading concept.

In late 2001 URS Corporation filed an application with the United States Environmental Protection Agency for an innovative study to investigate Selenium and potential water quality trading impacts on Colorado and Gunnison River segments affected by Selenium concentrations from irrigation practices. The City of Grand Junction and other Grand Valley entities were listed as cooperators in the study. EPA approved \$75,000 for the year 2002, but wanted the City of Grand Junction to be the grant recipient rather than URS Corporation.

The application and the grant have been awarded, but now we need City Council approval is needed for (1) award of the grant funding in the amount of \$75,000 and (2) adoption of the resolution as recipients of the grant funding. (See attached resolution).

RESOLUTION NO. _____

Authorizing a cooperative agreement between the City of Grand Junction and the United States Environmental Protection Agency whereby the City of Grand Junction receives \$75,000 in Grant Funding from the EPA for the study of selenium and other water quality parameters in the Grand Valley

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

1. The City Council hereby authorizes the City Manager to sign the Cooperative Agreement.
2. The City Council authorizes the expenditure of these funds for the study of selenium and other water quality parameters in the Grand Valley and the resulting impacts of these parameters on the City of Grand Junction wastewater discharge into Persigo Wash.

PASSED AND APPROVED this _____, 2002.

Cindy Enos-Martinez
President of the Council

ATTEST:

Stephanie Tuin
City Clerk

**Attach 4
Alley Improvement District No. 2002
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
Subject	1st Reading of a Proposed Assessing Ordinance for Alley Improvement District No. 2002						
Meeting Date	September 18th, 2002						
Date Prepared	September 6th, 2002					File #	
Author	Rick Marcus			Real Estate Technician			
Presenter Name	Rick Marcus			Real Estate Technician			
Report results back to Council	<input checked="" type="checkbox"/>	No		Yes	When		
Citizen Presentation	<input checked="" type="checkbox"/>	Yes		No	Name		
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda	<input checked="" type="checkbox"/>	Consent	Individual Consideration	

Summary: Improvements to the following alleys have been completed as petitioned by a majority of the adjoining property owners:

- East/West Alley from 2nd to 3rd, between Hill Avenue and Gunnison Avenue
- East/West Alley from 3rd to 4th, between Hill Avenue and Teller Avenue
- East/West Alley from 4th to 5th, between Colorado Avenue and Ute Avenue
- East/West Alley from 11th to 12th, between Grand Avenue and Ouray Avenue
- East/West Alley from 12th to 13th, between Kennedy Avenue and Bunting Avenue
- East/West Alley from 15th to 16th, between Hall Avenue and Texas Avenue
- “T” shaped Alley from 7th to Cannell, between Kennedy Avenue and Bunting Avenue

A public hearing is scheduled for October 16th, 2002

Budget:

2002 Alley Budget	\$346,000
Carry in from 2001 Budget	\$ 65,000
Estimated Cost to construct 2002 Phase A Alleys	\$397,290
Estimated Balance	\$ 13,710

Action Requested/Recommendation: Review and adopt proposed Ordinance.

Attachments: 1) Summary Sheets, 2) Maps, 3) Ordinance

Background Information: People's Ordinance No. 33 gives the City Council authority to create improvement districts and levy assessments when requested by a majority of the owners of the property to be assessed. These alleys were petitioned for reconstruction by more than 50% of the property owners. The proposed assessments are based on the rates stated in the petition, as follows: \$8 per abutting foot for residential single-family properties, \$15 per abutting foot for residential multi-family properties, and \$31.50 per abutting foot for non-residential uses.

The first reading of the proposed Assessing Ordinance is scheduled for the September 18th Council meeting. The second reading and public hearing is scheduled for the October 16th Council meeting. The published assessable costs include a one-time charge of 6% for costs of collection and other incidentals. This fee will be deducted for assessments paid in full by November 18, 2002. Assessments not paid in full will be turned over to the Mesa County Treasurer for collection under a 10-year amortization schedule with simple interest at the rate of 8% accruing against the declining principal balance.

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT

2ND STREET TO 3RD STREET GUNNISON AVENUE TO HILL AVENUE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
MICHAEL & MARCELLA VASQUEZ	50.00	\$ 8.00	\$ 400.00
• JASON & KARALEE PARSONS	50.00	\$ 8.00	\$ 400.00
• ROBERT MCGEE	50.00	\$ 8.00	\$ 400.00
• DONALD & BONNIE DAVIS	50.00	\$ 8.00	\$ 400.00
• ROBERT & EDWARD SMITHSON	50.00	\$ 8.00	\$ 400.00
DAVID & WENDY JEFFERS	50.00	\$ 8.00	\$ 400.00
ELUID & THELMA ARCHULETA	100.00	\$ 8.00	\$ 800.00
• SEAN & TERRY LARVENZ	50.00	\$ 8.00	\$ 400.00
LARRY LOY	50.00	\$15.00	\$ 750.00
MARIA SERAFINO-NOBLE	50.00	\$15.00	\$ 750.00
• GEORGE & CLARA BLANKA	50.00	\$15.00	\$ 750.00
• ALFONSO & LAURA ALIVA	50.00	\$15.00	\$ 750.00
ADAM BUNIGER & AMIE BURNS	50.00	\$ 8.00	\$ 400.00
• AARON & KAREN DEROSE	50.00	\$ 8.00	\$ 400.00
• BOB FAITH	50.00	\$ 8.00	<u>\$ 400.00</u>
TOTAL			\$7,800.00
ASSESSABLE FOOTAGE	800.00		

Estimated Cost to Construct \$ 42,750.00

Absolute Cost to Owners \$ 7,800.00

Estimated Cost to City \$ 34,950.00

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

- Indicates Property Owners Signing Petition = 9/15 or 60% of Owners & 56% of Abutting Footage

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT

**4TH STREET TO 5TH STREET
COLORADO AVENUE TO UTE AVENUE**

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
• DONNA & ROLLIN BITTING	24.46	\$31.50	\$ 770.49
• DONNA & ROLLIN BITTING	25.00	\$31.50	\$ 787.50
DALE & EVA PARK	50.00	\$31.50	\$1,575.00
• JOHN & MARIE WOHLFAHRT	25.00	\$31.50	\$ 787.50
BILLY & PATRICIA THOMPSON	75.00	\$31.50	\$2,362.50
JOANNE COSTANZO	25.00	\$31.50	\$ 787.50
WILLFRED SHEETZ	75.00	\$31.50	\$2,362.50
• DOWNTOWN DEVELOPMENT AUTHORITY	75.00	\$31.50	\$2,362.50
GEORGE & MONIKA TODD	25.54	\$31.50	\$ 804.51
• MUSEUM OF WESTERN COLORADO	200.00	\$31.50	\$6,300.00
• MUSEUM OF WESTERN COLORADO	200.00	\$31.50	<u>\$6,300.00</u>
TOTAL			\$25,200.00
ASSESSABLE FOOTAGE	800.00		

Estimated Cost to Construct	\$ 42,750.00
Absolute Cost to Owners	<u>\$ 25,200.00</u>
Estimated Cost to City	\$ 17,550.00

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

- Indicates Property Owners Signing Petition = 6/11 or 55% of Owners & 69% of Abutting Footage

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT 7TH STREET TO CANNELL AVENUE BUNTING AVENUE TO KENNEDY AVENUE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
THEODORE & LINDA KOEMAN	130.27	\$15.00	\$1,954.05
KIMBERLY LYNCH	64.00	\$15.00	\$ 960.00
DOROTHY STORTZ	64.00	\$ 8.00	\$ 512.00
• BARBARA GALE	64.00	\$ 8.00	\$ 512.00
• NORVAL & D. LARSEN	64.00	\$ 8.00	\$ 512.00
SHARON KOCH	64.00	\$ 8.00	\$ 512.00
• CHARLES & V. WHITT	64.00	\$ 8.00	\$ 512.00
• CHARLES & E. HOWARD	64.00	\$ 8.00	\$ 512.00
• SIGRID CARLSON	64.00	\$ 8.00	\$ 512.00
• CHRISTOPHER & TAMARA KOCH	64.00	\$ 8.00	\$ 512.00
MICHAEL & NANCY DERMODY	64.00	\$ 8.00	\$ 512.00
MARIEL OBERLING	66.27	\$ 8.00	\$ 530.16
LESTER LANDRY, et.al.	66.67	\$ 8.00	\$ 533.36
LOUIE & PHYLLIS BARSLUND	64.00	\$ 8.00	\$ 512.00
• CHARLES & PATRICIA DOSS	64.00	\$ 8.00	\$ 512.00
DEL ADOLF, et. al.	64.00	\$ 8.00	\$ 512.00
• JANET MUYSKENS (Trustee)	64.00	\$ 8.00	\$ 512.00
• RICHARD BROADHEAD	64.00	\$ 8.00	\$ 512.00
• ADELE CUMMINGS	64.00	\$ 8.00	\$ 512.00
• MARJORY MOON	64.00	\$ 8.00	\$ 512.00
• BRIAN & JOHN HUFF	64.00	\$ 8.00	\$ 512.00
• ROXANA & JOHN WOLCOTT	64.00	\$ 8.00	\$ 512.00
• DOROTHY JACKSON & D. AUBREY (Trustees)	64.00	\$15.00	\$ 960.00
• WILMA RESS (Trustee)	64.00	\$ 8.00	\$ 512.00
CRISS OTTO & CARYN PENN	146.48	\$15.00	\$2,197.20
AMERICAN LUTHERN CHURCH	185.13	\$31.50	\$5,831.60
AMERICAN LUTHERN CHURCH	103.41	\$31.50	\$3,257.42
TOTAL			\$25,951.79
ASSESSABLE FOOTAGE	2,042.23		

Estimated Cost to Construct \$ 114,045.60

Absolute Cost to Owners \$ 25,951.79

Estimated Cost to City \$ 88,093.81

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

- Indicates Property Owners Signing Petition = 15/27 or 56% of Owners & 47% of Abutting Footage

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT

15TH STREET TO 16TH STREET TEXAS AVENUE TO HALL AVENUE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
THELMA KATHREIN	74.85	\$ 8.00	\$ 598.80
ALAN BARKER	72.20	\$ 8.00	\$ 577.60
• HENRY & PATSY MILLER	74.00	\$ 8.00	\$ 592.00
• GENEVA HICKS	74.00	\$ 8.00	\$ 592.00
LIBBY SCHWAB & WILLIAM MILLER	65.00	\$ 8.00	\$ 520.00
• STANIFORD & ELAINE SPECK	65.00	\$ 8.00	\$ 520.00
• MICHAEL & SARAH JOHNSON	75.00	\$ 8.00	\$ 600.00
CHARLES & LINDA CARPENTER	72.20	\$ 8.00	\$ 577.60
MONICA CARPENTER	65.00	\$ 8.00	\$ 520.00
JOYCE HICKS	65.00	\$ 8.00	\$ 520.00
HENRY & DONNA BOSTLEMAN	58.00	\$ 8.00	\$ 464.00
WILLIAM & GLADYS PHILLIPS	58.00	\$ 8.00	\$ 464.00
• ED HOKANSON & SAMUEL BALDWIN	52.00	\$ 8.00	\$ 416.00
• HARRY & E. BUTLER	55.00	\$ 8.00	\$ 440.00
• DANIEL & DEBRA HARSH	55.00	\$ 8.00	\$ 440.00
• RICHARD & JOY SWERDFEGER	45.00	\$ 8.00	\$ 360.00
• RICHARD & JOY SWERDFEGER	45.00	\$ 8.00	\$ 360.00
• ALAN YOUKER	52.00	\$ 8.00	\$ 416.00
• NISHA & DUSTIN BENTON	50.00	\$15.00	\$ 750.00
SAMUEL & DEBBIE JOHNSON	40.00	\$ 8.00	\$ 320.00
TOTAL			\$10,048.00
ASSESSABLE FOOTAGE	1,212.25		

Estimated Cost to Construct \$ 62,320.00

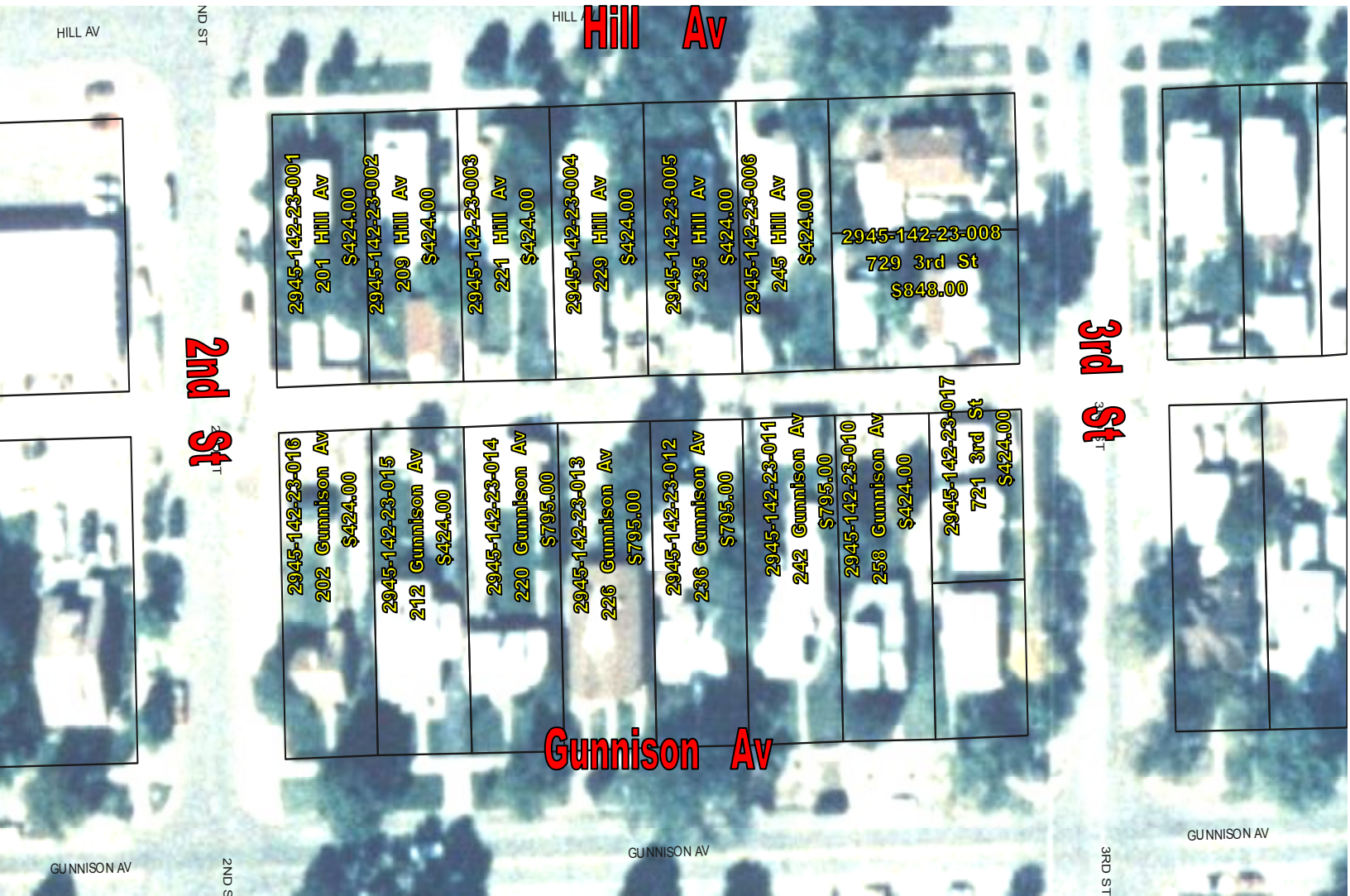
Absolute Cost to Owners \$ 10,048.00

Estimated Cost to City \$ 52,272.00

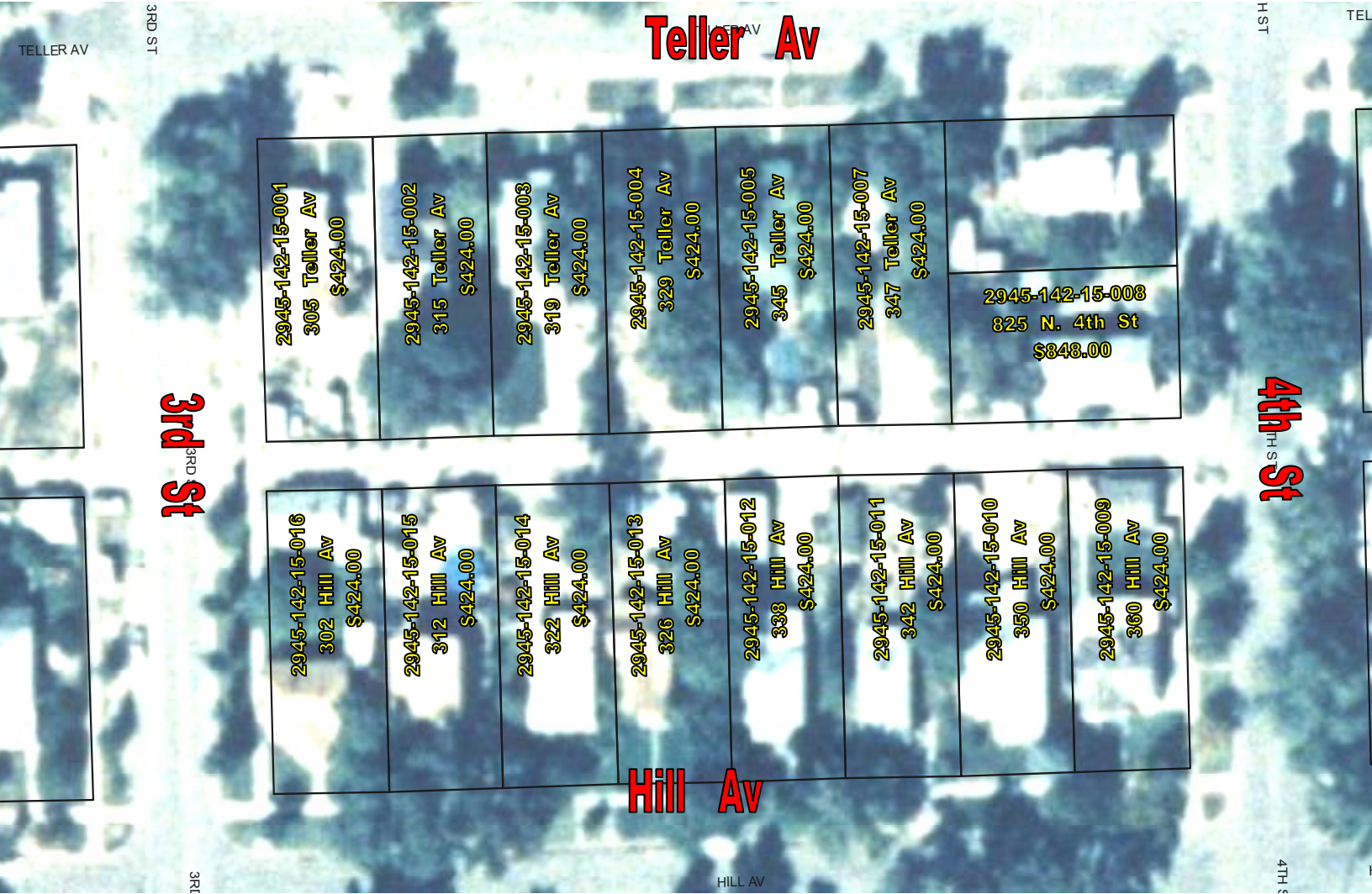
Assessments may be paid in full upon completion of project or may be paid over a ten-year period, in which event, a one-time charge of 6% will be added to the principal balance to which simple interest will accrue at the rate of 8% per annum on the declining balance.

- Indicates Property Owners Signing Petition = 11/20 or 55% of Owners & 52% of Abutting Footage

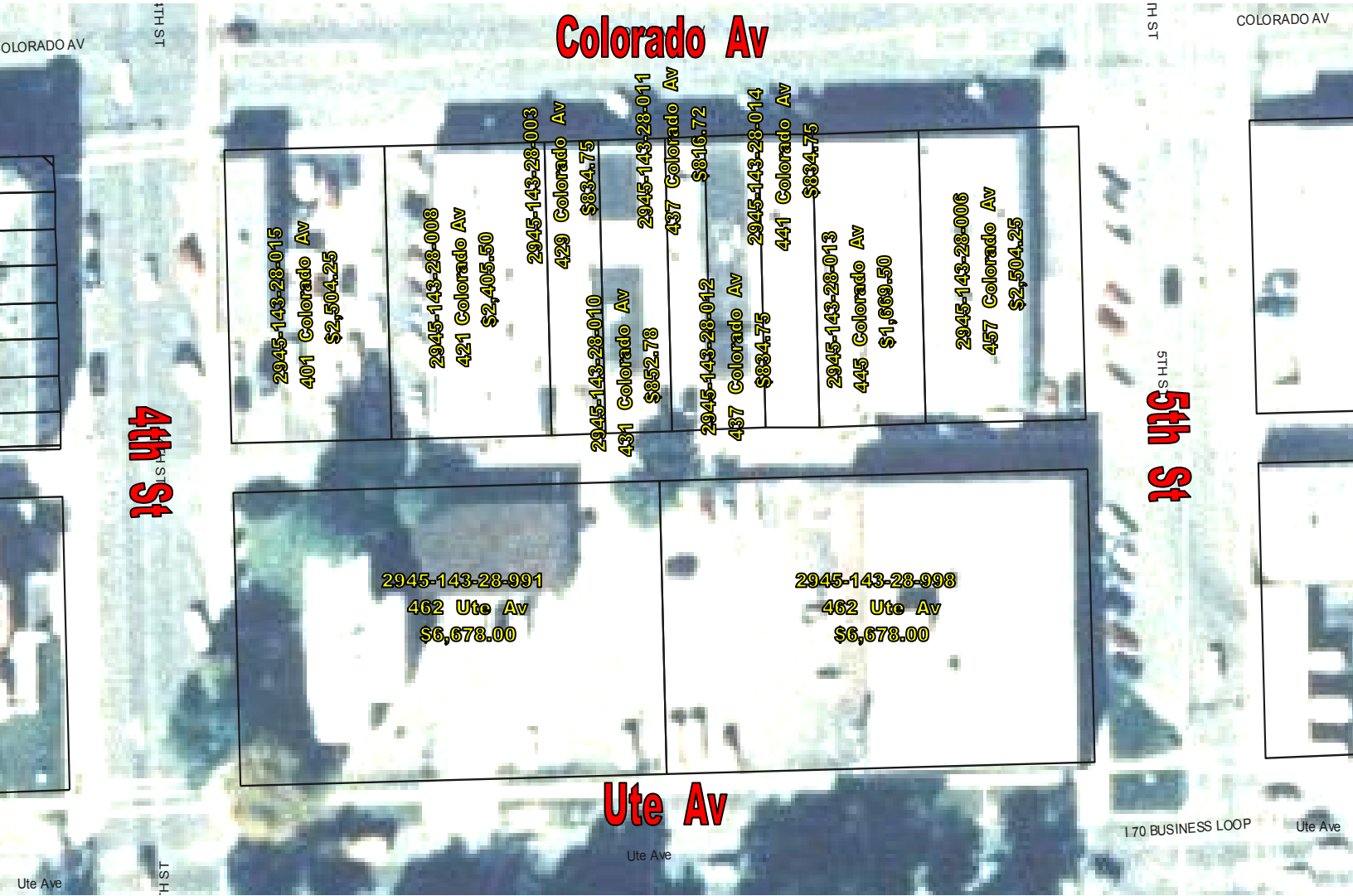
2nd to 3rd, Hill Av to Gunnison Av



3rd to 4th, Hill Av to Teller Av



4th to 5th, Colorado to Ute



7th to Cannell, Bunting to Kennedy

7th St

2945-114-15-951
1350 N. 7th St
\$6,181.50

2945-114-15-980
1350 N. 7th St
\$3,452.86

2945-114-15-026
740 Bunting Av
\$2,329.03

2945-114-15-025
750 Bunting Av
\$542.72

2945-114-15-024
760 Bunting Av
\$1,017.60

2945-114-15-023
768 Bunting Av
\$542.72

2945-114-15-022
804 Bunting Av
\$512.00

2945-114-15-021
814 Bunting Av
\$542.72

2945-114-15-020
824 Bunting Av
\$542.72

2945-114-15-019
834 Bunting Av
\$542.72

2945-114-15-018
844 Bunting Av
\$542.72

2945-114-15-017
854 Bunting Av
\$542.72

2945-114-15-016
864 Bunting Av
\$512.00

2945-114-15-015
874 Bunting Av
\$542.72

2945-114-15-014
1311 Cannell Av
\$565.36

Bunting Av

BUNTING AV

Kennedy Av

KENNEDY AV

2945-114-15-002
745 Kennedy Av
\$2,701.29

2945-114-15-003
771 Kennedy Av
\$1,017.60

2945-114-15-004
775 Kennedy Av
\$542.72

2945-114-15-005
805 Kennedy Av
\$542.72

2945-114-15-006
815 Kennedy Av
\$542.72

2945-114-15-007
825 Kennedy Av
\$542.72

2945-114-15-008
835 Kennedy Av
\$542.72

2945-114-15-009
845 Kennedy Av
\$542.72

2945-114-15-010
855 Kennedy Av
\$542.72

2945-114-15-011
865 Kennedy Av
\$542.72

2945-114-15-012
885 Kennedy Av
\$542.72

2945-114-15-013
1343 Cannell Av
\$561.97

Cannell Av

CANNELL AV

11th to 12th, Grand to Ouray

Ouray Av

OURAY AV

OURAY AV

11TH ST

11TH ST

OURAY AV

11th St

2945-141-42-001
444 N. 11th St
\$424.00

2945-141-42-002
1111 Ouray Av
\$424.00

2945-141-42-003
1123 Ouray Av
\$424.00

2945-141-42-004
1127 Ouray Av
\$424.00

2945-141-42-005
1133 Ouray Av
\$424.00

2945-141-42-006
1147 Ouray Av
\$424.00

2945-141-42-007
1151 Ouray Av
\$424.00

2945-141-42-009
1157 Ouray Av
\$424.00

2945-141-42-008
1163 Ouray Av
\$433.75

12th St

2945-141-42-019
1102 Grand Av
\$424.00

2945-141-42-010
1114 Grand Av
\$318.00

2945-141-42-011
1120 Grand Av
\$318.00

2945-141-42-012
1126 Grand Av
\$424.00

2945-141-42-013
1134 Grand Av
\$424.00

2945-141-42-014
1140 Grand Av
\$424.00

2945-141-42-015
1144 Grand Av
\$424.00

2945-141-42-016
1148 Grand Av
\$424.00

2945-141-42-017
415 N. 12th St
\$645.75

Grand Av

12th to 13th, Kennedy to Bunting

Kennedy Av

2945-123-18-003 1225 Kennedy Av 795.00	2945-123-18-004 1231 Kennedy Av \$424.00	2945-123-18-005 1235 Kennedy Av \$424.00	2945-123-18-006 1241 Kennedy Av \$424.00	2945-123-18-008 1245 Kennedy Av \$424.00	2945-123-18-007 1333 N. 12th St \$795.00
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12th St

13th St

2945-123-18-002
1322 N. 12th St
\$1,987.50

2945-123-18-009
1310 N. 12th St
\$1,590.00

2945-123-18-011
1224 Bunting Av
\$1,192.50

2945-123-18-012
1236 Bunting Av
\$795.00

2945-123-18-013
1240 Bunting Av
\$795.00

2945-123-18-014
1248 Bunting Av
\$795.00

2945-123-18-015
1254 Bunting Av
\$424.00

2945-123-18-016
1260 Bunting Av
\$424.00

Bunting Av

15th to 16th, Texas to Hall

Hall Av

HALLAV

15TH ST

15TH ST

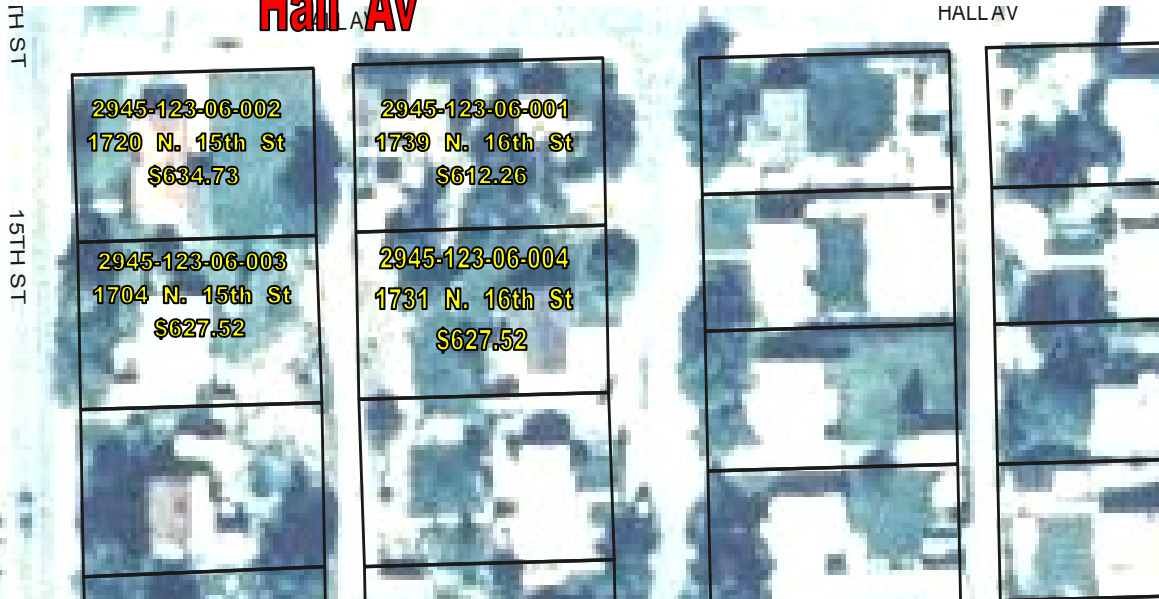
2945-123-06-002
1720 N. 15th St
\$634.73

2945-123-06-003
1704 N. 15th St
\$627.52

2945-123-06-001
1739 N. 16th St
\$612.26

2945-123-06-004
1731 N. 16th St
\$627.52

MESA AV



15th St

16th St

**2945-123-06-006
1664 N. 15th St
\$551.20**

**2945-123-06-005
1717 N. 16th St
\$551.20**

**2945-123-06-007
1654 N. 15th St
\$636.00**

**2945-123-06-008
1703 N. 16th St
\$612.26**

**2945-123-06-009
1644 N. 15th St
\$551.20**

**2945-123-06-010
1657 N. 16th St
\$551.20**

**2945-123-06-011
1634 N. 15th St
\$491.84**

**2945-123-06-012
1647 N. 16th St
\$491.84**

**2945-123-06-013
1630 N. 15th St
\$440.96**

**2945-123-06-020
1637 N. 16th St
\$440.96**

**2945-123-06-014
1616 N. 15th St
\$466.40**

**2945-123-06-015
1627 N. 16th St
\$466.40**

**2945-123-06-022
1610 N. 15th St
\$795.00**

**2945-123-06-017
1617 N. 16th St
\$381.60**

**2945-123-06-021
1602 N. 15th St
\$339.20**

**2945-123-06-019
1611 N. 16th St
\$381.60**

Texas Av

**CITY OF GRAND JUNCTION, COLORADO
ORDINANCE NO. _____**

AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR ALLEY IMPROVEMENT DISTRICT NO. ST-02 IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED; APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; APPROVING THE APPORTIONMENT OF SAID COST AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENT.

WHEREAS, the City Council and the Municipal Officers of the City of Grand Junction, in the State of Colorado, have complied with all the provisions of law relating to certain improvements in Alley Improvement District No. ST-02 in the City of Grand Junction, pursuant to Ordinance No.178 of said City, adopted and approved June 11, 1910, as amended, being Chapter 28 of the Code of Ordinances of the City of Grand Junction, Colorado, and pursuant to the various resolutions, orders and proceedings taken under said Ordinance; and

WHEREAS, the City Council has heretofore caused to be published the Notice of Completion of said local improvements in said Alley Improvement District No. ST-02 and the apportionment of the cost thereof to all persons interested and to the owners of real estate which is described therein, said real estate comprising the district of land known as Alley Improvement District No. ST-02 in the City of Grand Junction, Colorado, which said Notice was caused to be published in The Daily Sentinel, the official newspaper of the City of Grand Junction (the first publication thereof appearing on September 6th, 2002, and the last publication thereof appearing on September 8th, 2002); and

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

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

WHEREAS, the City Council has fully confirmed the statement prepared by the City Engineer and certified by the President of the Council showing the assessable cost of said improvements and the apportionment thereof heretofore made as

contained in that certain Notice to property owners in Alley Improvement District No. ST-02 duly published in the Daily Sentinel, the official newspaper of the City, and has duly ordered that the cost of said improvements in said Alley Improvement District No. ST-02 be assessed and apportioned against all of the real estate in said District in the portions contained in the aforesaid Notice; and

WHEREAS, from the statement made and filed with the City Clerk by the City Engineer, it appears that the assessable cost of the said improvements is \$98,864.26; and

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

11TH TO 12TH, GRAND TO OURAY:

TAX SCHEDULE NO.: 2945-141-42-001 LEGAL DESCRIPTION: Lots 1 & 2, Block 67,
City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-002 LEGAL DESCRIPTION: Lots 3 & 4, Block 67,
City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-003 LEGAL DESCRIPTION: Lots 5 & 6, Block 67,
City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-004 LEGAL DESCRIPTION: Lots 7 & 8, Block 67,
City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-005 LEGAL DESCRIPTION: Lots 9 & 10, Block 67,
City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-006 LEGAL DESCRIPTION: Lots 11 & 12, Block
67, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-007 LEGAL DESCRIPTION: Lots 13 & 14, Block
67, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-009 LEGAL DESCRIPTION: Lots 15 & 16, Block
67, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-008 LEGAL DESCRIPTION: Lot 17, Block 67, City
of Grand Junction.

ASSESSMENT..... \$ 433.75

TAX SCHEDULE NO.: 2945-141-42-019 LEGAL DESCRIPTION: Lots 33 & 34, Block
67, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-010 LEGAL DESCRIPTION: West ½ of Lot 31 &
all of Lot 32, Block 67, City of Grand Junction.

ASSESSMENT..... \$ 318.00

TAX SCHEDULE NO.: 2945-141-42-011 LEGAL DESCRIPTION: Lot 30 & east ½ of
Lot 31, Block 67, City of Grand Junction.

ASSESSMENT..... \$ 318.00

TAX SCHEDULE NO.: 2945-141-42-012 LEGAL DESCRIPTION: Lots 28 & 29, Block 67, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-013 LEGAL DESCRIPTION: Lots 26 & 27, Block 67, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-014 LEGAL DESCRIPTION: Lots 24 & 25, Block 67, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-015 LEGAL DESCRIPTION: Lots 22 & 23, Block 67, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-016 LEGAL DESCRIPTION: Lots 20 & 21, Block 67, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-141-42-017 LEGAL DESCRIPTION: North ½ of Lots 18 & 19, Block 67, City of Grand Junction.

ASSESSMENT..... \$ 645.75

12TH TO 13TH, BUNTING TO KENNEDY:

TAX SCHEDULE NO.: 2945-123-18-002 LEGAL DESCRIPTION: South ½ of Lots 1 through 5 inclusive, Block 3, Henderson Heights Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 1,987.50

TAX SCHEDULE NO.: 2945-123-18-003 LEGAL DESCRIPTION: Lots 6 & 7, Block 3, Henderson Heights Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 795.00

TAX SCHEDULE NO.: 2945-123-18-004 LEGAL DESCRIPTION: Lots 8 & 9, Block 3, Henderson Heights Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-123-18-005 LEGAL DESCRIPTION: Lots 10 & 11, Block 3, Henderson Heights Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-123-18-006 LEGAL DESCRIPTION: Lots 12 & 13, Block 3, Henderson Heights Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-123-18-007 LEGAL DESCRIPTION: Lots 16 & 17, Block 3, Henderson Heights Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 795.00

TAX SCHEDULE NO.: 2945-123-18-008 LEGAL DESCRIPTION: Lots 14 & 15, Block 3, Henderson Heights Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-123-18-009 LEGAL DESCRIPTION: North ½ of Lots 31 through 34, inclusive, Block 3, Henderson Heights Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 1,590.00

TAX SCHEDULE NO.: 2945-123-18-011 LEGAL DESCRIPTION: Lots 28, 29 & 30, Block 3, Henderson Heights Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 1,192.50

TAX SCHEDULE NO.: 2945-123-18-012 LEGAL DESCRIPTION: Lots 26 & 27, Block 3, Henderson Heights Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 795.00

TAX SCHEDULE NO.: 2945-123-18-013 LEGAL DESCRIPTION: Lots 24 & 25, Block 3, Henderson Heights Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 795.00

TAX SCHEDULE NO.: 2945-123-18-014 LEGAL DESCRIPTION: Lots 22 & 23, Block 3, Henderson Heights Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 795.00

TAX SCHEDULE NO.: 2945-123-18-015 LEGAL DESCRIPTION: Lots 20 & 21, Block 3, Henderson Heights Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-123-18-016 LEGAL DESCRIPTION: Lots 18 & 19, Block 3, Henderson Heights Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 424.00

15TH TO 16TH, TEXAS TO HALL:

TAX SCHEDULE NO.: 2945-123-06-002 LEGAL DESCRIPTION: Lot 1, Block 2, Sunnyvale, City of Grand Junction.
ASSESSMENT..... \$ 634.73

TAX SCHEDULE NO.: 2945-123-06-001 LEGAL DESCRIPTION: Lot 8, Block 2, Sunnyvale, City of Grand Junction.
ASSESSMENT..... \$ 612.26

TAX SCHEDULE NO.: 2945-123-06-003 LEGAL DESCRIPTION: Lot 2, Block 2,
Sunnyvale, City of Grand Junction.
ASSESSMENT..... \$ 627.52

TAX SCHEDULE NO.: 2945-123-06-004 LEGAL DESCRIPTION: Lot 7, Block 2,
Sunnyvale, City of Grand Junction.
ASSESSMENT..... \$ 627.52

TAX SCHEDULE NO.: 2945-123-06-005 LEGAL DESCRIPTION: Lot 6, Block 2,
Sunnyvale, City of Grand Junction.
ASSESSMENT..... \$ 551.20

TAX SCHEDULE NO.: 2945-123-06-006 LEGAL DESCRIPTION: Lot 3, Block 2,
Sunnyvale, City of Grand Junction.
ASSESSMENT..... \$ 551.20

TAX SCHEDULE NO.: 2945-123-06-007 LEGAL DESCRIPTION: Lot 4, Block 2,
Sunnyvale, City of Grand Junction.
ASSESSMENT..... \$ 636.00

TAX SCHEDULE NO.: 2945-123-06-008 LEGAL DESCRIPTION: Lot 5, Block 2,
Sunnyvale, City of Grand Junction.
ASSESSMENT..... \$ 612.26

TAX SCHEDULE NO.: 2945-123-06-009 LEGAL DESCRIPTION: Lot 1, Avalon
Gardens Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 551.20

TAX SCHEDULE NO.: 2945-123-06-010 LEGAL DESCRIPTION: Lot 8, Avalon
Gardens Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 551.20

TAX SCHEDULE NO.: 2945-123-06-011 LEGAL DESCRIPTION: Lot 2, Avalon
Gardens Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 491.84

TAX SCHEDULE NO.: 2945-123-06-012 LEGAL DESCRIPTION: North 55 ft. of Lot 7,
Avalon Gardens Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 491.84

TAX SCHEDULE NO.: 2945-123-06-013 LEGAL DESCRIPTION: Lot 3, Avalon
Gardens Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 440.96

TAX SCHEDULE NO.: 2945-123-06-014 LEGAL DESCRIPTION: Lot 4, Avalon
Gardens Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 466.40

TAX SCHEDULE NO.: 2945-123-06-015 LEGAL DESCRIPTION: Lot 5, Avalon Gardens Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 466.40

TAX SCHEDULE NO.: 2945-123-06-017 LEGAL DESCRIPTION: Lot 3, Belaire Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 381.60

TAX SCHEDULE NO.: 2945-123-06-019 LEGAL DESCRIPTION: Lot 4, Belaire Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 381.60

TAX SCHEDULE NO.: 2945-123-06-020 LEGAL DESCRIPTION: Lot 6 & the south 3 ft. of Lot 7, Avalon Gardens, City of Grand Junction.
ASSESSMENT..... \$ 440.96

TAX SCHEDULE NO.: 2945-123-06-022 LEGAL DESCRIPTION: North 49 ft. of Lot 1, Block 2, Belaire Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 795.00

TAX SCHEDULE NO.: 2945-123-06-021 LEGAL DESCRIPTION: Lot 2 & the south 1 ft. of Lot 1, Block 2, Belaire Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 339.20

2ND TO 3RD, GUNNISON TO HILL:

TAX SCHEDULE NO.: 2945-142-23-001 LEGAL DESCRIPTION: Lots 1 & 2, Block 35, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-23-002 LEGAL DESCRIPTION: Lots 3 & 4, Block 35, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-23-003 LEGAL DESCRIPTION: Lots 5 & 6, Block 35, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-23-004 LEGAL DESCRIPTION: Lots 7 & 8, Block 35, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-23-005 LEGAL DESCRIPTION: Lots 9 & 10, Block 35, City of Grand Junction.
ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-23-006 LEGAL DESCRIPTION: Lots 11 & 12, Block 35, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-23-008 LEGAL DESCRIPTION: South ½ of Lots 13 through 16, inclusive, Block 35, City of Grand Junction.

ASSESSMENT..... \$ 848.00

TAX SCHEDULE NO.: 2945-142-23-010 LEGAL DESCRIPTION: Lots 19 & 20, Block 35, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-23-011 LEGAL DESCRIPTION: Lots 21 & 22, Block 35, City of Grand Junction.

ASSESSMENT..... \$ 795.00

TAX SCHEDULE NO.: 2945-142-23-012 LEGAL DESCRIPTION: Lots 23 & 24, Block 35, City of Grand Junction.

ASSESSMENT..... \$ 795.00

TAX SCHEDULE NO.: 2945-142-23-013 LEGAL DESCRIPTION: Lots 25 & 26, Block 35, City of Grand Junction.

ASSESSMENT..... \$ 795.00

TAX SCHEDULE NO.: 2945-142-23-014 LEGAL DESCRIPTION: Lots 27 & 28, Block 35, City of Grand Junction.

ASSESSMENT..... \$ 795.00

TAX SCHEDULE NO.: 2945-142-23-015 LEGAL DESCRIPTION: Lots 29 & 30, Block 35, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-23-016 LEGAL DESCRIPTION: Lots 31 & 32, Block 35, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-23-017 LEGAL DESCRIPTION: North 78.1 ft. of Lots 17 & 18, Block 35, City of Grand Junction.

ASSESSMENT..... \$ 424.00

3rd to 4th, HILL TO TELLER:

TAX SCHEDULE NO.: 2945-142-15-001 LEGAL DESCRIPTION: Lots 1 & 2, Block 31, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-15-002 LEGAL DESCRIPTION: Lots 3 & 4, Block 31, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-15-003 LEGAL DESCRIPTION: Lots 5 & 6, Block 31, City of Grand Junction.

ASSESSMENT..... \$ 424.24

TAX SCHEDULE NO.: 2945-142-15-004 LEGAL DESCRIPTION: Lots 7 & 8, Block 31, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-15-005 LEGAL DESCRIPTION: Lots 9 & 10, Block 31, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-15-007 LEGAL DESCRIPTION: Lots 11 & 12, Block 31, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-15-008 LEGAL DESCRIPTION: South ½ of Lots 13 through 16, Block 31, City of Grand Junction.

ASSESSMENT..... \$ 848.00

TAX SCHEDULE NO.: 2945-142-15-009 LEGAL DESCRIPTION: Lots 17 & 18, Block 31, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-15-010 LEGAL DESCRIPTION: Lots 19 & 20, Block 31, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-15-011 LEGAL DESCRIPTION: Lots 21 & 22, Block 31, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-15-012 LEGAL DESCRIPTION: Lots 23 & 24, Block 31, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-15-013 LEGAL DESCRIPTION: Lots 25 & 26, Block 31, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-15-014 LEGAL DESCRIPTION: Lots 27 & 28, Block 31, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-15-015 LEGAL DESCRIPTION: Lots 29 & 30, Block 31, City of Grand Junction.

ASSESSMENT..... \$ 424.00

TAX SCHEDULE NO.: 2945-142-15-016 LEGAL DESCRIPTION: Lots 31 & 32, Block 31, City of Grand Junction.
ASSESSMENT..... \$ 424.00

4th to 5th, COLORADO TO UTE:

TAX SCHEDULE NO.: 2945-143-28-011 LEGAL DESCRIPTION: Lot 9 except the west 6.5 inches, Block 125, City of Grand Junction.
ASSESSMENT..... \$ 816.72

TAX SCHEDULE NO.: 2945-143-28-012 LEGAL DESCRIPTION: Lot 10, Block 125, City of Grand Junction.
ASSESSMENT..... \$ 834.75

TAX SCHEDULE NO.: 2945-143-28-013 LEGAL DESCRIPTION: Lots 12 & 13, Block 125, City of Grand Junction.
ASSESSMENT..... \$ 1,669.50

TAX SCHEDULE NO.: 2945-143-28-014 LEGAL DESCRIPTION: Lot 11, Block 125, City of Grand Junction.
ASSESSMENT..... \$ 834.75

TAX SCHEDULE NO.: 2945-143-28-015 LEGAL DESCRIPTION: Lots 1, 2 & 3 Block 125, City of Grand Junction.
ASSESSMENT..... \$ 2,504.25

TAX SCHEDULE NO.: 2945-143-28-003 LEGAL DESCRIPTION: Lot 7, Block 125, City of Grand Junction.
ASSESSMENT..... \$ 834.75

TAX SCHEDULE NO.: 2945-143-28-006 LEGAL DESCRIPTION: Lots 14, 15 & 16, Block 125, City of Grand Junction.
ASSESSMENT..... \$ 2,504.25

TAX SCHEDULE NO.: 2945-143-28-948 LEGAL DESCRIPTION: Lots 4, 5 & 6, Block 125, City of Grand Junction.
ASSESSMENT..... \$ 2,504.25

TAX SCHEDULE NO.: 2945-143-28-010 LEGAL DESCRIPTION: Lot 8 and the west 6.5 inches of Lot 9, Block 125, City of Grand Junction.
ASSESSMENT..... \$ 852.78

TAX SCHEDULE NO.: 2945-143-28-998 LEGAL DESCRIPTION: Lots 17 through 24, inclusive, Block 125, City of Grand Junction.
ASSESSMENT..... \$ 6,678.00

TAX SCHEDULE NO.: 2945-143-28-991 LEGAL DESCRIPTION: Lots 25 through 32, inclusive, Block 125, City of Grand Junction.
ASSESSMENT..... \$ 6,678.00

7TH to CANNELL, KENNEDY TO BUNTING:

TAX SCHEDULE NO.: 2945-114-15-002 LEGAL DESCRIPTION: Lots 5 & 6, Block 2, Rose Park Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 2,071.29

TAX SCHEDULE NO.: 2945-114-15-003 LEGAL DESCRIPTION: Lot 7, Block 2, Rose Park Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 1,017.60

TAX SCHEDULE NO.: 2945-114-15-004 LEGAL DESCRIPTION: Lot 8, Block 2, Rose Park Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-005 LEGAL DESCRIPTION: Lot 9, Block 2, Rose Park Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-006 LEGAL DESCRIPTION: Lot 10, Block 2, Rose Park Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-007 LEGAL DESCRIPTION: Lot 11, Block 2, Rose Park Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-008 LEGAL DESCRIPTION: Lot 12, Block 2, Rose Park Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-009 LEGAL DESCRIPTION: Lot 13, Block 2, Rose Park Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-010 LEGAL DESCRIPTION: Lot 14, Block 2, Rose Park Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-011 LEGAL DESCRIPTION: Lot 15, Block 2, Rose Park Subdivision, City of Grand Junction.
ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-012 LEGAL DESCRIPTION: Lot 16, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-013 LEGAL DESCRIPTION: Lot 17, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 561.97

TAX SCHEDULE NO.: 2945-114-15-014 LEGAL DESCRIPTION: Lot 18, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 565.36

TAX SCHEDULE NO.: 2945-114-15-015 LEGAL DESCRIPTION: Lot 19, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-016 LEGAL DESCRIPTION: Lot 20, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-017 LEGAL DESCRIPTION: Lot 21, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-018 LEGAL DESCRIPTION: Lot 22, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-019 LEGAL DESCRIPTION: Lot 23, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-020 LEGAL DESCRIPTION: Lot 24, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-021 LEGAL DESCRIPTION: Lot 25, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-022 LEGAL DESCRIPTION: Lot 26, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-023 LEGAL DESCRIPTION: Lot 27, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-024 LEGAL DESCRIPTION: Lot 28, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 1,017.60

TAX SCHEDULE NO.: 2945-114-15-025 LEGAL DESCRIPTION: Lot 29, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 542.72

TAX SCHEDULE NO.: 2945-114-15-026 LEGAL DESCRIPTION: Lot 30, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 2,329.03

TAX SCHEDULE NO.: 2945-114-15-951 LEGAL DESCRIPTION: Lots 1,2 & 3, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 6,181.50

TAX SCHEDULE NO.: 2945-114-15-980 LEGAL DESCRIPTION: East 53.6 ft. of Lot 4, Block 2, Rose Park Subdivision, City of Grand Junction.

ASSESSMENT..... \$ 3,452.86

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

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

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

Section 3. That said assessment shall be due and payable within thirty (30) days after the final publication of this Ordinance without demand; provided that all such assessments may, at the election of the owner, be paid in installments with interest as hereinafter provided. Failure to pay the whole assessment within the said period of thirty days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in such installments. All persons so electing to pay in installments shall be conclusively considered and held as consenting to said improvements, and such election shall be conclusively considered and held as a waiver of any and all rights to question the power and jurisdiction of the City to construct the improvements, the quality of the work and the regularity or sufficiency of the proceedings, or the validity or correctness of the assessment.

Section 4. That in case of such election to pay in installments, the assessments shall be payable in ten (10) equal annual installments of the principal. The first of said installments of principal shall be payable at the time the next installment of general taxes, by the laws of the State of Colorado, is payable, and each annual installment shall be paid on or before the same date each year thereafter, along with simple interest which has accrued at the rate of 8 percent per annum on the unpaid principal, payable annually.

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

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

Section 7. That the monies remaining in the hands of the City Finance Director as the result of the operation and payments under Alley Improvement District No. ST-02 shall be retained by the Finance Director and shall be used thereafter for the purpose of further funding of past or subsequent improvement districts which may be or may become in default.

Section 8. That all provisions of Ordinance No. 178 of the City of Grand Junction, as amended, being Chapter 28 of the Code of Ordinances of the City of Grand Junction, Colorado, shall govern and be taken to be a part of this Ordinance with respect to the creation of said Alley Improvement District No. ST-02 the construction of the improvements therein, the apportionment and assessment of the cost thereof and the collection of such assessments.

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

Introduced on First Reading this 18th day of September, 2002.

Passed and Adopted on the _____ day of _____, 2002

Attest:

City Clerk

President of the Council

**Attach 5
HomewardBound Contract**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Subrecipient Contract with HomewardBound of the Grand Valley, Inc. for the City's 2002 Program Year Community Development Block Grant Program						
Meeting Date	September 18, 2002						
Date Prepared	September 11, 2002				File: CDBG 2002-3		
Author	Kristen Ashbeck		Senior Planner				
Presenter Name	Kristen Ashbeck		Senior Planner				
Report Results Back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: The Subrecipient Contract formalizes the City's award of \$10,000 to HomewardBound of the Grand Valley, Inc. (HBGV) for purchase of bunk beds for the Community Homeless Shelter located at 2853 North Avenue. These funds were allocated from the City's 2002 Community Development Block Grant (CDBG) Program.

Budget: N/A

Action Requested: Approval of the subrecipient contract with HBGV for the City's 2002 Program Year, Community Development Block Grant Program.

Background Information: HBGV is proposing to purchase and set up 35 bunk beds in the Community Homeless Shelter located at 2853 North Avenue. The beds will replace the single beds presently in the shelter, thereby increasing the capacity of the facility to serve the homeless. The City awarded a grant of \$10,000 to HBGV from the City's 2002 Community Development Block Grant monies in order to purchase and install the new beds. HBGV will match the grant with \$4,457 for additional costs and shipping of the beds and \$1,750 in-kind services for set-up of the beds.

HBGV is considered a "subrecipient" to the City. The City will "pass through" a portion of its 2002 Program Year CDBG funds to HBGV but the City remains responsible for the use of these funds. This contract with HBGV outlines the duties and responsibilities of each party and is used to ensure that HBGV will comply with all Federal rules and regulations governing the use of these funds. This contract must be approved before the subrecipient may spend any of these Federal funds. Exhibit A of the contract

(attached) contains the specifics of the project and how the money will be used by HBGV for purchase and set-up of the bunk beds for the Community Homeless Shelter.

Attachments:

1. Exhibit A, Subrecipient Contract

**2002 SUBRECIPIENT CONTRACT FOR
CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
WITH
HOMEWARDBOUND OF THE GRAND VALLEY INC.**

**EXHIBIT "A"
SCOPE OF SERVICES**

1. The City agrees to pay subject to the Subrecipient Agreement HomewardBound of the Grand Valley Inc. (HBGV) \$10,000 from its 2002 Program Year CDBG Entitlement Funds for purchase of bunk beds for the Grand Junction Community Homeless Shelter located at 2853 North Avenue in Grand Junction, Colorado. The general purpose of the project is to provide additional beds in the shelter to expand its capacity for providing shelter services to the homeless.
2. HomewardBound of the Grand Valley Inc. certifies that it will meet the CDBG National Objective of low/moderate limited clientele benefit (570.208(a)(2)). It shall meet this objective by providing the above-referenced services to low/moderate income persons in Grand Junction, Colorado. In addition, this project meets CDBG eligibility requirements under section 570.201(e), Public Services.
3. The entire project consists of purchase and set-up of thirty-five (35) bunk beds for the use and benefit of the Grand Junction Homeless Shelter. The shelter property is owned by the Grand Junction Housing Authority and leased to and operated by HomewardBound of the Grand Valley Inc. who will continue to operate the shelter. It is understood that the City's grant of \$10,000 in CDBG funds shall be used only for the purchase of the bunk beds. Costs associated with any other elements of the project shall be paid for by other funding sources obtained by HomewardBound of the Grand Valley Inc.
4. This project shall commence upon the full and proper execution of the 2002 Subrecipient Agreement and the completion of all appropriate environmental, Code, permit review approval and compliance. The project shall be completed on or before April 30, 2003.
5. The budget for the entire project is as follows:

<u>Project Activity</u>	<u>Cost</u>	<u>Source of Funds</u>
Purchase of 35 Bunk beds	\$ 12,565	\$10,000 2002 CDBG Funds / HBGV
Set-Up	\$ 1,750	HBGV In-Kind
Shipping	\$ 1,892	HBGV
6. HomewardBound of the Grand Valley Inc. estimates that it will provide shelter for 87 persons each night, including men, women and families when the bunkbed project is completed and in full operation.

____ HBGV
 ____ City

7. The City of Grand Junction shall monitor and evaluate the progress and performance of HomewardBound of the Grand Valley Inc. to assure that the terms of this agreement are being satisfactorily met in accordance with City and other applicable monitoring and evaluating criteria and standards. HomewardBound of the Grand Valley Inc. shall cooperate with the City relating to monitoring, evaluation and inspection and compliance.
8. HomewardBound of the Grand Valley Inc. shall provide quarterly financial and performance reports to the City. Reports shall describe the progress of the project, what activities have occurred, what activities are still planned, financial status, compliance with National Objectives and other information as may be required by the City. A final report shall also be submitted once the project is completed.
9. During a period of five (5) years following the date of completion of the project the use or planned use of the property improved may not change unless 1) the City determines the new use meets one of the National Objectives of the CDBG Program, and 2) HomewardBound of the Grand Valley Inc. provides affected citizens with reasonable notice and an opportunity to comment on any proposed changes. If HomewardBound of the Grand Valley Inc. decides, after consultation with affected citizens that it is appropriate to change the use of the property to a use which the City determines does not qualify in meeting a CDBG National Objective, HomewardBound of the Grand Valley Inc. must reimburse the City a prorated share of the City's \$10,000 CDBG contribution. At the end of the five-year period following the project closeout date and thereafter, no City restrictions on use of the property shall be in effect.
10. HomewardBound of the Grand Valley Inc. understands that the funds described in the Agreement are received by the City of Grand Junction from the US Department of Housing and Urban Development under the Community Development Block Grant Program. HomewardBound of the Grand Valley Inc. shall meet all City of Grand Junction and federal requirements for receiving Community Development Block Grant funds, whether or not such requirements are specifically listed in this Agreement. HomewardBound of the Grand Valley Inc. shall provide the City of Grand Junction with documentation establishing that all local and federal CDBG requirements have been met.
11. A blanket fidelity bond equal to cash advances as referenced in Paragraph V.(E) will not be required as long as no cash advances are made and payment is on a reimbursement basis.
12. A formal project notice will be sent to HomewardBound of the Grand Valley Inc. once all funds are expended and a final report is received.

____ HBGV
____ City

**Attach 6
ISRE Annexation**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject		ISRE Annexation No. 2 Located at 2980 D-1/2 Road						
Meeting Date		September 18, 2002						
Date Prepared		September 12, 2002			File: ANX-2002-176			
Author		Kristen Ashbeck		Senior Planner				
Presenter Name		Kristen Ashbeck		Senior Planner				
Report results back to Council		X	No		Yes	When		
Citizen Presentation			Yes	X	No	Name		
	Workshop	X	Formal Agenda			X	Consent	Individual Consideration

Summary: Resolution for Referral of Petition to Annex/First Reading of the Annexation Ordinance/Exercising Land Use Jurisdiction immediately for the ISRE Annexation No. 2, a parcel of land located at 2980 D-1/2 Road. This 6.27-acre annexation consists of a single parcel of land and a portion of the D-1/2 Road right-of-way.

Budget: N/A

Action Requested/Recommendation: It is recommended that City Council approve the Referral of Petition to Annex/First Reading of the Annexation Ordinance/Exercising Land use Jurisdiction immediately for the ISRE Annexation No. 2 and set a hearing for November 6, 2002.

Attachments:

1. ISRE Annexation No. 2 Summary
2. Background Information/Staff Analysis
3. Annexation Map
4. Proposed Resolution and Annexation Ordinance

ISRE ANNEXATION No. 2 SUMMARY		
File Number	ANX-2002-176	
Location	2980 D-1/2 Road	
Tax ID Number	2943-171-00-143	
Parcels	1	
Estimated Population	0	
# of Parcels (owner occupied)	0	
# of Dwelling Units	1 - Vacant	
Acres land annexed	6.27	
Developable Acres Remaining	5.72	
Right-of-way in Annexation	396.16 feet of 60-foot right-of-way for D-1/2 Road	
Previous County Zoning	RSF-R and I	
Proposed City Zoning	Petitioner has 60 days to seek a Growth Plan Amendment for this property and wait for results of rezoning request for adjacent property (same owner). If favorable, petitioner will request an RMF-8 zone, otherwise, City will propose an RSF-4 zoning, currently the same as adjacent property.	
Current Land Use	Large Lot with Vacant Residence	
Future Land Use	Single or Multifamily Residential	
Values	Assessed	\$ 9,780
	Actual	\$106,920
Census Tract	8	
Address Ranges	2974-2980 D-1/2 Road, even only	
Special Districts	Water	Ute Water
	Sewer	Central Grand Valley
	Fire	Grand Junction Rural
	Drainage	Grand Junction Drainage District
	School	Mesa County Valley District 51
	Pest	N/A

BACKGROUND INFORMATION					
Location		<i>2980 D-1/2 Road</i>			
Applicant		ISRE, LLC			
Existing Land Use		<i>Large Lot – Vacant Residence</i>			
Proposed Land Use		<i>Single or Multifamily Residential</i>			
Surrounding Land Use	North	<i>Commercial/Industrial and Large Lot</i>			
	South	Large Lot Single Family Residential			
	East	Large Lot Single Family Residential			
	West	Large Lot Single Family Residential			
Existing Zoning (Mesa County)		RSF-R and I (Industrial)			
Proposed Zoning		Pending Growth Plan Amendment			
Surrounding Zoning	North	<i>Industrial (I – Mesa County)</i>			
	South	RSF-R (Mesa County)			
	East	RSF-4 (City – Proposed RMF-8)			
	West	<i>RSF-R and I (Mesa County)</i>			
Growth Plan Designation		Residential Medium Low – 2 to 4 units per acre			
Zoning within density range?		<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

STAFF ANALYSIS

Annexation. The ISRE Annexation No. 2 area consists of a single parcel and a portion of the D-1/2 Road right-of-way (total 6.72 acres). The property owner has requested annexation into the City as the result of proposing a Growth Plan Amendment for the property to be considered by Council at a later date. Under the Persigo Agreement all such types of development require annexation and processing in the City.

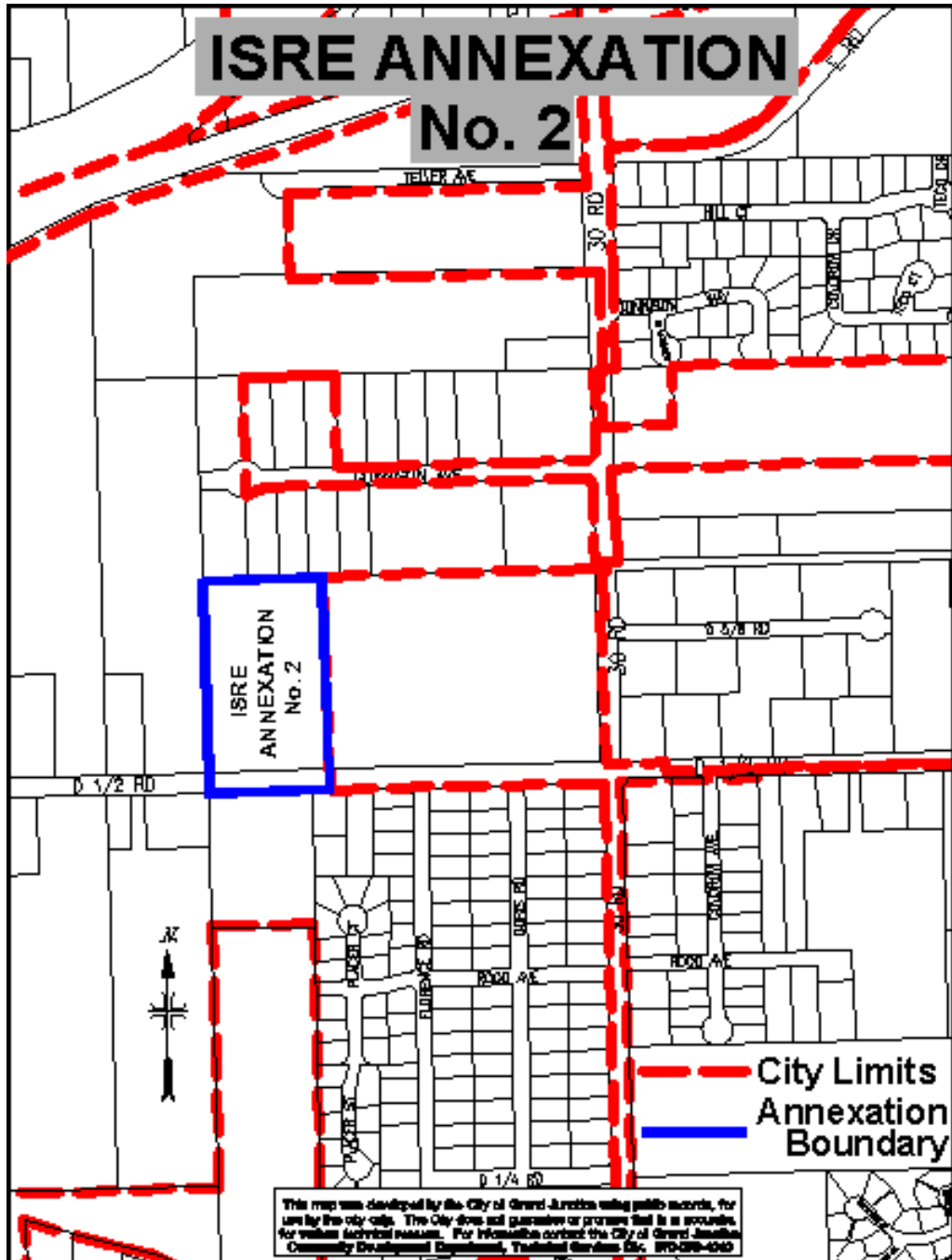
It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the ISRE Annexation No. 2 is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;

- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

The following annexation and zoning schedule is being proposed.

ANNEXATION SCHEDULE	
Sept 18 th	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
Not Later Than 1/28/03	Planning Commission Considers Zone of Annexation – Delayed Until after Growth Plan Amendment Hearing
Not Later Than 2/6/03	First Reading on Zoning by City Council – Delayed Until after Growth Plan Amendment Hearing
Nov 6 th	Acceptance of Petition and Public Hearing on Annexation by City Council
Dec 8 th	Effective date of Annexation



**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 18th day of September, 2002, the following Resolution was adopted:

**CITY OF GRAND JUNCTION, COLORADO
RESOLUTION NO. ___-02**

**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**

ISRE ANNEXATION No. 2

Located at 2980 D-1/2 Road

And Including a Portion of the D-1/2 Road Right-of-Way

WHEREAS, on the 18th day of September, 2002, 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:

ISRE ANNEXATION No. 2

A certain parcel of land lying in the East half (E ½) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Southwest Corner of the South Half of the Southeast Quarter of the Northeast Quarter (S 1/2 SE 1/4 NE 1/4) of said Section 17 and considering the South line of the S 1/2 SE 1/4 NE 1/4 of said Section 17 to bear N 89°59'59" W with all bearings contained herein being relative thereto; thence from said Point of Beginning, N 00°05'59" W along the West line of the S 1/2 SE 1/4 NE 1/4 of said Section 17, a distance of 659.70 feet, more or less, to a point being the Northwest Corner of the S 1/2 SE 1/4 NE 1/4 of said Section 17, also being the Southwest Corner of the Plat of Banner Industrial Park, as same is recorded in Plat Book 11, Page 362, Public Records of Mesa County, Colorado; thence S 89°59'39" E along the South line of said Plat of Banner Industrial Park and being the North line of the S 1/2 SE 1/4 NE 1/4 of said Section 17, a distance of 396.12 feet, more or less, to a point on the East line of the West 6.0 Acres of the S 1/2 SE 1/4 NE 1/4 of said Section 17; thence S 00°05'59" E, along said East line, a distance of 689.66 feet, more or less, to a point on a line 30.00 feet South of and parallel to, the South line of the S 1/2 SE 1/4 NE 1/4 of said Section 17; thence N 89°59'59" W, along said parallel line, a distance of 396.16 feet, more or less, to a point on the West line of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of said Section 17; thence N 00°00'59" W, along said West line, a distance of 30.00 feet, more or less, to the Point of Beginning.

Containing 273,196.20 Square Feet or 6.272 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 6th day of November, 2002, 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 18th day of September, 2002.

President of the Council

Attest:

City Clerk

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

City Clerk

<i>PUBLISHED</i>
September 20, 2002
September 27, 2002
October 4, 2002
October 11, 2002

**CITY OF GRAND JUNCTION, COLORADO
ORDINANCE NO. _____**

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

**ISRE ANNEXATION No. 2
Approximately 6.27 ACRES
Located at 2980 D-1/2 Road
And Including a Portion of the D-1/2 Road Right-of-Way**

WHEREAS, on the 18th day of September, 2002, 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 6th day of November, 2002; 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:

ISRE ANNEXATION No. 2

A certain parcel of land lying in the East half (E 1/2) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Southwest Corner of the South Half of the Southeast Quarter of the Northeast Quarter (S 1/2 SE 1/4 NE 1/4) of said Section 17 and considering the South line of the S 1/2 SE 1/4 NE 1/4 of said Section 17 to bear N 89°59'59" W with all bearings contained herein being relative thereto; thence from said Point of Beginning, N 00°05'59" W along the West line of the S 1/2 SE 1/4 NE 1/4 of said Section 17, a distance of 659.70 feet, more or less, to a point being the Northwest Corner of the S 1/2 SE 1/4 NE 1/4 of said Section 17, also being the Southwest Corner of the Plat of Banner Industrial Park, as same is recorded in Plat Book 11, Page 362, Public Records of Mesa County, Colorado; thence S 89°59'39" E along the South line of said Plat of Banner Industrial Park and being the North line of the S 1/2 SE 1/4 NE 1/4 of said Section 17, a distance of 396.12 feet, more or less, to a point on the East line of the West 6.0 Acres of the S 1/2 SE 1/4 NE 1/4 of said Section 17; thence S 00°05'59" E, along said East line, a distance of 689.66 feet, more or less, to a point on a line 30.00 feet South of and parallel to, the South line of the S 1/2 SE 1/4 NE 1/4 of said Section

17; thence N 89°59'59" W, along said parallel line, a distance of 396.16 feet, more or less, to a point on the West line of the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of said Section 17; thence N 00°00'59" W, along said West line, a distance of 30.00 feet, more or less, to the Point of Beginning.

Containing 273,196.20 Square Feet or 6.272 Acres, more or less, as described.

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

INTRODUCED on first reading on the 18th day of September, 2002.

ADOPTED and ordered published this ____ day of _____, 2002.

President of the Council

Attest:

City Clerk

**Attach 7
Dakota West Annexation**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Dakota West Annexation, 3088 and 3090 D ½ Road						
Meeting Date	September 18, 2002						
Date Prepared	September 12, 2002			File # ANX-2002-168			
Author	Lori V. Bowers		Senior Planner				
Presenter Name	Lori V. Bowers		Senior Planner				
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: The Dakota West Annexation area consists of three parcels of land, approximately 10.91 acres in size. A petition for annexation has been presented as part of a Preliminary Plan, in accordance with the 1998 Persigo Agreement with Mesa County. The physical addresses for the properties are 3088 and 3090 D ½ Road.

Budget: N/A

Action Requested/Recommendation: Approval of the Resolution accepting the annexation petition, and first reading of the Annexation Ordinance.

Attachments:

- Staff Report
- Annexation Map
- Resolution
- Annexation Ordinance

Background Information: Please see attached Staff Report

STAFF REPORT / BACKGROUND INFORMATION			
Location:		3088 & 3090 D ½ Road	
Applicant:		Robbie & Gwendolyn Sandidge David & Regina Wens, Owners G & R West - Developers	
Existing Land Use:		Single family residence and vacant land	
Proposed Land Use:		Residential	
Surrounding Land Use:	North	Residential	
	South	Residential	
	East	Residential	
	West	Vacant land (Proposed lles annexation)	
Existing Zoning:		RSF-4 (Mesa County)	
Proposed Zoning:		RMF-5 (Residential Multi-Family, not to exceed 5 dwelling units per acre)	
Surrounding Zoning:	North	PUD (Mesa County)	
	South	PUD (Mesa County)	
	East	R-2 (Mesa County)	
	West	RMF-5 (Mesa County)	
Growth Plan Designation:		Residential Medium – 4 to 8 dwelling units per acre	
Zoning within density range?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/> No

RELATIONSHIP TO COMPREHENSIVE PLAN: The City of Grand Junction’s Growth Plan identifies the subject parcels as “residential medium”, 4 to 8 dwelling units per acre. The proposed future development will be compatible with adjacent land uses. There is no commercial development associated with this plan.

STAFF ANALYSIS

Annexation

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 Dakota West Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;

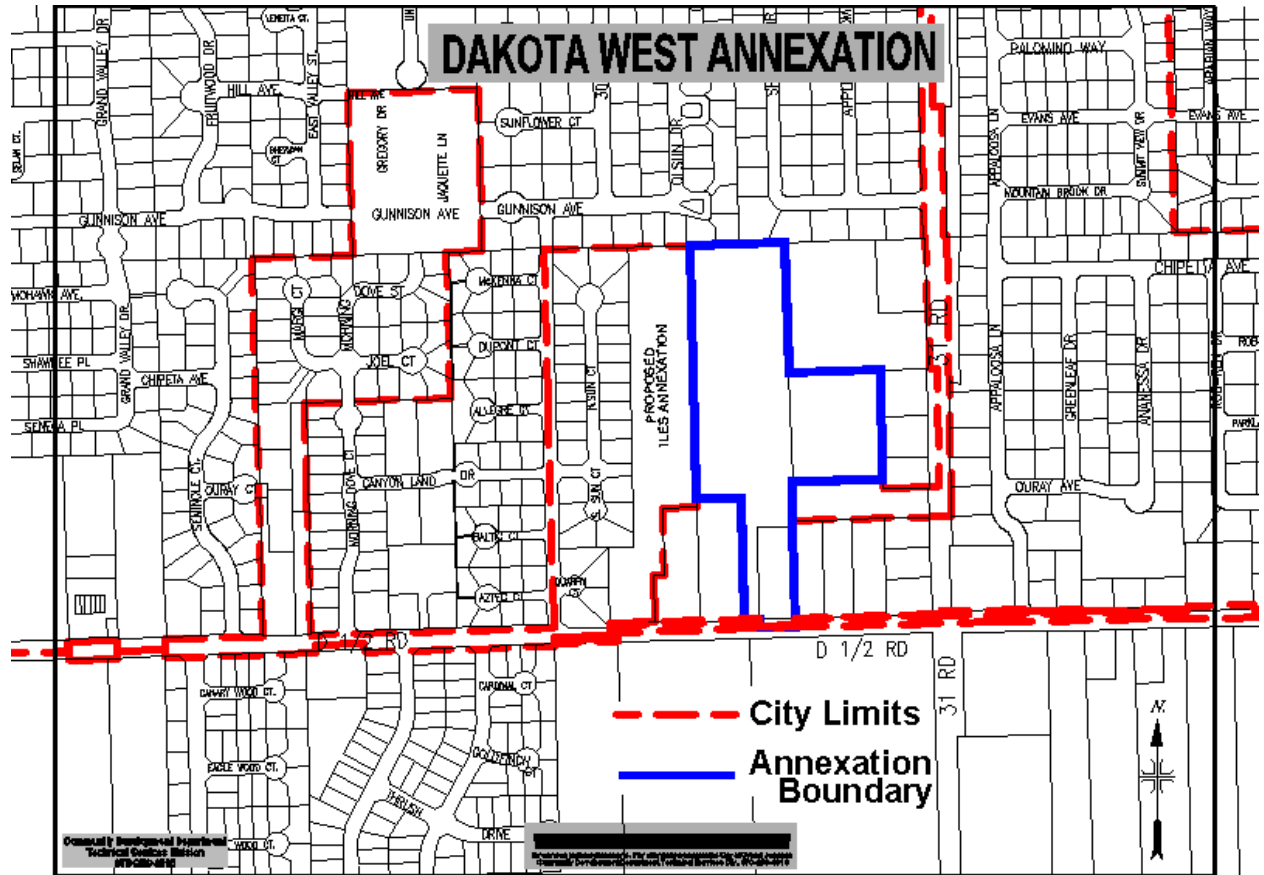
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

The following annexation and zoning schedule is being proposed.

ANNEXATION SCHEDULE	
Sept. 18th	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
Oct. 8th	Planning Commission considers Zone of Annexation
Oct. 16th	First Reading on Zoning by City Council
Nov. 6th	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
Dec. 8th	Effective date of Annexation and Zoning

DAKOTA WEST SUBDIVISION ANNEXATION	
File Number:	ANX-2002-168
Location:	3088 & 3090 D ½ Road
Tax ID Numbers:	2943-161-00-187 2943-161-00-053 2943-101-00-214
Parcels:	3
Estimated Population:	Proposed 48 residential lots
# of Parcels (owner occupied):	0
# of Dwelling Units:	Existing house to be razed
Acres land annexed:	10.9105 acres
Developable Acres Remaining:	10.9105 acres
Right-of-way in Annexation:	None
Previous County Zoning:	RSF-4 (County)
Proposed City Zoning:	RMF-5 (Residential Multi-Family)

		not to exceed 5 dwelling units per acre)
Current Land Use:		Vacant (with one residence / razed)
Future Land Use:		Residential
Values:	Assessed:	= \$ 28,220
	Actual:	= \$ 136,310
Census Tract:		8
Address Ranges:		3088 to 3090 D ½ Road
Special Districts:	Water:	Clifton Water
	Sewer:	Central Grand Valley
	Fire:	Clifton Fire
	Drainage:	Grand Junction Drainage District
	School:	District 51
	Pest:	Upper Grand Valley



September 18, 2002

**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 18th day of September, 2002, 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 JURISDICTION**

DAKOTA WEST SUBDIVISION

LOCATED AT 3088 & 3090 D ½ ROAD

WHEREAS, on the 18th day of September, 2002, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

**PERIMETER BOUNDARY LEGAL DESCRIPTION
DAKOTA WEST ANNEXATION**

A certain parcel of land lying in the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest Corner of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16, and considering the North line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16 to bear N 89°51'29" E with all bearings contained herein being relative thereto; thence from said Point of Commencement, N 89°51'29" E along the North line of the SE 1/4 NE 1/4 of said Section 16, a distance of 501.10 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 89°51'29" E a distance of 325.22 feet; thence S 00°00'00" E a distance of 449.87 feet; thence N 89°51'36" E a distance of 310.00 feet; thence S 00°00'00" E along a line 185.00 feet West of and parallel to the East line of the SE 1/4 NE 1/4 of said Section 16, a distance of 369.81 feet; thence S 89°51'59" W a distance of 310.00 feet; thence S 00°00'00" E, along the West line (and its Northerly projection) of Voegely Minor Subdivision a distance of 495.00 feet; thence S 89°51'59" W along a line 5.00 feet North of and parallel to the South line of the SE 1/4 NE 1/4 of said Section 16, a distance of 125.00 feet; thence N 00°00'00" E a distance of 25.00 feet; thence S89°51'59" W along a line 30.00 feet North of parallel to the South line of the SE 1/4 NE

1/4 of said Section 16, a distance of 49.54 feet; thence N 00°10'50" E a distance of 417.00 feet; thence S 89°51'59" W a distance of 154.75 feet; thence N 00°10'50" E a distance of 872.61 feet, more or les, to the Point of Beginning.

CONTAINING 10.9105 Acres (475,263.53 Square Feet) 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 6th day of November, 2002, in the City Hall auditorium, located at 250 N 5th Street, City of 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 18th day of September, 2002.

September 18, 2002

Attest:

President of the Council

City Clerk

September 18, 2002

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

City Clerk

Published: September 20, 2002
September 27, 2002
October 4, 2002
October 11, 2002

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

**DAKOTA WEST SUBDIVISION
APPROXIMATELY 10.9105 ACRES
LOCATED AT 3088 & 3090 D ½ ROAD**

WHEREAS, on the 18th day of September, 2002, 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 6th day of November, 2002; 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:

DAKOTA WEST ANNEXATION

A certain parcel of land lying in the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northwest Corner of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16, and considering the North line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of said Section 16 to bear N 89°51'29" E with all bearings contained herein being relative thereto; thence from said Point of Commencement, N 89°51'29" E along the North line of the SE 1/4 NE 1/4 of said

Section 16, a distance of 501.10 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 89°51'29" E a distance of 325.22 feet; thence S 00°00'00" E a distance of 449.87 feet; thence N 89°51'36" E a distance of 310.00 feet; thence S 00°00'00" E along a line 185.00 feet West of and parallel to the East line of the SE 1/4 NE 1/4 of said Section 16, a distance of 369.81 feet; thence S 89°51'59" W a distance of 310.00 feet; thence S 00°00'00" E, along the West line (and its Northerly projection) of Voegely Minor Subdivision a distance of 495.00 feet; thence S 89°51'59" W along a line 5.00 feet North of and parallel to the South line of the SE 1/4 NE 1/4 of said Section 16, a distance of 125.00 feet; thence N 00°00'00" E a distance of 25.00 feet; thence S89°51'59" W along a line 30.00 feet North of parallel to the South line of the SE 1/4 NE 1/4 of said Section 16, a distance of 49.54 feet; thence N 00°10'50" E a distance of 417.00 feet; thence S 89°51'59" W a distance of 154.75 feet; thence N 00°10'50" E a distance of 872.61 feet, more or les, to the Point of Beginning.

CONTAINING 10.9105 Acres (475,263.53 Square Feet) more or less, as described.

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

INTRODUCED on first reading on the ___ day of ____, 2002.

ADOPTED and ordered published this ___ day of _____, 2002.

Attest:

President of the Council

City Clerk

**Attach 8
Kresin Annexation**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Kresin Annexation, 2052 South Broadway						
Meeting Date	September 18, 2002						
Date Prepared	September 9, 2002				File #ANX-2002-157		
Author	Pat Cecil			Development Services Supervisor			
Presenter Name	Pat Cecil			Development Services Supervisor			
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: The Kresin Annexation is an annexation comprised of 1 parcel of land located at 2052 South Broadway, comprising a total of 8.2013 acres. The petitioner is seeking annexation as part of a request for Preliminary Plan approval pursuant to the 1998 Persigo Agreement with Mesa County.

Budget: N/A

Action Requested/Recommendation: Approval of the Resolution of Referral, first reading of the Annexation Ordinance, exercise land use immediately and set hearing for November 6, 2002.

Attachments:

1. Staff report/Background information
2. Aerial Photo
3. Annexation map
4. Resolution of Referral Petition
5. Annexation Ordinance

Background Information: See attached Staff Report/Background Information

Staff Report/ Background Information

<i>BACKGROUND INFORMATION</i>					
Location:		2052 South Broadway			
Applicants:		Bruce T. and Teresa A. Kresin			
Existing Land Use:		Existing residence with accessory buildings			
Proposed Land Use:		Residential development			
Surrounding Land Use:	North	Residential			
	South	Residential / Golf Course			
	East	Residential			
	West	Residential			
Existing Zoning:		R-2 (County)			
Proposed Zoning:		RSF-2 (Residential Single Family -2 dwelling units per acre.			
Surrounding Zoning:	North	R1B (County)			
	South	RSF-2 & CSR (City)			
	East	R1B (County)			
	West	R2 (County)			
Growth Plan Designation:		Residential Medium Low 2-4			
Zoning within density range?		X	Yes		No

Staff Analysis:

ANNEXATION:

This annexation area consists of annexing 8.2013 acres of land. The property owners have requested annexation into the City as the result of needing a rezone in the County to subdivide. Under the 1998 Presigo Agreement all rezones require annexation and processing in the City.

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

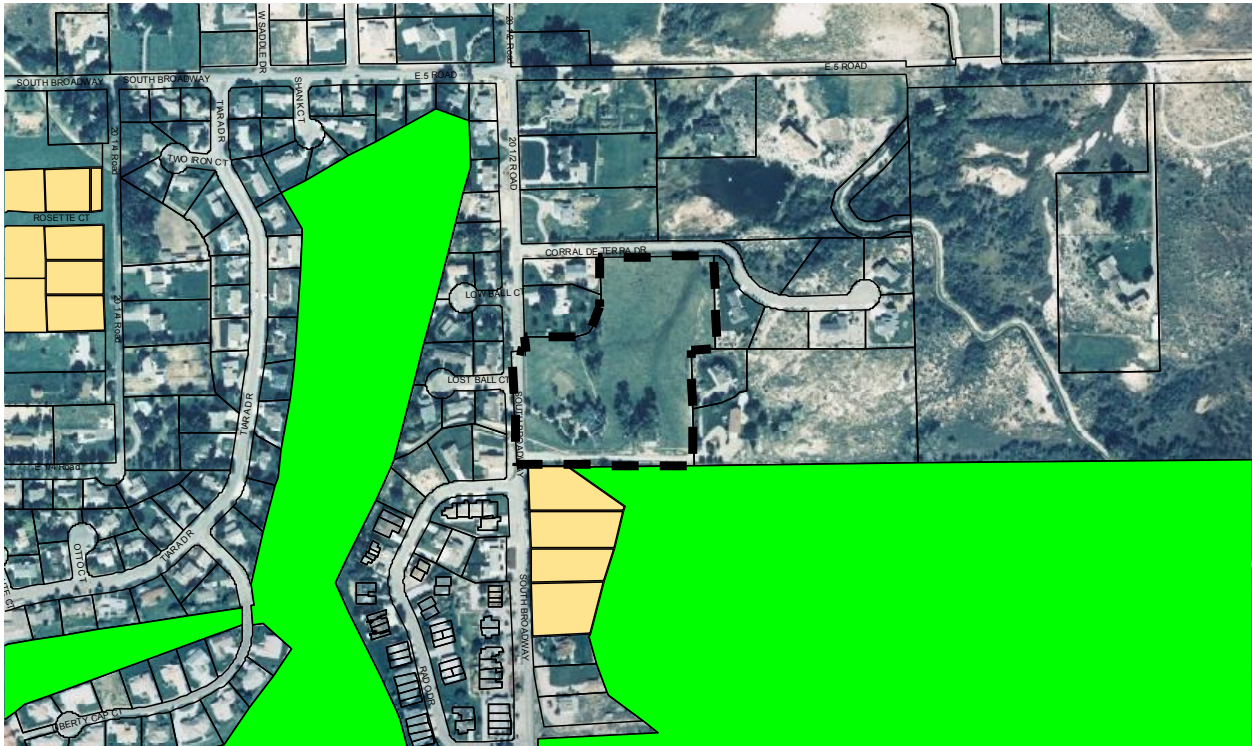
- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and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

The following annexation and zoning schedule is being proposed.

<i>ANNEXATION SCHEDULE</i>	
9/18/02	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
9/24/02	Planning Commission considers Zone of Annexation
10/6/02	First Reading on Zoning by City Council
11/6/02	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
12/8/02	Effective date of Annexation and Zoning

KRESIN ANNEXATION SUMMARY		
File Number:	ANX-2002-157	
Location:	2052 South Broadway	
Tax ID Number:	2947-224-00-186	
Parcels:	1	
Estimated Population:	2.1	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	1	
Acres land annexed:	8.2013 acres	
Developable Acres Remaining:	Approx. 7.5 acres	
Right-of-way in Annexation:	0	
Previous County Zoning:	R-2	
Proposed City Zoning:	RSF-2	
Current Land Use:	Residential	
Future Land Use:	Residential Medium Low 2-4	
Values:	Assessed:	\$34,020
	Actual:	\$371,730
Census Tract:	1402	
Address Ranges:	526-534 South Broadway and 2057-2061 Corral De Terra Drive	
Special Districts:	Water:	Ute Water District
	Sewer:	City
	Fire:	GJ Rural Fire District
	Drainage:	Redlands
	School:	District 51
	Pest:	N/A

**GENERAL LOCATION
ANX-2002-157
KRENSIN ANNEXATION**



**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 18th day of September, 2002, the following Resolution was adopted:

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**

KRESIN ANNEXATION

LOCATED at 2052 South Broadway

WHEREAS, on the 18th day of September, 2002, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

A certain parcel of land lying in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 22, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southwest corner of the NW 1/4 SE 1/4 of said Section 22, and considering the West line of the NW 1/4 SE 1/4 of said Section 22 to bear N 00°31'00" E with all bearings contained herein being relative thereto; thence from said Point of Beginning, N 00°31'00" E along the West line of the NW 1/4 SE 1/4 of said Section 22, a distance of 384.00 feet; thence S 88°27'03" E a distance of 40.00 feet; thence N 00°31'00" E along a line 40.00 feet East of and parallel to the West line of the NW 1/4 SE 1/4 of said Section 22, being the East right of way for 20 1/2 Road (South Broadway), a distance of 43.70 feet; thence S 89°20'59" E a distance of 168.46 feet; thence N 81°02'14" E a distance of 31.91 feet; thence N 57°20'01" E a distance of 12.67 feet; thence N 41°06'49" E a distance of 19.41 feet; thence N 30°33'35" E a distance of 20.67 feet; thence N 21°20'41" E a distance of 19.81 feet; thence N 18°14'41" E a distance of 20.00 feet; thence N 12°56'10" E a distance of 19.83 feet; thence N 05°29'42" E a distance of 20.36 feet; thence N 00°31'00" E a distance of 136.20 feet to a point on the South line of that certain 50 foot utility easement and road right of way for Corral de Terra Drive, as same is shown on the Plat of Corral de Terra, recorded in Plat Book 13, Page 124, Public Records of Mesa County, Colorado; thence S

89°06'00" E along said South line, a distance of 380.00 feet to a point being the Northwest corner of Lot 7, said Plat of Corral de Terra; thence S 00°31'00" W, along the West line of said Plat of Corral de Terra, a distance of 311.19 feet to a point on the North line of Bonatti Subdivision, as same is recorded in Plat Book 14, Page 69, Public Records of Mesa County, Colorado; thence N 88°28'12" W, along said North line, a distance of 83.70 feet to a point being the Northwest corner of said Bonatti Subdivision; thence S 00°22'30" W, along the West line of said Bonatti Subdivision, a distance of 383.00 feet to a point on the South line of the NW 1/4 SE 1/4 of said Section 22; thence N 88°28'12" W, along said South line, a distance of 590.02 feet, more or less, to the Point of Beginning.

CONTAINING 8.2013 Acres (357,249.08 Square Feet) 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 6th day of November, 2002, 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.**

September 18, 2002

ADOPTED this day of , 2002.

Attest:

President of the Council

City Clerk

September 18, 2002

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>
September 20, 2002
September 27, 2002
October 4, 2002
October 11, 2002

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

KRESIN ANNEXATION

APPROXIMATELY 8.2013 ACRES

LOCATED AT 2052 SOUTH BROADWAY

WHEREAS, on the 18th day of September, 2002, 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 6th day of November, 2002; and

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

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

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

A certain parcel of land lying in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 22, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southwest corner of the NW 1/4 SE 1/4 of said Section 22, and considering the West line of the NW 1/4 SE 1/4 of said Section 22 to bear N 00°31'00" E with all bearings contained herein being relative thereto; thence from

said Point of Beginning, N 00°31'00" E along the West line of the NW 1/4 SE 1/4 of said Section 22, a distance of 384.00 feet; thence S 88°27'03" E a distance of 40.00 feet; thence N 00°31'00" E along a line 40.00 feet East of and parallel to the West line of the NW 1/4 SE 1/4 of said Section 22, being the East right of way for 20 1/2 Road (South Broadway), a distance of 43.70 feet; thence S 89°20'59" E a distance of 168.46 feet; thence N 81°02'14" E a distance of 31.91 feet; thence N 57°20'01" E a distance of 12.67 feet; thence N 41°06'49" E a distance of 19.41 feet; thence N 30°33'35" E a distance of 20.67 feet; thence N 21°20'41" E a distance of 19.81 feet; thence N 18°14'41" E a distance of 20.00 feet; thence N 12°56'10" E a distance of 19.83 feet; thence N 05°29'42" E a distance of 20.36 feet; thence N 00°31'00" E a distance of 136.20 feet to a point on the South line of that certain 50 foot utility easement and road right of way for Corral de Terra Drive, as same is shown on the Plat of Corral de Terra, recorded in Plat Book 13, Page 124, Public Records of Mesa County, Colorado; thence S 89°06'00" E along said South line, a distance of 380.00 feet to a point being the Northwest corner of Lot 7, said Plat of Corral de Terra; thence S 00°31'00" W, along the West line of said Plat of Corral de Terra, a distance of 311.19 feet to a point on the North line of Bonatti Subdivision, as same is recorded in Plat Book 14, Page 69, Public Records of Mesa County, Colorado; thence N 88°28'12" W, along said North line, a distance of 83.70 feet to a point being the Northwest corner of said Bonatti Subdivision; thence S 00°22'30" W, along the West line of said Bonatti Subdivision, a distance of 383.00 feet to a point on the South line of the NW 1/4 SE 1/4 of said Section 22; thence N 88°28'12" W, along said South line, a distance of 590.02 feet, more or less, to the Point of Beginning.

CONTAINING 357,249.08 square feet or 8.2013 acres, more or less, as described be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the ___ day of _____, 2002.

ADOPTED and ordered published this ___ day of _____, 2002.

Attest:

President of the Council

City Clerk

**Attach 9
Rezoning City Market**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	City Market Rezoning, southeast corner of Patterson Road and 12 th Street						
Meeting Date	September 18, 2002						
Date Prepared	September 9, 2002				File #RZ-2002-118		
Author	Pat Cecil			Development Services Supervisor			
Presenter Name	Pat Cecil			Development Services Supervisor			
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: City Market is requesting a rezoning of approximately 8.26 acres from the Neighborhood Business (B-1) district and the Residential Multiple Family – 8 (RMF-8) district to the Planned Development (PD) district. The Planning Commission, on August 27, 2002, recommended approval of the zoning to the City Council.

Budget: N/A

Action Requested/Recommendation: Conduct the first reading of the ordinance and set a public hearing date of October 2, 2002.

Attachments:

6. Staff report/Background information
7. Petitions in Support (13) (17 signatures)
8. Letters in Opposition (3)
9. General Project Report
10. Location Map
11. Site development maps
12. Building elevations
13. Traffic generation chart
14. Draft Planning Commission Minutes
15. Ordinance

Background Information: See attached Staff Report/Background Information

BACKGROUND INFORMATION		
Location:		Southeast corner of the intersection of 12 th Street and Patterson Road
Applicants:		Dillon Real Estate Co. Inc. – Petitioner Goldberg Property Assoc. Inc. - Developer Rolland Engineering – Consultant
Existing Land Use:		Currently undeveloped
Proposed Land Use:		Commercial and residential uses
Surrounding Land Use:	North	Church with school, a counseling center and a residential use across Patterson Road from the site.
	South	Residential uses on the south side of Wellington Avenue and a building that has been used as a real estate office and is currently a residence at the northeast corner of Wellington Avenue and 12 th Street.
	East	Residential, Patterson Gardens and a single family residence
	West	Commercial, Patterson Square Shopping Center
Existing Zoning:		B-1 and RMF-8
Proposed Zoning:		PD
Surrounding Zoning:	North	RMF-8 and RO

	South	RMF-8, PD (residential) and B-1 (one lot at the northeast corner of Wellington Avenue and 12 th Street)		
	East	RMF-8		
	West	B-1		
Growth Plan Designation:		Commercial and Residential Medium density 4-8 dwelling units per acre		
Zoning within density range?		X	Yes	No

Project analysis: The petitioner is requesting approval to rezone approximately 8.26 acres from the Neighborhood Business (B-1) district and the Residential Multi-Family-8 dwelling unit per acre (RMF-8) district to a Planned Development (PD) district. There is approximately 6.33 acres zoned B-1 and approximately 1.93 acres zoned RMF-8. The project site is comprised of twenty lots, which are intended to be reconfigured to 2-lots if the project is approved.

The rezoning is being requested in order to develop a mixed use project. A City Market grocery store/pharmacy (49,500 square feet) (with a drive up service) with fueling service (5-fueling stations with a payment kiosk) and two detached commercial buildings (4,800 and 5,000 square feet, respectively), along with 12 residential dwelling units (density of 6.2 units per acre) that are to be developed along the Wellington Avenue frontage.

An 8-foot high screening wall is proposed along the east property line to separate the project and provide noise attenuation for the residential uses to the east, and a 6-foot high screen wall will separate the commercial component from the proposed residential development on the south side of the project. The residential development will also act as a screen on the south side to buffer the existing residential uses along Wellington Avenue from the proposed commercial uses and to maintain a residential streetscape along Wellington Avenue.

The PD ordinance is based on the standards and uses permitted in the B-1 and RMF-8 zone districts as the underlying default standards. The only deviation in standards is a requested reduction of the front yard setback for the residential component from 20 feet to 14 feet.

Thirteen petitions containing 17 signatures in favor of the project were submitted to the Planning Commission. The petitions are included in this report. Three letters of opposition have also been received regarding the project as of the writing of this report.

They are attached to the report. Any additional letters will be included in the staff report for the October 2nd hearing.

Consistency with the Growth Plan:

The project site is located in two Future Land Use classifications. A portion of the site is located in the Commercial designation and a portion is in the Residential Medium 4-8 units per acre designation. The Future Land Use Plan shows the designations following the lot lines as they existed at the time of the adoption of the Growth Plan. The boundary's between Growth Plan designations is interpretive. When the site was zoned, the RMF-8 boundary that implemented the Residential Medium 4-8 designation was drawn as a more or less straight line, from Wellington Avenue approximately 90 feet north, then west running generally parallel to Wellington Avenue. The rest of the site including the lot at the northeast corner of Wellington Avenue was zoned B-1. The zoning that has been applied to the project area is consistent with the Growth Plan.

The project proposes a mixed use project, with commercial uses on the bulk of the site, with a residential component fronting Wellington Avenue, consistent with the Future Land Use map. The density of the residential component is 6.2 units per acre, and is consistent with the Growth Plan Land Use classification of 4-8 units per acre.

There are several policies in the Growth plan which would support the rezoning for a mixed use project:

Policy 1.6: The City and County may permit the development of limited neighborhood service and retail uses within an area planned for residential land use categories through planned developments.

Policy 11.1: The City and County will promote compatibility between adjacent uses by addressing traffic, noise, lighting, height/bulk differences, and other sources of incompatibility through the use of physical separation, buffering, screening and other techniques.

Policy 11.2: The City and County will limit commercial encroachment into stable residential neighborhoods. No new commercial development will be allowed in areas designated for residential development unless specifically approved as part of a planned development.

Consistency with Section 2.6 of the Zoning and Development Code:

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

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

Petitioner's response: The existing zoning map was a zoning of the best-perceived use of the area. The underlying zoning of B-1 and RMF-8 are the underlying zoning for the PD zoning requested. The City Market Site will have a mix of retail allowed under the B-1 zoning and housing options allowed under the RMF-8 zoning.

Staff response: Since the PD zone request uses the existing zone districts as the underlying default zones, this criteria is not applicable.

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, ect.;

Petitioner's response: The neighborhoods in this area have been undergoing a change in their nature through the last several years. The surrounding area has tended to become more oriented towards additional health care facilities from medical offices to assisted living units. The College expansion has resulted in a demand for multi-family housing units. The housing that was in this area had deteriorated and has since been removed from the site. To the west of this site are retail shops and restaurants.

Staff response: Any changes in character to the surrounding neighborhood due to the impacts of growth and development are to be expected based on the Growth Plan. There have been no unanticipated changes. However, because the PD zone request continues to use the existing zone districts of B-1 and RMF-8 as the default zones, this concern is 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 nuisances;

Petitioner's response: We believe that the rezone is compatible with the surrounding neighborhood. The road system is being improved to handle traffic concerns. Storm drainage has been designed to be detained and released at historic flow rates. City Market has met with the Patterson Gardens Neighborhood and believes that it can take care of their issues and concerns. Overall site concerns have been reviewed and designed to have the minimum impact as possible on surrounding streets and neighbors. We believe that the RMF-8 multi-family housing units along Wellington act as buffer between the existing housing to the east and south and the B-1 zoning existing to the west and north.

Staff response: The proposed rezone to PD is within the allowable density range recommended by the Growth Plan. This criterion must be considered in conjunction with criterion 5, which requires that public facilities and services are available when the impacts of any proposed development are realized. Staff has determined that the public infrastructure that would be built as part of this proposed project would adequately mitigate any potential impacts. In addition, the PD ordinance has been designed to prevent impacts to the neighborhood from this development, therefore this criterion is met.

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;

Petitioner's response: The Growth Plan presently has this area zoned as B-1 and RMF-8. The Growth Plan has RMF-8 zoning to the east of the site and B-1 zoning to the north and west of the site. A Planned Development zone will allow a transition between the RMF-8 and B-1 zoning. The Planned Development allows the flexibility to place RMF-8 multi-family housing units along Wellington Avenue, which creates a transition/buffer to the B-1 zoning of the City Market store area. All half-road improvements to the surrounding roads will be accomplished to the City of Grand Junction Standards. The existing zoning along Wellington Avenue of RMF-8, would require 8 to 15 multi-family housing units on 1.93 acres. The Planned Development requested will have 12 multi-family units.

Staff response: Staff believes that the proposed project is in conformance with the intent of the Growth Plan and the requirements of the Code.

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

Petitioner's response: Adequate public facilities and services are available to the site. The storm drainage system will be constructed to be a detention pond with historic flow rates from the site. Patterson Avenue, 12th Street, and Wellington Avenue will be modified to include half-street improvements, new curb, gutter and sidewalk, and improved lanes and striping to handle access movements to the site.

Staff response: Public facilities are currently available and those components that need to be upgraded to mitigate potential impacts from this project will be upgraded as part of the project.

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

Petitioner's response: There isn't an adequate supply of land available of this size and zoning in the immediate community area. The underlying zoning of B-1 and RMF-8 supports the Planned Development zoning request and allows flexibility of the site plan.

Staff response: There is not an adequately zoned parcel of the size needed, in the immediate vicinity.

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

Petitioner's response: We believe that the surrounding community will benefit from a mix of retail amenities provided by the City Market retail shops and also from the additional housing units provided within the multi-family housing framework.

Staff response: The community can benefit from the project, in the aspect that it will supply additional housing, construct needed traffic improvements to the intersection of Patterson Road and 12th Street, provide open space area and provide additional retail opportunities that can be accessed by pedestrians and bicyclist from adjacent neighborhoods.

Consistency with the review criteria of Section 2.12.C.2. of the Zoning and Development Code. A preliminary development plan application shall demonstrate conformance with all of the following:

- a. The ODP review criteria in Section 2.12.B;

Response: This is not applicable since there is no approved ODP on the site.

- b. The applicable preliminary plan criteria in Section 2.12.B;

Section 2.12.B. ODP criteria:

- a. The Growth Plan, major street plan and other adopted plans and policies;
- b. The rezoning criteria provided in Section 2.6;
- c. The planned development requirements of Chapter Five;
- d. The applicable corridor guidelines and other overlay districts in Chapter Seven;
- e. Adequate public services and facilities shall be provided concurrent with the projected impacts of the development;
- f. Adequate circulation and access shall be provided to serve all development pods/areas to be developed;
- g. Appropriate screening and buffering of adjacent property and uses shall be provided;
- h. An appropriate range of density for the entire property or for each development pod/area to be developed;
- i. An appropriate set of "default" or minimum standards for the entire property or for each development pod/area to be developed;
- j. An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed; and
- k. The property is at least twenty (20) acres in size.

Response: Staff believes that the review criteria has either been met or is not applicable.

- c. The applicable site plan review criteria in Section 2.2.D.4;

Section 2.2.D.4. Review Criteria. The Director will approve the major site plan if the applicant demonstrates that the proposed development complies

with:

- (1) Adopted plans and policies, such as:
 - (A) The Growth Plan and any applicable corridor, special area or neighborhood plans; and
 - (B) The major street plan, trails plan and parks plan.
- (2) Conditions of any prior approvals.
- (3) Other code requirements, including:
 - (A) Rules of the zoning district;
 - (B) The Use-specific standards in Chapter Three;
 - (C) The design and improvement standards provided in Chapter Six; and
- (4) Quality site design practices, including:
 - (A) The site shall be organized harmoniously and efficiently in relation to topography, the size and type of the property affected, the character and site design of adjoining property, and the type and size of structures. The site shall be developed to accommodate future growth in the neighborhood.
 - (B) To the maximum degree practical, the native floral bushes, grasses and trees and other landscaping shall be preserved, by minimizing vegetation disturbance and soil removal and by other appropriate site construction planning techniques. Wind and water erosion shall be minimized through site design.
 - (C) Fences, walls and live screening shall be provided to protect the neighborhood and the future uses of the site from adverse effects such as undesirable views, lighting and noise.
 - (D) Plant materials shall be in scale with the structures, the site and its uses and surroundings. Plantings should be arranged to harmonize in size, color, texture, and year-round characteristics of the structures and the site.
 - (E) The scale, character and orientation of structures shall be compatible with present and future uses.
 - (F) Exterior lighting shall be hooded so that no direct light is visible off the site.
 - (G) All utility service lines shall be underground including natural gas, electrical, telephone, and cable television lines.
 - (H) On site parking, loading and vehicular and pedestrian circulation must be safe.
 - (I) Safe and convenient pedestrian, bicycle and vehicular access to public rights-of-way and common use shall be provided. The location, size and number of vehicular and pedestrian access shall be arranged to minimize negative impacts on the Neighborhood. Off-site and on-site improvements may be required for safe vehicular and pedestrian movement.

- (J) Emergency and utility vehicles must have obvious and ready access to all structures and areas of the site.
- (K) Public facilities and utilities shall be available concurrent with the Development.

Response: Staff believes all the criteria of Section 2.2.D.4 are either not applicable or have been met.

- d. The approved ODP, if applicable;

Response: Not applicable, there is no approved ODP.

- e. The approved PD rezoning ordinance, if adopted with an ODP;

Response: Not applicable. There is no approved PD zone ordinance for the site or ODP.

- f. An appropriate, specific density for all areas included in the preliminary plan approval; and

Response: There is a density designated for the residential component of 6.2 dwelling units per acre.

- g. The area of the plan is at least five (5) acres in size or as specified in an applicable approved ODP.

Response: The site contains 8.26 acres.

Consistency with Chapter 5 of the Zoning and Development Code:

In addition to the questions asked by Zoning and Development Code Sections 2.6 and 2.12, the petitioner must identify what public benefits arise from zoning the property to

PD as required by Chapter 5 of the Zoning and Development Code. Below are the public benefits as identified by the petitioner:

- The intersection of 12th and Patterson will be significantly upgraded. Double left turns will be added to the road cross-sections (both Patterson and 12th Street) allowing for more efficient traffic maneuvering.
- A bus pullout is being added on Patterson Road that will be to the benefit of the Grand Valley Rapid Transit bus system. This supports the multi-modal transportation goals of the City and County.
- Wellington Avenue is being upgraded (half Road improvements) for a sidewalk on the north side, a bike lane striped along the north side for bicycle transportation, and a raised speed table to slow down vehicle speed. The speed table will also be a pedestrian cross-walk.
- The site will be heavily landscaped with a minimum 15 foot wide landscape buffer around the perimeter of the store site. The detention pond area on the southwest corner of the site will provide an approximate 100 foot wide landscaped buffer between Wellington Avenue and the store site.
- Site drainage is being detained at less than historic flow rates which will improve the capacity of the existing drain system (the Buthorn Drain).
- The 12 residential units (townhomes) proposed in Lot 1 are 4 more units than the minimum 8 that could be allowed with the straight underlying zoning. The residential component is a good buffer and transition from residential to the southeast and commercial to the northwest.

The majority of the items listed above are benefits that accrue as a direct result of mitigating impacts of the proposed development. Even more important are benefits that are above and beyond what is required. These include:

1. Additional retail shopping opportunities will be provided to the public. Specifically for the residential areas to the east and the south that will be accessible to pedestrians and bicyclist, making the project a more neighborhood friendly facility. Proximity of neighborhood shopping and services has the potential of decreasing some of the traffic impacts that result from the need to travel longer distances for basic services.
2. The drainage detention area will be designed to act as a passive recreation area at times when not needed for storm water detention. The area provides 20,855 square feet of landscaped open space for the project and surrounding neighborhood.
3. The design of this proposed mixed use project provides opportunity to integrate residential, retail and service uses, and to minimize the impact of the commercial component on much of the nearby residential development.

Drainage: Drainage will be collected in a drainage detention area located at the south end of the project site adjacent to Wellington Avenue. The storm water collected will

then be released at less than historic rates. The detention area will be landscaped and will supply an additional buffer between the proposed commercial uses on the site and the existing residential uses on the south side of Wellington Avenue.

Open Space: The drainage detention area provides approximately 20,855 square feet of open space for the project and the neighborhood. This area will be planted with grass and trees and will provide for passive recreation activities in addition to providing a buffer at this location for the residential uses on the south side of Wellington Avenue. The RMF-8 zone district would require 4,800 square feet for the development of 12 dwelling units.

Access/Streets: There will be four access points into the project: A right in/out at the northeast corner of the site on Patterson Road, a left/right in with only right out on Patterson Road. A right in/out on 12th Street., A full movement intersection on Wellington Avenue is provided.

Truck traffic for deliveries will either use 12th Street for ingress/egress or the access point at the northeast corner of the site on Patterson Road. No ingress/egress delivery truck access will be permitted on Wellington Avenue.

As part of the project, major reconstruction of the intersection of 12th Street and Patterson Road will be required. The petitioner is required to construct dual left turn lanes from Patterson Road to 12th Street in both directions, and from 12th Street to Patterson in both directions.

A trip generation table for the individual uses proposed is attached to the staff report.

Issues: The main issue associated with this project revolves around the proposed road improvements at the intersection of Patterson Road and 12th Street. In order for the improvements to be made, additional right-of-way will be required to be procured from the southwest corner of the intersection. With the acquisition of the necessary right-of-way, the bank (Mesa National Bank) building located at this corner will become more non-conforming than it currently is. The current required front yard setback in the B-1 zone is 20 feet (current setback is 15 feet, but the previous B-1 district had a 65 foot setback from the centerline of the road, and the bank building was built in conformance with that code). The bank building will be 9 feet from the property line upon acquisition of the additional right-of-way. Final intersection design will have to address any potential impacts to the bank building due to intersection improvements.

Findings and Conclusions:

After reviewing the request for approval of the preliminary plan and zone amendment for the City Market property located at the southeast corner of the intersection of Patterson Road and 12th Street, File Number RZ-2002-118, the Planning Commission made the following findings of facts and conclusions:

1. The rezoning is consistent with the goals and policies of the Growth Plan.
2. The review criteria of Section 2.6.A. of the Zoning and Development Code have been met.
3. The review criteria of Section 2.12.C.2. of the Zoning and Development Code have been met.
4. The proposed development provides public benefits above and beyond those required to mitigate the impacts of development and complies with Chapter 5 of the Zoning and Development Code.

PLANNING COMMISSION RECOMMENDATION:

That the City Council approve the rezoning request, finding the Planned Development district to be consistent with the Growth Plan and Sections 2.6, 2.12.C.2 and Chapter 5 of the Zoning and Development Code.

June 2002

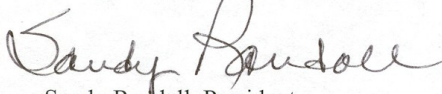
City of Grand Junction Colorado
Planning and Zoning Dept
250 North 5th Street
Grand Junction CO 81501

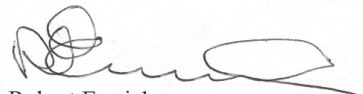
As the Board of Directors of Patterson Gardens Townhomes located at 1441 Patterson Road, we are in support of the proposed development of the property located at 12th and Patterson by City Market and Goldberg Property Associates.


We have found City Market and Goldberg Property Associates to be very agreeable to finding solutions to concerns expressed by the residents of Patterson Gardens. The design of the property as currently proposed appears to be compatible to our neighborhood. City Market and Goldberg Property Associates appear to be diligent in approaching this project with minimal impact on our neighborhood due to the development of this property.

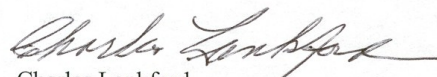
In addition, we believe that City Market's active involvement in community endeavors in Grand Junction is an indication that they will be a good neighbor to Patterson Gardens.

Patterson Gardens Board of Directors

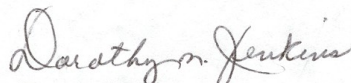

Sandy Randall, President


Robert Emrich

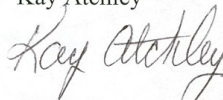

Sandy Chambers, Vice-President



Charles Lankford

Elaine Washington, Treasurer


Dorothy Jenkins

Kay Atchley


Wilda Groom


Barbara Sundermeier

4

June 2002

City of Grand Junction Colorado
Planning and Zoning Dept
250 North 5th Street
Grand Junction CO 81501

As a resident of Patterson Gardens Townhomes located at 1441 Patterson Road, I am aware of the proposed development of the property located at 12th and Patterson by City Market and Goldberg Property Associates.

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In addition, City Market's active involvement in community endeavors in Grand Junction is an indication that they will be a good neighbor to Patterson Gardens.

Additional Comments:

Mutton Perry

June 2002

City of Grand Junction Colorado
Planning and Zoning Dept
250 North 5th Street
Grand Junction CO 81501

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Additional Comments:

Ralph H. O'Brien } #804
Jeanne A. O'Brien }

September 18, 2002

June 2002

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Planning and Zoning Dept
250 North 5th Street
Grand Junction CO 81501

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Additional Comments:

I am glad to hear city market is going in
instead of a bar or something.

Deana Pacheco Unit #203

June 2002

City of Grand Junction Colorado
Planning and Zoning Dept
250 North 5th Street
Grand Junction CO 81501

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Additional Comments:

Elmo Wells

June 2002

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Planning and Zoning Dept
250 North 5th Street
Grand Junction CO 81501

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Additional Comments:

Samara Donati

June 2002

City of Grand Junction Colorado
Planning and Zoning Dept
250 North 5th Street
Grand Junction CO 81501

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Additional Comments:

Joe Foster 802

June 2002

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Planning and Zoning Dept
250 North 5th Street
Grand Junction CO 81501

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Additional Comments:

Sheryl Solok 7-7-02

June 2002

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Planning and Zoning Dept
250 North 5th Street
Grand Junction CO 81501

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Additional Comments:

W. Davidovich

June 2002

City of Grand Junction Colorado
Planning and Zoning Dept
250 North 5th Street
Grand Junction CO 81501

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Additional Comments:

Joe Spinney #604

June 2002

City of Grand Junction Colorado
Planning and Zoning Dept
250 North 5th Street
Grand Junction CO 81501

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Additional Comments:

Susan G. P. O. 6-7-02

June 2002

City of Grand Junction Colorado
Planning and Zoning Dept
250 North 5th Street
Grand Junction CO 81501

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Additional Comments:

Lay Prewitt

September 18, 2002

June 2002

City of Grand Junction Colorado
Planning and Zoning Dept
250 North 5th Street
Grand Junction CO 81501

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Additional Comments:

*This has been a fine company
to work with both Goldberg
and City Market.*

Sandy Sandoe

September 18, 2002

RECEIVED

MAY 03 2002

COMMUNITY DEVELOPMENT
DEPT.

5/1/2002

City of Grand Junction

Community Development Dept.

252 N. 5th St.

Grand Junction, Co. 81501

Dear Luis:

As a resident of a cul-de-sac off Patterson
between 7th + 12th St, I radically oppose
the building of a City Hq. at 12th & Patterson.
The traffic on Patterson is already
horrendous as well as on 12th St. City Hq.
would only add to the traffic.

That corner would make a nice park or
residential area.

A Concerned Citizen

September 18, 2002

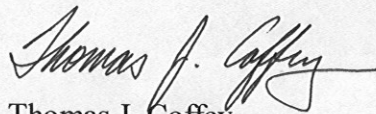
September 5, 2002

Gentlemen:

Please be advised that I am in opposition of the proposed construction of a grocery store at the intersection of Patterson and Twelfth Streets in Grand Junction, Colorado. Having three grocery stores, with a combined two hundred thousand square feet of floor area within a half mile of each other does not make any sense. The situation gets even more bizarre if tax dollars are to be used to compliment this investment by a private company. The traffic congestion, even with the proposed revisions (with tax dollars), will be a real inconvenience for those individuals who live within a quarter mile radius. The prospect of a few jobs and a nominal increase of tax revenue should not justify the approval of this project.

Thank you for your attention to this matter.

Sincerely,



Thomas J. Coffey
1017 Lakeside Court
Grand Junction, Colorado
81506-2817
970/257-0102

RECEIVED

SEP 09 2002

COMMUNITY DEVELOPME
DEPT.

September 18, 2002

PAT OURET

3510 Beechwood Street
Grand Junction, Co. 81506

July 25, 2002

Community Development
ATTN: Pat Cecil
250 North 5th. Street
Grand Junction, Co. 81501

Dear Mr. Cecil

I would like to give my opinion on building a new City Market store at 12th. Street and Patterson, in Grand Junction, Colorado.

On trying to make a left hand turn onto 12th. street, going West, the impact of traffic is so great it takes two lights to make the turn. It gets worse when St. Marys Hospital employees get off work. This is a very busy congested corner to begin with and building more business buildings on this corner will only add to the confusion. Thank you.

Sincerely,

Pat Ouret

RECEIVED

JUL 29 2002

COMMUNITY DEVELOPMENT
DEPT.

GENERAL PROJECT REPORT
(with response to City Comments dated 8/8/02)
FOR

City Market Store #144
(Rezone to Planned Development and Growth Plan
Consistency Review)

Prepared for:

GOLDBERG Property Associates Inc.
1120 Lincoln Street, Suite 1101
Denver, CO 80203-2136

In Partnership with
CITY MARKET
Real Estate Department
65 Tejon Street
Denver, CO 80223

Prepared by:

ROLLAND Engineering
405 Ridges Blvd.
Grand Junction, CO 81503

August 8, 2002
(Original revision to report 4/30/02)

Project Description

This project is the rezone to the Planned Development district and a Growth Plan Consistency Review, on approximate 8.26 acre site located at the southeast corner of 12th Street and Patterson Avenue (F Road). The proposed project is a mixed use project anchored by a City Market Supermarket.

The proposed City Market subdivision (to be applied for upon approval of the rezoning) will be a two lot subdivision that combines 20 lots into two lots. The proposed rezone and subdivision is located on the southeast corner of 12th Street and Patterson Avenue.

The existing lots on the proposed site area are presently zoned RMF-8 and B-1 in the City of Grand Junction. The proposal is to create a planned development of a City Market Supermarket of 49,500 square feet in size, two additional retail spaces of approximately 5,000 square feet each, a fuel service island, and a townhome/multi-family site/lot containing 12 residential multi-family units.

The site improvements will require road improvements along Patterson Avenue (F Road), 12th Street, and Wellington Avenue.

The existing site is generally flat, vacant land.

Project Benefit

The Project will provide a first class supermarket with ancillary shopping. This site will complement the existing shopping across 12th Street to the west. The intersection of 12th and Patterson will be upgraded and improved. The shopping center provides shopping amenities to the surrounding residences and businesses. Additionally, the project will create employment opportunities and sales tax within the City of Grand Junction. The creation of a separate lot/site for 12 new multifamily residential housing units will create additional housing opportunities in this centrally located neighborhood. The development will transition from RMF-8 and Planned Development zoning to the south and east to Business, Office, and Planned Development zoning to the north and west.

Planned Development Requirements of Chapter 5 (specifically public amenities)

The City Market Project provides many amenities through a PD zoning. The following is a list of benefits we perceive are added by the development of the City Market Site:

- The intersection of 12th and Patterson will be significantly upgraded. Double left turns will be added to the road cross-sections (both Patterson and 12th Street) allowing for more efficient traffic maneuvering.
- A bus pullout is being added on Patterson Road that will be to the benefit of the Grand Valley Rapid Transit bus system. This supports the multi-modal transportation goals of the City and County.
- Wellington Avenue is being upgraded (half Road improvements) for a sidewalk on the north side, a bike lane striped along the north side for bicycle transportation, and

a raised speed table to slow down vehicle speed. The speed table will also be a pedestrian cross-walk.

- The site will be heavily landscaped with a minimum 15 foot wide landscape buffer around the perimeter of the store site. The detention pond area on the southwest corner of the site will provide an approximate 100 foot wide landscaped buffer between Wellington Avenue and the store site.
- Site drainage is being detained at less than historic flow rates which improves the capacity of the existing drain system (the Buthorn Drain).
- The 12 residential units (townhomes) proposed in Lot 1 are 4 more units than the minimum 8 that could be allowed with the straight underlying zoning. The residential component is a good buffer and transition from residential to the southeast and commercial to the northwest.

Project Compliance, Compatibility, and Impact

We believe the Project complies with all existing plans and policies for this area. The rezone to planned development will meet the underlying zoning code of B-1 and RMF-8 zoning. A Growth Plan Consistency Review has been completed for this project and is attached at the end of this Project Report. The Growth Plan Consistency Review addresses many of the concerns for the Approval Criteria for Rezone. The following addresses the Approval Criteria in the City of Grand Junction Zoning and Development Code:

REZONE Approval Criteria from 2.6.A of the Land Use Code:

1. The existing zoning map was a zoning of the best-perceived use of the area. The underlying zoning of B-1 and RMF-8 are the underlying zoning for the PD zoning requested. The City Market Site will have a mix of retail allowed under the B-1 zoning and housing options allowed under the RMF-8 zoning.
2. The neighborhoods in this area have been undergoing a change in their nature through the last several years. The surrounding area has tended to become more oriented towards additional health care facilities from medical offices to assisted living units. The College expansion has resulted in a demand for multi-family housing units. The housing that was in this area had deteriorated and has since been removed from the site. To the west of this site is retail shops and restaurants.
3. We believe that the rezone is compatible with the surrounding neighborhood. The road system is being improved to handle traffic concerns. Storm drainage has been designed to be detained and released at historic flow rates. City Market has met with the Patterson Gardens Neighborhood and believes that it can take care of their issues and concerns. Overall site concerns have been reviewed and designed to have the minimum impact as possible on surrounding streets and neighbors. We believe that the RMF-8 multi-family housing units along Wellington act as buffer between the existing housing to the east and south and the B-1 zoning existing to the west and north.
4. The Growth Plan presently has this area zoned as B-1 and RMF-8. The Growth Plan has RMF-8 zoning to the east of the site and B-1 zoning to the north and west of the site. A Planned Development zone will allow a transition between the RMF-8

and B-1 zoning. The Planned Development allows the flexibility to place RMF-8 multi-family housing units along Wellington Avenue which allows a transition/buffer to the B-1 zoning of the City Market store area. All half-road improvements to the surrounding roads will be accomplished to the City of Grand Junction Standards. The existing Growth Plan zoning of RMF-8 in this area requires 8 to 16 multi-family housing units on 1.93 acres. The Planned Development requested will have 12 multi-family units.

5. Adequate public facilities and services are available to the site. The storm drainage system will be constructed to be a detention pond with historic flow rates from the site. Patterson Avenue, 12th Street, and Wellington Avenue will be modified to include half-street improvements, new curb, gutter and sidewalk, and improved lanes and striping to handle access movements to the site.
6. This isn't an adequate supply of land available this size and zoning in the immediate community area. The underlying zoning of B-1 and RMF-8 supports the Planned Development zoning request and allows flexibility of the site plan.
7. We believe that the surrounding community will benefit from a mix of retail amenities provided by the City Market retail shops and also from the additional housing units provided within the multi-family housing framework.

The Developer will dedicate and improve additional right-of-way along all surrounding streets (Wellington, 12th, and Patterson). The additional right-of-way brings the roadways up to the required City of Grand Junction standards and allows for the needed area to complete road improvements for the site.

The surrounding properties are zoned as follows:

The property to the north, across Patterson Avenue is zoned Residential Office, RMF-8, and Planned Development. The properties to the south, across Wellington Avenue, are zoned RMF-8 and Planned Development. The properties to the south of this site are also bordered by the Grand Valley Irrigation Canal. The property across 12th Street to the west is zoned B-1, Neighborhood Business. The property to the east, immediately abutting the City Market Site, is zoned RMF-8.

Access to the site will be from three main locations. There will be ingress and egress from Wellington, 12th Street, and Patterson Avenue. Patterson Avenue improvements will consist of curb, gutter, and sidewalk with a deceleration lane for the main store access. Additionally a 6 foot detached sidewalk will be constructed along Patterson Avenue. Wellington improvements will consist of access curb returns with a curb, gutter, a 5 foot landscaped strip and then a 5 foot wide detached sidewalk being constructed along Wellington Avenue. The improvements on 12th Street are the most extensive of the road improvements. 12th will be widened to allow for a new deceleration lane into the site and two left turn lanes in the north bound direction. Raised directional medians will be constructed in 12th Street to control traffic movements. A detached sidewalk will be constructed along the east side of 12th Street.

A 15 foot wide buffering area is provided with landscaping along the eastern boundary of the property which includes a 6 foot high masonry wall. Existing residential

development along Wellington will be buffered from retail activity by the proposed residential units on the southeastern portion of the project and the landscaped detention area on the southwestern portion.

Semi-truck traffic, and trucks that deliver foodstuffs to the supermarket, will be directed away from Wellington Avenue. The parking lot has been designed such that trucks enter from Patterson Avenue, make their deliveries, and then follow an exit route through the parking lot that exits the trucks at the 12th Street access.

A Traffic Impact Study has been completed for the site and is included with this submittal package.

All utilities are available to the site. Utility providers are as follows:

Fire -	City of Grand Junction Fire Department
Water (Domestic) -	City of Grand Junction
Sewer -	City of Grand Junction
Gas & Electric -	Public Service Company
Phone -	Qwest
Cable -	AT&T Communications
Irrigation -	Grand Valley Water Users Association
Drainage-	Grand Junction Drainage District and Grand Valley Water Users Association

There is a sanitary sewer available within the three streets surrounding the site.

Domestic water is available to the site by the City of Grand Junction. A fire flow form has been completed for the site. The fire flow form calculates the fire flow rate at 1631 gpm. We believe this amount is sufficient for the site since the stores are sprinkled.

Storm water drainage from the site will be collected using curb inlets and directed to a stormwater detention pond located at the southwest corner of the site. A Drainage Report has been completed for the site and is part of the submittal package. The storm drainage system is sized to detain the developed 100-year storm flows and release at or below the 100-year historic flow rate. The runoff and storm sewer system for this project has been calculated in accordance with the SWMM. The storm water release is into an existing culvert under 12th Street with the final outflow being into the Buthorn drain. The detention area is approximately 200 feet in length and 80 feet wide. This area will be landscaped.

A fuel island with five gas pump fuel island locations (ten fuel pumps total) will be constructed towards the southwest area of the project.

A 14 foot wide multi-purpose easement will be created along the frontages of 12th Street, Wellington Avenue, and Patterson Avenue.

A Geotechnical Report for the site has been completed and is part of this submittal.

Future Land Use Plan Consistency Report

The development of the City Market Neighborhood Center is consistent with Grand Junction's Future Land Use Plan both in terms of land use and urban policy issues.

On the Future Land Use Map the 8-acre property located at the southeast corner of Patterson Road and 12th Street has two land use classifications. The parcels along Patterson Road and 12th Street are colored red indicating Commercial use as the preferred future land use, while properties along Wellington Avenue are yellow indicating Medium Density Residential as the preferred future land use.

The land use classification on the property was designed to optimize commercial development along the two arterial streets and to transition to residential use along Wellington Avenue. This land use transition protects the residential character of Wellington Avenue and also prevents commercial encroachment into the existing residential neighborhood to the south. The actual line that distinguishes the land uses is based on old residential lot lines that will cease to exist when the property re-develops. Respecting the exact line between the two land use classifications with two projects, one commercial, the other residential would be very difficult and probably would fail to achieve the urban land use pattern the City is trying to achieve. Recognizing this difficulty, we have taken a different approach, which does not follow the line but respects the purpose of the land use transition.

The proposed City Market Center establishes a true mixed-use project that provides a variety of goods and services to the surrounding residential neighborhood. The neighborhood grocery store in our culture has become more than just a place to buy groceries. It is a neighborhood center that nearly everyone in the neighborhood uses to not only purchase food, but also to have prescriptions filled, to buy stamps or mail a letter, drop off film, pick up a newspaper, get a quick sandwich or a cup of coffee, and even put gas in the car. We have designed the project to include two more retail buildings that will further enhance the goods and services offered at one centralized location. The commercial uses are linked to each other and to the neighborhood with safe, convenient and attractive pedestrian connections. Where possible sidewalks have been detached with canopy shade trees planted between the street and sidewalk to make walking to the grocery store a pleasant experience. Hardscape areas around buildings will be enhanced with special paving, plantings and seating opportunities.

In order to provide an appropriate land use transition and to protect the residential character of Wellington Avenue, the applicant is proposing to add a residential component to the project. Currently twelve dwelling units are planned to be located along Wellington Avenue. The residential units share common open space between buildings and in front yards that will be maintained by a homeowner's association assuring high quality and consistent landscape maintenance. A detached sidewalk along a tree-lined parkway strip characterize the streetscape and the buildings are designed with architectural details that compliment the residential character of

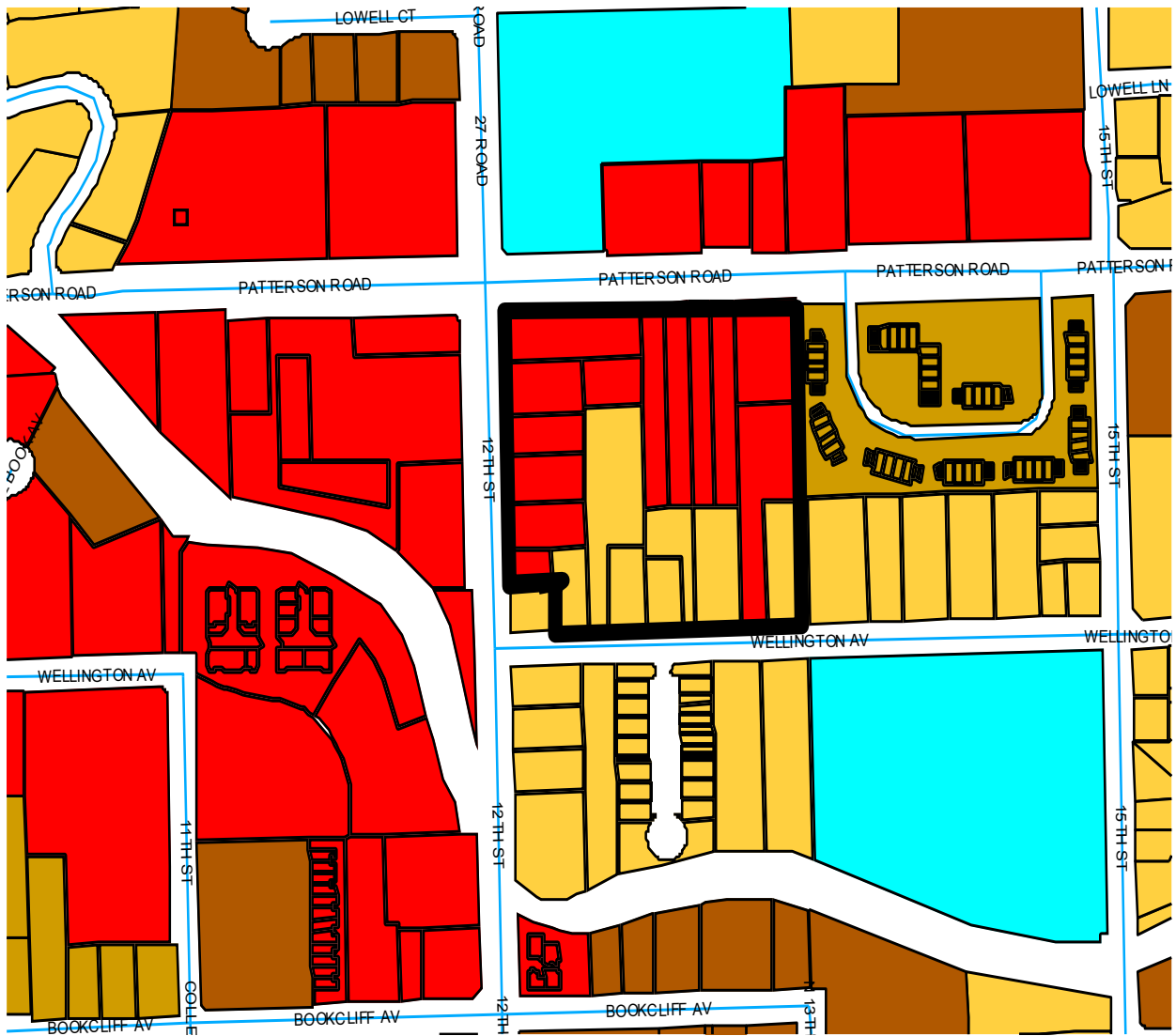
Wellington Avenue. Adding a residential component not only creates the land use transition the Land Use Plan intended it will also provides a unique housing opportunity for people that need to live close to services or for families that may only own one car.

In terms of residential density, the project is consistent with the zoning on the property. The existing RMF-8 Zoning allows a minimum of 4 dwelling units per acre and a maximum of 8 dwelling units per acre. The land area on this site zoned RMF-8 is approximately 1.93 acres, which would allow a range of between 8 and 16 dwelling units. While eight dwelling units would meet the intent of the zoning, this proposal would provide twelve dwelling units in an attractive and convenient setting.

In conclusion, we believe the proposed mixed-use development plan achieves the objectives of the Future Land Use Plan better than a plan that would respect the actual land use classification separation line. While a smaller portion of the site is dedicated to residential use, the number of dwelling units is 50% higher than the minimum number of units allowed by the zoning. The attractively designed residential buildings screen the grocery store and simultaneously create a traditional urban neighborhood streetscape. The neighborhood center as a whole, including retail and residential components, enhances the quality of life in the neighborhood by providing needed goods and services in an attractive setting that encourages social interaction.

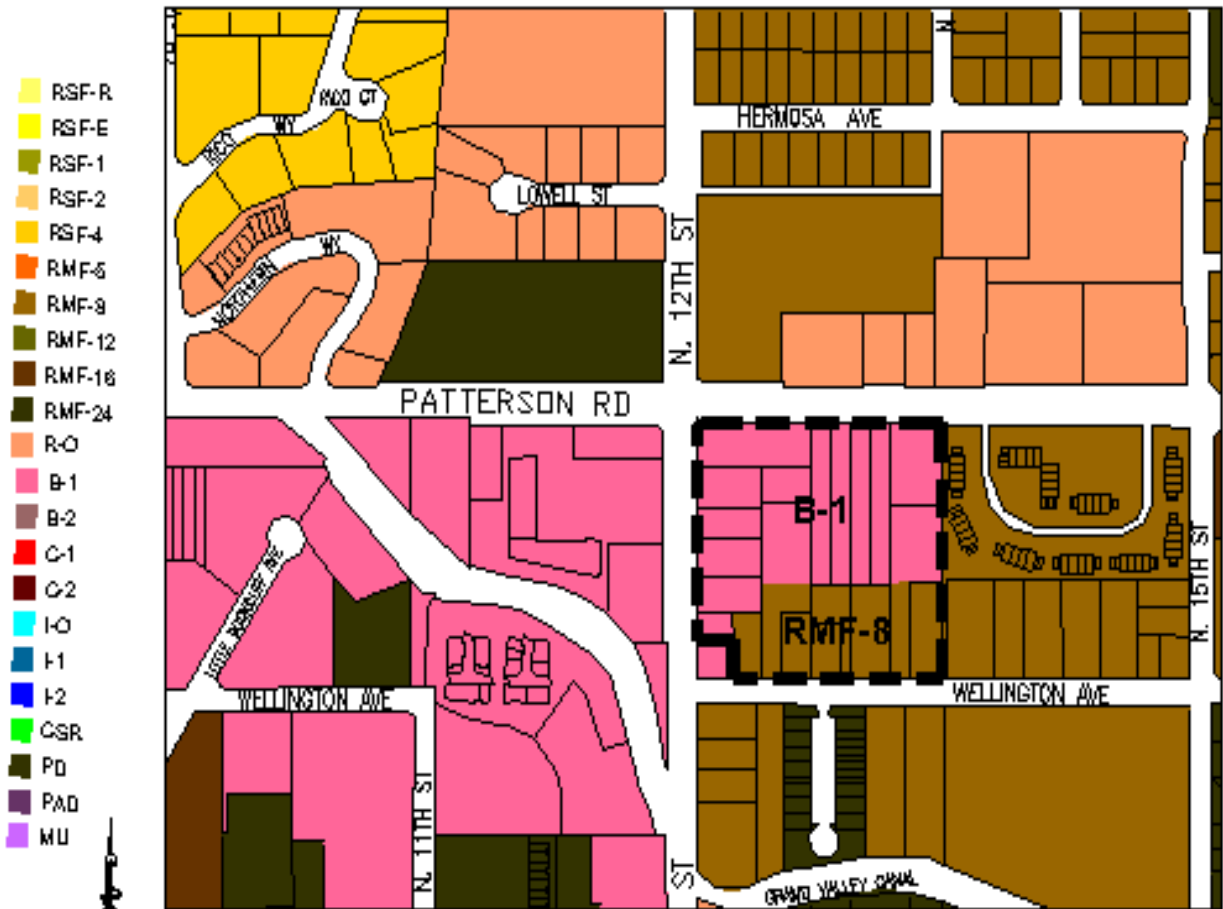


**GENERAL LOCATION MAP
CITY MARKET REZONE**

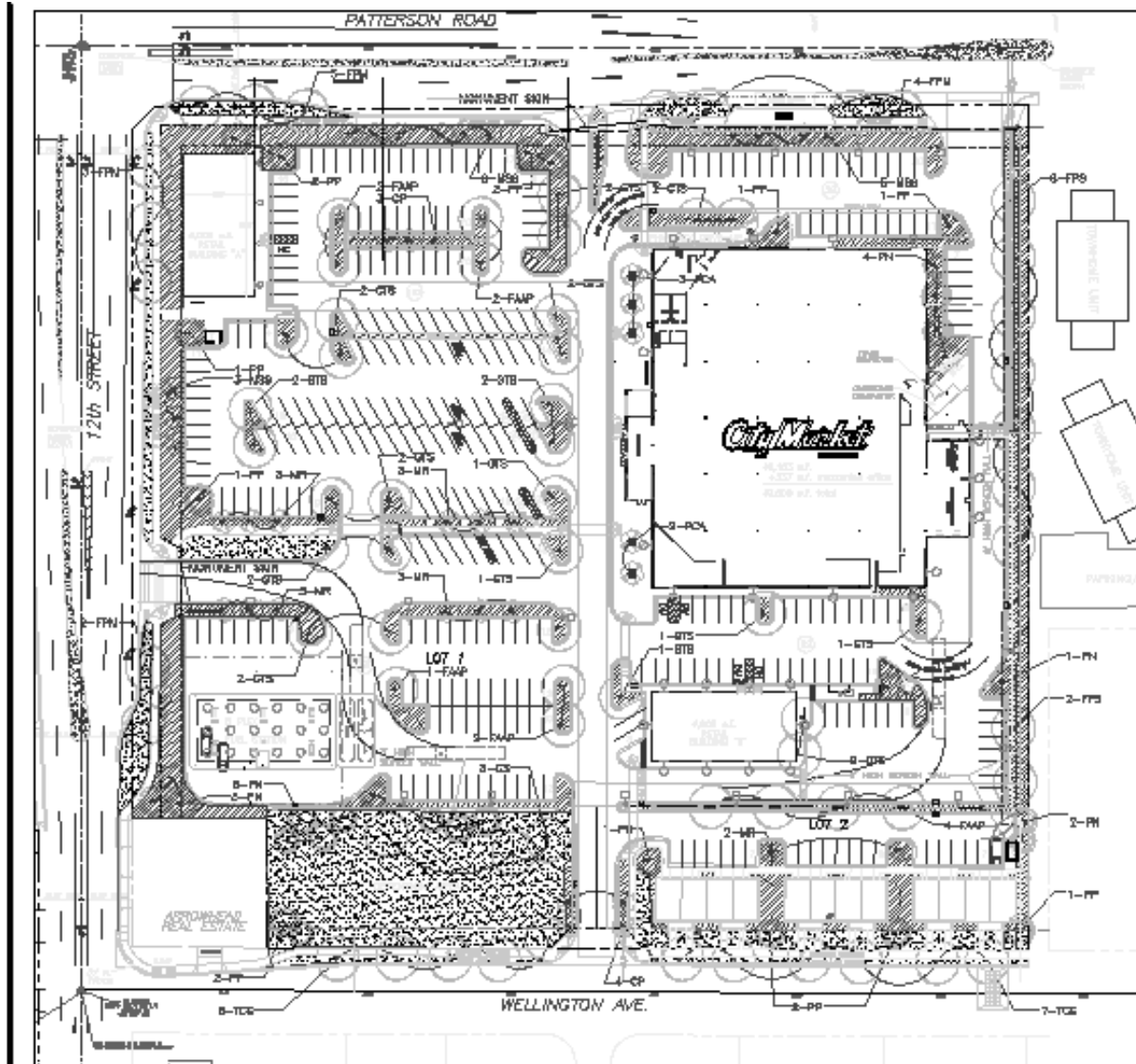


FUTURE LAND USE MAP

Rezone City Market From B-1 & RMF-8 to PD



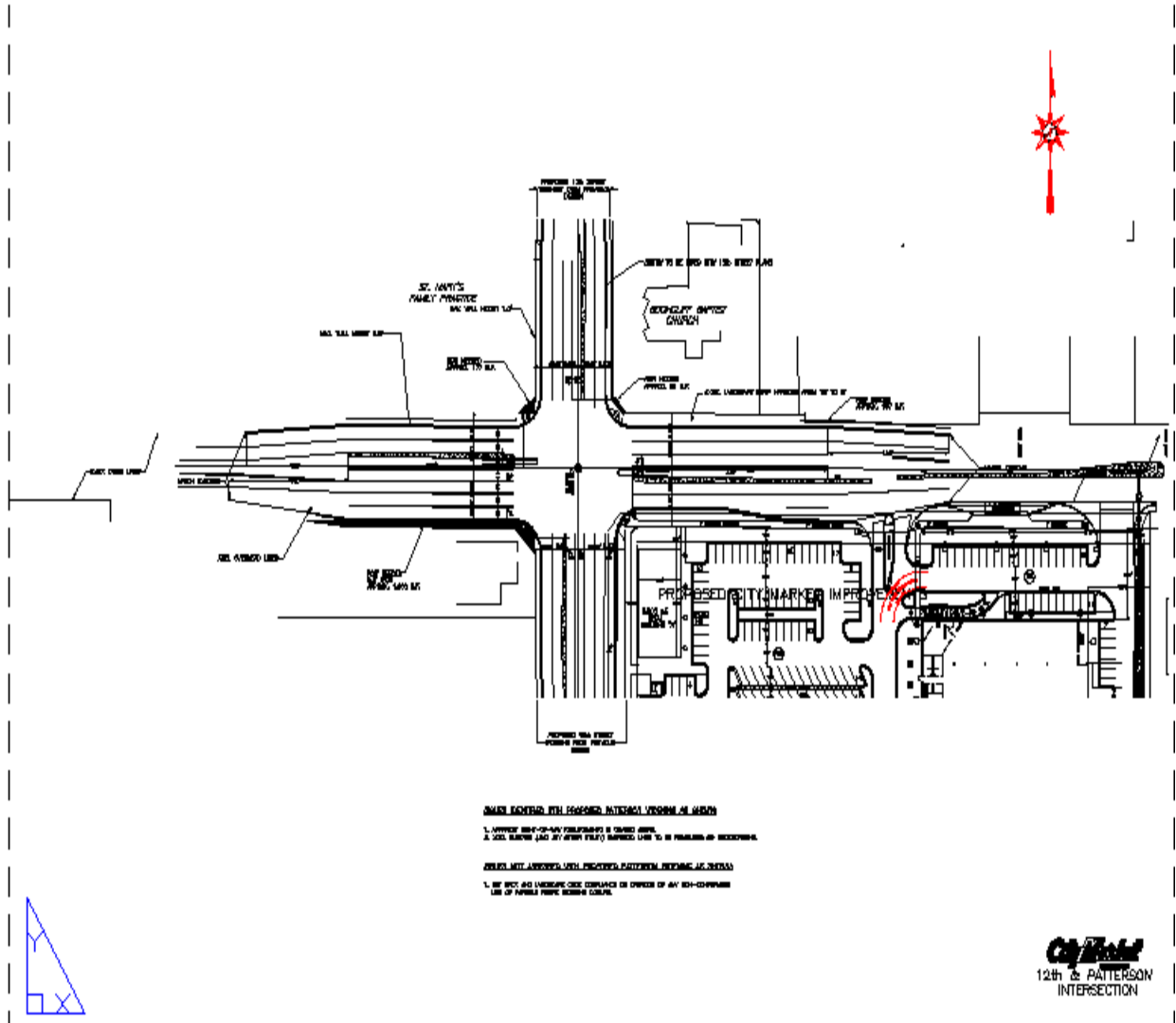
EXISTING ZONING MAP



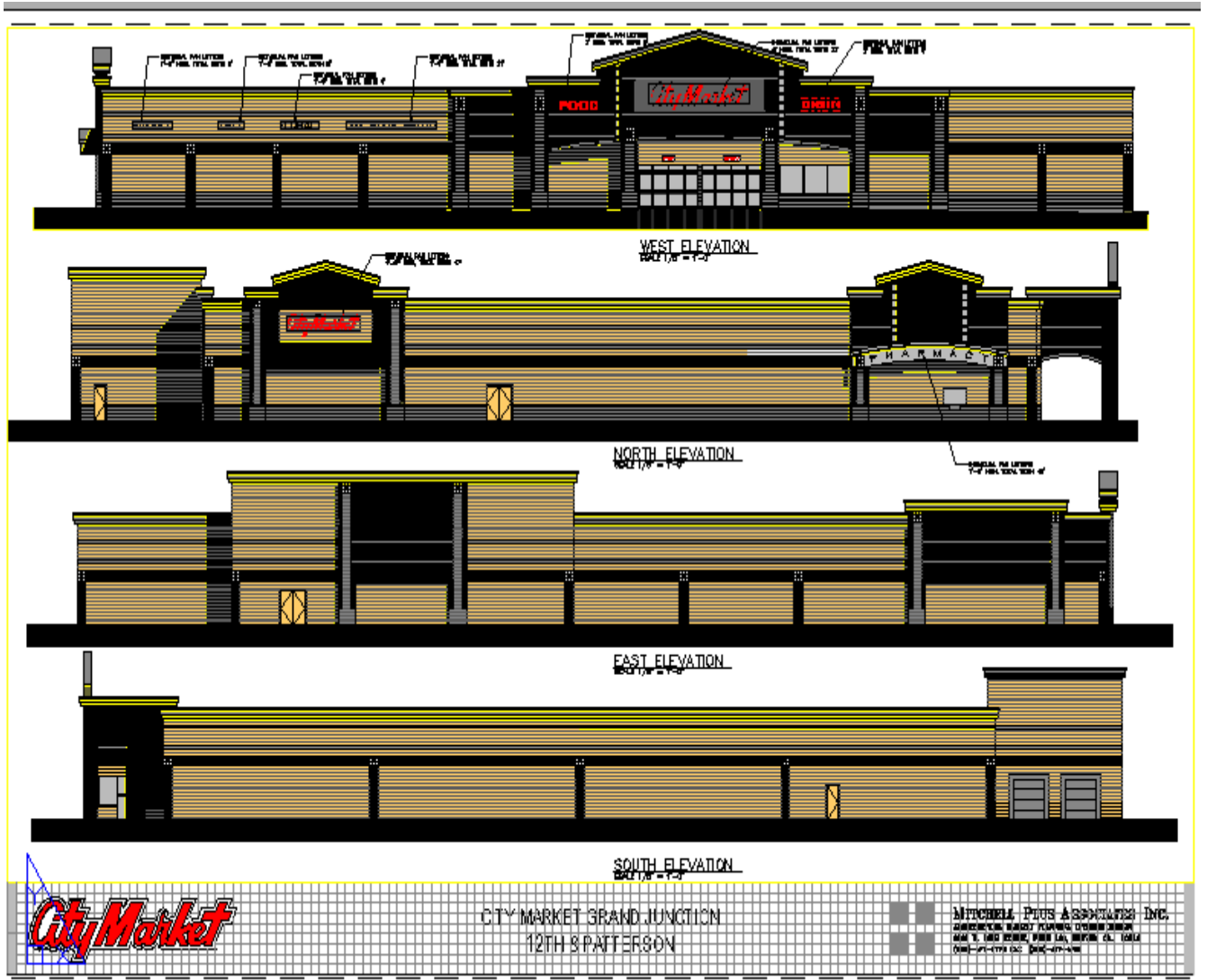
PLANT LIST

PLANT CODE	PLANT NAME	PLANT TYPE
1-PP	1-PP	...
2-GTB	2-GTB	...
3-MR	3-MR	...
4-PPM	4-PPM	...
5-TCS	5-TCS	...
6-PP	6-PP	...
7-TCS	7-TCS	...
8-PP	8-PP	...
9-PPM	9-PPM	...
10-PP	10-PP	...
11-PP	11-PP	...
12-PP	12-PP	...
13-PP	13-PP	...
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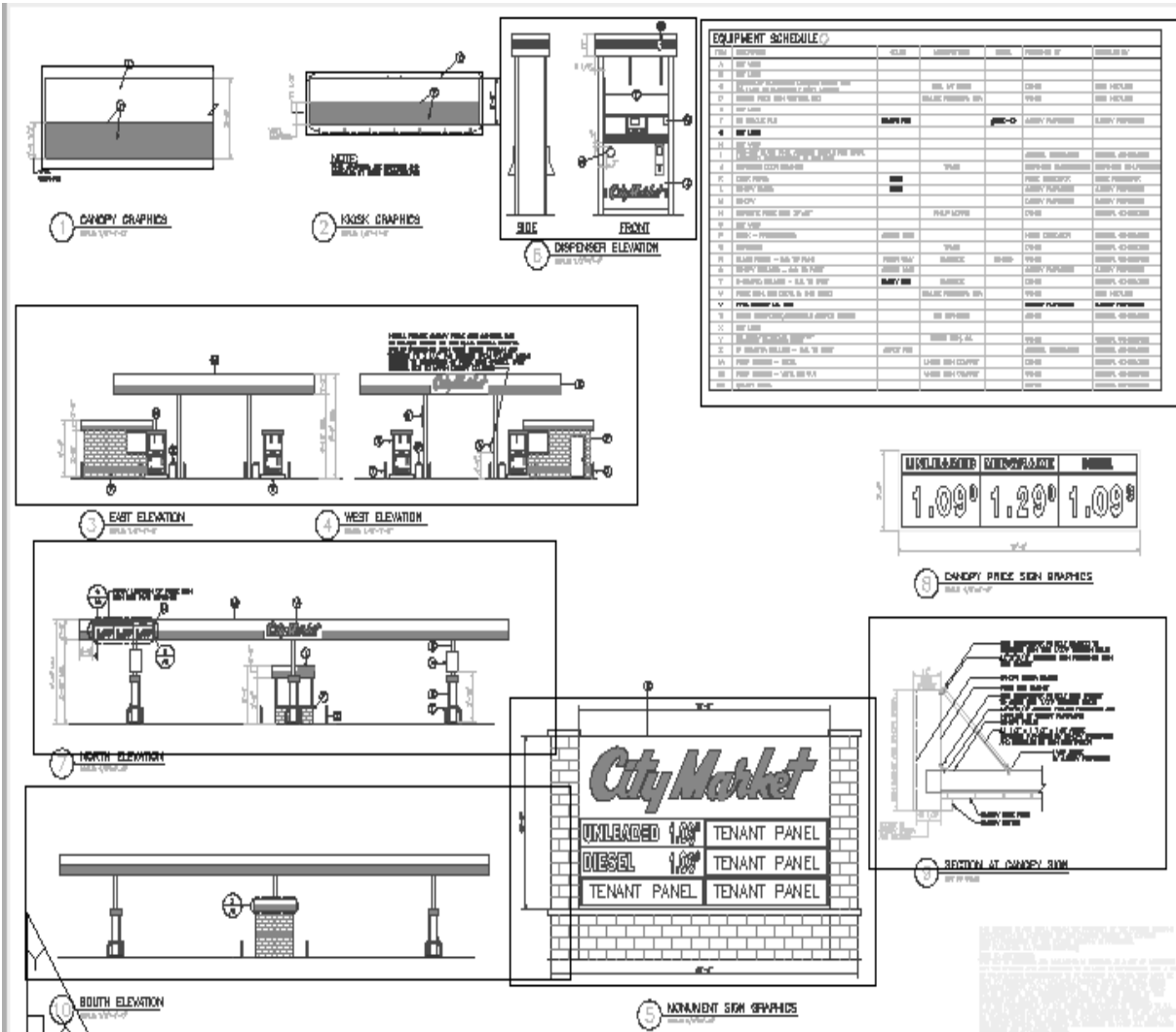
**PRELIMINARY LANDSCAPE PLAN
CITY MARKET REZONE**



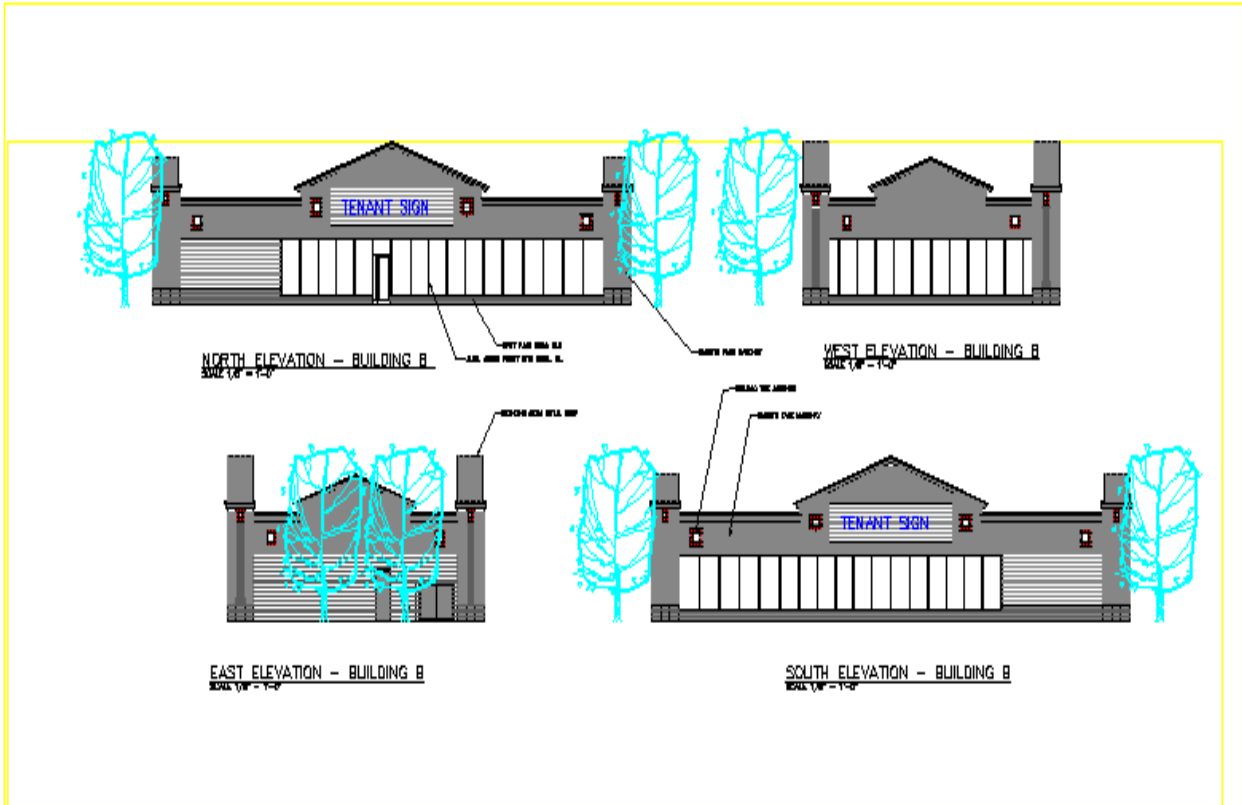
INTERSECTION DESIGN 12TH STREET AND PATTERSON ROAD CITY MARKET REZONE



GROCERY STORE ELEVATIONS CITY MARKET REZONE

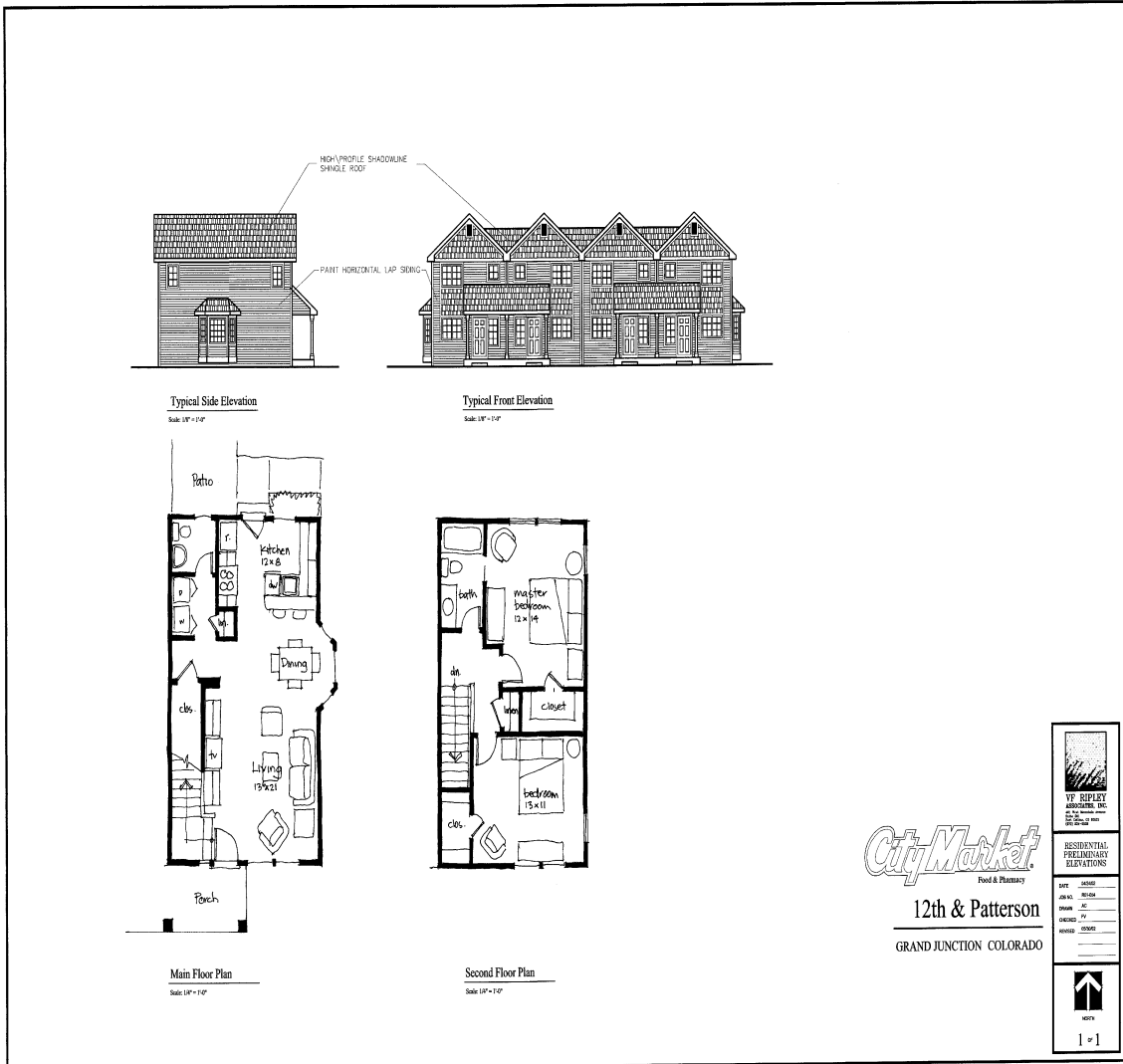


FUELING STATION ELEVATIONS CITY MARKET REZONE



<p>GOLDBERG ARCHITECTURE</p>	<p>RETAIL PAD SITE BUILDING B 12TH & PATTERSON</p>	<p>Ketchikan Paces Associates Inc. ARCHITECTURE PLANNING ENGINEERING 1000 W. BROAD STREET, KETCHIKAN, ALASKA 99901 (907) 471-4700 FAX (907) 471-4700</p>
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**TENANT BUILDING ELEVATION
CITY MARKET REZONE**



CityMarket
Food & Pharmacy

12th & Patterson
GRAND JUNCTION COLORADO

 VP RIPLEY ARCHITECTS, INC. 200 W. 10th Street, Suite 100 Grand Junction, CO 81505	
RESIDENTIAL PRELIMINARY ELEVATIONS	
DATE:	JANUARY
JOB NO.:	80-024
OWNER:	GC
DESIGNED BY:	VP
REVISED:	02/2002
 NORTH	
1 = 1	

RESIDENTIAL BUILDING ELEVATION CITY MARKET REZONE

Data from the City Market Traffic Impact Study

From Table 5:

<u>Use:</u>	<u>Total Daily Trip Generation:</u>
Supermarket	5842
Gas Station	1686
Retail	407
Townhomes	<u>177</u>
TOTAL:	7751

From Table 10:(Does not include Dual Lefts on Patterson, just 12th)

12th & Patterson Levels of Service:

a.m.

<u>Existing</u>	<u>With City Market</u>	<u>Base 2020</u>	<u>2020 with City Market</u>
B	C+	E	E

p.m.

<u>Existing</u>	<u>With City Market</u>	<u>Base 2020</u>	<u>2020 with City Market</u>
E+	D+	F	F

Saturday

<u>Existing</u>	<u>With City Market</u>	<u>Base 2020</u>	<u>2020 with City Market</u>
B	C	D	E

DRAFT MINUTES

GRAND JUNCTION PLANNING COMMISSION AUGUST 27, 2002 MINUTES 7:02 p.m. to 9:20 p.m.

The regularly scheduled Planning Commission hearing was called to order at 7:02 p.m. by Chairman Paul Dibble. The public hearing was held in the City Hall Auditorium.

In attendance, representing the Planning Commission, were Paul Dibble (Chairman), John Evans, Roland Cole, William Putnam, Bill Pitts and John Redifer.

In attendance, representing the Community Development Department, were Bob Blanchard (Community Services Director) and Pat Cecil (Development Services Supervisor).

Also present were John Shaver (Asst. City Attorney), Rick Dorris (Development Engineer), Jody Kliska (Traffic Engineer) and Mike McDill.

Terri Troutner was present to record the minutes.

There were approximately 38 interested citizens present during the course of the hearing.

I. APPROVAL OF MINUTES

Available for consideration were the minutes from the July 23, 2002 public hearing.

MOTION: (Commissioner Evans) “Mr. Chairman, I move for acceptance of the minutes of July 23rd.”

Commissioner Pitts seconded the motion.

A vote was called on the motion passed by a vote of 4-0, with Commissioners Putnam and Redifer abstaining.

II. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

At the petitioner’s request, Pat Cecil asked that item VAR-2002-128 be continued to the September 10, 2002 Planning Commission public hearing.

MOTION: (Commissioner Redifer) “Mr. Chairman, I would move to reschedule the hearing request and continue [item VAR-2002-128] to September 10.”
Commissioner Evans seconded the motion.

A vote was called and the motion passed unanimously by a vote of 6-0.

III. CONSENT AGENDA

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

IV. FULL HEARING

RZ-2002-118 CITY MARKET REZONE

A request to rezone the entire 8.26 acres from RMF-8 and B-1 to PD (Planned Development) zone district in order to construct a mixed use project comprised of commercial and residential uses.

Petitioner: City Market, Inc., Mike Shunk
Location: Southeast corner of 12th Street and Patterson Road
Representative: Rolland Engineering, Trevor Brown

STAFF'S PRESENTATION

Pat Cecil presented a Powerpoint presentation which contained the following: 1) general location map; 2) future land use map; 3) existing zoning map; 4) Preliminary Plan drawing; 5) preliminary landscaping plan; 6) outline of public benefits derived by rezone approval; and 7) findings of fact and staff recommendation.

Mr. Cecil provided a brief history of the site and of City Market's previous rezone application. He pointed out surrounding zoning and uses and noted that the site's current zoning was inconsistent with the Growth Plan's future land use map. Referencing the applicant's Preliminary Plan, Mr. Cecil said that the store's proposed square footage had been reduced; a large quantity of landscaping had been added; and the site would be buffered in part by the proposed 12 residential units and the construction of masonry walls. Access points and corresponding movements, internal circulation patterns, and street improvements were denoted. A fueling station and kiosk, along with two retail pad sites, were also proposed. Parking layout and the location of an onsite detention pond were shown. Delivery truck traffic would access the site from either 12th Street or Patterson Road, and turning movements from both streets would be restricted. Access onto Wellington Avenue would be full movement; however, no delivery truck access would be permitted from Wellington. The B-1 and RMF-8 zones provided underlying default standards for the PD request. An 8-foot-high screening wall was proposed along the east property line to separate the project and provide noise attenuation for residential uses to the east; a 6-foot-high screen wall

would separate the commercial use from the proposed residential units on the south side of the project.

Staff determined that the request was consistent with the goals and policies of the Growth Plan, that Code criteria had been met, and that the proposed development would provide public benefits above and beyond those required to mitigate the impacts of development. Approval of the rezone request was recommended.

QUESTIONS

Chairman Dibble asked for further clarification on proposed open space, which was provided. Mr. Cecil added that open space areas would be considered passive, with grass and tree plantings; no play equipment had been proposed.

Commissioner Pitts asked for clarification on turning movements into and out of the site from 12th Street and from Patterson Road. Mr. Cecil responded that a right in/out access movement would be present at the northeast corner of the site on Patterson Road; a left/right in with only right out access movement would be available on Patterson Road; a right in/out access movement would be located on 12th Street, and a full movement intersection would be available on Wellington Avenue. As part of the project, major reconstruction of the intersection of 12th Street and Patterson Road would be required, which will necessitate duel left turn lanes from Patterson Road to 12th Street in both directions, and from 12th Street to Patterson Road in both directions.

Chairman Dibble asked for a further explanation of how the 12th Street/Patterson Road intersection would be reconfigured. Rick Dorris came forward and said that in order for necessary street improvements to be made, additional right-of-way would be required from various corners of the intersection (shown on map). Acquisition of required right-of-way would be the applicant's responsibility. Left-hand turn lanes would be constructed in all four directions at the intersection. Mr. Dorris said that the acquisition of additional right-of-way from the Mesa National Bank site would place the bank only 9 feet from property line. Final intersection design must address any potential impacts to the bank building due to intersection improvements.

Commissioner Putnam asked about the proximity of other nearby fueling stations. Mr. Dorris said that the nearest one was located at 12th Street and Orchard Avenue, approximately a half-mile away; the closest one after that was approximately two miles away.

PETITIONER'S PRESENTATION

Michael Foley, representing the petitioner, said that this was his company's first venture with City Market. He presented a Powerpoint presentation, which included: 1) overview of request; 2) list of project consultants' names; 3) landscaping plan; 4) grocery store elevation drawings; 5) retail site elevation drawings; 6) residential unit elevation drawings; 7) existing intersection drawing; and 8) public benefits outline.

Mr. Foley said that this project had been carefully crafted to ensure maximum compatibility with surrounding neighborhoods. The proposed residential units would effectively screen the grocery store from Patterson Road, and attractive streetscaping would be provided. He reiterated the locations of proposed masonry walls. He and others had worked extensively with residents of the Patterson Road Gardens apartments to ensure that their interests were protected; as a result, the project now received their endorsement. Mr. Foley said that while some of the site's trees were sickly and dying, developers would attempt to preserve as many existing healthy trees as possible. A lot of landscaping had been proposed with the development—approximately 100 additional trees, 1,200 shrubs, and grass. Access points into the site were noted, with each being integral to the functionality of City Market. He reiterated that delivery truck traffic would be prohibited from accessing the site off of Wellington Avenue.

Mr. Foley said that traffic capacity at the 12th Street/Patterson Road intersection had already been exceeded, with the intersection having already failed. Noting the extensive street and intersection improvements that would be required with the project, he hoped that the City would take the lead in procurement of right-of-way and that a cost-sharing arrangement could be devised between them and the City.

QUESTIONS

Commissioner Cole reminded the applicant's representatives that the Planning Commission did not have the authority to negotiate or otherwise engage in any agreement involving street improvements. The Planning Commission could only consider the land use issue currently before it. Mr. Foley expressed agreement that the intersection improvements were necessary and supported staff's recommendations for them; however, to bear the entire cost for such improvements would be prohibitive. He reiterated his hope that he and the City could enter into negotiations to share the costs of such extensive improvements.

Bob Blanchard reiterated that Commissioner Cole's statements were correct; planning commissioner decisions were limited to land use issues, and they could only consider what was before them this evening.

Commissioner Redifer wondered if the applicant had given any consideration to Village Fair Shopping Center tenants' turning movements. How would access/turning movement conflicts be handled? David Hook, also representing the petitioner, said that entrances into both the City Market and Village Fair sites would be offset, with sufficient stacking room available to prevent turning movement conflicts.

John Shaver asked for clarification from the applicant's representatives on the right-of-way acquisition issue. Mr. Foley said that the proposed intersection improvements required right-of-way acquisition from three corners of the intersection—property that they didn't own. He reiterated that he hoped the City would take the lead in acquiring this property for necessary improvements.

Chairman Dibble thought that the siting of Mesa National Bank had only been allowed via approval of a variance request. Mr. Foley acknowledged that this was indeed the case. The acquisition of additional right-of-way would make an already non-conforming use even more non-conforming. He believed that even with the additional dedication, however, there would still be ample room for sidewalk construction.

PUBLIC COMMENTS

FOR:

Sandy Randall (1441 Patterson Road, #701, Grand Junction), president of the Patterson Gardens Homeowners Association, expressed support for the project. She acknowledged the effort put into the current site design by the applicant and said that it appeared to be compatible with the surrounding neighborhoods. She appreciated that the project's representatives were mindful of potential impacts to the residents of Patterson Gardens. Letters of subdivision residents in support of the project were submitted for the record. Names of those expressing support included Barbara Sundermeier, Sandy Randall, Robert Emrich, Sandy Chambers, Charles Lankford, Dorothy Jenkins, Kay Atchley, Morton Perry, Ralph and Jeanne O'Brien, Deana Pacheco, Ellen Wells, Tamara Donati, Sue Spinney, Susan Reed, Kay Prewitt, and three others whose handwriting could not be discerned.

Ron (no last name given), 2258 Willowood Road, Grand Junction, manager of the Village Fair Shopping Center, spoke in support of the project. City Market, he felt, was trying very hard to mitigate concerns and demonstrate good corporate citizenship. Since they hadn't attempted to acquire right-of-way from him, he felt he was unable to speak to that issue, but the plan seemed to be a good one.

Bob Emrich (1441 Patterson Road, Grand Junction) provided a brief history of City Market's past submittal and his involvement in meeting with project representatives. While originally opposed, he was now in favor of the project.

AGAINST:

John Thompson (2412 North 12th Street, Grand Junction) said that traffic near and at the 12th Street/Patterson Road intersection was often so bad that he had to wait a long time before being able to exit his driveway. He couldn't see how any proposed improvements would sufficiently mitigate current traffic let alone that which would be generated by the grocery store, retail businesses, fueling station, and a dozen additional residential units. Also, did the community really need another shopping center, and if so, did it have to be at this precise location? He reiterated his opposition to the project and urged denial of the rezone request.

Steve Austin (1161 Lowell Court, Grand Junction) said that he had been opposed to the project before and remained opposed to it. He agreed with Mr. Thompson's statements with regard to traffic mitigation and the questionable need for another store.

Patricia Verstraete (1321 Wellington Avenue, Grand Junction) disagreed that this project qualified as a "neighborhood business." City Market was owned by a parent

company out of Ohio and would likely be operating 24/7 as many of the other shopping centers in town did. This use would generate added traffic and create light and noise pollution 24 hours/day, representing significant impacts to surrounding neighborhoods. She noted that the applicant had not met with property owners to the south nor did it seem that impacts to southern neighbors had been taken into consideration.

Bruce Verstraete (1321 Wellington Avenue, Grand Junction) referenced a speaker who, during City Market's last submittal, had said that Patterson Road must be protected and traffic flows preserved. This project would severely restrict traffic flows moving through the 12th Street intersection much as the St. Mary's expansion at 7th Street would restrict traffic flows at that intersection. He remembered that Public Works Director Mark Relph predicted that the 12th Street/Patterson Road intersection would fail within ten years; this prediction had come true in only three years. How could proposed street improvements successfully mitigate current traffic let alone another expected 6,000 TPD from the City Market site? There were a number of other stores located nearby, the nearest only a half-mile away. Why couldn't the store locate in the Fruitvale area where a lack of shopping and other services currently existed (as identified in the 6/28/02 edition of the Daily Sentinel)?

Burt Swisher (2510 North 12th Street, Grand Junction) expressed concern over the proximity of the proposed fueling station to his property. He said that even with his property located so close to the site, no one from the project had bothered to contact him. He observed that if a bike/pedestrian path were constructed along Wellington Avenue as proposed it would result in the destruction of a lot of his established shrubbery. He also asked for confirmation that an irrigation line would be extended from the City Market site to his property. Mr. Swisher said that the applicant should not include as part of his proposal right-of-way not belonging to him.

Deb Trackler (1418 Wellington Avenue, Grand Junction) said that hers was a quiet neighborhood and Wellington Avenue was a narrow, minimally improved street. She expected that added traffic from the project would create congestion at its intersection, compromise the safety of pedestrians walking along the street, and bring construction traffic. She agreed that another store was not needed at this particular location.

PETITIONER'S REBUTTAL

Mike Shunk, representing the petitioner, said that City Market had been a local business for over 30 years, even though it was now owned by Kroger. The current proposal represented the first City Market store addition in over ten years. Research deemed that another store was warranted and that this was the best site for it. He noted the increased traffic flow which could be expected from street/intersection improvements. Improvements in pedestrian crosswalk signaling would add to pedestrian safety. The added retail uses would provide the neighborhood with added services and convenience. A lot of thought and effort had gone into the current plan. He expected no more than an additional 100 vehicle trips/day down Wellington Avenue, with total TPD well below the street's current carrying capacity. With regard to the development of supermarkets in other areas of town, market research was always

considered prior to development of new stores. He noted that Mr. Swisher's property was zoned B-1; thus, the project was compatible with this adjacent zoning. He expressed his apology in not having met with Mr. Swisher but confirmed that the irrigation line would be extended to his property. Mr. Shunk said that he would work with Mr. Swisher on the shrubbery issue. He reiterated that help was needed from the City on ensuring construction of proposed street improvements.

QUESTIONS

Chairman Dibble asked about the buffering provided to residents north of the project. Mr. Shunk said that landscaping had been proposed; however, extension of a proposed 3-foot-high masonry wall could be a consideration.

Commissioner Redifer asked about the store's hours of operation. Mr. Shunk said that as with other City Market stores, hours of operation would likely be from 5 a.m. to 1 a.m. Parking lot lighting would be shielded, shining at zero foot candles at the property's perimeter.

Commissioner Cole asked if market research had been undertaken to determine the best store siting. Mr. Shunk replied affirmatively, reiterating that this 12th and Patterson location had been the most favorable site. This research had even been reevaluated following the last submittal's denial, with the same results.

Chairman Dibble asked about the distance between the fueling station and Mr. Swisher's property. Would Mr. Swisher's existing curb cuts remain where they were? Mr. Dorris said that the curb cuts would remain where they were until such time as the property redeveloped. When asked if the City had been in contact with Mr. Swisher, Mr. Dorris replied negatively. Mr. Foley added that there was approximately 45 feet between the fueling station and Mr. Swisher's property line. When asked if project notification had been given to Mr. Swisher, Mr. Cecil felt certain that Mr. Swisher had been included on the contact list given to the applicant since individual notification was given to property owners within 500 feet of a proposed project.

Commissioner Evans asked if the fuel tank would be located directly under the fueling station pad. Mr. Cecil said that the fuel tank would be located just east of installed pumps (location shown on map).

Commissioner Cole asked if Mr. Swisher's property was included in the current rezone request, to which Mr. Cecil responded negatively.

DISCUSSION

Commissioner Putnam said that with regard to whether the community needed another store or not, that determination wasn't within Planning Commission purview. Planning commissioners could only deal with land use issues.

Commissioner Cole acknowledged the time and effort put into the current plan by City Market representatives. Significant progress had been made in mitigating previously

stated concerns, and he was pleased that neighborhood meetings had been held and had been fruitful. He felt comfortable in recommending approval to City Council.

Commissioner Pitts observed that the proposal met land use and zoning criteria and that construction of the project as proposed would yield benefits to the community. The current proposal included a number of upgrades and improvements, and concerns had, for the most part, been addressed. He too expressed support for the request.

Commissioner Evans concurred. The biggest stumbling block had been and would continue to be traffic mitigation. However, any venture between the City and the applicant would require City Council approval.

Commissioner Putnam felt that this would give surrounding residents shopping opportunities within walking distance. He too expressed support for the request.

Commissioner Redifer expressed surprise that the manager of Village Fair supported the project since he felt there would still be turning movement and stacking conflicts after construction. He felt that even with street improvements, he expected that traffic at the 12th and Patterson intersection would continue to be bad. However, planning commissioners had a set number of criteria they could use to make a decision. While he still had reservations over the success of the project, he hadn't heard anything in testimony given to dissuade him from recommending approval of the project, albeit reluctantly.

Chairman Dibble said at the very least the proposed street improvements would forestall additional improvements to the intersection. He expressed concern over the routes that people may be forced to take in order to get to their homes; however, the request met both Growth Plan recommendations and Code criteria. The Preliminary Plan had a number of positive qualities, including the park-like atmosphere of the detention area and streetscaping along Wellington Avenue. He hoped that good solid businesses would choose to locate on available pad sites. He commended the applicant's representatives for their efforts in resolving so many of the issues brought forth during the previous submittal.

MOTION: (Commissioner Cole) "Mr. Chairman, on Zone Amendment RZ-2002-118, I move that the Planning Commission approve the Preliminary Plan and forward a recommendation of approval of the zone amendment to the City Council with the findings as listed in the above staff recommendation."

Commissioner Pitts seconded the motion.

A vote was called and the motion passed unanimously by a vote of 6-0.

Mr. Shaver added for the record that the applicant's representatives should not be surprised if the City required them to secure the needed right-of-way at the

12th/Patterson intersection. The City would not take the lead in this as mentioned in previous testimony.

With no further business to discuss, the public hearing was adjourned at 9:20 p.m.

**CITY OF GRAND JUNCTION, COLORADO
ORDINANCE NO. _____**

**AN ORDINANCE REZONING 8.26 ACRES OF LAND LOCATED
AT THE SOUTHEAST CORNER OF THE INTERSECTION OF PATTERSON ROAD
AND 12TH STREET FROM B-1 AND RMF-8 TO PD (CITY MARKET)**

Recitals.

A rezone from the Neighborhood Business (B-1) and the Residential Multiple Family -8 (RMF-8) districts to the Planned Development (PD) district has been requested by Dillon Real Estate Company (City Market) for the properties located at the southeast corner of the intersection of Patterson Road and 12th Street for purposes of developing a mixed use project comprised of commercial and residential uses. The Community Development Director has reviewed the application and the development plans (herein “the Plan” or “Plan”) and recommended approval of the rezoning and development.

The Grand Junction Planning Commission, at its August 27, 2002 hearing, recommended approval of the rezone request from the Neighborhood Business (B-1) and the Residential Multiple Family -8 (RMF-8) districts to the Planned Development (PD) district. The Planning Commission further recommended that the rezoning, if it is granted by the City Council, be expressly conditioned on City Market dedicating all right-of-way necessitated by the development and construction of the necessary turn lanes, street and traffic improvements, all as shown on and more particularly described by the Plan.

The City Council having considered the record, the recommendation of the staff and the Planning Commission, finds that the record meets the City’s goals and policies and is consistent with the future land uses set forth by the Growth Plan.

The City Council also finds that the requirements for rezoning, as set forth in Sections 2.6., 2.12.C.2. and Chapter 5 of the Zoning and Development Code have been satisfied.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE PARCEL(S) HEREIN DESCRIBED ARE HEREBY CONDITIONALLY ZONED AS A PLANNED DEVELOPMENT (PD) DISTRICT AND MAY ONLY BE DEVELOPED IN ACCORDANCE WITH THE APPROVAL OF THE PLAN AND CONSTRUCTION OF THE DEVELOPMENT IN ACCORDANCE WITH THE STANDARDS AND USES SPECIFIED HEREIN, THE DEDICATION OF RIGHT-OF-WAY NECESSITATED BY THE APPLICANT’S DEVELOPMENT AND THE CONSTRUCTION OF ALL REQUISITE IMPROVEMENTS, ALL OF WHICH STANDARDS, DETAILS AND SPECIFICATION ARE FULLY INCORPORATED BY REFERENCE AS IF FULLY SET FORTH:

Beginning at a #5 rebar with yellow plastic cap marked LS12093 which bears S49°09'02"E 66.0' from the NW corner SEC 12, T1S,R1W, UM POB is NW corner of the property and ROW corner for the intersection of 12th St and Patterson Rd. Then from POB the following four courses along the S ROW line of Patterson Rd:

1. S89°48'23"E 280.59' to a #5 rebar with a yellow plastic cap marked LS12093;
2. N86°11'14"E 50.09' to a #5 rebar with a yellow plastic cap marked LS12093;
3. S89°48'23"E 150.10' to a #5 rebar with a yellow plastic cap marked LS12093;
4. S89°48'23"E 130.50' to a #5 rebar with a yellow plastic cap marked LS12093;

Then S0°03'54"W 590.31' along the east boundary of said parcel to a #5 rebar with a yellow plastic cap marked LS12093 on the N ROW line of Wellington Ave; then along the N ROW line of Wellington Ave

Then along the north right-of-way line of Wellington Avenue N89°46'11"W 531.08' to #5 rebar with a yellow plastic cap marked LS12093;

Then N0°03'34"E 90.0' to a PK nail and yellow plastic cap in a large stump, the cap is marked LS12093;

Then N89°46'11"W 95' to a #5 rebar with a yellow plastic cap marked LS12093, said being on the E ROW line of 12th St; N0°03'34"E 481.37' to a #5 rebar with a yellow plastic cap marked LS12093, being on the E ROW line of 12th St;

Then N0°03'34"E 481.37 feet to a number 5 rebar with a yellow plastic cap marked LS 12093, said being on the east right-of-way line of 12th Street;

Then N45°00'00" E 21.19' to the POB.

Uses Permitted:

Commercial Area:

1. A 49,500 square foot (total square footage of floor area) grocery store with drive-up pharmacy (no CUP required). Seasonal sales areas not to exceed total combined maximum of 600 square feet will be permitted adjacent to the front façade of the grocery store as long as there is no interference with pedestrian access.
2. A fueling facility with 5-pump stations under a canopy and a payment kiosk (no CUP required).
3. A 5,000 square foot retail building.
4. A 4,800 square foot retail building.
5. All other uses permitted in the B-1 zone district as defined by the January 20, 2002 Zoning and Development Code without a CUP.
6. Signage consistent with the approved sign package.

Residential Area:

1. 12 residential dwelling units to be constructed concurrent with the construction of the first commercial building.
2. A drainage detention basin constructed and landscaped in accordance with the Plan.

Uses Prohibited:

1. Outdoor/store front vending machines other than a coin operated air compressor near the fueling area.
2. Liquor sales within any portion of a building closer than 400 feet from the nearest property line of a lot containing a school.
3. Compacting and/or removal of trash refuse or rubbish between the hours of 11 P.M. and 7 A.M.
4. Ingress or egress of any delivery trucks from/to Wellington Avenue.
5. Subdivision of the residential units. The residential portion of the project may be subdivided from the commercial portion. Commercial pad sites may not be subdivided.

General Development Standards:

1. Landscaping shall be installed per the final landscape plan.
2. All onsite lighting shall be shielded downward to prevent light from leaving the property.
3. All trash dumpsters shall be located and kept in a screened enclosure meeting City standards. Dumpsters shall be constructed with same materials as the buildings and shall be gated with a gate acceptable to the City.
4. Screening walls shall be constructed concurrent with the construction of the first commercial building and the residential buildings.
5. All required right-of-way improvements must be constructed concurrent with the construction of the first commercial building.

Specific Development Standards:

1. Commercial Area:
 - a. Buildings shall be constructed in conformance with the approved building elevations.
 - b. Lighting under the canopy for the fuel service area shall be recessed and shall not extend below the bottom of the canopy.
 - c. Vehicular and pedestrian access shall be planned and provided to the property located at the northeast corner of Wellington Avenue and 12th Street (commonly known as the Arrowhead Realty) to provide Interconnectivity and safe access at the time of redevelopment of that property.

- d. Roof top mechanical equipment shall be screened from view in accordance with the Code.
- e. The B-1 zone district setbacks in the January 20, 2002 Zoning and Development Code shall apply.
- f. The fueling station shall be constructed of materials similar in nature to those of the other retail structures.

2. Residential Area:

- a. Buildings shall be constructed in conformance with the approved building elevations.
- b. The RMF-8 zone district setbacks in the January 20, 2002 Zoning and Development Code shall apply with exception that the front yard setback shall be 14 feet from the front property line.

INTRODUCED for FIRST READING and PUBLICATION this 18th day of September, 2002.

PASSED on SECOND READING this **** day of ****, 2002.

ATTEST:

President of Council

City Clerk

Attach 10
2002 Methamphetamine Enforcement Program
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		2002 Colorado Methamphetamine Enforcement Program					
Meeting Date		September 16, 2002					
Date Prepared		September 10, 2002			File #		
Author		Michael A. Nordine		Lieutenant			
Presenter Name		Greg Morrison		Chief of Police			
Report results back to Council		X	No		Yes	When	
Citizen Presentation			Yes	X	No	Name	
	Workshop	X		Formal Agenda	X	Consent	Individual Consideration

Summary: The Bureau of Justice Assistance through the Colorado Department of Public Safety is offering grant funding to help law enforcement agencies protect peace officers involved in clandestine methamphetamine (meth) lab investigations against hazardous materials and to provide the tools for effective investigative work. The intent of this program is to address meth problems in Western Colorado.

Budget: The Police Department is seeking \$120,933 through this program to purchase protective gear for the SWAT team (\$23,160), FTIR (Infrared Spectrophotometer) instrument w/a microscope for the lab (\$60,000), dual purpose K9 for Patrol (\$19,343), and computerized GPS tracking equipment for the Grand Valley Drug Task Force (\$18,430). The funds for this grant are administered by the Division of Criminal Justice in the Colorado Department of Public Safety under a Bureau of Justice Assistance, U.S. Dept. of Justice Grant and therefore is not impacted by Tabor. Grant starts 01/01/03 and ends 07/31/03.

Action Requested/Recommendation: Authorization to *Apply* for this Methamphetamine Enforcement Program Grant in the amount of \$120,933.

Attachments: None

Background Information: Grand Junction has not been immune to the problems associated with the growing use of Methamphetamine. Since 1999 the Drug Task Force has devoted a high percentage of its investigative resources to methamphetamine related drug activity. There is a bit of a rippling effect in that the investigative efforts of the task force increase the demand for use of the Police Department Crime Lab as they identify substances to assist with prosecution. The lab reports the Meth has become the number one substance encountered in their analysis

followed by marijuana and cocaine. The funds requested in this grant would assist us in dealing with the problems presented by the manufacture, sale and use of methamphetamine in our community.

**Attach 11
Private Activity Bonds**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Ordinance Utilizing our Private Activity Bonds					
Meeting Date		September 18, 2002					
Date Prepared		September 12, 2002				File #	
Author		Ron Lappi		Administrative Services Director			
Presenter Name		Ron Lappi		Administrative Services Director			
Report results back to Council		X	No		Yes	When	
Citizen Presentation			Yes	X	No	Name	
	Workshop	X		Formal Agenda	X	Consent	Individual Consideration

Summary:

TOT, LLC has requested the use of the City's Private Activity Bond allocation. The use will allow TOT, LLC to finance a portion of their construction of a manufacturing facility for Pyramid Printing through adjustable rate revenue bonds. This ordinance authorizes the issuance of \$1.6 million in PABs in 2002.

Budget: No Impact on City Finances or Budget

The commitment is for \$1,600,000 of our PAB allocation each year, which approximates our allocation.

Action Requested/Recommendation: Recommend Approval of the Bond Ordinance on first reading and setting of a public hearing for October 2, 2002.

Attachments: Ordinance

Background Information: Since 1998, the City has received a portion of the State Wide Private Activity Bond (PAB) allocation. Although we have entered into several discussions with potential users of this ability to issue a limited amount of tax exempt debt, no project has materialized. In the past years we assigned our allocation to the Colorado Housing and Finance Authority. This year a private manufacturing business has come forward requesting the use of these PABs.

The attached ordinance commits the City's 2002 PAB cap to the acquisition, construction, equipping and improving the manufacturing facilities for Pyramid Printing.

PABs are not a debt of the City or a legal obligation of the City in any way. All costs of issuance are born by the borrower.

CERTIFIED RECORD
OF
PROCEEDINGS
OF
THE CITY COUNCIL
OF
THE CITY OF GRAND JUNCTION, COLORADO
RELATING TO
AN ORDINANCE
AUTHORIZING THE ISSUANCE OF
ADJUSTABLE RATE REVENUE BONDS FOR
PYRAMID PRINTING, INC. PROJECT
SERIES 2002 AND SERIES 2003

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

The City Council of the City of Grand Junction, Colorado, held a regular meeting open to the public in the Auditorium located at 250 N. 5th Street, Grand Junction, Colorado, on Wednesday, the 18th day of September 2002, at the hour of 7:30 p.m.

The following members of City Council, constituting a quorum thereof, were present:

<u>Name</u>	<u>Title</u>
Cindy Enos-Martinez	Mayor
Janet Terry	Mayor Pro Tem
Harry Butler	Councilmember
Dennis Kirtland	Councilmember
William McCurry	Councilmember
James Spehar	Councilmember
Reford Theobald	Councilmember

The following persons were also present:

<u>Name</u>	<u>Title</u>
Stephanie Tuin	City Clerk
Ron Lappi	Administrative Services Director
Dan Wilson	City Attorney

Thereupon, the following proceedings, among others, were had and taken:

Councilmember _____ then introduced and moved the adoption on first reading of the following Ordinance, which was read by title, copies thereof having been made available to the Council and to the public:

ORDINANCE NO. _____

A ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF CITY OF GRAND JUNCTION, COLORADO, ADJUSTABLE RATE REVENUE BONDS (PYRAMID PRINTING, INC. PROJECT), SERIES 2002, IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,600,000 AND SERIES 2003, IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,600,000; MAKING DETERMINATIONS AS TO SUFFICIENCY OF REVENUES AND AS TO OTHER MATTERS RELATED TO THE PROJECT AND APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF CERTAIN DOCUMENTS RELATING THERETO.

WHEREAS, the City of Grand Junction, Colorado (the "Issuer") is authorized by its Home Rule Charter (the "Charter"), and the provisions of the County and Municipality Development Revenue Bond Act, article 3 of title 29, Colorado Revised Statutes, as amended (the "Act") and existing under the Constitution and laws of the State of Colorado (the "State"), to issue revenue bonds for the purpose of financing or refinancing projects to the end of promoting industry and developing trade or other economic activity by inducing nonprofit corporations to locate, expand or remain in the State and to secure and maintain a balanced economy in the State, to enter into financing agreements with others for the purpose of providing revenues to pay such bonds, and further to secure the payment of such bonds;

WHEREAS, the following documents have been submitted to City Council (the "Council") and filed in the office of the City Clerk (the "Clerk") and are there available for public inspection:

(a) a proposed form of a Loan Agreement, dated as of December 1, 2002 (the "Loan Agreement"), by and between the Issuer and TOT, L.L.C. (the "Company");

(b) a proposed form of a Trust Indenture, dated as of December 1, 2002 (the "Indenture"), by and between the Issuer and Wells Fargo Bank West, National Association (the "Trustee");

(c) the Official Statement dated December ____, 2002 (the "OS");

(d) proposed forms of a Series 2002 Bond Purchase Agreement and Series 2003 Bond Purchase Agreement (collectively, the "Purchase Agreement") by and among the Issuer, the Company and Wells Fargo Brokerage Services, LLC (the "Underwriter"); and

(e) a proposed form of a Remarketing Agreement (the "Remarketing Agreement") by and among the Issuer, the Company and Wells Fargo Brokerage Services, LLC, as the remarketing agent (the "Remarketing Agent").

WHEREAS, if Council proceeds with the Project, as defined below, then Council is willing to (i) enter into the Loan Agreement, the Trust Indenture, the Purchase Agreement, and the Remarketing Agreement; (ii) acknowledge the use and distribution of the Official Statement and consent to the use of the information therein under the caption "THE ISSUER" and "ABSENCE OF LITIGATION AFFECTING THE BONDS — THE ISSUER"; and (iii) issue, execute and deliver the Bonds;

WHEREAS, if Council proceeds with the Project, as defined below, then the issuance of the Bonds shall be approved by the "applicable elected representative" of the Issuer following proceedings under, and in accordance with, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), and the regulations promulgated thereunder (the "Regulations");

WHEREAS, Council desires to issue the City of Grand Junction, Colorado, Adjustable Rate Revenue Bonds (Pyramid Printing, Inc. Project), Series

2002, in the aggregate principal amount not to exceed \$1,600,000 (the "Series 2002 Bonds") and Series 2003, in the aggregate principal amount not to exceed \$1,600,000 (the "Series 2003 Bonds" and together with the Series 2002 Bonds, the "Bonds"), for the presently anticipated purposes of financing (i) the acquisition, construction, equipping and improving of real and personal property in the form of an approximately 25,000 square-foot printing production and office facility located within the boundaries of the City of Grand Junction, Colorado, and (ii) paying for a portion of the costs of issuance incurred with respect to the Bonds (collectively, the "Project"); and

WHEREAS, it is necessary or desirable to authorize the issuance of the Bonds by Ordinance and to approve the form and authorize the execution of the aforementioned documents thereby.

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

Section 1. Approvals and Authorizations. The forms of the Loan Agreement, Remarketing Agreement, Indenture (including the form of the Bonds) and Purchase Agreement are hereby approved with only such changes therein, if any, as are not inconsistent herewith. In accordance with the terms of the Indenture, Wells Fargo Bank West, National Association, is hereby appointed as a trustee with respect to the Bonds. The Underwriter is hereby appointed as an underwriter in connection with the purchase of the Bonds. The Remarketing Agent is hereby appointed as a remarketing agent with respect to the remarketing of the Bonds. The Mayor or the Mayor Pro Tem and the Clerk or a deputy, and such other duly authorized officers of the Issuer, are hereby authorized and directed to execute the Loan Agreement, the Indenture, the Purchase Agreement, the Remarketing Agreement, the Bonds, the Official Statement, and to affix the seal of the Issuer thereto, and further to execute and authenticate such other documents, instruments or certificates as are deemed necessary or desirable by bond counsel in order to issue and secure the Bonds. Such

documents are to be executed in substantially the form hereinabove approved, provided that such documents may be completed, corrected, prepared or revised as deemed necessary by the parties thereto in order to carry out the purposes of this Bond Ordinance. Copies of all of the documents shall be delivered, filed and recorded as provided therein. The rights, title and interest of the Issuer in the Loan Agreement when executed, shall, by the terms thereof, have been assigned to the Trustee, except as therein provided.

The proper officers of the Issuer are hereby authorized and directed to prepare and furnish to bond counsel certified copies of all proceedings and records of the Issuer relating to the Bonds and such other affidavits and certificates as may be required to show the facts relating to the authorization and issuance thereof, as such facts appear from the books and records in such officers' custody and control.

The approval hereby given to the various documents referred to above includes the approval of such additional details therein as may be necessary and appropriate for their completion and such modifications thereof, deletions therefrom, and additions thereto as may be approved by bond counsel and Issuer's attorney prior to the execution of the documents. The execution of any instrument by the appropriate officers of the Issuer herein authorized shall be conclusive evidence of the approval by the Issuer of such instrument in accordance with the terms hereof.

Section 2. Issuance and Sale of Bonds. Subject to receipt by the Issuer at the time of delivery of the Bonds of the approving legal opinion or opinions of Brownstein Hyatt & Farber, P.C., as bond counsel, and the opinion of counsel to the Company, which opinions shall be in forms and substance acceptable to the Issuer, the Issuer shall issue the Bonds, for the purposes, in the form and upon the terms set forth in this Bond Ordinance, the Indenture, the Loan Agreement and the Remarketing Agreement, including the form of the Bonds as set forth in the Indenture.

The Bonds shall be payable in the manner and to the persons set forth in the Indenture and the form of the Bonds set forth therein.

The maximum net effective interest rate authorized for the Bonds is 10% per annum. The interest rates on the Bonds are as set forth in the Indenture.

Section 3. Determinations. It is hereby found, determined and declared, in accordance with Sections 29-3-113, 29-3-114 and 29-3-120 of the Act, that:

(a) The financing of the Project will promote the public health, welfare, safety, convenience and prosperity and promote and develop trade or other economic activity by inducing commercial and business enterprises and nonprofit corporations to locate, expand, or remain in the Issuer and the State, in order to mitigate the serious threat of extensive unemployment and to secure and maintain a balanced and stable economy for the Issuer and the State.

(b) The maximum amounts necessary in each year to pay the principal of and interest on the Bonds and the interest rates to be borne by the Bonds are as provided in the Indenture.

(c) The payments required in the Loan Agreement to be made are sufficient to pay the principal of and interest on the Bonds when due, and to pay all other costs required in the Loan Agreement to be paid, including all sums referred to in paragraphs (e) and (f) of this section.

(d) The Loan Agreement provides that the Company shall maintain the Project in good repair and carry all proper insurance with respect thereto.

(e) The Loan Agreement requires that the Company pay all required taxes and other governmental charges including, without limitation, those

specified in Section 29-3-120 of the Act with respect to the Project, and sufficient revenues for such purpose are thereby provided.

(f) The Loan Agreement provides that all fees and expenses of the Issuer shall be paid by the Company.

Section 4. Nature of Obligation. Under the provisions of the Act, and as provided in the Loan Agreement, the Bonds shall be special, limited obligations of the Issuer payable solely from, and secured by a pledge of the revenues derived from the Loan Agreement. The Issuer will not pledge any of its property or secure the payment of the Bonds with its property. The Bonds and the interest thereon shall never constitute the debt or indebtedness or the financial obligation of the Issuer within the meaning of any provision or limitation of the Colorado Constitution or statutes of the State and shall not constitute or give rise to a pecuniary liability of the Issuer, its agents, employees or officers, or a charge against its general credit or taxing powers. In entering into the Purchase Agreement, the Remarketing Agreement, the Loan Agreement, the Indenture and the other documents relating to the issuance of the Bonds to which the Issuer is a party, the Issuer will not obligate itself, except with respect to the application of the revenues derived from the Loan Agreement and the Bond proceeds. The Issuer will not pay out of its general fund or otherwise contribute any part of the Cost of the Project (as said term is defined in the Indenture). No costs are to be borne by the Issuer in connection with the issuance of the Bonds.

Section 5. Bonds and Official Statement Printing. The officers of the Issuer are hereby authorized and directed to assist in, to the extent necessary, the printing of the Bonds and the Official Statement with respect to the Bonds, all in connection with the offer and purchase of the Bonds, provided that no costs are to be borne by the Issuer in connection therewith.

Section 6. Issuance of Series 2002 Bonds Contingent on Receipt of 2003 Private Activity Bond Allocation. The Series 2003 Bonds shall not be issued until

the City is awarded its 2003 private activity bond allocation. The Administrative Service's Director for the City is hereby authorized and directed to execute any necessary documents to effectuate the award of \$1,600,000 of the City's 2003 private activity bond allocation to the Project.

Section 7. Bond Ordinance Irrepealable. After the Bonds are issued, this Bond Ordinance shall constitute an irrevocable contract between the Issuer and the holders of the Bonds and shall be and remain irrepealable until the Bonds, both principal and interest, shall be fully paid, canceled and discharged.

Section 8. Ratification. All actions heretofore taken by the Issuer and by the officers thereof or on their behalf not inconsistent herewith directed toward the financing of the Project and the issuance and sale of the Bonds are ratified, approved and confirmed.

Section 9. Repealer. All acts, orders, resolutions, ordinances or parts thereof, taken by the Issuer and in conflict with this Bond Ordinance, are hereby repealed, to the extent of such inconsistency except that this repealer shall not be construed so as to revive any act, order, resolution, ordinance or part thereof, heretofore repealed.

Section 10. Other Matters. By the passage of this Bond Ordinance, the Council does not intend to approve, nor is it approving hereby, any matters relating to licensing, subdivision, zoning, planning or landscaping of the Project. Approval of such matters must be obtained under normal procedures of the Issuer. Nothing herein or in any other document authorized herein shall be interpreted as limiting the Issuer's powers with respect to the Project.

Section 11. Severability. If any paragraph, clause, section or provision of this Bond Ordinance, except Section 4 hereof, is judicially adjudged invalid or

unenforceable, such judgment shall not effect, impair or invalidate the remaining paragraphs, clauses, sections or provisions hereof.

Section 12. Effective Date. This Ordinance shall be effective upon its adoption.

INTRODUCED AND ADOPTED ON FIRST READING, this 18h day of
September, 2002.

CITY OF GRAND JUNCTION, COLORADO

By: _____
Mayor

(SEAL)

ATTEST:

City Clerk

ADOPTED AND FINALLY APPROVED, this 2nd day of October, 2002.

CITY OF GRAND JUNCTION, COLORADO

By: _____
Mayor

(SEAL)

ATTEST:

City Clerk

Councilmember _____ seconded the motion to adopt on first reading, and the question being upon the passage of said proposed Ordinance on first reading, the roll was called with the following results:

Those voting "AYE":

Those voting "NO":

Those absent:

A majority of the members of Council present having voted in favor of the passage on first reading of said proposed Ordinance, the presiding officer thereupon declared the motion duly passed and instructed the City Clerk or her deputy to publish in full the Ordinance once in a newspaper legally qualified for City publications at least ten (10) days before consideration of the Ordinance for final passage and adoption or second reading.

Thereupon, after consideration of other business to come before Council, the meeting was adjourned.

Mayor
City of Grand Junction, Colorado

(SEAL)

ATTEST:

City Clerk
City of Grand Junction, Colorado

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

The City Council of the City of Grand Junction, Colorado, held a regular meeting open to the public in the Auditorium located at 250 N. 5th Street, Grand Junction, Colorado, on Wednesday, the 2nd day of October 2002, at the hour of 7:30 p.m.

The following members of the Council, constituting a quorum thereof, were present:

Cindy Enos-Martinez	Mayor
Janet Terry	Mayor Pro Tem
Harry Butler	Councilmember
Dennis Kirtland	Councilmember
William McCurry	Councilmember
James Spehar	Councilmember
Reford Theobold	Councilmember

The following member of the Council was absent:

The following persons were also present:

Stephanie Tuin	City Clerk
Ron Lappi	Administration Services Director
Dan Wilson	City Attorney

Thereupon, the following proceedings, among others, were had and taken:

The City Clerk informed Council that the proposed Ordinance, which was ordered published in full at the meeting of October 2, 2002, was duly published in a newspaper legally qualified for City publication, in its issue of October 4, 2002.

The Mayor declared that this was the time and place scheduled for a hearing on the proposed bonds, on the nature and location of project and on the ordinance, and declared the public hearing open, whereupon the following persons appeared:

The Mayor thereupon declared the public hearing closed.

Councilmember _____ then moved that the proposed Ordinance, as amended, which was read by title, copies thereof having previously been made available to Council and to the public, be passed and adopted on second reading, and that the proposed Ordinance be approved. Councilmember _____ seconded the motion, and the question being upon passage and adoption of said Ordinance or second reading, the roll was called, with the following result:

Those voting "AYE":

Those voting "NO":

Those absent:

At least five (5) members of the entire City Council having voted in favor of the final passage and adoption of said Ordinance, the presiding officer thereupon declared the same finally passed and adopted and instructed the City Clerk to record such Ordinance in an Ordinance Book kept for such purposes, and to publish the title of the proposed Ordinance and a summary of the provisions thereof including a notice that copies of the Ordinance are available at the office of the City Clerk or to publish the Ordinance in full in a newspaper legally qualified for City publication.

Thereupon, after consideration of other business to come before Council, the meeting was adjourned.

Mayor
City of Grand Junction, Colorado

(SEAL)

ATTEST:

City Clerk
City of Grand Junction, Colorado

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

The undersigned, City Clerk of the City of Grand Junction, Colorado, does hereby certify that the attached copy of Ordinance No. _____, authorizing the issuance of City of Grand Junction, Colorado, Adjustable Rate Revenue Bonds (Pyramid Printing, Inc. Project) Series 2002, in the total principal amount not to exceed \$1,600,000, and Series 2003, in the total aggregate principal amount not to exceed \$1,600,000 (collectively, the "Bonds") is a true and correct copy thereof as finally enacted, passed and adopted by Council at regular meetings thereof held in the Auditorium, City of Grand Junction, Colorado, the regular meeting place thereof, on Wednesday the 18th day of September, 2002, and Wednesday, the 2nd day of October, 2002; that the original of said Ordinance has been duly executed and authenticated by the signatures of the Mayor or Mayor Pro Tem of the City and myself, sealed with the seal of the City, and recorded in the Ordinance Book of the City; that a public hearing on the nature and location of the project to be financed with proceeds of the Bonds and on the Bonds was held at a regular meeting of Council on Wednesday, the 2nd day of October, 2002, following publication of a notice of hearing in a newspaper of general circulation in the City of Grand Junction, Colorado, as evidenced by the affidavit of publication attached hereto at page A; that the attached constitutes a full, true and correct copy of the record of the proceedings of Council at said regular meetings insofar as said proceedings relate to said Ordinance and hearing; that said proceedings were

duly had and taken; that said meetings were duly held; that the persons were present at said meetings as therein shown; and that said Ordinance was published after first reading, such publication being in a newspaper legally qualified for City publication, as evidenced by the Affidavit of Publication attached hereto at page B, and after final adoption, as evidenced by the Affidavit of Publication attached hereto at page C.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of
the City of Grand Junction, Colorado, this ____ day of October, 2002.

City Clerk
City of Grand Junction, Colorado

(SEAL)

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

(Attach proof of publication of
Notice of Public Hearing).

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

(Attach proof of publication of Ordinance following first reading)

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

(Attach proof of publication of Ordinance following adoption)

**Attach 12
Redlands Village Northwest Sewer Improvement District
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
Subject	Approve change order to construction contract for Redlands Village Northwest Sewer Improvement District for relocation of proposed sewer lift station.					
Meeting Date	September 18, 2002					
Date Prepared	September 10, 2002					
Author	Trent Prall		City Utility Engr			
Presenter Name	Trent Prall		City Utility Engr			
Report results back to Council	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When	
Citizen Presentation	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name	
	Workshop		Formal Agenda			Consent <input checked="" type="checkbox"/> Individual Consideration

Summary:

Approve a change order on the current contract with Sorter Construction for **Redlands Village Northwest Sewer Improvement District** in the amount of \$75,335.50 for relocation of the currently proposed Redlands Village North lift station to a point that will allow the station to serve a much larger drainage basin as well as appropriate funds for future extension of sewer up Limekiln Gulch.

Budget: Redlands Village Northwest, Redlands Village Northeast, and 23 Rd South of Broadway Sewer IDs were budgeted for 2002 construction as shown below.

	Total Cost	Sewer Fund 30%+
RV Northwest/east + 23 Rd SID Current Budget	\$ 2,102,880	\$ 630,864
Redlands Village Northwest/east As-bid	\$ 1,501,226	\$ 489,020
Unused budget	\$ 601,654	\$ 141,844

Due to better than anticipated bid prices and the fact that the 23 Rd South of Broadway sewer ID failed to move forward, the above work is proposed to be funded with the sewer fund's portion of the unused budget which is shown above at \$141,844. Further more on January 16, 2002, City Council appropriated \$136,900 based on the estimate at the time. City Council is requested to appropriate the difference between the \$328,461 project cost and the current unused budget and already appropriated money out of unallocated fund balance in the sewer fund 904

(Backbone) as shown below.

Relocate lift station to north	\$ 75,336	Approve Change Order and construct now
Extension up Limekiln Gulch to Panorama #2 Lift Station	\$ 253,126	Appropriate now bid in October / Award in November / Const Dec-Feb
Total project cost:	\$ 328,461	
-Existing Budget available	\$ 141,844	
-January 16,2002 Appropriation	\$ 136,900	
Additional appropriation required	\$ 49,717	

Action Requested/Recommendation:

City Council motions for the following; 1.) authorizing the City Manager to execute a Construction Contract Change Order in the amount of \$75,335.50 with Sorter Construction for the relocation of the currently proposed Redlands Village North lift station and 2.) Appropriate an additional \$49,717 to construct 2600 foot sewer extension between Panorama Lift Station #2 and a revised Redlands Village North lift station location.

Attachments:

1. Minutes of September 9, 2002 neighborhood meeting along with City proposed mitigation measures. This letter was mailed to concerned citizens on September 11, 2002.
2. Attendance list and map of the May 30 and September 9 meetings.
3. Financial Impact Analysis (from Environmental Assessment)

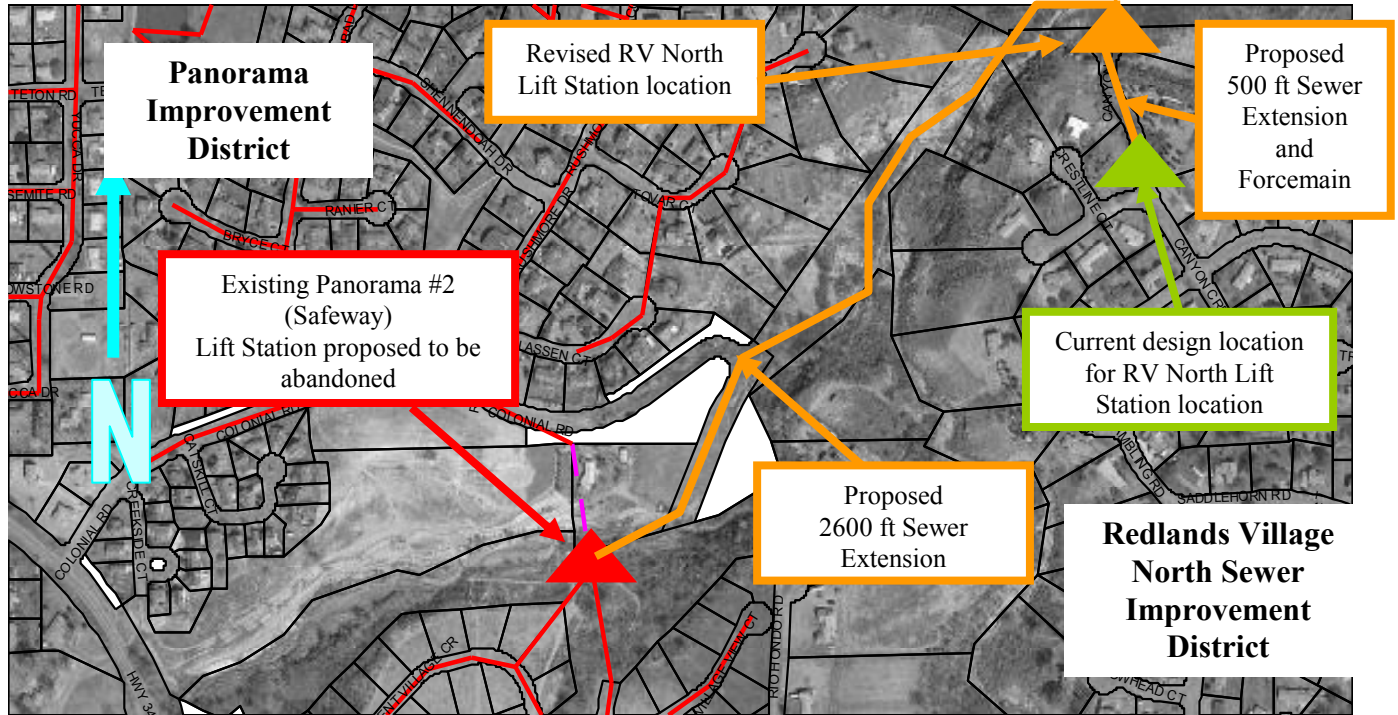
Available on request:

1. Summary Environmental Assessment, Sept 3, 2002

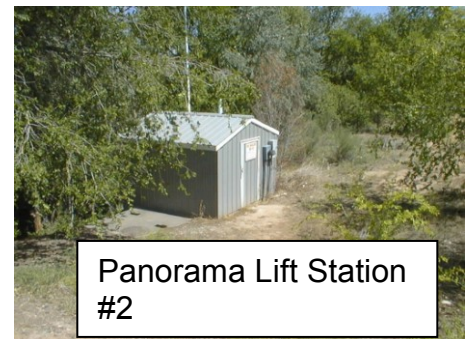
Background Information:

Please note that due to the possibility of public comment, the information provided below is more extensive than what normally would be provided to City Council. The information is primarily from a September 3, 2002 Environmental Assessment that was completed for the project to address neighborhood concerns.

On January 16, 2002 City Council appropriated money to construct the 3100 foot sewer extension between Panorama Lift Station #2 and a revised Redlands Village Northwest lift station location. Redlands Village Northwest is a 170 lot, Mesa County sewer improvement district that is currently under construction via the Septic System Elimination Program (SSEP). The project map is shown below:



Opportunity. The Panorama Improvement District, just west of the Redlands Village area on the Redlands, was taken over by the City in September of 2001. This is the same time that Redlands Village Northwest sewer improvement district was under design. City sewer maintenance crews evaluated the condition of the Panorama Lift Station #2 north of Safeway and determined that a major upgrade to the facility was needed in order to increase reliability and ease maintenance efforts. Looking to eliminate the lift station altogether, master planning of the basin led to the current proposal to relocate the proposed Redlands Village Northwest Lift Station to a point at the end of Limekiln Gulch, downstream of the Panorama Lift Station #2. By constructing 3,222 feet of sewer main between the Panorama lift station and the proposed Redlands Village Lift Station would allow for the elimination of Panorama lift Station #2.



Panorama Lift Station #2

The revised station location would also allow for the eventual elimination of the Desert Hills lift station located just under two miles upstream in Limekiln Gulch. This lift station is shown on the map in the “Description of Planning Area” section.

The project would also allow for future gravity sewer service to approximately 93 developable acres to the south and east of the proposed lift station location that are “below the rim” of Redlands Village North, thus eliminating the need for any future lift stations. A map of the developable properties is shown below.

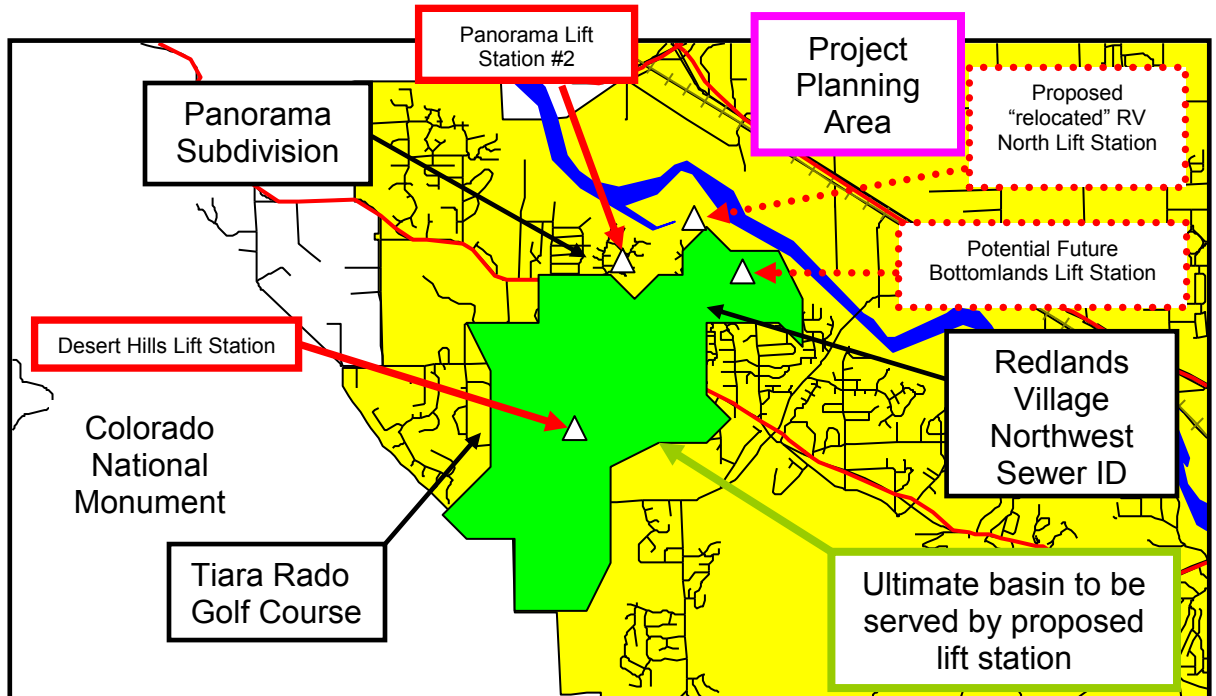


The benefits of the project include:

- Cost savings and better operational efficiency by the City's Persigo Wastewater Maintenance Crews. By having one lift station to maintain, operational costs are reduced which amount to a present value of over \$200,000 per station. As shown in the financial analysis in **Attachment #3**, the elimination of the two existing lift stations, PLS#2 and Desert Hills lift stations, would have a net savings to the Persigo system in present day dollars of **\$88,646**.
- Protection of Limekiln Gulch. As previously mentioned, lift stations do have the possibility of failure for a number of reasons as they are mechanical devices. Although frequency of maintenance and back up power generation can reduce the probability of the failure, the possibility of a spill still exists. By routing the PLS#2 flows and eventually the Desert Hills Lift Station flows to the "relocated" RVNW lift station, the risk is transferred to just one location, thereby protecting Limekiln Gulch from environmental damage associated with a lift station failure.
- Accommodates future development. Future development of the land shown above will not have to construct an additional publicly maintained lift station shown below as the "potential future bottom lands lift station". Thereby saving the developer \$75,000 in capital costs and again saving the Persigo system approximately **\$199,200** worth of present value in operation and maintenance expenses in addition to the \$88,646 previously mentioned.

Description of Planning Area

The project planning area encompasses Limekiln Gulch from Panorama Lift Station #2 (PLS#2) to the Colorado River. This distance is approximately 3500 feet in length and is denoted in pink on the map below. The overall basin that would be served by the relocated lift station would include land shown in green below.



Financial Benefits / Costs. As shown on the attached Financial Analysis, and upsize of the Redlands Village North Lift Station to the mouth of Limekiln Gulch is currently estimated at \$85,335.50 including design and construction. The 2,727 foot sewer extension from the new lift station location up Limekiln Gulch to Panorama Lift Station #2 is estimated at \$243,126 for a total estimated project cost of **\$328,461**.

The estimated project cost of \$328,461 is \$88,646 less than the estimated \$417,107 in present value of the benefits of eliminating operations and maintenance. Including the elimination of the future "bottom lands" lift station the operations and maintenance difference increase to \$287,846.

The relocation of the Redlands Village North lift station has a direct benefit to the Persigo System in present dollars of \$88,646 to \$287,846. Therefore staff's recommendation is additional sewer funds to be appropriated to fund the relocation and upsize of the Redlands Village North lift station. No additional costs would be incurred by the District itself as the proposed relocation is a "system" benefit that ultimately will save the Persigo rate payers in the long run.

Public Participation and Mitigation Measures for environmental impacts.

A public meeting was held on May 30, 2002 that led to the development of a Summary Environmental Assessment that was mailed to attendees of the May 30 meeting on September 3, 2002.

On September 9, another meeting was held to discuss the City's Summary Environmental Assessment that outlined their concerns as well as the various mitigation measures for the proposed project.

The mitigation measures below are from the Sept 3, Summary Environmental Assessment. Mitigation measures from the September 9, 2002 neighborhood meeting are included in the minutes of September 9, 2002 neighborhood meeting along with City proposed mitigation measures. This letter was mailed to concerned citizens on September 10, 2002 and is included in **Attachment #1**. An attendance / mailing list and map is included in **Attachment #2**.

The below information is taken from section 4.1 of the Sept 3, 2002 Summary Environmental Assessment.

4.1 Potential Impacts and Mitigation of Impacts

4.1.1 Construction and operation of a lift station within an area subject to periodic wildfires.

Many residents recalled at least two fires in the last 25-30 years that had threatened homes on the ridges when the understory on the river bottom lands caught on fire. Their concern is that the lift station could potentially be destroyed by fire and create a water quality problem downstream.

The City currently maintains three lift stations in similar situations as the proposed lift station in that they are susceptible to wildfires. Control measures used in those locations include cleaning out understory and graveling (no vegetation at all) at least 20 feet surrounding the facilities.

Mitigation Measure based on May 30, 2002 meeting: Fire is an important concern for the City in that fire could affect the City's ability to reliably handle and convey sewage by knocking out the lift station. The City is proposing a 21 ft by 28 ft pad for the lift station, along with a cinderblock, stucco fire wall to enclose the diesel generator, lift station, and power appurtenances. To the north of the pad will be a 12 foot wide gravel road surface to further separate the area likely to burn and the lift station.

- 4.1.2 Noise** Residents aired concerns over the noise from the lift station. Sounds apparently travel very well back and forth across the canyon to the point where some residents can hear conversations of people a ¼ mile away as if they were next door.

Mitigation measures: Sound will be mitigated by three factors: 1. Lift station location / pump selection and 2. Fire wall, and 3. Ultra-quiet backup generator.

Location / pump selection. The lift station location is proposed north of the mouth of Limekiln Canyon. With prevailing westerly winds and location at the base of the escarpment, sound conveyance across the canyon and up to residents above should be minimal. Today's lift stations cohabit very well in public settings primarily due to their quiet operations. Two of the most visible lift stations in the valley are at the northeast corner of the Outback Steakhouse parking lot at Mesa Mall and on the bike path behind South Rim Subdivision. The lift station is located only 50 feet from the back of two prominent residences.

Fire wall. The fire wall will also help contain noises to the project site and prevent them from reverberating up canyon.

Ultra-quiet back up generator. In order to increase reliability of the station the City is proposing a backup generator. The diesel power generator proposed is the Cummins "ultra-quiet" unit as it was originally proposed within 40 feet of a back porch. The specifications have not changed due to the location now being 300 feet away from the nearest habitable structure. Furthermore, the generator is only in operation once a week for a couple of hours or during situations where power to the station has been lost.

- 4.1.3 Lift Station design parameters.** General concerns about the lift station included the following: 1. Odors 2. Energy source 3. Fuel storage, 4. System redundancy to prevent sewage backups.

Mitigation Measures.

1. Odors. *The location of the lift station below the "rim" of Redlands Village as well as the prevailing southwesterly winds coming down Limekiln Gulch should help ensure good dispersal of any smells emanating from the station to the area northeast of the lift station. However, If odors do become a problem, a separate chemical feed system will be installed that slowly feeds potassium permanganate into the sewage. This*

chemical is highly effective at treating the odors and has been used successfully throughout the Persigo system.

2. *Energy Source.* The station is proposed to have 3-phase power, however due to the size of the lift station, whether the station is located on the “rim” or below the “rim”, a diesel powered back up generator is proposed for backup.
3. *Fuel Storage.* The diesel in the Cummins diesel powered generator is stored in a double walled, 173 gallon tank in accordance with EPA regulations for fuel storage.
4. *System redundancy.*

Design redundancies. Lift stations have multiple levels of redundancy designed into them. Two pumps are always standard on municipal lift stations to ensure not only proper cool down in between cycles, but also to back each other up in case one fails. Furthermore, to ensure continuous power feed, a backup generator is specified that could supply power up to 24 hours without refueling. Lift station wet wells, or storage areas, are also oversized to handle more than normal flows to allow for backup pumps or generators to start prior to spilling. Generally these wet wells can handle up to one hour of peak flows before backing up.

Operation redundancies / safeguards. Persigo WWTP staff currently maintain 31 lift stations. The lift stations are all equipped with radio alarm systems that transmit a signal back to Persigo which is then relayed to a pager (standby personnel) during off hours in the case of an emergency such as a power failure or pump malfunction. Response time on the system has usually been within 45 minutes. Persigo staff also spends at least one hour each week with each station checking proper operation and performing any preventative maintenance that may be required based on hours of operation.

- 4.1.4 Access Issues.** The access concerns associated with the project were 1. accessibility of Lime Kiln Gulch through the path created by construction, 2. use of access road to lift station by unauthorized people traffic and 3. impacts of lift station maintenance traffic.

Mitigation Measures: The City is not interested in encouraging access to the project site and respects the desires of the neighborhood to have the Mesa County open space remain quietly unknown.

1. On the south end, access along the alignment is proposed to be mitigated through the transplanting of larger trees via a tree spade to

construct a visual barrier along with reconstruction of any hills that were removed for construction. All existing fences will be re-established after construction.

2. For the north end, the City is proposing a gate, perhaps matching one of the adjacent property owners so that the road appears to be a private road belonging to that property owner. The City is open to considering any other neighborhood suggested alternatives.

3. Lift station maintenance traffic is generally limited to once a week to verify proper operation of the lift station and to refuel the back-up generator. This Persigo WWTP staff person generally spends about an hour with the lift station during his weekly visit.

4.1.5 Vegetation disturbance The project impacts lands belonging to Mesa County, the State of Colorado Division of Wildlife's' Walker State Wildlife Area (SWA) downstream of Limekiln Gulch as well as some private property. Vegetation, including wetlands identified in Section 3, will be disturbed along Limekiln Gulch and into the SWA.

Mitigation Measures: Winter time construction allows for disturbance of vegetation during their dormant states. A sediment trap will be placed within Limekiln Gulch approximately 50 feet inside the SWA Boundary to clean any water disturbed by the contractor prior to discharge to the Colorado River.

Very strict guidelines limit the contractor on how the work is to be completed within Lime Kiln Gulch. The limits of the disturbance are not to exceed 20 feet in width to minimize the impacted area. Details on handling wetlands, groundwater, clearing vegetation, tree root trimming, saving trees, construction of sediment traps as well as seeding and mulching requirements are laid out in the special provisions.



Redlands Village Parkway looking north toward Colorado River. Goat Wash Sanitary Sewer runs down the wash.

The City has many sewer lines within drainages on the Redlands that would be very difficult to find today without surveying equipment due to the amount of revegetation that has occurred. Both the Tiara Rado Interceptor and the Goat Wash Interceptor were constructed in 1984 and revegetated very quickly due to their proximity to the wash / drainage bottom.

4.1.6 Wildlife disturbance Wildlife will be affected, at least short term, by this project. DOW does have concerns with the effects of the construction on threatened and endangered species. The primary concern of the adjacent property owners appeared to be the resident deer population. Other species mentioned were the beaver and raccoons.

Background / Mitigation Measures: In regards to the impacts on wildlife, Shawn Deany of the Colorado Division of Wildlife was contacted. The only habitat of concern to threatened and endangered species was the Western Willow Flycatcher. As the project was to be constructed during

the winter which is outside of the period of its nesting season, neither the Army Corp of Engineers nor the DOW had any immediate concerns. Furthermore, the boundaries of the believed habitat are currently being redrawn to show that the Grand Valley is no longer believed to have Western Willow Flycatcher habitat.

On June 6, 2002 the City received a Temporary Special Use Permit on Colorado Division of Wildlife Lands for construction a temporary sedimentation basin on the Walter Walker State Wildlife Area (WWSWA) to help protect downstream water quality across the SWA from sediment that may be generated from this project.

In regards to the adjacent property owner species of concerns, all of the above listed species are known to adapt and cohabitate in urban settings. With the WWSWA adjacent to the site, most of the larger species will most likely reside in that area during the period of construction. Neither the DOW, nor the Army Corp foresee any long term impacts on wildlife in the area. All species of concern should return to the area fairly quickly after construction is completed.

End of Background.

September 10, 2002

Interested Property Owner



Project: Limekiln Gulch / Lift Station and outfall location
Subject: September 9, 2002 Meeting Minutes and Mitigation Measures

The following is a summary of our September 9, 2002 meeting. We would like to thank you for taking the time to meet with City staff to discuss your concerns with the proposed sewer projects located within Lime Kiln Gulch adjacent to your homes. We feel that additional information regarding your concerns will be very helpful to us during our mitigation efforts for the proposed projects. We hope that we have addressed your concerns regarding impacts to vegetation and wildlife in the area.

The topics below are numbered in the order in which they were discussed during our meeting. As in the Summary Environmental Assessment, we have put our proposed mitigation efforts for each item in *italics*. If you feel that we have not included any items discussed during the meeting or have not adequately addressed your concerns please contact either Trent Prall, City Utility Engineer at 244-1590 or Bret Guillory, City Project Engineer at 256-4023.

Topics discussed during the September 9, 2002, Lime Kiln Gulch mitigation efforts meeting.

1. **Overview.** A brief overview of the Summary Environmental Assessment for the Lime Kiln Gulch area was provided.

The financial analysis of the EA was reviewed along with the proposed future basin to be served assuming the lower lift station placement.

2. **Force (pressure) main details.** Several questions were raised on the location and working pressure of the force main.

The location is to be in the road along Canyon Creek, Wagon Trail, Saddle Horn and Village Way with a termination at Tiffany Drive. There will be no force main located within Lime Kiln Gulch. The ultimate discharge of the lift station will be to Goat Wash located just east of the Redlands Parkway.

The working pressure of the system will be +/- 64 psi at the pump station with 8" pipe.

3. **Lift Station Reliability.** Several questions were raised on the reliability of lift stations

Redundancies built into the system were discussed. Back up pumps, back up power generation, additional wet well storage sized for typical power outage, and routine maintenance the stations receive from Persigo Staff.

4. **Cost Savings.** One property owner asked where the excess money would go that is saved as projected in the financial analysis.

Persigo's current rate structure was discussed along with general operation of the WWTP with staff having a mind set of saving money thus keeping rates low.

5. **Lift Station Location.** The question was raised about whether the station could be moved farther into the Walter Walker State Wildlife Refuge area.

Staff discussed that the lift station could be placed farther north but that would have the following consequences:

- a. Farther into the flood plain causing additional cost to construct due to additional fill materials needed for construction.
- b. Sound would be more likely to carry up the embankment to the houses located above. The closer we keep the lift station to the toe of the embankment the less chance noise will carry over the hill.

6. **Wild Fires.** Concern was raised that the Environmental Assessment covered fire protection of the lift station, however did not address how the lift station, maintenance vehicles, maintenance staff might start a wildfire.

Mitigation of wild fires would be addressed through weed control around the lift station (+/- 25' clear distance around the station). The access road would be a gravel surface that will be maintained so the maintenance vehicles will not be exposed to driving over weeds or materials that may ignite. A cinderblock wall will be constructed around the lift station to protect the station from outside fire while containing any possible cause of fire to the surrounding area from the lift station.

The diesel maintenance vehicles used to maintain lift stations have raised exhaust systems as on semi-trucks thereby extending the exhaust approximately 10 feet above low lying weeds. This should minimize any likelihood of a fire starting. However, we will check on installation of spark arrestors for the maintenance vehicle and will research the likely hood of diesel engines causing fire from sparks generated by the engine or exhaust.

The power supply to the lift station will be underground so there will be no aerial power or transformer around the site.

The current maintenance staff does not smoke cigarettes and therefore the likelihood of a cigarette by City personnel starting a fire is virtually eliminated. Future maintenance staff will be advised of the necessity to not smoke in high fire potential areas such as this location.

On September 10, the City contacted Ute Water with regard to installation of a fire hydrant at the top of the proposed access to the lift station from Canyon Creek Road. Ute Water has agreed to install a fire hydrant at this location. This will not only improve fire protection for the homes in the immediate area, but also for the lift station and the riparian area surrounding the lift station.

6. **Noise suppression.** Noise was again mentioned as a concern.

The quality of the pumping station and smooth operation of the pumps was reemphasized. Also mentioned that the fire wall and location of the lift station relative to the embankment would help to dissipate any noise. The generator will be installed with a quiet pack that will help to mitigate noise from the generator itself.

One resident asked if the lift station would be operating more frequently as more and more EQU's are collected into the system.

Staff explained how impellers of the pumps can be changed as the load on the lift station increases, thus keeping the run times fairly consistent.

7. **Odor.** Several property owners raised concerns about odor from the lift station.

The City only has one lift station of the 31 lift stations currently maintained by the Persigo System that currently requires any treatment for odors. That lift station is the Ridges Lift Station which has a potassium permanganate feed system. As stated in the Environmental Assessment, some of these lift stations are in high traffic areas such as right behind prominent houses in South Rim along a bike path as well as on the northeast corner of the parking lot for Outback Steakhouse.

Mitigation Measure. The City agrees to install a chemical feed system within the lift station at time of installation. The chemical feed would not be utilized unless odor complaints are received from property owners. We do not anticipate this lift station to generate odors based on the relatively short travel time from the proposed service area to the station.

8. **Energy Source.** Questions were raised on the source of back up generation and safety measures associated with the generator.

The generator will hold approximately 173 gallons of fuel when full. The fuel will be stored in a double wall tank that has been pressure tested by the manufacturer. The generator will run only when called on by the alarm within the station and should only run for several minutes at a time when needed.

9. **Access Issues.** The mitigation techniques described in the Environmental Assessment were discussed. These techniques were to be applied during and after construction for the potential future gravity sewer line and the lift station.

Vegetation should heal itself quickly as it has done along the Goat Wash interceptor and Tiara Rado interceptor alignments.

The mitigation efforts will include revegetation of the gulch with native trees at the south end of the project, cuttings within the gulch in wetland areas, and reseeding of the upland areas.

The City will have a locked gate at the north access (Canyon Creek Road) to the lift station and will install a no trespassing sign down the draw to the lift station. The gate will be constructed of materials so that it appears to belong to one of the adjacent properties.

Construction will be accomplished during the winter months when youngsters will be in school and daytime hours are shorter thereby eliminating the likelihood of additional people "discovering" the lower portion of Limekiln Gulch due to the access for construction.

10. **Vegetation and Construction Mitigation.** Concerns were raised dealing with possible damage of vegetation within the construction area.

All construction is proposed to be accomplished in the winter when plants are in a dormant state and are less likely to be damaged by being temporarily displaced.

Sediment traps will be constructed downstream of the construction areas that will contain silts and sediment which could migrate downstream of the disturbed areas.

Limits of disturbance will be limited if the contractor is allowed to access the site from both north and south ends of Lime Kiln Gulch during construction.

Again reference was made to the Goat Wash and Tiara Rado project.

Bret Guillory, Project Engineer with the City of Grand Junction, will meet with property owners to look at larger trees that may be impacted by construction and will coordinate evaluation of the trees by the forestry division.

11. **Wildlife Concerns.** Many residents stated that they had seen red tail hawks, deer, mountain lions, raccoons, coyotes, and many other types of animal life that use the gulch for habitat. They have concerns as to how we intend to protect and not impact the animals during construction of the proposed sewer improvements.

The City of Grand Junction contacted the Division of Wildlife earlier this year and met with a representative on site. The DOW has issued a permit for the City to accomplish the work within Lime Kiln Gulch based on work being accomplished as winter time construction (November to March) and a finding that this temporary disturbance would have minimal impacts to wildlife in the area.

Based on one concern of newborn raccoons in March, the City agrees to plan on construction to be completed by the end of February.

Please either call me at 244-1590 or Bret Guillory, City Project Engineer at 256-4023 if you have additional concerns or comments regarding the proposed Limekiln Gulch sewer project.

I will be out of the office until the City Council Meeting on September 18, however Bret will be around through Friday September 13. If you would like to speak before the City Council, please contact Bret and he will make sure you are put on the list to speak.

Although I did not receive any calls today for any requests to speak to Council as we discussed last night, I did put down Mr. John McGee of 2004 Crestline Ct as he has been the neighborhood spokesman to this point. This does not require him to speak, however does hold a place for him.

I expect that by now you know more than you ever wanted to know about sewer systems and the various parameters that affect the overall sewer system rates and can understand why the project is proposed. I hope that the mitigation measures will help meet your expectations so that the project is something that you can accept not only as an adjacent resident but also as a current or future sewer rate payer.

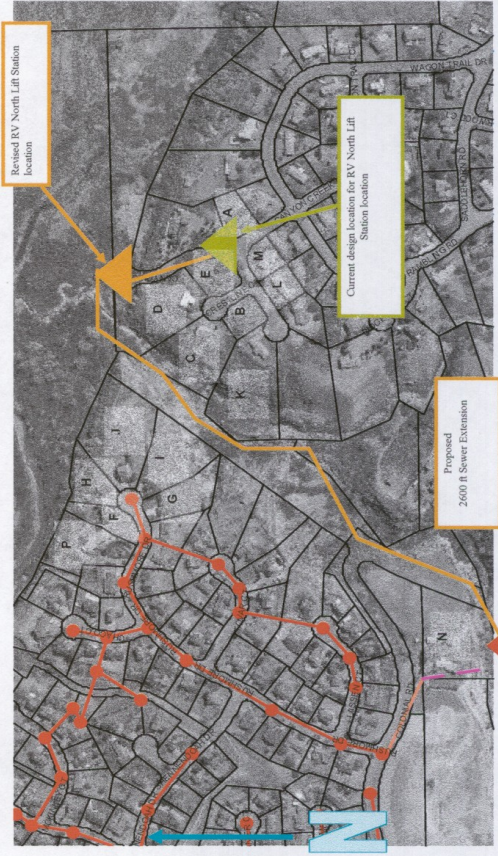
Respectfully,
FOR THE CITY OF GRAND JUNCTION / MESA COUNTY SEWER SYSTEM

Trent Prall, P.E.
City Utilities Engineer

Cc: Nick Mezei, Army Corps of Engineers
Gerald Williams, Williams Engineering.
Bret Guillory, City Project Engineer

Ref	Parcel Number	Owner Last Name	Owner First Name	Owner Mid Name	Joint Owner	Company Name	Location Address	Mailing Address	Mailing City	Mailing State	Zip
A	2945-063-01-010	ROADY	HAROLD	E	BEULAH M ROADY		618 CANYON CREEK RD	618 CANYON CREEK RD	GRAND JUNCTION	CO	81503-2651
B	2945-063-03-015	WILLIAMS	DENNIS	R	JUDY L WILLIAMS		2202 CRESTLINE CT	2202 CRESTLINE CT	GRAND JUNCTION	CO	81503-2605
C	2945-063-03-016	MC GEE	CHRISTINE	A	JOHN		2204 CRESTLINE CT	2204 CRESTLINE CT	GRAND JUNCTION	CO	81503-2605
D	2945-063-03-017	FISHER	KEITH	E	M L FISHER		2206 CRESTLINE CT	2206 CRESTLINE CT	GRAND JUNCTION	CO	81503-2605
E	2945-063-03-018	KEELER	RICHARD	G	JOAN E KEELER		2208 CRESTLINE CT	2208 CRESTLINE CT	GRAND JUNCTION	CO	81503-2605
F	2947-144-01-063	GELSONINI	JAMES	R	CAROL A GELSONINI		627 RUSHMORE DR	627 RUSHMORE DR	GRAND JUNCTION	CO	81503-4018
G	2947-144-01-018	WITTECH	ROSALIE	M			628 RUSHMORE DR	628 RUSHMORE DR	GRAND JUNCTION	CO	81503-4017
H	2947-144-01-015	STEELE	WILLIAM	DOUGLASS	KATHLEEN A LANDERS-STEELE		629 RUSHMORE DR	629 RUSHMORE DR	GRAND JUNCTION	CO	81503-4018
I	2947-144-01-068	BAKER	ALBERT	A	MARY L BAKER - TRUSTEES		630 RUSHMORE DR	630 RUSHMORE DR	GRAND JUNCTION	CO	81503-4017
J	2947-144-01-065	FEATHER	LARRY	V	JOANNA B FEATHER		631 RUSHMORE DR	631 RUSHMORE DR	GRAND JUNCTION	CO	81503-4018
K	2945-063-03-014	HUTCHINSON	SUZAN	E	STEVEN C HUTCHINSON		2200 SAND CASTLE LN	2200 SAND CASTLE LN	GRAND JUNCTION	CO	81503-2613
L	2945-063-03-011	NELSON	CHARLES	E	NORMA J NELSON		2205 SAND CASTLE LN	2205 SAND CASTLE LN	GRAND JUNCTION	CO	81503-2656
M	2945-063-03-010	MARVIN	EDWARD	R	ISABEL M		617 CANYON CRK RD	617 CANYON CRK RD	GRAND JUNCTION	CO	81503
N	2947-231-00-185	YOUNKER	JOHN	A	DIANA J		2151 F Road (Colonial D)	2151 F Road (Colonial D)	GRAND JUNCTION	CO	81503
P	2947-144-01-062	TALLON	JANE				625 RUSHMORE DR	625 RUSHMORE DR	GRAND JUNCTION	CO	81503-2605
		GUILLORY	BRET			PUBLIC WORKS DEPT.	250 N. 5TH St.	250 N. 5TH St.	GRAND JUNCTION	CO	81501
		PRALL	TRENT			PUBLIC WORKS DEPT.	250 N. 5TH St.	250 N. 5TH St.	GRAND JUNCTION	CO	81501
		WILLIAMS	GERALD			G.R.WILLIAMS ENGINEERING	1231 19 Rd.	1231 19 Rd.	FRUITA	CO	81521
		MEZEI	NICK			Corps of Engineers	400 Rood Ave. Room 142	400 Rood Ave. Room 142	Grand Junction	CO	81501

BOLD FACE
 ATTENDEES AT SEPTEMBER 9, 2002 PUBLIC MEETING
 Ref A through L
 ATTENDEES AT MAY 30, 2002 PUBLIC MEETING



Memorandum

Date: August 30, 2002

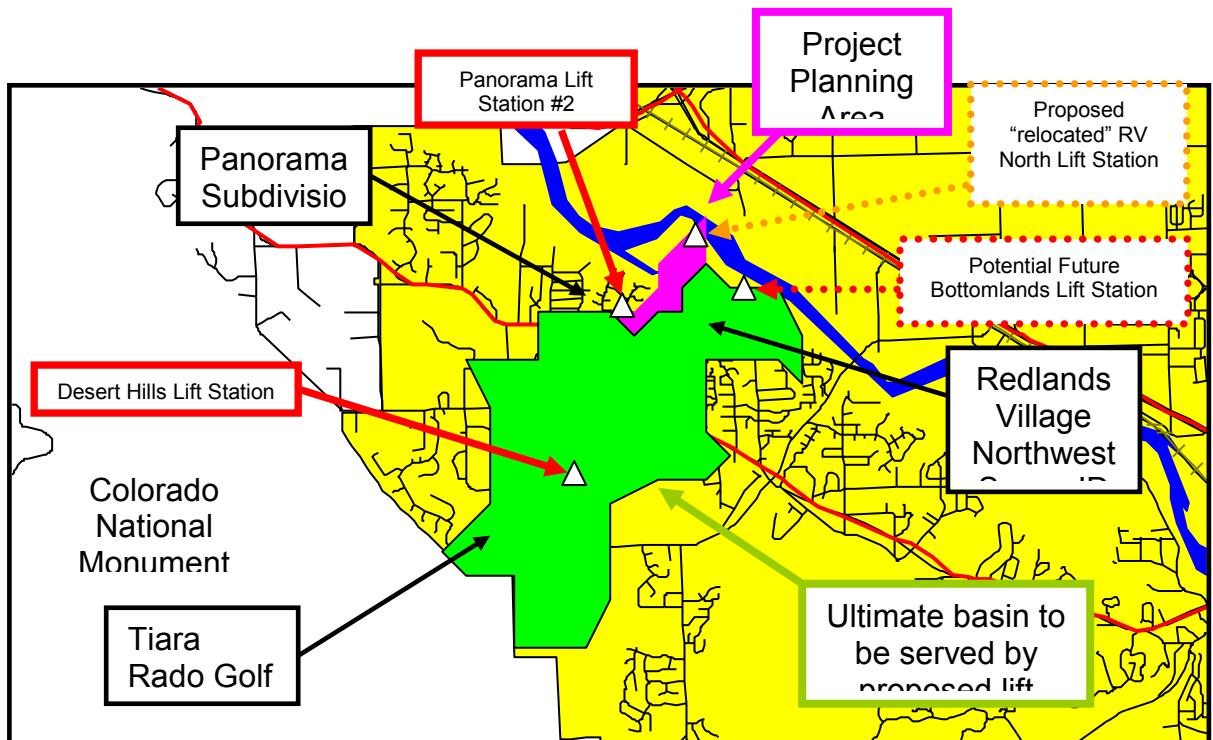
To: File

From: Trent Prall, City Utility Engineer

Project: Limekiln Gulch / Lift Station and outfall location.

Subject: Financial Impact Analysis

The proposed relocation of the Redlands Village North Lift station to the mouth of Limekiln Gulch has the potential to eliminate two existing lift stations and one future lift station. Both the existing Desert Hills Lift Station and the existing Panorama Lift Station #2 as shown below (outlined in solid red) could be eliminated via gravity sewer extensions to the “relocated” RVN lift station (outlined in dashed orange). The future “bottom lands” lift station (outlined in dashed red) also could be eliminated via a gravity extension to the “relocated” RVN lift station if it were located at the mouth of Limekiln Gulch. The project planning area as well as the location of the existing and proposed lift stations are shown below:



The financial analysis looked at the following expenses associated with lift stations of similar size.

Average electrical costs. Average electrical costs for each lift station is \$706.51 per year.

Maintenance costs per year. This number is based on average minor repair costs plus potassium permanganate for odor control. In 2002, this cost was \$1039 per lift station.

Labor per year. The Persigo system has one full time employee and service truck dedicated solely for lift station maintenance. The maintenance staff spends 1 hour each week with each lift station and about 3 hours once a month with each lift station going through it thoroughly. Overall annual average was 67 hours. At the fully burdened (including benefits) \$28.71 per hour, the 2002 labor per year came to \$1,923.28.

Service Truck. The Persigo system has a service truck dedicated solely for lift station maintenance. As stated above, the overall annual average was 67 hours per station. At \$33.00 per hour, the 2002 service truck expenses came to \$2,211.00.

Standby. Persigo personnel are on call 24 hours per day / 365 days per year. A minimum rate of 2 hours per day is paid to the person on standby whether he is called or not. Of this two hours, 25% or 30 minutes is allocated to lift station call out service. Divided by the 31 lift stations currently under Persigo's responsibilities, this comes to an average of 5.9 hours per year. At \$28.00 per hour, the 2002 standby expenses came to \$164.84.

Vector Truck. Persigo personnel are occasionally aided by the "vector" truck. The vacuum truck pumps out the sewage as maintenance personnel attend to maintenance items that require the station to be "down" for more time than the lift station wet well has capacity for. At an average of 6 hours per year at \$111.00 per hour, the 2002 vector truck expenses came to \$666.00.

Total Annual Costs. Total of all of the above costs came to **\$6,710.62 per station** in 2002 dollars.

Overall Analysis. The overall analysis of the lift stations were based on a present value analysis where all of the future expenses were estimated and then brought back to "today's" dollars so that a rational decision could be made among several alternatives. Since money earns interest, the time-value of money is important. Money has value with time. Money today is more valuable than money several years in the future. The attached analysis assumed a life cycle of **50 years** and an average 50 year interest rate of **6%**.

Each of the lift stations varied slightly primarily due to the scheduled replacement of the station. For example, the Panorama Lift Station #2 was scheduled for a minor replacement in the first year of the analysis, 2003, and

therefore was not scheduled for a full fledged replacement until year 20 of the analysis. By comparison, the Desert Hills Lift Station, which was constructed in 2000, should have 18 years before a full replacement is necessary.

The summary of the present value of the lift stations is shown below:

<u>Station</u>	<u>Present Value w/o</u>	<u>Present Value w/ Bottom Lands Lift Station</u>
Panorama Lift Station #2	\$216,790	\$216,790
Desert Hills Lift Station	\$200,317	\$200,317
Potential future "Bottom Lands" Lift station	-----	\$274,200
Total combined present value of the lift stations	\$417,107	\$691,307

Benefits. The present value of eliminating just the two existing lift stations is \$417,107. Also factoring in the potential future "Bottom Lands" lift station brings the total impact of the "relocated" RVNorth Lift Station to \$691,307. Subtracting the \$75,000 that would be paid by a developer for the potential "Bottom Lands" lift station, the net directly affecting Persigo operations and maintenance costs would be **\$616,307**. Based on the above, any alternative that is less than \$616,307 would be advantageous to the Persigo Wastewater Treatment Plant efforts to control operations and maintenance expenses.

Costs. The proposed relocation and upsize of the Redlands Village North Lift Station to the mouth of Limekiln Gulch is currently estimated at \$85,335.50 including design and construction. The 2,727 foot sewer extension from the new lift station location up Limekiln Gulch to Panorama Lift Station #2 is estimated at \$243,126 for a total estimated project cost of **\$328,461**. For this analysis, the extension to Desert Hills lift station was assumed to be completed by private development. Recent discussions with various developers as well as future sewer improvement districts led this office to believe that Desert Hills lift station could be eliminated within 3 years.

The estimated project cost of \$328,461 is \$88,646 less than the estimated \$417,107 in present value of the benefits of eliminating operations and maintenance. Including the elimination of the future "bottom lands" lift station the operations and maintenance difference soars to \$287,846.

Conclusions. The relocation of the Redlands Village North lift station has a direct benefit to the Persigo System in present dollars of \$88,646 to \$287,846. Therefore it would be this office's recommendation that the additional sewer funds be appropriated to fund the relocation and upsize of the Redlands Village North lift station. No additional costs would be incurred by the District itself as

the proposed relocation is a “system” benefit that ultimately will save the Persigo rate payers in the long run.

**Attach 13
Gerick Annexation**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Gerick Annexation Located at 324 Quail Drive					
Meeting Date	September 18, 2002					
Date Prepared	September 2, 2002				File # ANX-2002-136	
Author	Ronnie Edwards		Associate Planner			
Presenter Name	Ronnie Edwards		Associate Planner			
Report results back to Council	<input checked="" type="checkbox"/>	No		Yes	When	
Citizen Presentation		Yes	<input checked="" type="checkbox"/>	No	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		Consent	Individual Consideration

Summary: Resolution for Acceptance of the Petition to Annex and Second reading of the annexation ordinance for the Gerick Annexation located at 324 Quail Drive. The annexation consists of 4.5293 acres on one parcel of land.

The petitioner is seeking annexation as part of their request for an administrative review of a simple subdivision, pursuant to the 1998 Persigo Agreement with Mesa County.

Budget: N/A

Action Requested/Recommendation: Approve the resolution for the acceptance of petition to annex and second reading of the annexation ordinance.

Attachments:

1. Staff Analysis
2. Annexation Map
3. Resolution of Referral of Petition/Exercising Land Use Immediately
4. Annexation Ordinance

Background Information: See attached Staff Report

BACKGROUND INFORMATION				
Location:		324 Quail Drive		
Applicants:		Edwin and Elizabeth Gerick		
Existing Land Use:		Single Family Residence		
Proposed Land Use:		Single Family Residence		
Surrounding Land Use:	North	Single Family Residential		
	South	Single Family Residential		
	East	Single Family Residential		
	West	Single Family Residential		
Existing Zoning:		County RSF-4		
Proposed Zoning:		City RSF-1		
Surrounding Zoning:	North	County RSF-4		
	South	PUD (Planned Unit Development)		
	East	PUD (Planned Unit Development)		
	West	County RSF-4		
Growth Plan Designation:		Residential Low (1/2 - 2 ac/du)		
Zoning within density range?		X	Yes	No

Staff Analysis:

ANNEXATION:

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 Gerick 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.

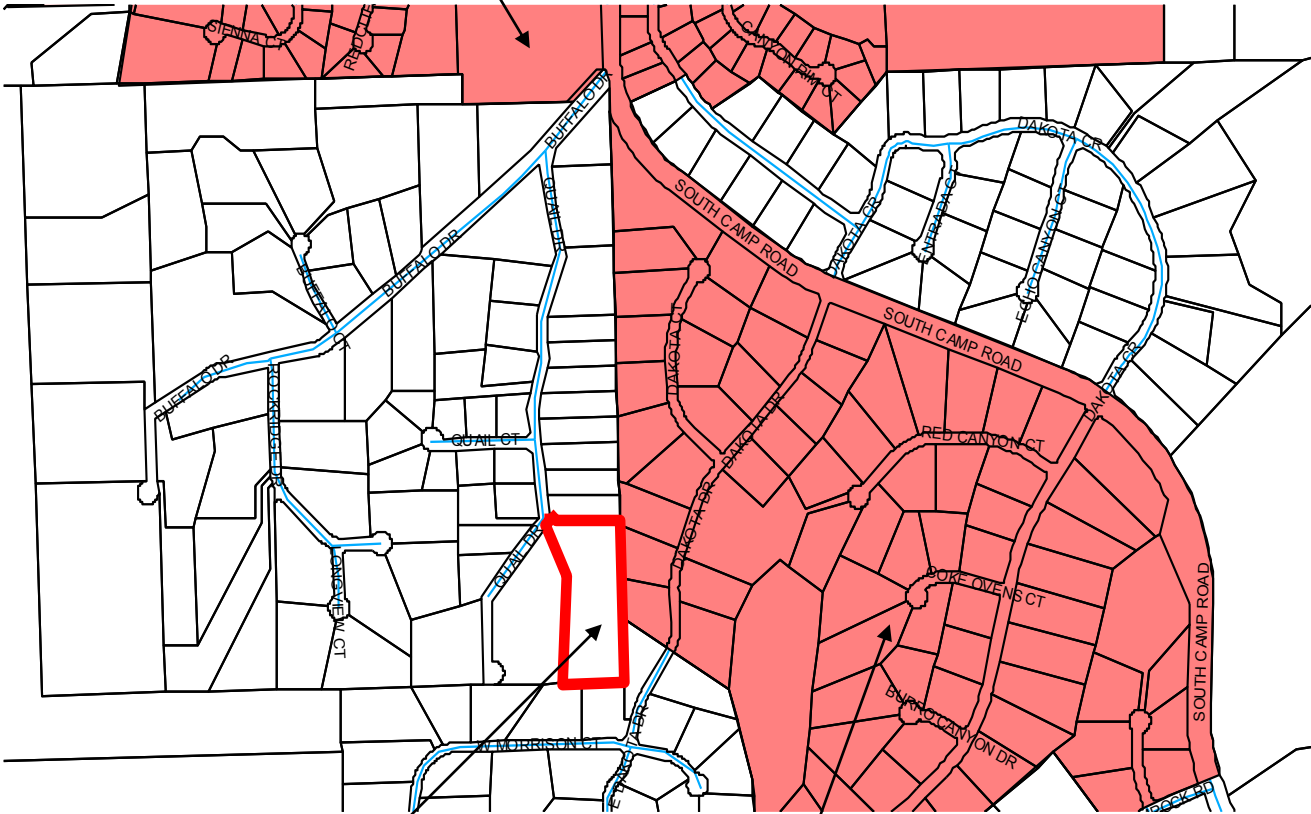
GERICK ANNEXATION SUMMARY		
File Number:		ANX-2002-136
Location:		324 Quail Drive
Tax ID Number:		2947-354-05-012
Parcels:		1
Estimated Population:		2
# of Parcels (owner occupied):		1
# of Dwelling Units:		1
Acres land annexed:		4.5293 acres for annexation area
Developable Acres Remaining:		4.5293 acres
Right-of-way in Annexation:		None; See Map
Previous County Zoning:		RSF-4
Proposed City Zoning:		RSF-1
Current Land Use:		Single Family Residence
Future Land Use:		Single Family Residence
Values:	Assessed:	= \$ 33,850
	Actual:	= \$ 369,830
Census Tract:		1401
Address Ranges:		318 to 324 Quail Drive
Special Districts:	Water:	Ute Water District
	Sewer:	Grand Junction
	Fire:	Grand Junction Fire District
	Drainage:	N/A
	School:	District 51

The following annexation and zoning schedule is being proposed.

<i>ANNEXATION SCHEDULE</i>	
August 7, 2002	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
August 13, 2002	Planning Commission considers Zone of Annexation
September 4, 2002	First Reading on Zoning by City Council
September 18, 2002	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
October 20, 2002	Effective date of Annexation and Zoning

GERICK ANNEXATION LOCATION MAP

CANYON VIEW SUBDIVISION



324 QUAIL DRIVE

MONUMENT VALLEY SUBDIVISION

RESOLUTION NO. ____ -02

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

GERICK ANNEXATION

IS ELIGIBLE FOR ANNEXATION

LOCATED AT 324 QUAIL DRIVE

WHEREAS, on the 7th day of August, 2002, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

A certain parcel of land lying in Tract 39 of Section 35, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Lot 12, Longview East Subdivision, as same is recorded in Plat Book 13, Page 391, Public Records of Mesa County, Colorado

Contains 4.5293 Acres (197,298.52 Square Feet), more or less, as described

or less, to the POINT OF BEGINNING.

WHEREAS, a hearing on the petition was duly held after proper notice on the 7th day of August, 2002;

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

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

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

ADOPTED this ____ day of _____, 2002.

Attest:

City Clerk

President of the Council

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

GERICK ANNEXATION

APPROXIMATELY 4.5293 ACRES

LOCATED AT 324 QUAIL DRIVE

WHEREAS, on the 7th day of August, 2002, 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 18th day of September, 2002; 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 situates in Mesa County, Colorado, and described to wit:

A certain parcel of land lying in Tract 39 of Section 35, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Lot 12, Longview East Subdivision, as same is recorded in Plat Book 13, Page 391, Public Records of Mesa County, Colorado

Contains 4.5293 Acres (197,298.52 Square Feet), more or less, as described

or less, to the POINT OF BEGINNING.

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

INTRODUCED on first reading on the 7th day of August, 2002.

ADOPTED and ordered published this _____ day of _____, 2002.

Attest:

City Clerk

President of the Council

Attach 14
Zoning the Gerick Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Zoning the Gerick Annexation Located at 324 Quail Drive					
Meeting Date	September 18, 2002					
Date Prepared	September 2, 2002				File # ANX-2002-136	
Author	Ronnie Edwards		Associate Planner			
Presenter Name	Ronnie Edwards		Associate Planner			
Report results back to Council	<input checked="" type="checkbox"/>	No		Yes	When	
Citizen Presentation		Yes	<input checked="" type="checkbox"/>	No	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		Consent	Individual Consideration

Summary: The Gerick Annexation is one parcel of land consisting of 4.5293 acres located at 324 Quail Drive. The petitioner is requesting a zone of Residential Single Family with a density not to exceed one unit per acre (RSF-1), which conforms to the Growth Plan Future Land Use Map. Planning Commission recommended approval at its August 13, 2002 meeting. The owners have signed a petition for annexation as part of a proposed simple subdivision, which is an administrative review.

Budget: N/A

Action Requested/Recommendation: Adopt the ordinance zoning the Gerick Annexation.

Attachments:

1. Staff Analysis
2. Annexation Map
3. Future Land Use Map
4. Zoning Ordinance

BACKGROUND INFORMATION				
Location:		<i>324 Quail Drive</i>		
Applicants:		Edwin and Elizabeth Gerick		
Existing Land Use:		<i>Single Family Residence</i>		
Proposed Land Use:		<i>Single Family Residence</i>		
Surrounding Land Use:	North	<i>Single Family Residential</i>		
	South	Single Family Residential		
	East	Single Family Residential		
	West	Single Family Residential		
Existing Zoning:		County RSF-4		
Proposed Zoning:		City RSF-1		
Surrounding Zoning:	North	<i>County RSF-4</i>		
	South	PUD (Planned Unit Development)		
	East	PUD (Planned Unit Development)		
	West	County RSF-4		
Growth Plan Designation:		Residential Low (1/2 - 2 ac/du)		
Zoning within density range?		X	Yes	No

Staff Analysis:

ZONE OF ANNEXATION:

Under the 1998 Persigo Agreement with Mesa County, the City shall zone newly annexed areas with a zone that is either identical to current County zoning or conforms to the City's Growth Plan Future land Use Map. The proposed zoning of RSF-1 conforms to the Future Land Use Map.

RSF-1 ZONE DISTRICT

- The RSF-1 does conform to the recommended future land use on the Growth Plan Future Land Use map currently designated Residential Low (1/2 – 2 acres/du).
- Zoning this annexation with the RSF-1 zone district meets the criteria found in Sections 2.14.F and 2.6 of the Grand Junction Zoning and Development Code.
- The property is surrounded by residential single family zoning and uses.

ZONING AND DEVELOPMENT CODE CRITERIA:

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

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

- 1. The existing zoning was in error at the time of adoption;**
The existing Mesa County zoning of RSF-4, Residential Single Family with a density not to exceed 4 units/acre, is not consistent with the current land use classification of Residential Low (1/2 – 2 ac/du) as shown on the Future Land Use Map 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 that is developing in a residential manner consistent with the Growth Plan. Surrounding subdivision development is consistent with the Growth Plan but inconsistent with the surrounding Mesa County zoning.
- 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 requested rezone to RSF-1 is within the allowable density range recommended by the Growth Plan. The petitioner is proposing a two-lot subdivision on this 4.5293 acre parcel. The average lot size of surrounding lots range from .68 to 2.06 acres. There are 22 lots that are larger than the smallest lot the petitioner is proposing and 33 lots smaller. Therefore, the proposed zone of RSF-1 as well as the proposed subdivision, which conforms to the RSF-1 zone district, is compatible with the neighborhood and is consistent with surrounding land uses, thus creating 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 this Code, and other City regulations and guidelines.**
The proposal conforms with the Growth Plan as it supports residential uses in this particular area. The simple subdivision being created is equivalent to existing land use, lot size, and meets the requirements of the Zoning and Development Code.
- 5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development;**

Public facilities and services are available for residential use and any new construction will require connection to sewer. Sewer trunk extension fees will be paid prior to recording of the proposed two-lot simple subdivision.

6. **There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs; and** Not applicable. This proposal is to allow a County residential designation to be changed to a City designation.
7. **The community or neighborhood will benefit from the proposed zone.** The proposed zone will benefit the neighborhood as it is allowing the subject property to be equivalent to surrounding area.

GERICK ANNEXATION SUMMARY		
File Number:		ANX-2002-136
Location:		324 Quail Drive
Tax ID Number:		2947-354-05-012
Parcels:		1
Estimated Population:		2
# of Parcels (owner occupied):		1
# of Dwelling Units:		1
Acres land annexed:		4.5293 acres for annexation area
Developable Acres Remaining:		4.5293 acres
Right-of-way in Annexation:		None; See Map
Previous County Zoning:		RSF-4
Proposed City Zoning:		RSF-1
Current Land Use:		Single Family Residence
Future Land Use:		Single Family Residence
Values:	Assessed:	= \$ 33,850
	Actual:	= \$ 369,830
Census Tract:		1401
Address Ranges:		318 to 324 Quail Drive
Special Districts:	Water:	Ute Water District
	Sewer:	Grand Junction
	Fire:	Grand Junction Fire District

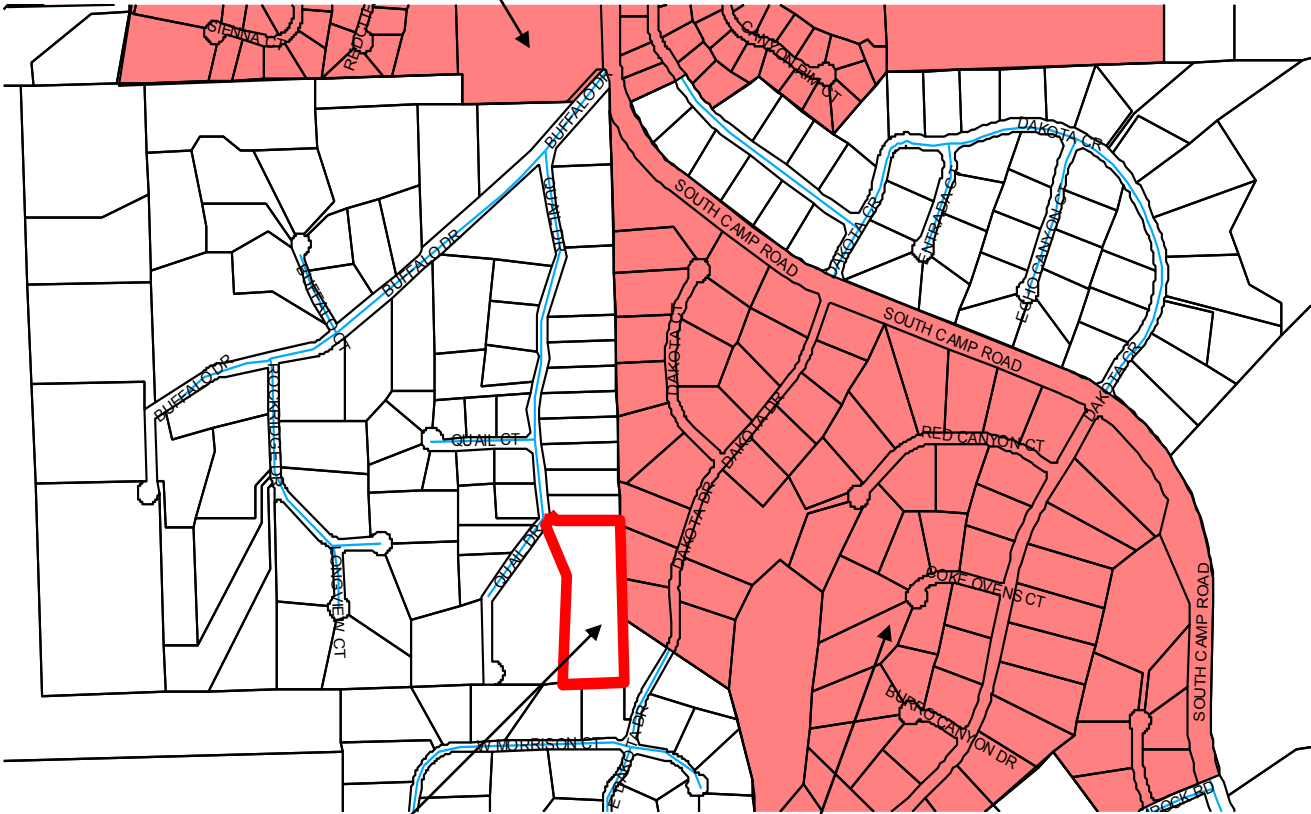
	Drainage:	N/A
	School:	District 51

The following annexation and zoning schedule is being proposed.

<i>ANNEXATION SCHEDULE</i>	
August 7, 2002	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
August 13, 2002	Planning Commission considers Zone of Annexation
September 4, 2002	First Reading on Zoning by City Council
September 18, 2002	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
October 20, 2002	Effective date of Annexation and Zoning

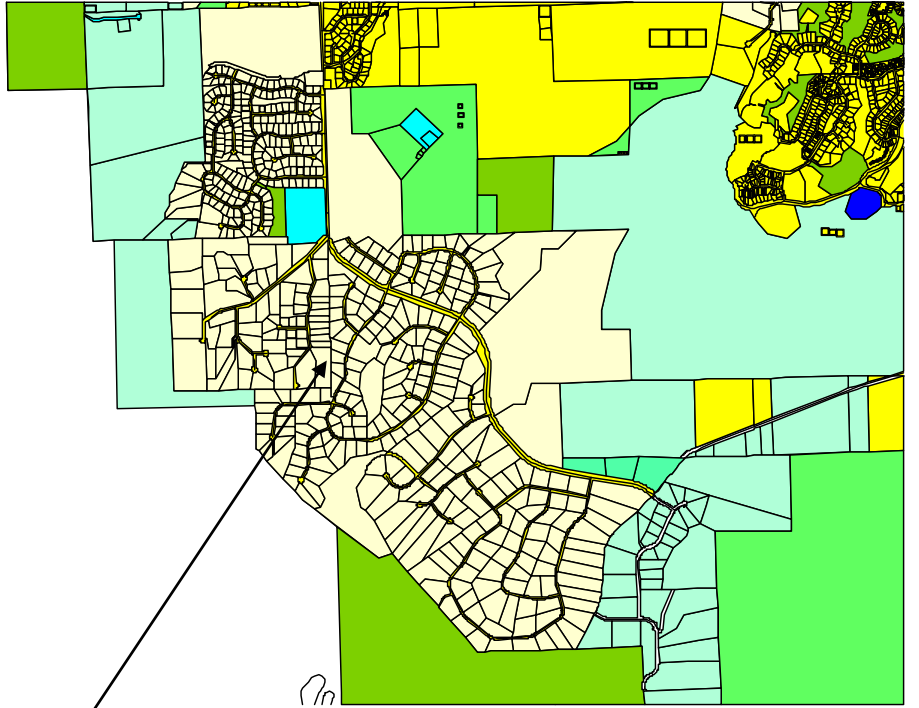
GERICK ANNEXATION LOCATION MAP

CANYON VIEW SUBDIVISION



324 QUAIL DRIVE

MONUMENT VALLEY SUBDIVISION



324 QUAIL DRIVE

FUTURE LAND USE MAP

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE ZONING THE GERICK ANNEXATION TO RESIDENTIAL SINGLE FAMILY WITH A DENSITY NOT TO EXCEED ONE UNIT PER ACRE (RSF-1)

LOCATED AT 324 QUAIL DRIVE

Recitals.

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

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

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

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

The following property shall be zoned the Residential Single Family with a density not to exceed one unit per acre (RSF-1) zone district

Includes the following tax parcel: 2947-354-05-012

A certain parcel of land lying in Tract 39 of Section 35, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Lot 12, Longview East Subdivision, as same is recorded in Plat Book 13, Page 391, Public Records of Mesa County, Colorado

Contains 4.5293 Acres (197,298.52 Square Feet), more or less, as described.

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

Introduced on first reading this 4th day of September, 2002.

PASSED and ADOPTED on second reading this _____ day of _____, 2002

Attest:

City Clerk

President of the Council

July 9, 2002

Richard & Lynda Pittman
305 Dakota Drive
Grand Junction, CO 81503

City Of Grand Junction
Community Development Department
250 N. 5th Street
Grand Junction, CO 81501


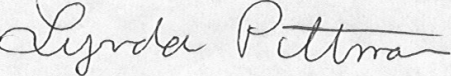
Re: ANX-2002-136 Annexation Rezone - Gerick Subdivision
Annexation - 324 Quail Street.

Dear Ronnie Edwards,

We received a blue notification about the rezoning at 324 Quail Street. We are very opposed to this subdividing into two lots and also any building on these lots.

We moved to this area because of the open space. Our property adjoins this property to the south east and don't want any more houses in this area. It is not good for the environment. We would lose the total scenic value of the house we purchased in this beautiful open space.

Thank You,



Richard & Lynda Pittman

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JUL 12 2002
COMMUNITY DEVELOPMENT
DEPT.

City of Grand Junction Community Development Department
 250 N 5th Street
 Grand Junction, Co. 81501

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COMMUNITY DEVELOPMENT
 DEPT.

Dear Community Developers,

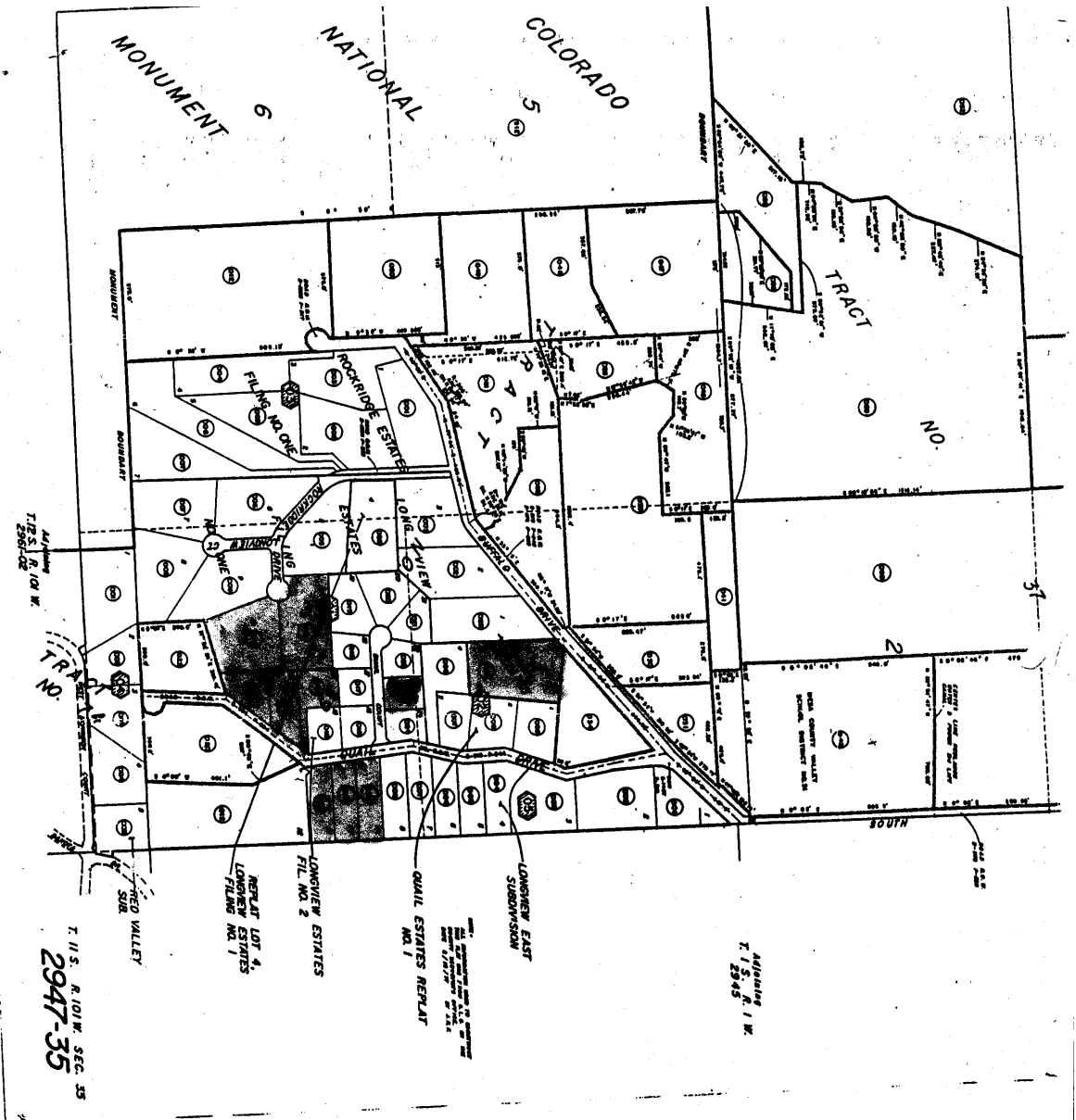
We, the undersigned, who are residents of surrounding properties of the proposed ANX-2002-136 Annexation Rezone-Gerick Subdivision Annexation at 324 Quail Drive wish to express our objection.

Our neighborhood is a low density subdivision with lots of approximately one acre or larger. We bought homes in this neighborhood because of the large lot size and natural desert surroundings. Subdividing this lot would change the character of the neighborhood and set a precedence for others to also subdivide their property. We feel that there are many higher density developments in our area for people wishing to live on smaller lots, and would be against changing the unique character of our neighborhood for one family's profit.

Our neighborhood is outside of Grand Junction city limits at this point in time. Though we know it is the practice of the city to annex portions of neighborhoods, we feel that it would not be advantageous to the city or ourselves to annex our neighborhood in a piecemeal fashion. We therefore are in objection to the annexation of the above mentioned property to the city of Grand Junction.

Thank you for your attention to this matter.

Name	Address	Signature
BARRY M. STORTER	2176 ROCKRIDGE DRIVE GRAND JUNCTION CO 81503	Barry M. Storter
BARBARA K. STORTER	2176 ROCKRIDGE DR. GRAND JUNCTION, CO 81503	Barbara K. Storter
Barbara Preston	319 Quail Dr. Grand Junction 81503	Barbara Preston
Paul Preston	319 Quail Dr. Grand Junction 81503	Paul Preston
Sherry Hopburn Smith Sherry Hopburn Smith	2185 Buffalo Dr. GT 81503	Sherry Hopburn Smith
K. Nicole Dark	330 Quail Dr. Grand Junction, CO 81503	K. Nicole Dark
Michael Dark	330 Quail Dr. GT 81503	Michael Dark
RICHARD C. KNUSS	328 Quail Dr. GT 81503	R. C. Knuss
Terri Meade	326 Quail Dr. 81503	Terri Meade
Joseph Heffer	313 Quail Dr.	Joseph Heffer
Gaye Mitchell	313 Quail Dr.	Gaye Mitchell
Terri L. Leach	317 Quail Dr.	Terri L. Leach
David C. Leach	317 Quail Dr.	David C. Leach



To: Community Development Department

Re: ANX-2002-136 Annexation Rezone- Gerick

Dear Sir,

Enclosed find copy of covenants regarding above property. Please note article 10, Resubdivision, regarding lot size. "The resubdivision of lots into smaller than 2 acres in size, units is prohibited in this connection,"

Thank you,

Stucca C. Martin
2179 Rockridge Dr.
245-3771

Joseph H. Steffen
313 Quail Dr.
254-1201

DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS

OF

LONGVIEW EAST

1482437

03:09 PM

APR 11, 1938 E. SAWYER, CLK & REC MESA CO.

THIS DECLARATION, made on the date hereinafter set forth by Bobby J. White and A. Louise White hereinafter referred to as "Declarant":

WITNESSETH:

WHEREAS, Declarant is the owner of certain property in the County of Mesa, State of Colorado, which is more particularly described as:

All lots within the subdivision known as Longview East.

WHEREAS, Declarant wishes to establish a method for the administration, maintenance, preservation, use and enjoyment of the property.

NOW THEREFORE, Declarant hereby declares that all of the properties described above shall be held, sold and conveyed subject to the following easements, restrictions, covenants, and conditions, which are for the purpose of protecting the value and desirability of, and which shall run with, the real property and be binding on all parties having any right, title or interest in the described properties or any part thereof, their heirs, successors and assigns, and shall insure to the benefit of each owner thereof.

1. Land Use and Building Type. No site shall be used except for residential purposes. Only single-family dwellings, private garages for not more than three cars, and other outbuildings directly incidental to residential use shall be executed, altered, placed or permitted to remain on any site. No retail business or repair business shall be permitted.
2. Architectural Control. No building shall be erected, placed or altered on any site until the construction plans and specifications, and a plan showing the location of the structure have been approved by the Architectural Control Committee as to quality of workmanship and materials, harmony of external design with existing structures, and as to location with respect to topography and finish grade elevation. Approval shall be as provided in Paragraph 9 of these Protective Covenants.
3. Dwelling and Site. The ground floor area of the main structure, exclusive of open porches, basements and garages, shall not be less than 1,600 square feet, outside measurement; provided, however, the following exceptions shall be applicable:
 - a) If said residence shall have a full basement, the ground floor area of the main structure, exclusive of open porches and garages, shall not be less than 1,600 square feet, outside measurement.
 - b) If the residence shall have a second story, the ground floor area of the main structure, exclusive of open porches, basements and garages shall not be less than 1,000 square feet, outside measurement, with a total living space on the first and second floor of 1,600 square feet, outside measurement.
 - c) If the residence shall be a split-level residence, the greatest outside measurement, exclusive of open porches, basements and garages, shall be not less than 1,600 square feet of living space.
 - d) "Basement" as used herein shall mean a floor space, the floor of which is more than four feet below average, the grade of the surface at the exterior of the building, and split-level structures having a living space the floor of which is less than four feet below the grade of the surface, shall not be deemed basement structures, but shall be deemed "living space" as the term is used above.
 - e) Each residence will include a double car enclosed garage.

MISC17

4. Move and Set. All construction within the subdivision shall be new construction and no previously erected building, structure, or improvement shall be moved and set upon any lot from any other location.
5. Building Location. No building shall be located on any site nearer than 15 feet to any side yard property line or nearer than 25 feet to any front or rear property line, and shall be built within the building envelope if so designated on the plat.
6. Easements. Easements for installation and maintenance of utilities, drainage facilities, and irrigation water are reserved as shown on the recorded plat. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may change the direction of flow, obstruct, or retard the flow of water in an through drainage channels in the easements. The easement area of each lot and all improvements in it shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or one or more utility company is responsible.
7. Nuisance. No noxious or offensive activity shall be carried on upon any site, nor shall anything be done thereon which may be or may become an annoyance or nuisance in the neighborhood.
8. Temporary Structures. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any site at any time as a residence, either temporarily or permanently. This shall not prevent use of a construction trailer for a period not to exceed four months during the construction of a new residence or a 50% or greater addition to an existing residence.
9. Architectural Control Committee.
 - a) Membership. The Architectural Control Committee shall be composed of members appointed by the owners. In the event of death or resignation of any member of the committee, the remaining members shall have full authority to designate a successor. Neither the members of the Committee, nor such representatives as it may designate, shall be entitled to any compensation for services performed pursuant to this covenant. At any time, the then recorded owners of sixty percent of the area of Longview Estates Filing No. 2 shall have the power, through a duly recorded instrument, to change the membership of the Committee or to withdraw from the Committee or restore to it any of its powers and duties.
 - b) Procedure. The Committee's approval or disapproval as required in these covenants shall be in writing. In the event the Committee, or its designated representative, fails to approve or disapprove within thirty (30) days after plans and specifications have been submitted to it, or in any event, to the completion thereof, approval will not be required and the related covenants shall be deemed to have fully complied with.
 - c) Criteria of Consideration. In addition to all the other criteria herein set forth, the Committee shall generally determine whether the proposed improvement will protect the then value and future values of the properties then located in the subdivision, and to be erected therein. The Committee shall in the exercise of its judgement and determination, use reason and good faith. Among the other considerations applied, the Committee will determine and base its approval or rejection upon the fact of whether said proposed improvements are reasonably compatible with other improvements erected and planned in said subdivision.

MISC13

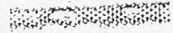
- 10. Resubdivision. The erection of more than one dwelling per lot or the resubdivision of lots into smaller than 2 acres in size, units is prohibited in this connection, the combination of more than one lot into one building site is not prohibited. For example, two lots may be used for one building site. Similarly, three lots may be divided into a total of two building sites.
- 11. Signs. No sign of any kind shall be displayed to the public view in any site except one professional sign of not more than one square foot, a sign of not more than five square feet advertising the property for sale or rent, or signs used and erected by a builder to advertise the property during the period when construction and sales of new dwellings occur.
- 12. Landscaping. It is anticipated that the landscaping of each lot will be left in its natural state, except those areas in the immediate vicinity of the improvements on the property. Movement of the natural landscaping, except around the immediate vicinity of the improvements is prohibited.
- 13. Animals. No animals other than a reasonable number of household pets shall be maintained within any unit or on any lot, and then only if they are kept and raised there solely as household pets for private use and not for commercial purposes.
- 14. Fences. Any fences constructed on a lot shall be of either wood or masonry construction. No metal fencing of any type shall be allowed.
- 15. Exterior colors. Exterior paints and stains shall be earth tones, off white in color.
- 16. Wildlife Protection. No hunting, shooting, trapping or harassing of wildlife shall be permitted, it being the intent to conserve and protect all wildlife to the utmost.
- 17. Recreational Vehicles. No recreational vehicles, motorcycles, dirt bikes, off road vehicles, etc. shall be operated in the development at anytime except for ingress and egress to an from the development and upon the established county road.
- 18. Vehicles. No lot shall be used as a parking, storage or accommodation area for any type of junk vehicles, or one under repair. Only those cars and trucks incidental to residential family use will be permitted on the premises.
- 19. Garbage and Refuse Disposal. No site shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste, shall not be kept except in sanitary containers. All equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition and shall be kept inside a building or screened from public view.
- 20. Electrical and telephone Service Lines. All electrical and telephone service lines shall be underground and no telephone or electrical poles or wires shall be permitted above ground, except those existing as of this date, whether the same be in the utility easements or other portions of the above described lots.
- 21. Street lighting. All lots are subject to and bound by Public Service Company tariffs which are now and may in the future be filed with the Public Utilities Commission of the State of Colorado relating to street lighting in this subdivision, together with rates, rules and regulations therein provided and subject to all future amendments and changes thereto. The owner or owners shall pay as billed a portion of the cost of public street lighting in the subdivision according to Public Service Company rates, rules and regulations, including future amendments and changes on file with the Public Utilities Commission of the State of Colorado.

MISC13

FILE 113.
APPX 2002 106
CITY COMM 101 101
CITY HOME

ALAN 101
KIMBER FURNACE

1.34 10 1011
3.7 10000



NEIGHBOR
S. JAVL PROS
BARB ZIND 242-6047
(WROTE LETTER)

MIKE & PAT (MARTIN) 242-3771
KORINNA DR

- 22. Term. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of twenty-five (25) years from the date they are recorded after which time said covenants shall be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of the then owners of the property has been recorded, agreeing to terminate said covenants, or change them in whole or in part.
- 23. Enforcement. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenants, either to restrain violation or to recover damages, or both.
- 24. Invalidation. Invalidation of any one of these covenants by judgement or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

DATED THIS 15th DAY OF March, 1987.

Bobby J. White
Bobby J. White

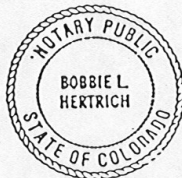
A. Louise White
A. Louise White

STATE OF COLORADO)
COUNTY OF MESA) ss

Subscribed and sworn to before me this 15th day
of March, 1987.

Witness my hand and official seal.
My commission expires.

Robert A. Hertrich
Notary Public
per Robert A. Hertrich
Grand Pt. 1/2/87



MISC13

August 1, 2002

Grand Junction Community Dev. Dept.
Planner- Ronnie Edwards
City Hall
250 N. 7th St.
G.J., CO.

RE: ANX-2002-136 Gerick Subdivision Annexation
324 Quail Drive

Ms. Edwards;


I understand from speaking with my immediate neighbor, ED GERICK, that there is some opposition to his requested lot split. As I am the most impacted of any to this lot split, I fully support the granting of this request.

Living at 309 Dakota Dr., Monument Valley Filing #4, lot 9, my back property line adjoins Gerick's for 230 feet and the new lot where he plans to build a house is directly behind my house. I have seen the plans for his new house and find them acceptable in every way as to style, height and location on the lot.

It is interesting that all the other houses in Gerick's subdivision, Longview East, are on less than one acre lots, yet these are the people objecting to Gerick's split of his $4\frac{1}{2}$ acre lot into a 2 acre and $2\frac{1}{2}$ acre lots. I hope these objectors do not include the woman at 317 Quail Dr. who runs the unlicensed day care and has a garage sale every month with the constant traffic engendered by both.

In summary, I urge a swift approval of this lot split request and in no way do I, as the most immediate neighbor, object to this project.

Respectfully,


Mike Fitzmorris
309 Dakota Dr.
GJ, CO 81503-2552

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JUL 30 2002

COMMUNITY DEVELOPMENT
DEPT.

August 1, 2002

Ronnie Edwards
Associate Planner
Community Development Department
City of Grand Junction
250 North 5th Street
Grand Junction, 81501-2668

Re: ANX-2002-136 GERICK SUBDIVISION ANNEXATION- 324 Quail Drive

On July 29, representatives of the Redlands Neighborhood Action Group (The NAGS) met with you to discuss the above proposed subdivision. You explained that this was an existing four acre residential lot for which the owner was seeking approval to re-subdivide and create an approximate one acre building site for a new residential property on Quail Drive. You invited our comments regarding this.

When developers first approach the City or County with proposals to convert vacant land into residential subdivisions, the public agency staffs perform an extensive analysis to cover all the issues which would be involved with these plans. This includes lot sizes, drainage, open space, traffic vs roads, and how such subdivisions would fit into the character of the surrounding area. If the subdivisions are approved by the appropriate public body, then people buy into them for their homes with the understanding that these developers' plans have established the final layout for the lots and home sites in the area. Construction, landscaping, view windows, etc. are all based on this understanding. But if one of the property owners later decides to re-subdivide so as to add an additional dwelling where one was not originally intended, it violates the plans for the subdivisions and the understanding of the permanent environment by those who now own homes in the neighborhood. Therefore the re-subdividing of an existing residential lot should be prohibited unless approval is obtained from all those affected by it. This four acre lot was originally planned as a single family home site and should remain as such.

If in spite of this, the City goes ahead and approves this subdivision and annexation, it should be done with the following restrictions as a minimum:

1. The new dwelling constructed on the site should be limited to a one story building with a height restriction and situated on the acre so as to have a minimal visual effect on the adjacent properties.
2. Any further subdividing of this original four acre lot should be prohibited; with this covenant to be recorded and to run with the property in perpetuity.

Thank you for your assistance.

The Redlands Neighborhood Action Group

(See Attached List)

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AUG 05 2002

COMMUNITY DEVELOPMENT
DEPT.

<u>NAME</u>	<u>ADDRESS</u>
Jack Campbell	342 Quail Drive
Jack & Marilyn Hill	340 Quail Drive
Law and Shelys Holmes	344 Quail Drive
Bob & Mary Allen	334 Quail Dr.
Steve & Peggy Kramer	336 QUAIL Drive.
John & Audrey McConnell	338 Quail Drive.
Bob & Ruth Cross	317 Dakota Ct.
John & Mary + Marcia Bogen	313 Dakota Ct.
Louis and Smith McQuinton	335 Quail Drive
Bud Law	337 Quail Drive
Amy Evans	337 Quail Drive
Jan & Sandy Klunzer	332 Quail Dr.
Kathryn N. Park	330 Quail Dr.
Bob & Vicki Schell	323 QUAIL DR.
Richard & Sophie Nilsson	341 Quail Drive

Note: There are 12 lots in the Longview East Subdivisions.
Nine of the lot owners (75%) oppose the re-subdividing
of Lot 12. Of the people we were able to contact all
were opposed to re-subdividing. JRC

Barbara and Paul P Preston

319 Quail Dr.
Grand Junction, CO 81503

August 03, 2002

City of Grand Junction
Community Development Department
250 N 5th Street
Grand Junction, CO 81501

RECEIVED
AUG 07 2002
COMMUNITY DEVELOPMENT
DEPT.

To Whom it May Concern,

We are writing regarding the ANX-2002-136 Gerick Subdivision Annexation on 324 Quail Dr. We will be out of town and unable to attend the public hearing regarding this proposal. We are opposed to this proposal to further subdivide a lot in our neighborhood.

Our neighborhood is a low density subdivision with lots of approximately one acre or larger. We bought homes in this neighborhood because of the large lot size and natural desert surroundings. Subdividing this lot would change the character of the neighborhood and set a precedence for others to also subdivide their property. We feel that there are many higher density developments in our area for people wishing to live on smaller lots, and would be against changing the unique character of our neighborhood for one family's profit or convenience.

We hope that the City of Grand Junction takes into consideration the opinions of ourselves and our neighbors when discussing this proposal.

Sincerely,

Barbara Preston
Paul P. Preston

August 7, 2002

Ronnie Edwards, Planner
Office of Community Development
City of Grand Junction

Dear Ronnie,

This letter is in regard to the proposed Gerick Subdivision at 324 Quail Drive. I reside at 321 Quail Dr. which is across the street on the west side of the road. Both sides of Quail Drive have drainage swales with the west side being the major channel. When Dale Cole originally developed the property in the early nineties, the County allowed him to discharge storm water from the major drainage on the subject property into the channel on the west side of Quail Drive. This drainage lies west of the existing house and discharges into a culvert near the mouth of the present driveway, where it is conveyed under the road and then into the west side channel. Over the past ten years we have experienced intense thunderstorm events which have strained the capacity of the west side channel. More than once the flow has been equal to the capacity of the 24inch RCP culvert under my driveway with resulting damage downstream at the intersections of Quail Court and Buffalo Drive. To limit damage to my driveway and to the west side channel banks, I ask that during the staff administrative review of this simple subdivision the community development engineer be aware of the existing problem and not allow additional stormwater to enter the west side channel as a result of the new development on the property. Care should be taken as well not increase the discharge into the east side channel as that channel is incapable of conveying even the smallest flow.

Sincerely,



John M. Thomas
321 Quail Drive
970-245-1195

This agenda is intended as a guideline for the City Council. Items on the agenda are subject to change as to the order of the agenda.

*** Indicates New Item

* Requires Roll Call Vote

RECEIVED

AUG 12 2002

COMMUNITY DEVELOPMENT
DEPT.

August 7, 2002

City of Grand Junction
Community Development Department
250 N. 5th Street
Grand Junction, Co. 81501
Attention: Ronnie Edwards

Dear Ronnie,

Dale Cole called and informed us that a second petition has been received regarding ANX-2002-136 GERICK SUBDIVISION ANNEXATION - 324 Quail Drive.

In response to the initial petitioners, we responded by sending each of them a copy of the attached letter. We thought you should have a copy of it for your file.

I have not received a copy of the latest petition, but understand after talking to Dale that it was toned down from the initial petition.

We will certainly be pleased when this process is completed and we can get on with the remainder of our lives. Just cannot understand why people are so interested in upsetting the lives of other people.

We would like to take this opportunity to thank you for all the help you have given us with regard to this trying process. **Thank You !!**

Respectfully yours,



Ed and Elizabeth (Betty) Gerick

Dear Neighbor,

We received a copy of the petition which was signed by you and a number of other folks in the area, and felt compelled to clarify the issue of what our intentions are regarding the proposed lot split. An error was made on the zoning which could have misled you regarding the development of this parcel of land

Unfortunately, no one whose signature appears on the petition had bothered to contact us to understand what specifically was planned regarding the proposed lot split. First of all I would like to clarify the error regarding the zoning of this parcel of land. The "Notice of Development Application" that was sent out to you specified a zoning which would allow 4 units per acre which would imply that a total of 18 units could be built on this piece of ground. Unfortunately that was a gross error as the true zoning is much the same as the zoning allowed for your parcel of land - specifically R-1 which allows a single dwelling per parcel.

Next, I would like to give you some specific information regarding our desires. My wife and I are in our mid-seventies, and our health and energies are not what they once were. Our home of 3200 square feet is a bit much for my wife & I to continue to maintain, and due to a bad back and impending back surgery, I cannot maintain 4 ½ acres of land as it needs to be taken care of to minimize fire danger to the immediate community. Due to these circumstances, my wife and I have decided that we needed a smaller place to take care of. We have been at this location for 10 years, and have grown very fond of the surrounding terrain, wildlife and the quiet community. Therefore we thought we might split the 4 ½ acres and separate a smaller parcel in which we would build the home shown in the enclosure.

You will notice that we have chosen a plan, in deference to our neighbors, that has a relatively low profile so as to minimize any impact that it might have on their ability to enjoy the surrounding area. We have also chosen a plan which we feel is aesthetically pleasing, and one which would be an asset to the community.

The lot size would still be larger than the great majority of the lots in the subdivision and would still leave a large natural area for the area wildlife which we enjoy.

My good neighbor, who would be most impacted by the lot split, due to the fact that we share a common 230 foot lot line, and that the proposed structure would be to the rear of his house, has reviewed our plans and finds them acceptable in every way, and has recommended a "swift approval" to this lot split request.

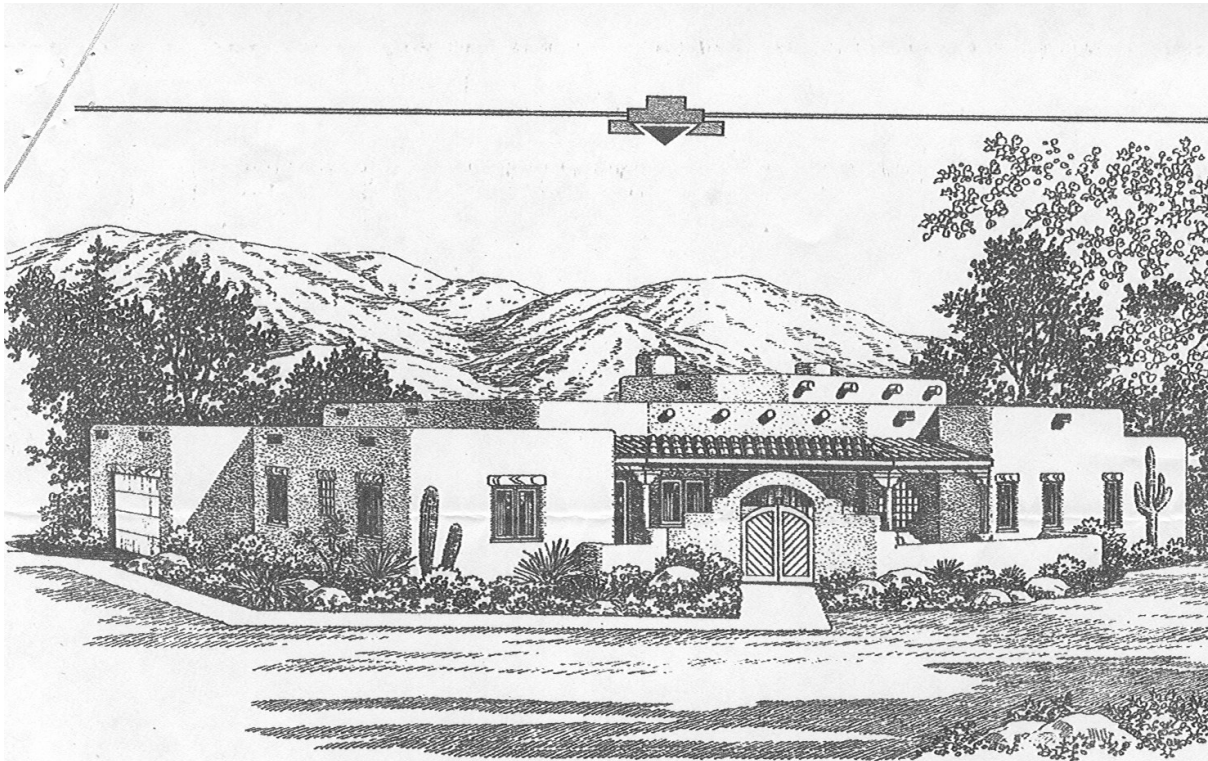
We hope that this letter will help to clarify our intentions and will help to ease your mind that our plans are not going to be a detriment to the area, nor one that would affect the value of your property in a negative manner.

We would like to hear your thoughts now that you know of our specific plans, and have had the zoning issue clarified. Please feel free to contact us at 243-4926 or write us at 324 Quail Drive. Thank You.

Respectfully,

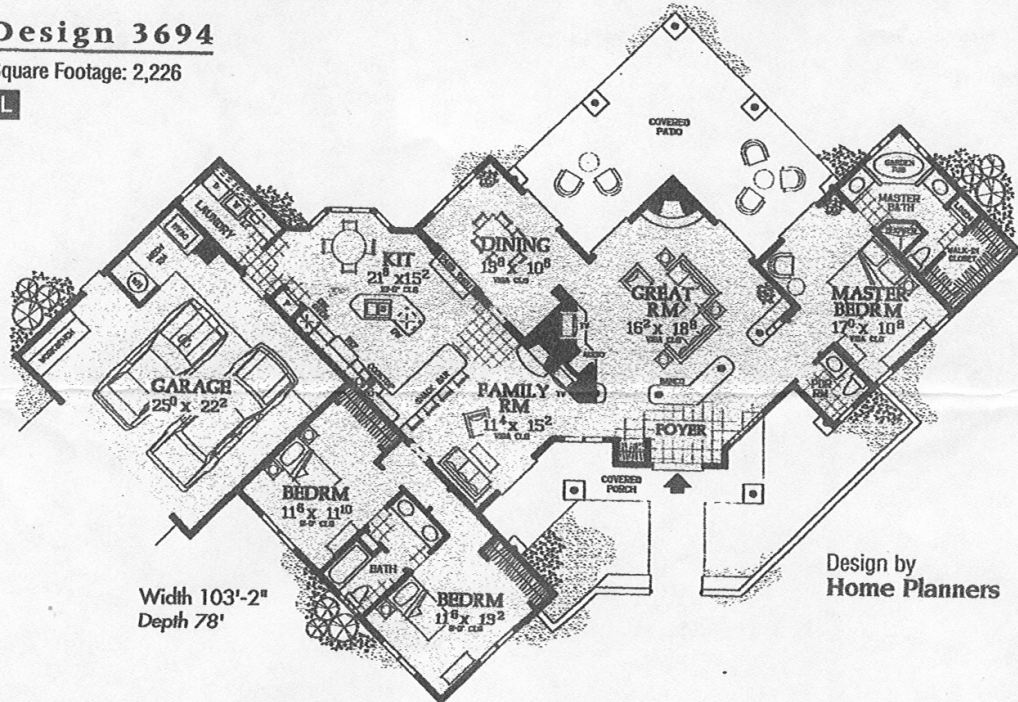
Ed and Betty Gerick

(P.S.) At the time of the sale of the remaining 3.17 acres, a deed restriction will be incorporated to restrict any further development of the land. This action will insure open space for wildlife etc., and in essence will result in an average lot size of 2.233 acres per lot.



Design 3694

Square Footage: 2,226



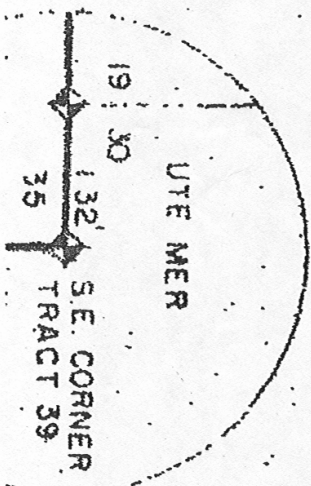
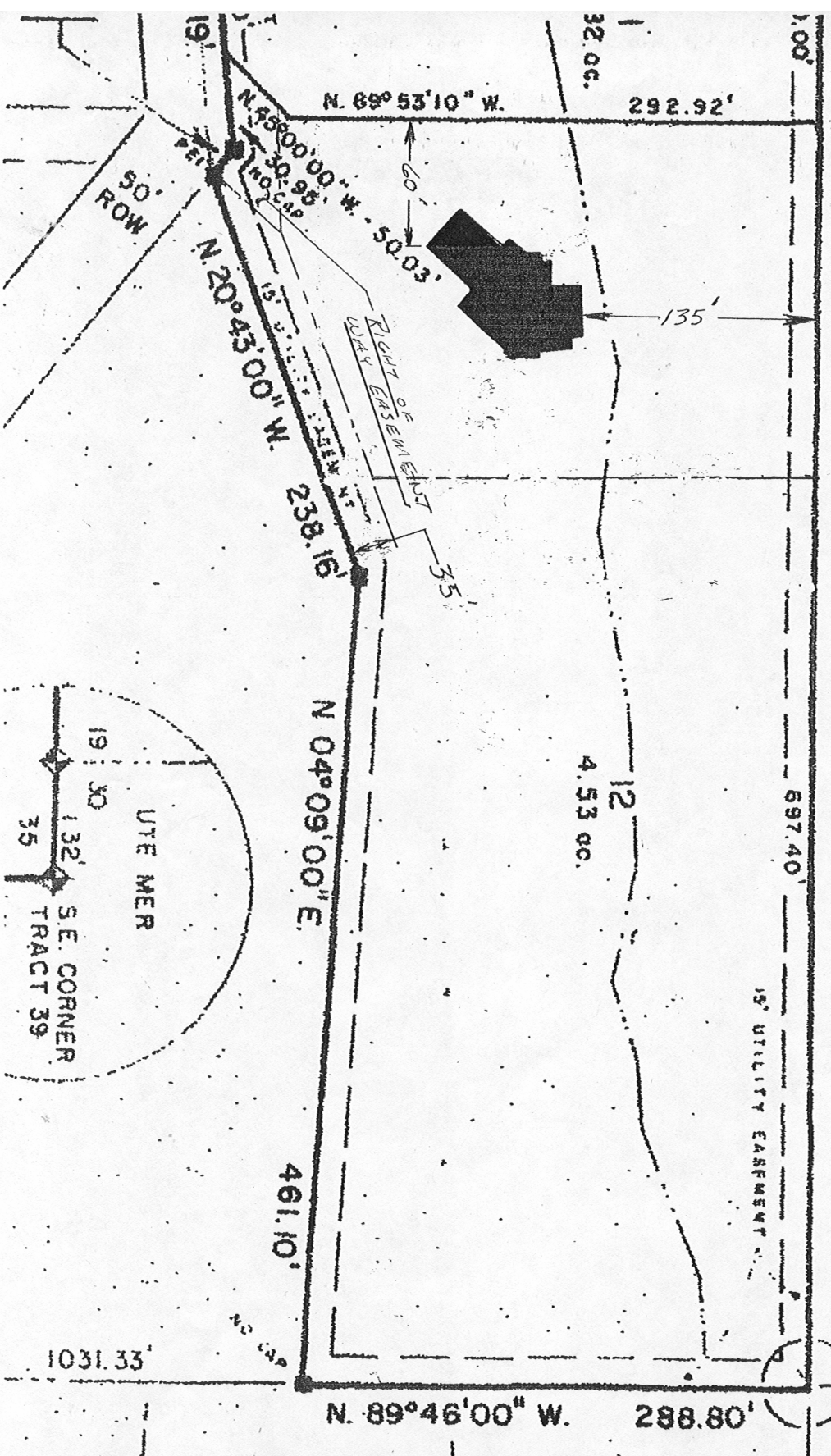
Design by
Home Planners

■ The impressive, double-door entry to the walled courtyard sets the tone for this Santa Fe master-piece home. The expansive living room offers its casual style with a centerpiece fireplace and abundant windows overlooking the patio. Joining the living room is the formal dining room, again graced with windows and patio doors. The large gourmet kitchen has an eat-in snack bar and joins

the family room to create a warm atmosphere for casual entertaining. Family room extras include a fireplace, entertainment built-ins and double doors to the front courtyard. Just off the family room are the two large family bedrooms, which share a private bath. The relaxing master suite is privately located off the living room and has double doors to the back patio.

Proposed Structure
Proposed Future:

SEE DETAIL



1031.33'