

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

WEDNESDAY, JANUARY 15, 2003, 7:30 P.M.

CALL TO ORDER

Pledge of Allegiance
Invocation - Gary Cake, More Than Words Ministry

PRESENTATION OF CERTIFICATES OF APPOINTMENTS

TO REAPPOINTED MEMBER OF THE HOUSING AUTHORITY BOARD OF DIRECTORS

TO NEW MEMBER OF THE VCB BOARD OF DIRECTORS

SCHEDULED CITIZEN COMMENTS

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

1. **Minutes of Previous Meetings** [Attach 1](#)
Action: Approve the Summary of the December 16, 2002 Workshop, the Minutes of the December 16, 2002 Special Meeting, the Minutes of the December 17, 2002 Special Meeting and the Minutes of the December 18, 2002 Regular Meeting
2. **Meeting Schedule and Posting of Notices** [Attach 2](#)
State Law requires an annual designation of the City's official location for the posting of meeting notices. The City's Code of Ordinances, Sec. 2-26, requires the meeting schedule and the procedure for calling special meetings be determined annually by resolution. A special meeting is included in the meeting schedule the day following the municipal election for the canvassing of the election returns as required by City Charter.
Resolution No. 1-03 - A Resolution of the City of Grand Junction Designating the Location for the Posting of the Notice of Meetings, Establishing the City Council

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

Meeting Schedule, Scheduling a Special Meeting for April 9, 2003 and Establishing the Procedure for Calling of Special Meetings for the City Council

**Action: Adopt Resolution No. 1-03*

Staff presentation: Stephanie Tuin, City Clerk

3. **Authorize the City Clerk to Proceed with the Necessary Actions for the Conduct of the Regular Municipal Election on April 8, 2003** [Attach 3](#)

The City has adopted the Municipal Election Code. In order to conduct the election by mail ballot, the Council must authorize it pursuant to 1-7.5-104 C.R.S. and the City Clerk must submit a Written Plan outlining the details and responsibilities to the Secretary of State. It is recommended that the City again contract with Mesa County to conduct this election by mail ballot. They have the equipment on site and can process the ballots more efficiently than the City.

Resolution No. 2-03 - A Resolution Authorizing a Mail Ballot Election in the City of Grand Junction for the April 8, 2003 Regular Municipal Election, Approving the Written Plan for the Conduct of a Mail Ballot Election and Authorizing the City Clerk to Sign the Intergovernmental Agreement with Mesa County Clerk and Recorder

**Action: Adopt Resolution No. 2-03*

Staff presentation: Stephanie Tuin, City Clerk

4. **Award of Fire Act Grant by FEMA** [Attach 4](#)

On April 3, 2002, the City Council granted approval for the Fire Department to apply for a \$48,000 Fire Act Grant to purchase three (3) hand-held thermal imaging cameras. On January 1, 2003, the Department received official notification from FEMA of a \$33,600 Fire Act Grant award (70% of the amount requested).

Action: Authorize the City Manager to Accept a Fire Act Grant Award in the Amount of \$33,600

Staff presentation: Rick Beaty, Fire Chief

5. **Setting a Hearing for Zoning the Rice Annexations #1 & #2 Located at 135 Burns Drive** [File # ANX-2002-214] [Attach 5](#)

The Rice Annexation consists of one parcel of land and a portion of the B Road, 29 ½ Road, 30 Road, Hwy 50, and Burns Drive rights-of-way on approximately 4.8673 acres. A petition for annexation has been presented as part of a Simple Subdivision. The requested zoning for the property is RSF-4 (Residential Single Family, not to exceed 4 units per acre). The physical address for the property is 135 Burns Drive.

Proposed Ordinance Zoning the Rice Annexation to RSF-4 (Residential Single Family Not to Exceed 4 Units/Acre), Located at 135 Burns Drive

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for February 5, 2003

Staff presentation: Senta Costello, Associate Planner

6. **Setting a Hearing for Zoning the Siena View Annexation Located at 2945 D-1/2 Road** [File # ANX-2002-228] [Attach 6](#)

The Siena View Annexation area consists of one parcel of land, approximately 4.6 acres in size. A petition for annexation has been presented as part of a Preliminary Plan. The requested zoning for the property is RMF-8 (Residential Multi-family, not to exceed 8 units per acre). The physical address for the property is 2945 D ½ Road.

Proposed Ordinance Zoning the Siena View Annexation to Residential Multi-Family, Not to Exceed 8 Dwelling Units Per Acre (RMF-8), Located at 2945 D ½ Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for February 5, 2003

Staff presentation: Lori Bowers, Senior Planner

7. **Setting a Hearing for the Red Tail Ridge Annexation Located at the South End of Buena Vista Drive** [File # ANX-2002-230] [Attach 7](#)

The Red Tail Ridge Annexation is an annexation comprised of 1 parcel of land located at the south end of Buena Vista Drive, comprising a total of 10.38 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. 3-03 – 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, Red Tail Ridge Annexation, Located at the South End of Buena Vista Road

**Action: Adopt Resolution No. 3-03*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance on Annexing Territory to the City of Grand Junction, Colorado, Red Tail Ridge Annexation, Approximately 10.38 Acres, Located at the South End of Buena Vista Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for February 19, 2003

Staff presentation: Pat Cecil, Development Services Supervisor

8. Setting a Hearing for the North Avenue Center Annexation located at 2938 North Avenue [File # ANX-2002-243] [Attach 8](#)

The North Avenue Center Annexation consists of 5.44 acres of land that is located at 2938 North Avenue and is currently vacant. The petitioner's intent is to annex and then subdivide the property into two (2) lots through the Simple Subdivision Plat process and develop the area as commercial lease retail/office space that would be named Palace Pointe Market Place. The proposed annexation lies within the Persigo 201 sewer district.

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

Resolution No. 4-03 – 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, North Avenue Center Annexation, Located at 2938 North Avenue

**Action: Adopt Resolution No. 4-03*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance on Annexing Territory to the City of Grand Junction, Colorado, North Avenue Center Annexation, Approximately 5.44 Acres, Located at 2938 North Avenue

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for February 19, 2003

Staff presentation: Scott Peterson, Associate Planner

9. **Subrecipient Contract with Western Slope Center for Children for the City's 2002 Program Year Community Development Block Grant Program** [File # CDBG 2002-4] [Attach 9](#)

The Subrecipient Contract formalizes the City's award of \$101,280 to Western Slope Center for Children (WSCC) for remodel and renovation of its existing facility located at 259 Grand 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 WSCC for the City's 2002 Program Year, Community Development Block Grant Program in the Amount of \$101,280

Staff presentation: Kristen Ashbeck, Senior Planner

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

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

10. **Adoption of the City Council's Strategic Plan** [Attach 10](#)

The Strategic Plan was developed to help improve the quality of life for Grand Junction citizens and it is intended to be a guiding document for the City Council and City staff. This resolution will adopt the Strategic Plan.

Resolution No. 5-03 – A Resolution Adopting the City Council's Strategic Plan 2002-2012

**Action: Adopt Resolution No. 5-03*

Staff presentation: David Varley, Assistant City Manager

11. **Public Hearing - Dettmer II Annexation Located at 2918, 2924 and 2926 D ½ Road** [File # ANX-2002-221] [Attach 11](#)

Resolution for acceptance of petition to annex and second reading of the annexation ordinance for the Dettmer II No. 2 and No. 3 Annexation located at 2918, 2924 and 2926 D-1/2 Road. This 2.95-acre annexation consists of three parcels of land.

a. Accepting Petition

Resolution No. 6-03 – A Resolution Accepting a Petition to Annex, Making Certain Findings, Determining that Property Known As a Serial Annexation Comprising Dettmer II No. 2 and No. 3 Annexation, Located at 2918, 2924 and 2926 D-1/2 Road is Eligible for Annexation

**Action: Adopt Resolution No. 6-03*

b. Annexation Ordinances

Ordinance No. 3486 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado Dettmer II Annexation No. 2 , Approximately 0.85 Acres Located at 2918 and Including a Portion of 2924 and 2926 D-1/2 Road

Ordinance No. 3487 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado Dettmer II Annexation No. 3, Approximately 2.1 Acres Located at 2924 and 2926 D-1/2 Road

**Action: Adopt Ordinance No. 3486 and Ordinance No. 3487 on Second Reading*

Staff presentation: Kristen Ashbeck, Senior Planner

12. **Public Hearing – Zoning the Dettmer II Nos. 2 and 3 Annexation Located at 2918, 2924 and 2926 D-1/2 Road** [File #ANX-2002-221] [Attach 12](#)

The Dettmer II Nos. 2 and 3 Annexation consists of three parcels, totaling 2.95 acres located at 2918, 2924 and 2926 D-1/2 Road. The petitioner is requesting a zone of Residential Single Family 4 units per acre (RSF-4), which will conform

to the Growth Plan Future Land Use Map that shows this area as Residential Medium Low with a density range of 2 to 4 units per acre.

Ordinance No. 3488 – An Ordinance Zoning the Dettmer II No. 2 and No. 3 Annexation Residential Single Family with a Maximum Density of 4 Units per Acre (RSF-4), Located at 2918, 2924 and 2926 D-1/2 Road

**Action: Adopt Ordinance No. 3488 on Second Reading*

Staff presentation: Kristen Ashbeck, Senior Planner

13. **Public Hearing - Rowe Annexation Located at 176 28 ½ Road** [File #ANX-2002-223] [Attach 13](#)

Resolution for acceptance of petition to annex and second reading of the annexation ordinance for the Rowe Annexation, located at 176 28 1/2 Road.

a. Accepting Petition

Resolution No. 7-03 – A Resolution Accepting Petitions for Annexation, Making Certain Findings, Determining that Property Known as the Rowe Annexation is Eligible for Annexation Located at 176 28 ½ Road

**Action: Adopt Resolution No. 7-03*

b. Annexation Ordinance

Ordinance No. 3489 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Rowe Annexation Approximately 7.3892 Acres Located at 176 28 ½ Road

**Action: Adopt Ordinance No. 3489 on Second Reading*

Staff presentation: Lisa Gerstenberger, Senior Planner

14. **Public Hearing – Zoning the Rowe Annexation Located at 176 28 ½ Road** [File #ANX-2002-223] [Attach 14](#)

Second reading of the zoning ordinance to zone the Rowe Annexation Residential Single-Family-4 (RSF-4), located at 176 28 1/2 Road.

Ordinance No. 3490 – An Ordinance Zoning the Rowe Annexation to Residential Single-Family-4 (RSF-4), Located at 176 28 1/2 Road

**Action:* Adopt Ordinance No. 3490 on Second Reading

Staff presentation: Lisa Gerstenberger, Senior Planner

15. **Public Hearing - Smith Annexation Located South of 378 Evergreen Road**
[File #ANX-2002-222] [Attach 15](#)

Resolution for acceptance of petition to annex and second reading of the annexation ordinance for the Smith Annexation located south of 378 Evergreen Road.

a. Accepting Petition

Resolution No. 8-03 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Smith Annexation is Eligible for Annexation Located South of 378 Evergreen Road

**Action:* Adopt Resolution No. 8-03

b. Annexation Ordinance

Ordinance No. 3491 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Smith Annexation Approximately 3.289 Acres Located South of 378 Evergreen Road

**Action:* Adopt Ordinance No. 3491 on Second Reading

Staff presentation: Lisa Gerstenberger, Senior Planner

16. **Public Hearing – Zoning the Smith Annexation Located South of 378 Evergreen Road** [File #ANX-2002-222] [Attach 16](#)

Second reading of the zoning ordinance to zone the Smith Annexation Residential Single-Family-4 (RSF-4), located south of 378 Evergreen Road.

Ordinance No. 3492 – An Ordinance Zoning the Smith Annexation to Residential Single-Family-4 (RSF-4), Located South of 378 Evergreen Road

**Action:* Adopt Ordinance No. 3492 on Second Reading

Staff presentation: Lisa Gerstenberger, Senior Planner

17. **Rezoning the King Property Located at 2610 Kelley Drive** [File # RZ-2002-208]
[Attach 17](#)

Petitioner is requesting to rezone a 3.28 lot from RSF-R (Residential Single Family – 1 unit/5 acres) to RSF-1 (Residential Single Family not to exceed 1 unit/acre).

Ordinance No. 3493 – An Ordinance Zoning a Parcel of Land Known as the King Property Located at 2610 Kelley Drive

**Action: Adopt Ordinance No. 3493*

Staff presentation: Senta Costello, Associate Planner

18. **Public Hearing - Oda Annexation Located at 2561 River Road** [File # ANX-2002-220]
[Attach 18](#)

The Oda Annexation consists of 2 parcels of land on 21.18 acres located at 2561 River Road. The Oda's are requesting annexation as part of a contract with the City as sellers of the property. In addition, the City currently owns land adjacent to the Oda property which is also included in the annexation request. The City owned land is also adjacent to the Colorado River and has a portion of the riverfront trail system crossing it.

a. Accepting Petition

Resolution No. 9-03 – A Resolution Accepting Petitions for Annexation, Making Certain Findings, Determining that Property Known as Oda Annexation is Eligible for Annexation, Located at 2561 River Road and Including a Portion of the Riverfront Trail

**Action: Adopt Resolution No. 9-03*

b. Annexation Ordinance

Ordinance No. 3494 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado Oda Annexation Approximately 21.18 Acres Located at 2561 River Road and Including a Portion of the Riverfront Trail

**Action: Adopt Ordinance No. 3494 on Second Reading*

Staff presentation: Dave Thornton, Principal Planner

19. **Public Hearing – Zoning the Oda Annexation Located at 2561 River Road**
[File # ANX-2002-220] [Attach 19](#)

The Oda Annexation consists of 2 parcels of land on 21.18 acres located at 2561 River Road. The Oda's are requesting annexation as part of a contract with the City. The proposed zoning is I-1 for the Oda property. The second parcel is owned by the City and is adjacent to the Oda property. The City owned land is adjacent to the Colorado River and has a portion of the riverfront trail crossing it. The proposed zoning for the City property is Community Services and Recreation (CSR).

Ordinance No. 3495 – An Ordinance Zoning the Oda Annexation to Light Industrial (I-1) and Community Services and Recreation (CSR) Located at 2561 River Road and Adjacent to the Colorado River

**Action: Adopt Ordinance No. 3495 on Second Reading*

Staff presentation: Dave Thornton, Principal Planner

20. **NON-SCHEDULED CITIZENS & VISITORS**
21. **OTHER BUSINESS**
22. **ADJOURNMENT**

Attach 1

Minutes of December 16, 2002 Workshop, December 16, 2002 Special Meeting, December 17, 2002 Special Meeting and December 18, 2002 Regular Meeting

**GRAND JUNCTION
CITY COUNCIL WORKSHOP**

December 16, 2002

The City Council of the City of Grand Junction, Colorado met on Monday, December 16, 2002 at 7:05 p.m. in the City Hall Auditorium to discuss workshop items. Those present were Harry Butler, Dennis Kirtland, Bill McCurry, Jim Spehar, Janet Terry and Reford Theobald. President of the Council Cindy Enos-Martinez was absent. Council President Pro Tem Dennis Kirtland chaired the meeting

Summaries and action on the following topics:

1. **DISCUSSION OF VARIOUS TRANSPORTATION ISSUES:** Staff presented and updated the City Council on a variety of transportation issues.

MPO/RTPO Issues

(a) MPO Boundary changes – Ken Simms of the MPO explained the federal requirements for boundary adjustments following the census. He distributed an updated map with the proposed new boundary. The rules for determining the urban area have changed to take into account areas based on their nighttime population. The boundary change will not affect funding. The organization is encouraging the inclusion of Palisade and Fruita in the MPO. City Attorney Dan Wilson explained some the proposed inclusions and exclusions which did not appear to be consistent. The buffer areas between Palisade and Fruita are not taken into consideration when determining boundaries. The boundary north of the airport was not drawn precisely and Council is being asked to adjust to conform to the BLM MOU. Tom Fisher, RTPO Director, advised that the Grand Valley area is a ways away from getting direct federal funding, as the requirement is for 200,000 in population.

(b) RTPO IGA – City Attorney Dan Wilson distributed a new IGA that had different voting methods included which have been endorsed by the representatives of the different organizations. The new option allows a vote for each and does not provide the “security council” veto. There is an appeal process which effectively vetoes the decision and can be implemented by any of the organizations. The GVRTC will adopt the UPWP and the TIP which will be implemented unless the governing body objects within 30 days. There were concerns that the designee would be responsible for making decisions on behalf of the entire governing body.

It was suggested that the decision guidelines be handled internally either by procedures or via a resolution. If there is a need for more oversight, then the designee should be advised of such. The City Manager suggested that any needed discussion take place prior to the matter being addressed by GVRTC. The City Clerk was directed to attach the resolution to the Council Assignments discussion in April of each year.

Update on Regional Impact Fee Study

Public Works & Utilities Director Mark Relph updated Council on the proposal for the adoption of a regional impact fee as well as a local impact fee. There are many issues to be addressed and Staff will continue to try to address some of them. The City's TCP (Transportation Capacity Payment) is still at \$500 per single family home and has not been updated since implemented. Also there are the TABOR issues. Mr. Relph added that there will be fewer TABOR issues if a decision is made sooner. Councilmember Terry felt this is much lower priority than many of the other issues currently being addressed (stormwater, drainage, etc.) Councilmember Theobald expressed concern that Staff changed Council's policy by not collecting the TCP but is instead implementing another policy. City Attorney countered that requiring the improvements is an option in the TCP ordinance and that is the option Staff has taken in many cases, much because the TCP amount is so low.

29 Road Construction Update

Public Works & Utilities Director Mark Relph updated Council on the 29 Road project. It is anticipated that the last section of street construction will be started in Spring, 2004. Construction is slightly ahead of schedule.

Update on CDOT's Access Management Plan for I-70 B

Public Works & Utilities Director Mark Relph said this is also part of the big transportation plan. Mr. Relph has been having discussions with CDOT regarding access management on I-70 B, there are lots of issues and lots of businesses are voicing concern. CDOT is ready to discuss with the City Council on how planning and funding will take place for that corridor. Councilmember Terry asked that be coordinated with the West Downtown Transportation Study.

CDOT's Other Regional Priority Funds – Future Priorities

Public Works & Utilities Director Mark Relph said these funds might be used for I-70 B. He referred to an earlier discussion on how these funds

are distributed. He suggested using these funds at the Hwy 50 and Riverside Parkway interchange.

Councilmember Terry voiced concerns that such funds would put that corridor on the same system as North Avenue, which is at an unacceptable level of maintenance. Mr. Relph advised that maintenance funds are different from capital funds. Control over the roadway is the big issue.

Riverside Parkway

Public Works & Utilities Director Relph introduced the next item.

- (a) Design Action Committee Recommendation - John Elmer, Chair of the Design Action Committee (DAC), laid out the process, some of the issues that were addressed by the DAC and how they came to the current recommendation. Councilmember Theobald voiced concern that the issues that were solved are all well and good but the new alignment may have uncovered a whole new set of issues. Mr. Relph responded that the State's 1601 process will try to address these. The preliminary design process is integral to the State's 1601 process.
- (b) Future Steps – CDOT's 1601 Process – The State will look at all alternatives and then will determine the “best” alternative. Staff is not asking for Council to pick an alternative but rather to let Staff know if they would like to pursue any alignment other than the southern alternative. The southern alternative does not require the 1601 process because there are no new structures involved whereas the Noland Ave alternative will require the 1601 process. Another issue is taking a question of indebtedness to the voters. Council discussed the 1601 process and the costs involved. Council objected to the timing for a vote driving the decision to get the State involved at this time. Mr. Relph still felt, absent of any thought for bonding and vote, that from an engineering perspective it is prudent to involve the State at this point. Council did not object to proceeding with the 1601 process. They directed the City Manager and the Public Works & Utilities Director to begin discussion with CDOT on entering the process.
- (c) Financial Alternatives – Bonding – The Council decided to postpone discussion of financing.
- (d) Project Schedule - The schedule discussion was postponed.

ADJOURNED at 10:45 p.m.

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

December 16, 2002

The City Council of the City of Grand Junction, Colorado, convened into special session the 16th day of December, 2002, at 11:05 p.m. in the Mesa Room at the Hawthorn Suites Hotel, 225 Main Street. Those present were Councilmembers Harry Butler, Dennis Kirtland, Bill McCurry, Jim Spehar, Janet Terry, Reford Theobold, and President of the Council Cindy Enos-Martinez. Also present were City Attorney Dan Wilson and City Clerk Stephanie Tuin.

Council President Enos-Martinez called the meeting to order.

Councilmember Theobold moved to go into executive session for discussion of personnel matters under C.R.S. 24-6-402(4)(f)(i) relative to the employees of the City Council. Councilmember Spehar seconded. Motion carried.

The City Council convened into executive session at 11:10 p.m. and City Clerk Tuin left the meeting.

Stephanie Tuin, CMC
City Clerk

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

December 17, 2002

The City Council of the City of Grand Junction, Colorado, convened into special session the 17th day of December, 2002, at 11:45 p.m. in the Mesa Room at the Hawthorn Suites Hotel, 225 Main Street. Those present were Councilmembers Harry Butler, Dennis Kirtland, Jim Spehar, Janet Terry, Reford Theobald, and President of the Council Cindy Enos-Martinez. Councilmember Bill McCurry was absent at the start of the meeting but came in later during the meeting. Also present were City Manager Kelly Arnold and City Clerk Stephanie Tuin.

Council President Enos-Martinez called the meeting to order.

Councilmember Spehar moved to go into executive session for discussion of personnel matters under C.R.S. 24-6-402(4)(f)(i) relative to the employees of the City Council. Councilmember Kirtland seconded. Motion carried.

The City Council convened into executive session at 11:50 p.m. and City Clerk Tuin left the meeting.

Stephanie Tuin, CMC
City Clerk

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

December 18, 2002

The City Council of the City of Grand Junction convened into regular session on the 18th, day of December 2002, at 7:32 p.m. in the City Auditorium. Those present were Councilmembers Harry Butler, Bill McCurry, Dennis Kirtland, Jim Spehar, and President of the Council Cindy Enos-Martinez. Councilmembers Janet Terry and Reford Theobald were absent. Also present were City Manager Kelly Arnold and City Clerk Stephanie Tuin.

President of the Council Cindy Enos-Martinez called the meeting to order. Councilmember Butler led in the pledge of allegiance. The audience remained standing for the invocation by Reverend Kathy Richardson of the Sunrise Church of God.

PROCLAMATIONS / RECOGNITIONS

PROCLAIMING DECEMBER 15, 2002 AS "BILL OF RIGHTS DAY" IN THE CITY OF GRAND JUNCTION

PRESENTATION OF CERTIFICATES OF APPOINTMENT

TO NEW AND REAPPOINTED MEMBERS OF THE VCB BOARD OF DIRECTORS

Appointee Michael Somma was not present and no Certificate of Appointment was presented.

TO REAPPOINTED MEMBER OF THE HOUSING AUTHORITY BOARD OF DIRECTORS

Appointee was not present and no Certificate of Appointment was presented.

SCHEDULED CITIZEN COMMENTS

There were none.

The Mayor recognized Boy Scout Troop 358 in the audience.

CONSENT CALENDAR

It was moved by Councilmember McCurry, seconded by Councilmember Spehar, and carried by a roll call vote, to approve Consent Items #1 through #22.

1. **Minutes of Previous Meetings**

Action: Approve the December 2, 2002 Regular Meeting and the Minutes of December 12, 2002 Special Meeting

2. **Amending the Special Improvement District Agreement between G.J. Rimrock Marketplace General Improvement District and the Developer**

This resolution amends the agreement Between the City Council (acting as the Board of Directors for the Rimrock Marketplace General Improvement District (GID)) and THF Belleville, the owner and developer of Rimrock.

Resolution No. 120-02 – A Resolution Approving an Amendment to the Special Improvement District Agreement between the City of Grand Junction Rimrock Marketplace General Improvement District and THF Belleville Development, LP

Action: Adopt Resolution No. 120-02

3. **Setting a Hearing to Amend Retirement Plans to Conform to Changes in Federal Law**

The City of Grand Junction, Colorado Employees Retirement Plan, the New Hire Fire Money Purchase Plan and the New Hire Police Money Purchase Plan are being amended to incorporate Internal Revenue Code (IRC) amendments that have recently been passed by Congress. These amendments must be incorporated into the aforementioned Plans.

Proposed Ordinance Adopting Amendments to Retirement Plans for Specified City of Grand Junction Employee Groups

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for February 5, 2003

4. **Annual Renewal of Advertising Contract with Hill & Company**

This is the annual renewal of a contract with Hill & Company Integrated Marketing and Advertising to provide advertising services to the VCB.

Action: Authorize the City Manager to Sign a Contract with Hill & Company Integrated Marketing and Advertising in the Amount of \$375,000

5. **Special Event Funding Awards**

Fourteen applications for funding were received. After review and discussion, the VCB Board recommends funding the following 8 events:

\$ 2,000	Fruita Fat Tire Festival
\$ 3,500	Colorado Mountain Winefest
\$ 2,000	Kokopelli Adventure Race
\$ 4,000	Downtown Car Show
\$ 2,000	Wells Fargo Art & Jazz Festival
\$ 1,000	Mesa State College Rodeo
\$ 600	Rim Rock Run
\$ 1,000	Grand Valley Renaissance Faire
\$16,100	TOTAL AWARDS

Action: Approve Funding Awards as Recommended

6. **Amendment to Canyon View Park Design Contract with Winston Associates for Continued Design Services**

The schematic design of Phase II of Canyon View Park has been completed by Winston Associates and a more firm cost estimate has been prepared, thus allowing for the continuation of the design process. The original design contract with Winston Associates allowed for and stated that the contract could be amended for the provision of the remainder of the design documents, i.e.; Design Development, Bidding Documents and Construction Documents.

Action: Authorize the City Manager to Sign a Change Order with Winston Associates in the Amount of \$136,625 for Design of Canyon View Park

7. **Vacating a Temporary Turnaround Easement in the Flint Ridge Subdivision, Located at 2960 D Road** [File #FP-2001-156]

Request to approve a resolution to vacate a temporary turnaround easement in the Flint Ridge Subdivision, located at 2960 D Road.

Resolution No. 121-02 – A Resolution Vacating a Temporary Turnaround Easement Located at the Northern End of Broken Arrow Drive in the Flint Ridge Subdivision Located at 2960 D Road

Action: Adopt Resolution No. 121-02

8. **Setting a Hearing for Zoning the Rowe Annexation, Located at 176 28 1/2 Road** [File #ANX-2002-223]

First reading of the zoning ordinance to zone the Rowe Annexation Residential Single-Family-4 (RSF-4), located at 176 28 1/2 Road.

Proposed Ordinance Zoning the Rowe Annexation to Residential Single Family-4 (RSF-4), Located at 176 28 1/2 Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for January 15, 2003

9. **Setting a Hearing for Zoning the Smith Annexation, Located South of 378 Evergreen Road** [File #ANX-2002-222]

First reading of the zoning ordinance to zone the Smith Annexation Residential Single-Family-4 (RSF-4), located south of 378 Evergreen Road.

Proposed Ordinance Zoning the Smith Annexation to Residential Single-Family-4 (RSF-4), Located South of 378 Evergreen Road

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for January 15, 2003

10. **Setting a Hearing for Rice Annexations #1 and #2, Located at 135 Burns Drive** [File #ANX-2002-214]

Resolution for Referral of Petition to Annex/First reading of the annexation ordinance/Exercising land use jurisdiction immediately for the Rice Annexations #1 and #2 located at 135 Burns Drive. The 4.8673 acre Rice Annexation is a serial annexation consisting of one parcel of land and a portion of the B Road, 29 1/2 Road, 30 Road, Hwy 50, and Burns Drive right-of-way.

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

Resolution No. 122-02 – 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, Rice Annexation, Located at 135 Burns Drive

Action: Adopt Resolution No. 122-02

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Rice Annexation #1, Approximately 3.1399 Acres, Located near 135 Burns Drive Within B Road and 29 1/2 Road Rights-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Rice Annexation #2, Approximately 1.7278 Acres, Located at 135 Burns Drive and Includes a Portion of 29 ½ Road, 30 Road, Highway 50, and Burns Drive Rights-of-Way

Action: Adopt Proposed Ordinances on First Reading and Set a Hearing for February 5, 2003

11. **Setting a Hearing for the King Rezone at 2610 Kelley Drive** [File #RZ-2002-208]

Petitioner is requesting to rezone a 3.28 acre lot from RSF-R (Residential Single Family – Rural – 1 unit/5 acres) to RSF-1 (Residential Single Family not to exceed 1 units/acre).

Proposed Ordinance Zoning the King Property Located at 2610 Kelley Drive to RSF-1

Action: Adopt Proposed Ordinance and Set a Hearing for January 15, 2003

12. **Setting a Hearing for Zoning the Dettmer II No. 2 and No. 3 Annexation, Located at 2918, 2924 and 2926 D ½ Road** [File # ANX-2002-221]

The Dettmer II No. 2 and No. 3 Annexation consists of three parcels, totaling 2.95 acres located at 2918, 2924 and 2926 D-1/2 Road. The petitioner is requesting a zone of Residential Single Family 4 units per acre (RSF-4), which will conform to the Growth Plan Future Land Use Map that shows this area as Residential Medium Low with a density range of 2 to 4 units per acre.

Proposed Ordinance Zoning the Dettmer II No. 2 and No. 3 Annexation Residential Single Family With a Maximum Density of 4 Units Per Acre (RSF-4) Located at 2918, 2924 and 2926 D-1/2 Road

Action: Adopt Proposed Ordinance and Set a Hearing for January 15, 2003

13. **Setting a Hearing on Siena View No. 1 and No. 2 Annexation, Located at 2945 D ½ Road** [File #ANX-2002-228]

Siena View Annexation, a serial annexation comprised of 4.6 acres, located at 2945 D ½ Road, has presented a petition for annexation as part of a preliminary plan. The applicants request approval of the Resolution referring the annexation petition, first reading of the Annexation Ordinance, and requesting Land Use Jurisdiction immediately.

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

Resolution No. 123-02 – 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, the Siena View No. 1 and Siena View No. 2 Annexations Located at 2945 D ½ Road

Action: Adopt Resolution No. 123-02

b. Set a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Siena View No. 1 Annexation, Approximately 0.377 Acres, Located at 2945 D ½ Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Siena View No. 2 Annexation, Approximately 4.47 Acres, Located at 2945 D ½ Road

Action: Adopt Proposed Ordinances on First Reading and Set a Hearing for February 5, 2003

14. **Setting a Hearing for Zoning the Oda Annexation, Located at 2561 River Road** [File # ANX-2002-220]

The Oda Annexation consists of 2 parcels of land on 21.18 acres located at 2561 River Road. The Oda's are requesting annexation as part of a contract with the City. The proposed zoning is I-1 for the Oda property. The second parcel is owned by the City and is adjacent to the Oda property. The City owned land is adjacent to the Colorado River and has a portion of the riverfront trail crossing it. The proposed zoning for the City property is Community Services and Recreation (CSR).

Proposed Ordinance Zoning the Oda Annexation to Light Industrial (I-1) and Community Services and Recreation (CSR) Located at 2561 River Road and Adjacent to the Colorado River

Action: Adopt Proposed Ordinance on First Reading and Set a Hearing for January 15, 2003

15. **Amending the Grand Junction Metro Planning Organization (MPO) Boundary**

Adoption of a joint resolution changing the boundary of the MPO planning area as shown on Exhibits 1 and 2 by adding the limits of Palisade and Fruita, and the areas in-between. The resolution process to change the MPO boundary is required by federal law.

Resolution No. 124-02 – A Joint Resolution of the County of Mesa and the City of Grand Junction Concerning Approving Town of Palisade and City of Fruita Membership in the Grand Valley Metropolitan Planning Organization

Action: Adopt Resolution No. 124-02

16. **Intergovernmental Agreement to Create the Grand Valley Regional Transportation Committee**

The Regional Transportation Policy Advisory Committee (RTPAC) is proposing adoption by the City of Grand Junction, the City of Fruita, the Town of Palisade and Mesa County of an Intergovernmental Agreement (IGA) that will replace the 1984 agreement between the City and Mesa County. In addition, this IGA will add Palisade and Fruita as members. The existing RTPAC will be renamed the Grand Valley Regional Transportation Committee and will continue to set policy for the federally required Metropolitan Planning Organization (“MPO”). This IGA provides clearer definition of the roles of this committee, defines membership in the committee and provides operating bylaws and rules for the committee. The existing staff, termed the Regional Transportation Planning Office (“RTPO”) will continue to serve as the staff support for the new GVRTC.

a. Resolution

Resolution No. 133-02 – A Resolution Guiding the City’s Representative to the Grand Valley Regional Transportation Committee

Action: Adopt Resolution No. 133-02

b. Intergovernmental Agreement

Action: Authorize the Mayor to Sign the Intergovernmental Agreement for the Creation of the Grand Valley Regional Transportation Committee

17. **Amending the Contract to Exchange Real Estate with Dyer, LLC to Extend the Closing Date**

The proposed action will extend the date of closing the City’s contract to exchange real estate with Dyer, LLC from December 30, 2002 to January 31, 2003.

Resolution No. 126-02 – A Resolution Extending the Closing Date of that Certain Contract to Exchange Real Estate between the City and Dyer, LLC

Action: Adopt Resolution No. 126-02

18. **Lease Extension with Donald Fugate, dba Don’s Automotive, Located at 545 Noland Avenue**

The proposed action will authorize a one-year extension of the lease of City property at 545 Noland Avenue to Donald Fugate Jr., dba Don’s Automotive.

Resolution No. 127-02 – A Resolution Extending the Lease of City Property at 545 Noland Avenue to Donald Fugate, Jr., dba Don’s Automotive

Action: Adopt Resolution No. 127-02

19. **Lease Extension with Saccomanno, Located at the Southwest Corner of 26 ½ Road and H Road**

The proposed action will authorize a one-year farm lease of the City’s Saccomanno Park property located at the southwest corner of 26 ½ Road and H Road.

Resolution No. 128-02 – A Resolution Amending and Extending the Farm Lease of the Saccomanno Park Property to Robert H. Murphy

Action: Adopt Resolution No. 128-02

20. **Contract for the Construction of Redlands Village NE Sewer Improvement District Lines**

This contract would construct over 4,900 feet of sanitary sewer within the existing Redlands Village North subdivision located north west of the intersection of the Redlands Parkway and Highway 340.

The following bids were received for this project:

<u>Contractor</u>	<u>From</u>	<u>Bid Amount</u>
Sorter Construction	Grand Jct.	\$225,510.00
Downey Excavating	Montrose, CO	\$238,273.00
M.A. Concrete	Grand Jct.	\$240,283.00

RW Jones	Fruita.	\$244,817.00
Precision Excavating	Hayden, CO	\$245,434.40
Skyline Construction	Grand Jct.	\$260,132.00
Bogue Construction	Fruita, CO	\$274,416.70
Spallone Construction	Gunnison, CO	\$277,746.00
Grant Miller, Inc.	Silverthorne, CO	\$352,356.00
Engineer's Estimate		\$247,724.00

Action: Authorize City Manager to Sign a Contract for the Construction of the Redlands Village NE Sewer Improvement District with Sorter Construction in the Amount of \$225,510

21. **USEPA Grant Application “TMDL Development for 303(d) Listed Streams in the Grand Valley”**

The City of Grand Junction is applying for an \$80,000 grant from the USEPA to be contracted to a qualified sub recipient. The grant proposal will provide a detailed characterization of the sources and loads of selenium in Persigo Wash, Adobe Creek and Lewis Wash. Selenium characterization of washes will aid selenium remediation planning and increase understanding to land use planners about the effect of land use on selenium concentrations and loadings in the Grand Valley.

Action: Authorization to Apply for USEPA Grant Application “TMDL Development for 303(d) Listed Streams in the Grand Valley” in the Amount of \$80,000

22. **USEPA Grant Application “Colorado River Endangered Fish Critical Habitat Mixing Zone and Diffuser Study”**

The City of Grand Junction requests authorization to apply for a \$100,000 grant from the USEPA to be contracted to a qualified sub recipient. The grant proposal will provide a detailed mixing zone and diffuser study to assess the ultimate discharge location for the Persigo Wastewater Treatment facility into endangered fish critical habitat in Persigo Wash and the Colorado River.

Action: Authorization to Apply for USEPA Grant Application “Colorado River Endangered Fish Critical Habitat Mixing Zone and Diffuser Study” in the Amount of \$100,000

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

Amending Sewer System Rates for Year 2003

Resolution Amending Persigo System Wastewater Rates for the Year 2003, affecting a 5% Rate Increase on all Wastewater Services provided effective January 1, 2003.

Public Works and Utilities Director Mark Relph reviewed this item.

Councilmember Kirtland asked when the last rate increase occurred. Mr. Relph responded that the last increase was four years ago and that this is a programmed increase.

Resolution No. 125-02 – A Resolution Amending Persigo System Wastewater Rates for the Year 2003

Upon motion made by Councilmember Spehar, seconded by Councilmember McCurry, and carried by a roll call vote, Resolution No. 125-02 was adopted.

Public Hearing - Special Assessment and Issuance of Bonds for Rimrock Marketplace

This is the second reading of three related ordinances for Rimrock Market Place G.I.D. They authorize creating a special assessment district, bond sale of \$3,980,000, and assessing the properties in the district.

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

Administrative Services Director Ron Lappi reviewed this item. He explained the purpose of each of the three ordinances. The first ordinance creates the Rimrock Special Improvement District within the General Improvement District. The second ordinance issues the bonds and the third ordinance will assess the properties. Mr. Lappi said one lot has been sold off and has been excluded.

Councilmember Spehar asked for verification that the City will not be obligated for these bonds. Mr. Lappi confirmed that.

Larry Beckner, the attorney representing MA Concrete Construction, advised Council that an unpaid mechanic's lien of \$122,000 against the Rimrock Development has not been paid in full but that about \$70,000 of it has been paid.

Tom Volkmann, the attorney for the developer, said Mr. Beckner is correct and assured Council the bond for the encumbrance will be superior to the mechanic's lien and that the dispute is on approximately \$50,000 out of a million dollar contract.

The public hearing was closed at 7:52 p.m.

Ordinance No. 3478 – An Ordinance Creating the Rimrock Marketplace Special Improvement District Within the City of Grand Junction Rimrock Marketplace General Improvement District

Ordinance No. 3479 – An Ordinance Concerning the Rimrock Marketplace General Improvement District and Authorizing the Issuance of Special Assessment Bonds

Ordinance No. 3480 – An Ordinance Approving the Whole Cost of the Improvements to be Made in the Rimrock Marketplace Special Improvement District; Assessing a Share of Said Cost Against Each Lot or Tract of Land in the District; and Prescribing the Manner for the Collection and Payment of Said Assessments

Upon motion made by Councilmember Butler, seconded by Councilmember McCurry, and carried by a roll call vote, Ordinances No. 3478, No. 3479 and No. 3480 were adopted on Second Reading and ordered published in pamphlet form.

Public Hearing - 2003 Annual Appropriation

The total appropriation for all thirty-six accounting funds budgeted by the City of Grand Junction (including the Ridges Metropolitan District, Grand Junction West Water and Sanitation District, and the Downtown Development Authority) is \$103,480,492. Although not a planned expenditure, an additional \$2,500,000 is appropriated as an emergency reserve in the General Fund pursuant to Article X, Section 20 of the Colorado Constitution.

The public hearing was opened at 7:53 p.m.

Ron Lappi, Administration Services Director, reviewed this item. He briefly reviewed the totals and the amount of the reserves. He also said the City Manager's salary in the Ordinance reflects his current salary of \$110,000.

There were no public comments.

Councilmember Spehar restated his concern about monies being transferred from parks projects to Canyon View Park.

The public hearing was closed 7:57 p.m.

Ordinance No. 3481 – The Annual Appropriation Ordinance Appropriating Certain Sums of Money to Defray the Necessary Expenses and Liabilities of the City of Grand Junction, Colorado, the Ridges Metropolitan District, and the Grand Junction West Water and Sanitation District, for the Year Beginning January 1, 2003 and Ending December 31, 2003

Upon motion made by Councilmember Kirtland, seconded by Councilmember Butler, and carried by a roll call vote, Ordinance No. 3481 was adopted on Second Reading and ordered published.

Parking Meter Fee Changes

A resolution amending Resolution No. 71-01 that established new parking fines and fees. The new resolution provides for a change in the 4 hour meter rates and a new classification as short-term parking. If approved, all 46 current 4 hour meters and an additional 40 meters at 3rd and Main will be changed from 10 cents per hour to 50 cents per hour.

Ron Lappi, Administrative Services Director, reviewed this item. He stated the reason the DDA is requesting the change now is so the meters can be changed while they are covered during the holiday season. Bruce Hill, DDA Board Member, explained that it mostly concerns the DDA lot. He said people are using the spaces for long-term parking instead of the spaces being available to shoppers during business hours. The rate change will discourage long-term parking by employees and provide shoppers with additional time for shopping.

Councilmember Theobald joined the meeting at 8:00 p.m.

Councilmember Spehar asked if the rate being requested is a mid-range. Mr. Lappi replied the rate is the same as for the short term parking rates for one and two hour meters.

Mr. Lappi clarified that the proposed resolution changes the rate only.

Resolution No. 129-02 – A Resolution Amending Resolution Number 71-01 that Established New Parking Fines and Fees for the City of Grand Junction, by Providing for a Change in the 4 Hour Meter Rate

Upon motion made by Councilmember Spehar, seconded by Councilmember McCurry, and carried by a roll call vote, Resolution No. 129-02 was adopted.

Public Hearing – Krizman Annexation, Located at 626 30 Road [File #ANX-2002-192]

Resolution for Acceptance of the Petition to Annex and Second Reading of the annexation ordinance for the Krizman Annexation No. 1 and No. 2 located at 626 30 Road. The annexation consists of 18.485 acres on one parcel of land.

The public hearing was opened at 8:08 p.m.

Ronnie Edwards, Associate Planner, reviewed this item.

Alan Workman, the broker representing the Krizman family, introduced Brian Hart of Landesign. Mr. Hart said his presentation was specific to the zoning and will address Council then.

There were no comments.

The public hearing was closed at 8:10 p.m.

a. Accepting Petition

Resolution No. 130-02 – A Resolution Accepting Petitions for Annexation, Making Certain Findings, Determining that Property Known as Krizman Annexation is Eligible for Annexation Located at 626 30 Road and Including a Portion of the 30 Road Right-of-Way

b. Annexation Ordinances

Ordinance No. 3482 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Krizman Annexation No. 1, Approximately 9.615 Acres Located at 626 30 Road

Ordinance No. 3483 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado Krizman Annexation No. 2 Approximately 8.8697 Acres Located at 626 30 Road and Including a Portion of 30 Road

Upon motion made by Councilmember McCurry, seconded by Councilmember Theobold, and carried by a roll call vote, Resolution No. 130-02 was adopted, and Ordinances No. 3482 and No. 3483 were also adopted on Second Reading and ordered published.

Public Hearing – Zoning the Krizman Annexation, Located at 626 30 Road [File #ANX-2002-192]

The Krizman Annexation No. 1 and No. 2 is a serial annexation comprised of 1 parcel of land on 18.138 acres located at 626 30 Road. The petitioner is requesting a zone of Residential Single Family with a density not to exceed four units per acre (RSF-4), which conforms to the Growth Plan Future Land Use Map. Planning Commission recommended approval at its November 12, 2002 meeting.

The public hearing was opened at 8:11 p.m.

Ronnie Edwards, Associate Planner, reviewed this item.

Councilmember Theobold asked about the build-out of the property to the north. Ms. Edwards said it was developed as single family.

Brian Hart, LanDesign, 244 N. 7th St, representing the petitioner explained that the property is located ¼ mile north of F Road near 30 Road. He said it is currently zoned RML by the County. He stated the zone requested is consistent with the Growth Plan. He reviewed the surrounding areas as to their zoning and pointed out that RSF-4 zoning is what most of the neighborhoods are zoned at with the exception of the north property, which is zoned RMF-5.

Councilmember Spehar asked about the average lot size in the proposed subdivision. Mr. Hart said the minimum lot size is 8,000 square feet. He explained that he cannot state an average lot size since there is no preliminary plan as of yet.

Kevin Gallegos, who lives at 2998 F ¼ Road and owns property adjacent to the property, distributed a handout and explained his concerns which revolve around lot sizes and traffic. He said most of the surrounding properties are around 10,000 square feet and he would like the new development to be consistent with the existing neighborhood.

Ms. Edwards explained the next step will be the development of a Preliminary Plan. Once that Plan goes to hearing, owners within 500 feet will be notified and a neighborhood meeting will also be required.

The public hearing was closed at 8:21 p.m.

Councilmember Kirtland confirmed that surrounding property owners, including those which are not located within the City limits, will have the opportunity to speak at the public hearing.

Ordinance No. 3484 – An Ordinance Zoning the Krizman Annexation to Residential Single Family with a Density Not to Exceed Four Units Per Acre (RSF-4) Located at 626 30 Road

Upon motion made by Councilmember Spehar, seconded by Councilmember Kirtland, and carried by a roll call vote, Ordinance No. 3484 was adopted on Second Reading and ordered published.

Public Hearing – Zoning of the ISRE Annexation No. 2, Located at 2980 D ½ Road
[File #ANX-2002-176]

The ISRE Annexation No. 2 is a single parcel of land consisting of 5.7 acres located at 2980 D-1/2 Road. The petitioner is requesting a zone of Residential Multifamily, 8 units per acre (RMF-8), which will conform to the Future Land Use Map of the Growth Plan

which was recently amended for this parcel. Planning Commission to hear this item at its December 17, 2002 meeting.

The public hearing was opened at 8:22 p.m.

Kristen Ashbeck, Senior Planner, reviewed this item. She noted the numerous hearings that have been held on this property. She noted the owner wants to combine all the properties into one plan. The Planning Commission recommended approval at its December 17th meeting and found it met the criteria.

The petitioner was present but did not wish to speak.

There were no comments.

The public hearing was closed at 8:25 p.m.

Ordinance No. 3485 – An Ordinance Zoning the ISRE Annexation No. 2 Residential Multifamily with a Maximum Density of 8 Units Per Acre (RMF-8) Located at 2980 D-1/2 Road

Upon motion made by Councilmember Kirtland, seconded by Councilmember McCurry, and carried by a roll call vote, Ordinance No. 3485 was adopted on Second Reading and ordered published.

Revoke and Reissue the Revocable Permit for GVT Bus Benches and Transit Shelters [File #RVP-2002-164]

This request is to amend the Revocable Permits for bus benches and shelters along the existing GVT routes. Outdoor Promotions requests twenty (20) new bus benches and nine (9) new transit shelters. The request includes relocating three (3) shelters to replace existing benches. In addition, the staff proposes to allow the Director to approve changes in location of benches and shelters and to allow the Director to approve existing locations in newly annexed areas.

Lori Bowers, Senior Planner, reviewed this item and explained the procedures being proposed. She assured Council that both the advertising versus non-advertising ratio has remained consistent and is in compliance with the agreement.

Ms. Bowers noted that the resolution also authorizes Staff to make changes administratively. She questioned whether advertising should be allowed in a CSR zoning and requested that the subject be revisited when the location is adjacent to residential areas. Ms. Bowers said she is also proposing a form for each new bench or shelter be submitted by the applicant. Another item to be considered is incorporating all the newly annexed areas. She said if benches already exist in new areas, a proposal to

require the contractor to bring the bench or shelter up to City standards within thirty days of annexation (effective date) should also be included.

Councilmember Theobold clarified the two policy questions.

Ms. Bowers said the contractor also wants all new benches to be approved administratively rather than a process before Council. Councilmember Theobold felt the newly annexed area policy as proposed is adequate. He felt that advertising should not be allowed in CSR zones. Ms. Bowers stated that some CSR zones are adjacent to B-1 areas. Mr. Theobold said he is less concerned about advertising in commercial areas with the exception of school areas. He said he has no objections with the Director approving administrative issues as site location has never been an issue. Councilmember Spehar agreed with Councilmember Theobold and the policy for new areas, although he would like an annual update. He agreed with no ads in CSR zoning adjacent to residential areas but does not object to school locations in commercial areas.

Councilmember Kirtland suggested there be a percentage of business versus residential relative to surrounding areas in order to determine the suitability of bench/shelter placement. Community Development Director Bob Blanchard said there is no standard in place but felt the determination will be evident, but if not he would err on the conservative side.

Councilmember McCurry agreed with Councilmember Theobold except that he has no objections to advertisement on benches in school areas. Mayor Enos-Martinez said she agrees.

Ms. Bowers next asked if the Director should oversee all new locations. Council's answer was affirmative. Ms. Bowers explained that the resolution states that advertising in residential areas is prohibited, and the definition of CSR relative to advertising will affect a Code change.

Resolution No. 131-02 – A Resolution Revoking a Revocable Permit Granted to Outdoor Promotions, Inc.

Resolution No. 132-02 – A Resolution Concerning the Issuance of a Revocable Permit to Outdoor Promotions, Inc.

Upon motion made by Councilmember Theobold, seconded by Councilmember McCurry, and carried by a roll call vote, Resolution No. 131-02 and No.132-02 were adopted.

NON-SCHEDULED CITIZENS & VISITORS

There were none.

OTHER BUSINESS

There was none.

EXECUTIVE SESSION

Councilmember Spehar moved, Councilmember Kirtland seconded the motion to go into Executive Session to:

- a) determine the City's position, and to instruct the City's negotiators regarding oil and gas leases and related activities on City lands near Grand Mesa, including lands within the Grand Mesa Slopes Special Management area, pursuant to section 402 (4) (e) of Colorado's Open Meetings Act;
- b) determine whether the City Manager should pursue the acquisition of property in the downtown Grand Junction area, pursuant to Section 402 (4)(e) of the Colorado's Open Meetings Act.

ADJOURNMENT

Council adjourned into Executive Session at 8:45 p.m.

Stephanie Tuin, CMC
City Clerk

Attach 2
Meeting Schedule and Posting Notices

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA										
Subject		Meeting Schedule and Posting of Notices								
Meeting Date		January 15, 2003								
Date Prepared		December 16, 2011								
Author		Stephanie Tuin			City Clerk					
Presenter Name		Stephanie Tuin			City Clerk					
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			<input checked="" type="checkbox"/>	Consent	Individual Consideration		

Summary: State Law requires an annual designation of the City's official location for the posting of meeting notices. The City's Code of Ordinances, Sec. 2-26, requires the meeting schedule and the procedure for calling special meetings be determined annually by resolution. A special meeting is included in the meeting schedule the day following the municipal election for the canvassing of the election returns as required by City Charter.

Budget: None

Action Requested/Recommendation: Adopt resolution.

Attachments: Resolution

Background Information: In 1991, the Open Meetings Law was amended to include a provision that requires that a "local public body" annually designate the location of the public place or places for posting notice of meetings and such designation shall occur at the first regular meeting of each calendar year (24-6-402(2)(c) C.R.S.). The location designated is to be the glassed-in bulletin board outside the auditorium lobby at 250 N. 5th Street.

As of 1994, the revised City Code of Ordinances includes a provision whereby the City Council determines annually the City Council meeting schedule and the procedure for calling a special meeting.

A special meeting is being set in advance because the City Charter, Section 25, provides that “the council shall meet as a canvassing board and duly canvass the election returns within two days after any municipal election.” The next regularly scheduled meeting after the April 8th election is April 16th which would not meet Charter requirements.

CITY OF GRAND JUNCTION

RESOLUTION NO. ____-03

A RESOLUTION OF THE CITY OF GRAND JUNCTION
DESIGNATING THE LOCATION FOR THE POSTING OF THE NOTICE
OF MEETINGS, ESTABLISHING THE CITY COUNCIL
MEETING SCHEDULE, SCHEDULING A SPECIAL MEETING FOR APRIL 9, 2003 AND
ESTABLISHING THE PROCEDURE FOR CALLING OF
SPECIAL MEETINGS FOR THE CITY COUNCIL

Recitals.

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

The City Council holds meetings to discuss public business.

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

The Grand Junction Code of Ordinances, Section 2-26, provides that the meeting schedule and the procedure for calling of special meetings of the City Council shall be established by resolution annually.

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

1. The Notice of Meetings for the local public body shall be posted on the glassed-in exterior notice board at 250 N. 5th Street, City Hall.
2. The meeting schedule for the regular meetings of the City Council is the first and third Wednesday of each month, at the hour of 7:30 p.m. However, the regularly scheduled meeting of March 19, 2003 is hereby canceled.

3. A special meeting is hereby scheduled for Wednesday, April 9, 2003 at 7:30 p.m. for the canvass of election results. The City Charter, Section 25 provides that "the council shall meet as a canvassing board and duly canvass the election returns within two days after any municipal election." The next regularly scheduled meeting after the April 8th election is April 16th which would not meet Charter requirements.

4. Additional special meetings may be called by the President of the City Council for any purpose and notification of such meeting shall be posted twenty-four hours prior to the meeting. Each and every member of City Council shall be notified of any special meeting at least twenty-four hours in advance.

Read and approved this ____ day of January, 2003.

President of the Council

ATTEST:

City Clerk

Attach 3

Authorize City Clerk to Proceed with Necessary Actions for Regular Municipal Election April 8, 2003

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Authorize the City Clerk to Proceed with the Necessary Actions for the Conduct of the Regular Municipal Election on April 8, 2003					
Meeting Date		January 15, 2003					
Date Prepared		January 7, 2003				File #	
Author		Stephanie Tuin		City Clerk			
Presenter Name		Stephanie Tuin		City Clerk			
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	
<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		<input checked="" type="checkbox"/>	Consent	Individual Consideration

Summary: The City has adopted the Municipal Election Code. In order to conduct the election by mail ballot, the Council must authorize it pursuant to 1-7.5-104 C.R.S. and the City Clerk must submit a Written Plan outlining the details and responsibilities to the Secretary of State. It is recommended that the City again contract with Mesa County to conduct this election by mail ballot. They have the equipment on site and can process the ballots more efficiently than the City.

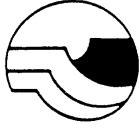
Budget: The County Elections Division estimates the cost of their contract to be \$30,000 (see attached letter). In addition, there will be publication of election notices which run about \$4,000. Total cost for the election is estimated at \$34,000. The amount budgeted for the election in 2003 is \$31,100. If any budget adjustment is needed, that can be addressed in the supplemental appropriation in the fall.

Action Requested/Recommendation: Adopt Resolution.

Attachments: Cost estimate from Mesa County Elections Division
 Written Plan to the Secretary of State
 Proposed Intergovernmental Agreement with Mesa County
 Resolution

Background Information: In 1999, the City held its first mail ballot election. The resulting turnout (number of ballots casts) was significantly higher than the City had in recent City Council elections. 8,605 votes were cast or 46% of the registered voters. That number went even higher in our next mail ballot election, the special election held in February, 2000 (54% turnout). The regular election in 2001 had a 53% turnout. Prior to mail ballots, the City averaged less than 20% turnout.

Mesa County has conducted each one of the City's mail ballot elections with the exception of the Special Election on the Charter in February, 2000. They have the equipment, supplies and staff available to conduct the election efficiently.



Mesa County Clerk and Recorder

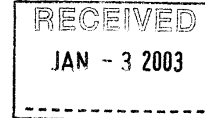
Janice Ward

P.O. Box 20,000 ~ Grand Junction, CO 81502-5007
(970) 244-1607 Fax (970) 244-1676

Table with 4 columns: RECORDING DIVISION, CLERK TO THE BOARD, ELECTIONS DIVISION, MOTOR VEHICLE DIVISION. Each column lists the division name, director, address, and phone/fax numbers.

January 2, 2003

Stephanie Tuin, City Clerk
City of Grand Junction
250 N 5th Street
Grand Junction CO 81501



RE: Cost estimate for 2003 Municipal Mail-Ballot Election

Dear Stephanie:

Per your request this letter will confirm Mesa County Clerk and Recorder, Elections Division intent to conduct a Mail-Ballot Election in conjunction with and on behalf of the City of Grand Junction on April 1, 2003. It is anticipated that an Intergovernmental agreement will be drafted and presented to the City of Grand Junction and the Mesa County Clerk and Recorder no later than Friday, January 24, 2003.

Based on the review of previous Mail-Ballot Elections and the current tabulation system it is determined that the costs of the election will be approximately one dollar to one dollar and twenty-five cents (\$1.00-\$1.25) per ballot issued. There are currently 31,573 registered voters within the boundaries of the City limits, by the date of the election we expect approximately 24,000 of those voters to be active and eligible to receive a Mail-Ballot packet. Therefore we are recommending that your appropriate the sum of \$30,000 for cost related to the conduct of the April 1, 2003 Mail-Ballot election.

Should you have any questions, please do not hesitate to contact me at 244-1746.

Sincerely,

[Handwritten signature of Amy Storm-Farley]

Amy Storm-Farley
Chief Deputy, Mesa County Clerk and Recorder

~ Motor Vehicle Branch Offices ~

Table listing Motor Vehicle Branch Offices with columns for location, address, and phone number.

**WRITTEN PLAN FOR THE CONDUCT OF A
MAIL BALLOT ELECTION**

SUBMITTED BY: Stephanie Tuin, CMC, City Clerk

ELECTION ADMINISTRATOR FOR: City of Grand Junction

1. **LEGAL NAME OF JURISDICTION:** City of Grand Junction
2. **TYPE OF JURISDICTION:** A Home Rule Municipality
3. **DESCRIPTION OF ELECTION TO BE HELD:** Regular Municipal Election to be held on Tuesday, April 8, 2003
4. **AUTHORITY TO HOLD THIS ELECTION:** 31-10-101 et seq., C.R.S. and Article II, Secs. 3 through 25, City of Grand Junction Charter
5. **ESTIMATED NUMBER OF ELECTORS:** **31,573** registered voters (24,000 active and 7,573 inactive), no property owners other than registered voters are qualified to vote in this election.
6. **NAME OF CHIEF ELECTION ADMINISTRATOR:** Stephanie Tuin, City Clerk
7. **COUNTY CLERK AND RECORDER WILL:** (1) Assist in candidate nomination petition verification (completed in January), (2) Appoint and train all election judges and deputy clerks, (3) Prepare and mail ballot packets, including absentee ballots, (4) Receive and process all returned ballots, and (5) Count and tabulate the votes. The City Clerk has by Intergovernmental Agreement delegated and transferred to the County Clerk all power, authority and duties of a designated election official for this municipal election. In summary, the City Clerk will work with the candidates for election and certify the ballot to the County Clerk. At that point, the County Clerk will take over responsibility for the election. The City Clerk will retain responsibility for working with the candidates on Fair Campaign Practices Act filings and candidates will still file all reports with the City Clerk. The City Clerk will resume responsibility for the election, once the votes have been tabulated.
8. **NUMBER OF PLACES OF DEPOSIT:** Three – see list attached as Exhibit “A”
9. **IF BALLOT PACKETS ARE RETURNED AS UNDELIVERABLE:** Undeliverable ballots will be tallied/recorded on the DAILY RECONCILIATION OF MAIL BALLOTS (see Exhibit “B”), entered as “U” on the ballot distribution database, alphabetically slotted into trays marked “Undeliverable”, and secured in a locked area accessible only by clerks/election judges/deputy clerks. These ballots will not be re-mailed, but may be reissued to any addressee appearing in person at the Mesa County Elections Office, upon presentation of proper identification of registered elector and address.
10. **HOW POSTAGE WILL BE HANDLED FOR BALLOT PACKETS RETURNED AS UNDELIVERABLE:** Ballots will be mailed in accordance with both USPS and state statutory requirements, each envelope bearing “RETURN SERVICE REQUESTED”. This will guarantee return of “undeliverable” envelopes to the Mesa County Elections

Office. If a new address is identified by the yellow USPS label, the Elections Office will comply with 1-2-605(5) C.R.S.

11. PROCEDURES TO BE FOLLOWED TO ENSURE COMPLIANCE WITH STATUTES AND RULES INCLUDING NAMES OF THOSE RESPONSIBLE:

- a) Planning and procedural meetings will be held involving the County Clerk, the Elections Director, the Election Division staff, the City Clerk, and City Clerk staff – Deputy Clerks Juanita Wesley and Debbie Kemp. Title 1, Article 7.5 C.R.S. and the Secretary of State's Rules and Regulations will be reviewed and explained for implementation and administration of the state's mail ballot process. The State Statutes and the rules and regulations will be administered under the direct supervision of Amy Storm-Farley, Chief Deputy County Clerk, and Stephanie Tuin, the City Clerk. County Election Division staff Sheila Reiner and Pam Hawkins will oversee temporary staff.
- b) Coordination and printing of any TABOR NOTICE will be supervised by Amy Storm-Farley in accordance with Article X, Section 20(3)(b), with a mailing date no later than March 7, 2003.
- c) Absentee mail ballot applications will be processed for mail distribution on the date required by law and in accordance with the appropriate regulations. Pam Hawkins will process and issue absentee ballots.
- d) Mail ballot packages, including absentee ballots, will be prepared in accordance with the mail ballot election law and under the supervision of County Clerk Janice Ward and City Clerk Stephanie Tuin.
- e) Mail ballot packages for each eligible voter will be prepared and mailed no later than March 24, 2003 to all "active voters" that did not request absentee ballots. The ballot distribution system is fully automated for issue, receipt and tracking of ballots. Sheila Reiner will oversee this process.
- f) Each business day, ballot envelopes received or returned to the Elections Office will be date-stamped and tallied for recordkeeping. Each envelope will then be preliminarily verified (first verification) for completion of necessary information (including name, date of birth, address, signature) and voter eligibility. The automated pollbook will be updated daily for each ballot received, indicating by code either accepted, rejected or undeliverable. Accepted ballot envelopes will be deposited into a "dated" and sealed ballot box. Rejected or undeliverable ballot envelopes will be filed alphabetically in trays in a locked room in a secured facility. Daily receipt, coding and securing of ballots will include those collected from each of the four designated drop off locations (see Exhibit "C" – BRANCH OFFICE MAIL BALLOT ACCOUNTING). Responsible persons for this process will be Sheila REiner and Pam Hawkins, employees of the County Elections Division Office.
- g) The official verification of ballots will begin on Saturday, March 29, 2003. Ballot boxes representing each day's receipt of accepted ballots shall be opened, the envelopes slit, and the ballot stub number in each envelope checked against the ballot number issued. If acceptable, the ballot stub shall be removed, then the secrecy envelope removed and the ballot shall be placed in a transfer case. In the event a ballot is returned without a

secrecy envelope, secrecies will be readily available for the election judge to enclose the ballot before removing it from the envelope. All transfer cases will be sealed, numbers recorded and stored in a secured facility. Sheila Reiner and Pam Hawkins will oversee this aspect of the election.

- h) The Mesa County Elections Division designated “distribution site” at the old Mesa County Courthouse will be open for issue of ballots to “inactive voters”, or the reissue of ballots to those who have spoiled, lost, moved, or for some reason did not receive a ballot for the period of Tuesday, April 1, 2003 to Monday, April 7, 2003, from 7:30 a.m. to 5:30 p.m. daily and Tuesday, April 8, 2003 7:00 a.m. to 7:00 p.m. Prior to April 1, 2003, these requests will be handled by deputized election judges in the regular Elections Office area.

Anytime that a replacement ballot is issued, or a ballot is issued to an “inactive voter”, a REQUEST FOR BALLOT/REPLACEMENT BALLOT (see Exhibit “D”) sworn statement must be completed, with signatures gathered either in person at the County Elections Office or through the mail. Reissue ballots, or ballots issued to “inactive voters” through the mail will have a mark on their return envelope (next to their signature affirmation) that will immediately alert the election judge that a completed sworn statement must be included with the voted punch card.

12. DESCRIBE PROCEDURES TO ENSURE BALLOT SECURITY:

- a) Ballot packages are prepared and stored in secured facilities by Election Division staff. Ballot packages are delivered to the mail handler where Election Division staff use equipment to seal the ballot packages. The packages are then processed in accordance with USPS regulations and state statutory provisions.
- b) Ballots, including pre-distribution and non-issued, will be kept in locked rooms on secured premises at all times. All election materials, ballots, ballot boxes, transfer cases and computers will be monitored during utilization by election judges and deputy clerks and placed under locked security each night. The area used for ballot processing adjoins the existing Elections Office, and Mesa County provides regular security. Only two keys to the critical ballot and materials areas exist, and those are held by election supervisors. All empty ballot boxes and transfer cases will be witnessed before and during both sealings (first and second verifications), including the recording of seal numbers.
- c) Ballots will be coded according to district for reporting purposes. There is only a single ballot type for this election so no coding is necessary for the ballot itself.
- d) At each drop off site (see Exhibit “A”) there will be a locked ballot box. Each day any ballot boxes containing returned ballots will be delivered to the Mesa County Elections Office by sworn election staff.
- e) All employees and election judges will be sworn in, affirming their adherence to the election statutes, rules and procedures. Observers (or watchers) will need to present completed forms, and the secured area is not accessible to the cleaning staff during the period of March 15th through April 8th. A sworn law enforcement officer will provide security services at the courthouse when ballots are ready for tabulation, and a security

officer will be on the courthouse premises throughout the evening until all ballots have been counted and stored in the vault.

- 13. DESCRIBE THE PROCEDURES FOR SIGNATURE VERIFICATION:** The very day each ballot envelope is received (initial verification), it will be verified for name, address, date of birth, and signature. If a signature cannot be read, the voter's original signature will be retrieved from microfilm for verification. If any of the foregoing information does not correspond to the ballot issue record or if all information is not provided, the ballot will be rejected for discrepancies. The rejection will be coded on the automated pollbook and the envelope placed in alphabetical order in the "REJECTED" tray, which will be stored in the adjoining, secured facility. Periodic checks of signatures on record will be performed to ensure the integrity of the mail ballot election in the City of Grand Junction.
- 14. DESCRIBE THE PROCEDURES TO ENSURE SECRECY OF BALLOTS:** A secrecy envelope will be enclosed with each ballot mailed to all active voters on or before March 24, 2003. Voter instructions will specifically ask voters to place the voted ballot in a secrecy envelope when returning the ballot. Ballots initially received are left in sealed envelopes until the final verification. At the time of final verification, when ballot stubs are removed, each election judge will have secrecy envelopes to slip around any ballot (while it's still in the envelope) in the event the voter did not place his/her voted ballot in the secrecy envelope. Ballots rejected with the stub still attached will be alphabetized and locked away nightly. Every deputy clerk and election judge will be thoroughly trained on the vital importance and necessity of ballot security.
- 15. DESCRIBE THE PROCEDURE TO RECONCILE BALLOTS ISSUED, BALLOTS RECEIVED, DEFECTIVE BALLOTS AND SUBSTITUTE BALLOTS:**
Reconciliation will occur daily for every ballot issued and every ballot received using the DAILY RECONCILIATION FORM (see Exhibit "B") and the DAILY RUNNING TALLY (See Exhibit "E"). Reconciliation will be automated as well as manual, and each day's current status will be available by 9 am the following morning. FINAL DISPOSITION OF BALLOT RECONCILIATION (see Exhibit "F") will reflect the number of ballots issued and reissued, less the number of ballots accepted, less the number rejected, less the number undeliverable, less the number of ballots returned after the deadline and/or never returned, which will equal the total number of ballots issued. Additionally, a STATEMENT OF BALLOTS (see Exhibit "G") will be placed in each sealed transfer case to assure verification with tabulation and the canvass board. Many safeguards have been built into the procedures; and yet the ability to immediately explain and /or access any ballot discrepancy will exist. Computer printouts will be compared daily to written copies to ensure tracking accuracy.

DATE OF SUBMISSION:

ELECTION OFFICIAL SIGNATURE:

TITLE:

TIMETABLE ENCLOSED

TIMETABLE
For the conduct of a Mail Ballot Election

Please indicate dates by which each item will be completed

<u>1/15/03</u> 12.3.2	Written Plan submitted to governing body. Rule 12.3.3	Rule
<u>1/15/03</u> Rule 12.3.3b	Election approved by governing body.	
no later than <u>2/12/03</u> 105(1) Rule 12.3.2	Submission of written plan to Secretary of State (55 days prior to election) Rule 12.3.3b	1-7.5-
<u>2/27/03</u> 105(2)	Last date for approval by Secretary of State (15 days after receipt in Secretary of State's office)	1-7.5-
<u>2/27/03</u> 12.3.1a	Notice of election to County Clerk & Recorder Rule 12.3.3b	Rule
<u>NA</u> 12.3.3b	Notice of election to County Assessor	Rule
<u>2/27/03</u> 303(1)	Registration records ordered by designated election official from County Clerk and Recorder (at least 40 days prior to election)	1-5-
<u>3/7/03</u>	List of electors submitted to election official (at least 30 days prior to election)	1-7.5-107(2)(a)
<u>3/10/03</u> 1-1-114	Close of registration (29 days prior) Rule 12.3.3	
<u>3/14/03</u> through <u>3/24/03</u> 7(3)(a) Rule 12.3.3	Ballots mailed (not sooner than 25 days and no later than 15 days prior)	1-7.5-
<u>3/14/03</u> 107(3)(c)	Ballots available at election official's office (no sooner than 25 days prior)	1-7.5-

<u>3/19/03</u>	Supplemental list of electors submitted 1-7.5-107(2)(b) (at least 20 days prior)	
<u>3/14/03</u>	Notice of election to electorate (at least 1-5-205(2) 20 days prior) with copy to County Clerk 1-7.5-107(2.5)(a)	Rule 12.3.3
<u>3/29/03</u> 107.5	Verification of ballot numbers to pollbook (may begin at any time during the 10 days before)	1-7.5-
<u>4/8/03</u>	Election day City Charter, §3	
	Rule 12.3.3	
<u>4/9/03</u> Charter, §25 12.12	Canvass dates/certification issued (canvass no later than 2 days after the election)	City Rule

Exhibit "A"

PLACES TO DEPOSIT MAIL BALLOTS

City Clerk's Office
City Hall
250 N. 5th Street
Grand Junction, Co. 81501

Mesa County Elections Office
Old Mesa County Courthouse
544 Rood Avenue
Grand Junction, Co. 81501

Mesa County Clerk's Office (Motor Vehicle Division)
Mesa Mall
2424 Hwy 6 & 50, #414
Grand Junction, Co. 81505

Orchard Mesa County Clerk's Branch
Intermountain Veteran's Memorial Park
2775 Hwy 50
Grand Junction, Co. 81503

EXHIBIT "B"

DAILY RECONCILIATION OF MAIL BALLOTS

April 8, 2003

Today's date: _____

1. Total number of ballots received _____

Information on return envelope verified Yes _____ No _____

2. Less number ballots rejected in first verification
-insufficient information on return verification envelope _____

3. Less number ballots rejected in second verification
-ballot number does not match poll book _____

4. Less reissued ballots pending final receipt of ballots _____

5. Equals total number ballots approved for final count
1-2-3-4=5

Number of ballots challenged _____

Spoiled _____ Incomplete _____ Damaged _____ Void _____ Undeliverable _____

Total rejected ballots
_____ 2+3

Hand count _____ Judge's Int _____
= 5

Electronic count _____ Judge's Int _____
= 5

Seal Number _____ Judge's Signature: _____

Seal Number _____ Judge's Signature _____

Date of reseal _____ _____

EXHIBIT "C"

BRANCH OFFICE MAIL BALLOT ACCOUNTING

April 8, 2003 Regular Municipal Election

Branch Location: _____ Date _____

Seal Number: _____ Judge's signature: _____

Total ballots received _____

Received by _____

EXHIBIT "D"

Request for Ballot

Original ballot number _____

April 8, 2003

Replacement number _____

Date _____

I _____, registered elector of the City of Grand Junction

at _____

Residence Address	City/Town	Zip
Request a ballot for the April 8, 2003 Regular Municipal Election for the following reason(s) (circle as applicable):		

I was not issued a ballot due to eligibility (Voter record shown as inactive)

REQUEST FOR REPLACEMENT BALLOT

I have not as of this date received the ballot packet mailed to me

The ballot I received was destroyed or marked incorrectly

I have not voted a ballot issued for this election and I do not intend to vote except by voting this replacement ballot.

The original ballot issued me will not be cast and if the original and the replacement ballot are cast, neither will be counted in this election.

I understand that this sworn statement must be included in the return verification envelope with the marked ballot and must be received by 7:00 p.m. on Election Day for this replacement ballot to be counted.

SIGN

Date

of Birth _____

HERE

STATE OF COLORADO, COUNTY OF MESA, SS:

SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____, 2003.

Clerk/Deputy/Notary

(Seal)

My Commission expires

EXHIBIT "E"

DAILY RUNNING TALLY

April 8, 2003

Today's Date _____

Number of Original Mailings _____

Number of spoiled ballots _____

Number of ballots reissued _____

Number of ballots issued to inactive voters _____

Number of ballots received _____

Number of ballots approved for final count _____

ACCUMULATIVE TOTALS

1. Number of Original Mailings _____

2. Number of ballots reissued _____

3. Number of ballots issued to inactive voters _____

4. Number of ballots spoiled _____

Total ballots issued $1+2+3-4=$ _____

Total of ballots received _____

Total rejected ballots - _____

Total pending ballots - _____

Total of ballots approved for final count _____

EXHIBIT "F"

FINAL DISPOSITION OF MAIL BALLOT ELECTION

ISSUED/REISSUED:

ACCEPTED:

REJECTED:

SPOILED

VOID

INCOMPLETE

DAMAGED

SIGNATURE

UNDELIVERABLE

RETURNED AFTER DEADLINE _____

NEVER RETURNED

EXHIBIT "G"

STATEMENT OF BALLOTS
MAIL BALLOT ELECTION
April 8, 2003

CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO

DATE OF BALLOT RECEIPT _____

NUMBER OF BALLOTS RECEIVED _____

NUMBER OF BALLOTS IN THIS TRANSFER CASE _____

TRANSFER CASE FOR THIS DAY'S RECEIPTS _____ OF _____

SEAL # _____

JUDGES SIGNATURES

TEAMWORK COUNT

INTERGOVERNMENTAL AGREEMENT
MESA COUNTY and CITY OF GRAND JUNCTION

This Intergovernmental Agreement between Mesa County, acting through its Clerk and Recorder ("Clerk"), and the City of Grand Junction ("City"), acting through its City Clerk ("City Clerk"), is authorized by 29-1-201, *et seq.*, C.R.S.

1. PURPOSE: Pursuant to the terms of this Agreement, the Clerk and the City agree to the scheduling and conducting of a mail ballot municipal election on April 8, 2003. For the purposes of this Agreement, the Clerk shall be the 'clerk' as defined in 31-10-102, C.R.S. The City hereby designates its City Clerk as an "Election Official" who shall have primary responsibility for election procedures that are the responsibility of the City, pursuant to this Agreement. The election shall be held under the provisions of the Municipal Election Code (Title 31, Article 10 of the Colorado Revised Statutes) except as otherwise required by the Mail Ballot Act, 1-7.5-101, *et. seq.*, C.R.S., or the rules promulgated by the Secretary of State.
2. DELEGATION OF AUTHORITY: The City Council has determined that the April 8, 2003 election shall be by mail ballot. Pursuant to 1-7.5-104, C.R.S., the City Clerk, as the designated election official (DEO), hereby delegates and transfers to the Clerk all such power, authority and duties which reside in the City Clerk for these purposes. The respective responsibilities between the Clerk and the City shall be as described on Exhibit "Grand Junction Mail Ballot, April, 2003 Responsibilities."
3. PRECINCTS & POLLING PLACE LOCATIONS: Precincts shall be as established by Resolution No. 134-00. Polling place locations for the deposit of voted ballots not returned through the United State Postal Service will be those designated by the Clerk as follows: Mesa County Elections Office at the Old Courthouse, Mesa County Clerk & Recorder's Office – Motor Vehicle Division at Mesa Mall, Clerk's branch at the Tri-River Cooperative at the County Fairgrounds and the City Clerk's Office at City Hall.
4. APPOINTMENT OF ELECTION JUDGES: All election judges and/or deputy clerks shall be appointed and trained by the Clerk, except as otherwise required by the City Charter or the Municipal Election Code.
5. LEGAL NOTICES: Publication of any required legal notices concerning the City's mail ballot election, which are to be published prior to certification of the ballot content to the Clerk, shall be the responsibility of the City. A copy of the published legal notice shall be submitted to the Clerk for her records.

Publication of notices required by the Municipal Election Code and/or the Mail Ballot Election Act, which are to be published after certification of the ballot contents to the Clerk, shall be the responsibility of the City. Additional notices shall be the responsibility of the City. Notice to the Secretary of State, pursuant to 1-7.5-105, C.R.S. shall be made by the City, along with notice of the City's proposed plan.

6. RECEIVING AND PROCESSING OF PETITIONS: Any necessary petition process for the City shall be the responsibility of the City. The Clerk shall provide voter registration lists as required and requested by the City Clerk.

7. BALLOT CONTENTS: The ballot contents must be certified to the Clerk by the City Clerk, in its exact form, no later than 4:30 P.M. on February 21, 2003. The ballot contents must be provided in WORD format and delivered to the Clerk at 544 Rood Avenue, Grand Junction, Colorado. It is understood that the Mail Ballot Election Act requires the mailing of ballots between the 25th and 15th day prior to the election.

8. (a) RECEIVING OF WRITTEN COMMENTS AS COVERED BY SECTION 20 OF ARTICLE X OF THE COLORADO CONSTITUTION: The City Clerk is solely responsible for the process of receiving written comments and summarizing such comments as are required by Section 20 of Article X of the Colorado Constitution ("TABOR").¹

(b) RECEIPT OF SUMMARY OF COMMENTS: Receipt of the summary shall be solely the responsibility of the City. The City shall transmit the summary(ies) received on initiated measures to the Clerk on or before the 42nd day before April 8, 2003, to wit: February 25, 2003.

(c) PREPARATION AND MAILING OF NOTICES FOR BALLOT ISSUE ELECTIONS: The City shall certify any TABOR required comments, notices and summary(ies) concerning its ballot issues to the Clerk, no later than February 25, 2003 for inclusion in the ballot issue mailing. Such notices and summaries, if any, shall be transmitted to the Clerk in WORD format. The Clerk shall mail such TABOR notice(s), in accordance with TABOR at least 30 days prior to the election, *i.e.*, on or before March 7, 2003.

9. PREPARATION FOR ELECTION: The Clerk shall be responsible for preparing and printing the sample ballot for the Municipal Election. Print on the ballot pages shall be in 10 point type or larger and shall be in accordance with the Municipal Election Code. The Clerk shall also be responsible for providing, preparing, delivering and collecting sealed ballot boxes for all four (4) designated depository locations and the mailing of mail ballot packages. The Clerk shall be responsible for implementing a walk-in balloting site in accordance with of the Rules and Regulations of the Secretary of State.

¹ See Secretary of State Rules and Regulations. This deadline is February 21, 2003.

10. CONDUCT OF ELECTION: The Clerk shall be responsible for the conduct of the Municipal Election, pursuant to Title 31, Article 10 of the Colorado Revised Statutes, including the appointment of watchers.

11. ABSENTEE VOTING: All requests for absentee ballots shall be transmitted for processing and ballot distribution to the Clerk, c/o the Mesa County Elections Office, P.O. Box 20000, Grand Junction, CO 81502-5009. The physical office of the Clerk is the Old Mesa County Courthouse, 544 Rood Avenue, Grand Junction, Colorado. The Clerk shall, upon receipt of such request, mail a ballot package to the eligible elector in accordance with 1-7.5-104, C.R.S.

12. TABULATION OF BALLOTS: All processes relating to and tabulation of ballots shall be the responsibility of the Clerk. An unofficial abstract of votes will be provided to the City Clerk upon completion of the counting of all ballots.

13. CANVASS OF VOTES: The canvass of votes will be the responsibility of the City, pursuant to its Charter and shall be completed no later than April 10, 2003. The City shall issue its certificate(s) of election of candidates upon receipt of the official results from the Clerk.

14. ALLOCATION OF COST OF ELECTION: The City shall reimburse the Clerk for the TABOR notice and election costs incurred by the Clerk pursuant to this Agreement. Such reimbursement shall be made to the Clerk within thirty days of receipt of billing from the Clerk. The Clerk's determination regarding such costs shall be final and at her sole discretion and shall not be subject to dispute unless clearly unreasonable. In any event, the City shall not be obligated to reimburse the Clerk for more than \$30,000.

15. INDEMNIFICATION: The City agrees to indemnify, defend and hold harmless the Clerk from any and all loss, costs, demands or actions, arising out of or related to any actions, errors or omissions of the City in completing the City's responsibilities relating to the April 8, 2003 election.

16. AGREEMENT NOT EXCLUSIVE: The Clerk may enter into other substantially similar agreements with other cities for conduct of other elections.

17. VENUE: Venue for any dispute hereunder shall be in the District Court of Mesa County.

THIS AGREEMENT has been executed by the parties hereto as of the dates and year written below.

MESA COUNTY CLERK AND RECORDER

CITY OF GRAND JUNCTION
CITY CLERK

Janice Ward

Date: _____

Stephanie Tuin

Date: _____

Grand Junction Mail Ballot, April, 2003
Responsibilities

Due Date (all 2003)	Activity	City Clerk	County Clerk	Est. Cost to City	Comments
Jan. 7	Candidate Nomination Petitions Available	x		\$100 (Printing) \$500 (advertising)	All inquiries should be sent to City Clerk's Office
Jan. 8	Absentee Ballot Applications can be filed - file with County Elections Division		x		Forms available at City Clerk's Office and at Elections Division - only for mailing ballots to an address other than registered address
Jan. 15	Council approves IGA & Mail Ballot Plan	x			
Jan. 24	Deadline for Intergovernmental Agreement with the County	x	x		Depositories City Hall, Mesa County Elections at the courthouse, Motor Vehicle at the mall, Tri- county Extension Office
Jan. 24	Mail Ballot Plan to Secretary of State	x			C.R.S. 1-7.5- 105
Jan. 27	Candidate nomination petitions due	x			
Jan. 30	Amended Nomination petitions due	x			
Jan. 29	Arrange for processing room at courthouse		x		For ballot package processing
Feb. 14	Publish Election Notice	x		\$500	
Feb. 21	Certify ballot to County Clerk	x			
Feb. 21	Deadline for Tabor comments to City	x			
Feb. 25	Tabor Summaries Due to County	x			

Due Date	Activity	City Clerk	County Clerk	Cost to City	Comments
Week of Mar. 3	Print Tabor Notices		x	NA	
Mar. 7	Preliminary List of Registered Voters		x	\$250*	
Mar. 7	Mail Tabor Notices		x	NA	
Week of Mar. 10	Print and prepare ballot packages		x	\$24,000*	
Jan. - May	Administer Fair Campaign Practices Act and answer candidates' questions	x			copying costs
Mar. 10	Voter Registration (deadline)	x			
Mar. 14-24	Mail Ballot Packages		x	\$3650*	
Mar. 19	Final Voter Registration List		x		
Mar. 19	Publish Notice	x		\$350	
Mar.15-Apr. 8	Receive returned ballots, log in and put in ballot box		x	\$1400*	
Mar. 29, 30, 31	Publish election notice 3x	x		\$1000	Required notice per Charter
Apr. 6	Publish final notice	x		\$450	Sunday publication
Apr. 7	Program & Test counters	x	x	\$200*	
Apr. 8	ELECTION DAY office hours 7 am - 7 pm - count & tabulate votes	x	x	\$500*	
Apr. 8	Broadcast Results from auditorium 7 pm - 9 pm		x	\$300	Results to be broadcast by Mesa County IT Dept.
Apr. 9	Canvass results (broadcast meeting)	x		\$300	Special Council Meeting scheduled
Apr. 10	Certify results to Sec. of State & publish	x		\$600	
Total Direct Costs to City				\$4000	
Total of County expenditures included in contract with City				\$30,000	
Grand Total				\$34,000	

*costs are included in contract amount

RESOLUTION NO. ____-03

**A RESOLUTION AUTHORIZING A MAIL BALLOT ELECTION
IN THE CITY OF GRAND JUNCTION FOR THE
APRIL 8, 2003 REGULAR MUNICIPAL ELECTION, APPROVING THE WRITTEN
PLAN FOR THE CONDUCT OF A MAIL BALLOT ELECTION AND AUTHORIZING
THE CITY CLERK TO SIGN THE INTERGOVERNMENTAL AGREEMENT WITH
MESA COUNTY CLERK AND RECORDER**

RECITALS.

The City of Grand Junction has adopted the "Colorado Municipal Election Code" for the conduct of municipal elections. Pursuant to 1-7.5-104 C.R.S., the governing body may authorize that the municipal election be conducted by mail ballot. Section 105 of the Mail Ballot Election Code requires that the designated election official "shall notify the secretary of state no later than fifty-five days prior to the election. The notification shall include a proposed plan for the conducting the mail ballot election,..."

The City Council for the City of Grand Junction has authorized the municipal elections to be conducted by mail ballot since 1999. Voter turnout increased significantly with mail ballot elections.

Mesa County Election Division is willing to conduct a mail ballot election on behalf of the City of Grand Junction provided the Council approve the Intergovernmental Agreement being proposed.

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

1. The City Clerk, as the designated election official for the City of Grand Junction, is hereby authorized to conduct the April 8, 2003 regular municipal election by mail ballot pursuant to 1-7.5-101 *et. seq.*, C.R.S.
2. The Written Plan proposed by the City Clerk is hereby approved.
3. The City Clerk is authorized to sign the Intergovernmental Agreement with the Mesa County Clerk and Recorder to contract for the conduct of the municipal election by mail ballot.

Approved this _____ day of _____, 2003.

President of the Council

ATTEST:

City Clerk

Attach 4
Award Fire Grant by FEMA

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject		Award of Fire Act Grant by FEMA						
Meeting Date		January 15, 2003						
Date Prepared		January 7, 2003				File #		
Author		Rick Beaty			Fire Chief			
Presenter Name		Rick Beaty			Fire Chief			
Report results back to Council		X	No		Yes	When		
Citizen Presentation			Yes	X	No	Name		
	Workshop	X	Formal Agenda			X	Consent	Individual Consideration

Summary: On April 3, 2002, the City Council granted approval for the Fire Department to apply for a \$48,000 Fire Act Grant to purchase three (3) hand-held thermal imaging cameras. On January 1, 2003, the Department received official notification from FEMA of a \$33,600 Fire Act Grant award (70% of the amount requested).

Budget: Funds to meet the matching criteria of 30% (\$14,400) are available under funds accrued for replacement of existing thermal imaging helmets in account # 100-521-70688-E02400. The 2002 budgeted balance is \$13,270; the remainder (\$1,130) will be adjusted from the Department's current 2003 operating budget. As a federal grant program, there is no TABOR impact.

Action Requested/Recommendation: City Council approval for the Fire Department to accept a Fire Act Grant award of \$33,600.

Attachments: None

Background Information: The Fire Act Grant program is a two-year-old federal grant program. Each year the program has fallen under scrutiny at the federal level and is subject to year-to-year appropriation. In 2002, President Bush increased the appropriation to \$360 million,

up from \$150 million in 2001. There are approximately 32,000 fire departments eligible for grant funding under the Fire Act.

The original grant application was for a total amount of \$48,000. The grant program requires that departments serving a population of 50,000 or more match 30% of the total grant request. Grand Junction Fire Department currently serves a combined population of 66,500 and is therefore subject to the 30% match.

Attach 5
Setting a Hearing for Zoning the Rice Annexations #1 and #2

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Zoning the Rice Annexations #1 & 2					
Meeting Date		January 15, 2003					
Date Prepared		January 8, 2003			File #ANX-2002-214		
Author		Senta Costello		Associate Planner			
Presenter Name		Senta Costello		Associate Planner			
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	
<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		<input checked="" type="checkbox"/>	Consent	Individual Consideration

Summary: The Rice Annexation consists of one parcel of land and a portion of the B Road, 29 ½ Road, 30 Road, Hwy 50, and Burns Drive rights-of-way on approximately 4.8673 acres. A petition for annexation has been presented as part of a Simple Subdivision. The requested zoning for the property is RSF-4 (Residential Single Family, not to exceed 4 units per acre). The physical address for the property is 135 Burns Drive.

The Planning Commission reviewed the requested zoning on December 18, 2002 and recommended approval.

Budget: N/A

Action Requested/Recommendation: Approval of the first reading of the Zoning Ordinance for the Rice Annexations #1 & 2 and set a hearing for February 5, 2003.

Attachments:

1. Staff Report
2. Annexation Map
3. Zone of Annexation Ordinance

Background Information: See attached report.

BACKGROUND INFORMATION							
Location:		135 Burns Drive					
Applicants:		Donald Rice					
Existing Land Use:		Single Family Residential					
Proposed Land Use:		Single Family Residential					
Surrounding Land Use:	North	Single Family Residential					
	South	Single Family Residential					
	East	Single Family Residential					
	West	Single Family Residential					
Existing Zoning:		County RSF-R					
Proposed Zoning:		City RSF-4					
Surrounding Zoning:	North	RSF-R					
	South	RSF-R					
	East	RSF-R					
	West	RSF-R					
Growth Plan Designation:		Residential Medium Low 2-4 du/acre					
Zoning within density range?		X	Yes		No		N/A

Staff Analysis:

ANNEXATION:

This annexation area consists of annexing 4.8673 acres of land. Owners of the property have signed a petition for annexation as part of their request to split their property into two lots, pursuant to the 1998 Persigo agreement with Mesa County.

ZONE OF ANNEXATION:

Under the 1998 Persigo Agreement with Mesa County, the City is allowed to zone newly annexed areas with a zone that is either identical to current County zoning or conforms to the City's Growth Plan's Future Land Use Map. This proposed zoning of RSF-4 conforms to the City's Growth Plan's Future Land Use Map.

RSF-4 ZONE DISTRICT

- The RSF-4 (Residential Single Family not to exceed 4 units per acre) does conform to the recommended intensity found on the Growth Plans Future Land Use Map. The site is currently designated as Commercial.
- Zoning this annexation with the RSF-4 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 other single family residential 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 zoning is RSF-R in the County and the rezone to City RSF-4 supports the Future Land Use Map.

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

There has been no change of character in the neighborhood. The zone change is being required to give a City zoning designation to the subject property.

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

The proposed zoning is compatible with the neighborhood and will not create 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 to the Growth Plan as it supports residential uses in this particular area. The simple subdivision being created 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 the current residential uses.

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 residential designation.

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

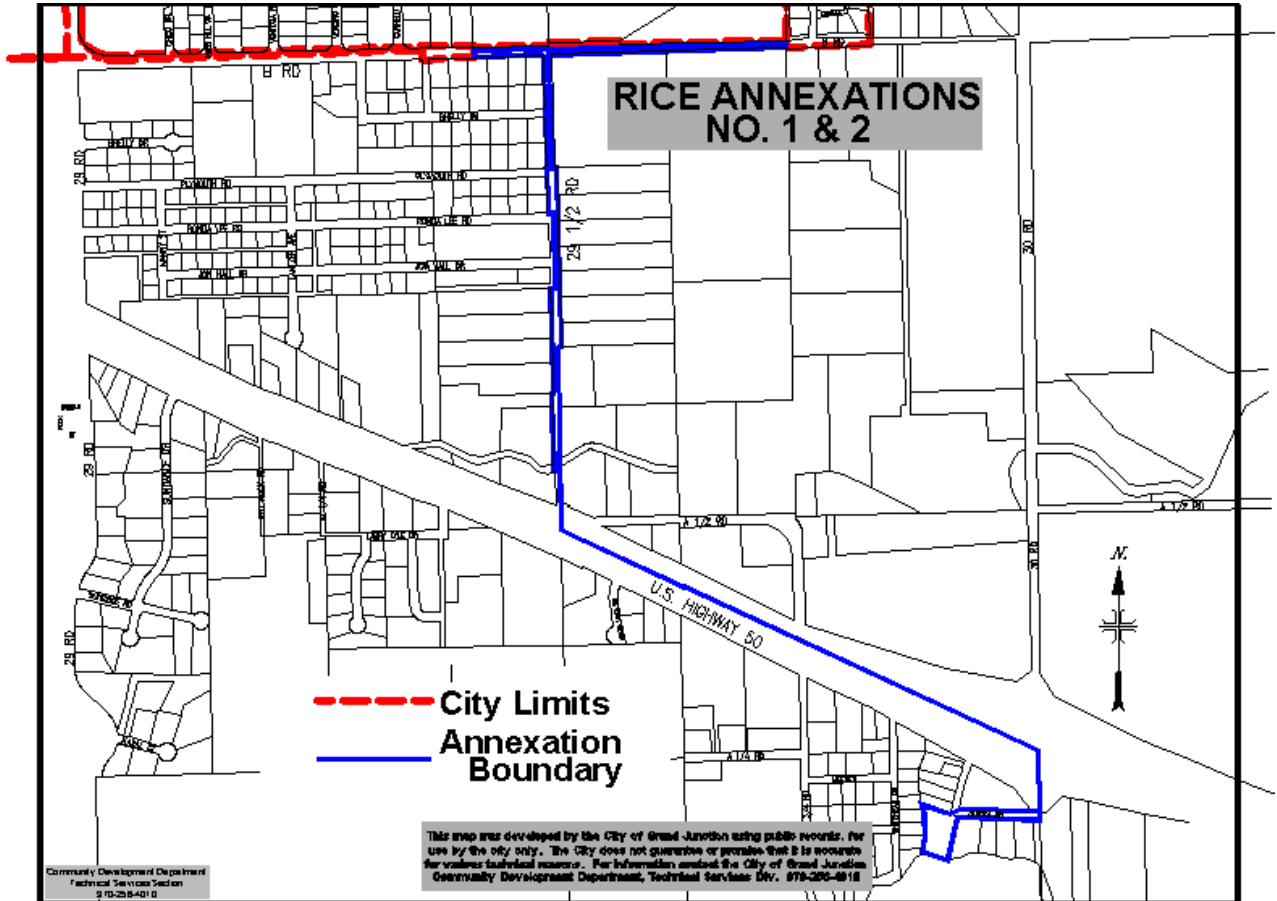
The proposed zone will benefit the neighborhood as it is a residential zone district that is harmonious to the adjacent neighborhood.

FINDINGS AND CONCLUSIONS:

1. Consistent with the Future Land Use Growth Plan
2. Consistent with 2.6 and 2.14 of the Zoning and Development Code

Recommendation: The Planning Commission recommends that City Council find the proposed zoning for the Rice Annexation to be consistent with the Growth Plan and Sections 2.14 and 2.6 of the Zoning and Development Code.

ANNEXATION MAP



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**ZONING THE RICE ANNEXATION
TO RSF-4 (Residential Single Family not to exceed 4 units/acre)**

LOCATED AT 135 Burns 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 a RSF-4 zone district to this annexation.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-4 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 RSF-4 (Residential Single Family not to exceed 4 units/acre) zone district

Includes the following tax parcel 2943-324-07-008

Lot 8 in Block 6 of Replat of Block 7 except Lot 1 and Lots 8 to 17 inclusive, Block 6, Burns Subdivision, according to the official plat thereof recorded in Plat Book #9 at Page 45, Official Records of Mesa County, Colorado

Introduced on first reading this 15th day of January, 2003.

PASSED and ADOPTED on second reading this ____ day of _____, 2003.

Attest:

President of the Council

City Clerk

Attach 6
Setting a Hearing for Zoning the Siena View Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Zoning the Siena View Annexation, 2945 D ½ Road					
Meeting Date		January 15, 2003					
Date Prepared		December 27, 2002			File # ANX-2002-228		
Author		Lori V. Bowers		Senior Planner			
Presenter Name		Lori V. Bowers		Senior Planner			
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	
<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		<input checked="" type="checkbox"/>	Consent	Individual Consideration

Summary: The Siena View Annexation area consists of one parcel of land, approximately 4.6 acres in size. A petition for annexation has been presented as part of a Preliminary Plan. The requested zoning for the property is RMF-8 (Residential Multi-family, not to exceed 8 units per acre). The physical address for the property is 2945 D 1/2 Road.

Budget: N/A

Action Requested/Recommendation: Approval of the first reading of the Zoning Ordinance and setting a hearing date for February 5th, 2003.

Attachments:
 Staff report

Annexation map
Zoning Ordinance

Background Information: See attached Staff report

BACKGROUND INFORMATION					
Location:		2945 D 1/2 Road			
Applicant:		GD Builders Inc., Eric Daugherty, owner			
Existing Land Use:		Vacant land & Single Family Residence			
Proposed Land Use:		Residential			
Surrounding Land Use:	North	Residential & vacant land			
	South	Vacant land			
	East	Residential & vacant land			
	West	Residential & vacant land			
Existing Zoning:		(Mesa County) RSF-R			
Proposed Zoning:		RMF-8 (Residential Multi-Family, not to exceed 8 dwelling units per acre)			
Surrounding Zoning:	North	RSF-R Mesa County (rural, 5 acre)			
	South	PUD Mesa County (1984, PR-12)			
	East	RSF-E Mesa County (estate, 2 acre)			
	West	RSF-E Mesa County (estate, 2 acre)			
Growth Plan Designation:		Residential Medium – 4 to 8 dwelling units per acre			
Zoning within density range?		X	Yes		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: Due to the Persigo Agreement, the property owner is required to annex into the City for the purpose of a Major Subdivision. The Preliminary Plan is

currently under review and will be presented to the Planning Commission when the review is complete.

Zoning- the applicant requests the zoning designation of RMF-8 (Residential Multi-Family, not to exceed 8 dwelling units per acre). The zoning is consistent with the Growth Plan for this area. While the maximum number of units per acre is 8, the Code also requires a minimum number of units. In an RMF-8 zoning district, the minimum number of units is 4. RMF-8 zoning allows for attached and detached single-family, duplex, townhouse, and multi-family dwelling units.

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;
Not applicable, this is a rezone from a county RSF-R zoning to City RMF-8.
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.;
This parcel is surrounded by low residential lots, average of 4 to 5 acres in size adjacent to it. There are several new residential developments in the vicinity. The Growth Plan supports the requested density.
3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or nuisances;
The rezone is compatible with the Growth Plan and will not adversely affect utilities or street capacities.
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;
This proposal is consistent with the growth plan's land use goals and policies. It is the intent to conform to all other applicable codes and regulations.
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 at or near the proposed development.
6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs; and
(Not applicable to annexation)

8. The community or neighborhood will benefit from the proposed zone.
The benefits as derived by the area will primarily consist of the infill of a parcel surrounded by a new developing area. The development plan will be consistent with the existing street and utility circulation plans.

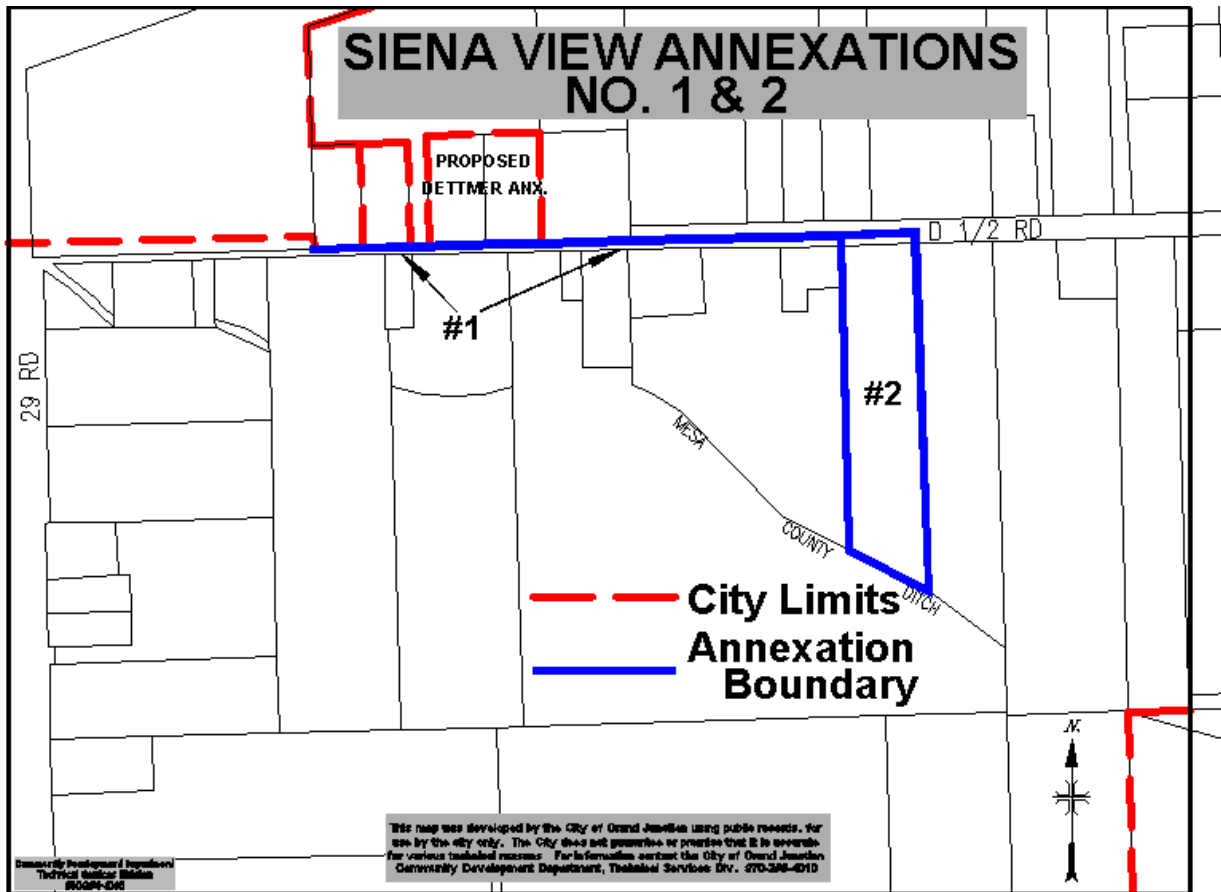
Growth Plan Goals and Policies are as identified in Policy 1.7 state: "The City and County will use zoning to establish the appropriate scale, type, location and intensity for development..." and Goal 11: To promote stable neighborhood and land use compatibility throughout the community."

RECOMMENDATION:

Staff recommends approval of the zone of RMF-8 (Residential Multi-Family, not to exceed 8 dwelling units per acre) finding that the proposal is consistent with the Growth Plan, the Persigo Agreement and Section 2.6 of the Zoning and Development Code.

PLANNING COMMISSION RECOMMENDATION:

At their regularly scheduled meeting of January 14th, the Planning Commission recommended recommend to the City Council approval of the zoning designation of RMF-8 (Residential Multi-family, not to exceed 8 units per acre) for the Zone of Annexation of the Siena View Annexation, located at 2945 D 1/2 Road, finding that the project is consistent with the Growth Plan, the Persigo Agreement and Sections 2.6 of the Zoning and Development Code.



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**ZONING THE SIENA VIEW ANNEXATION
TO RESIDENTIAL MULTI-FAMILY, NOT TO EXCEED 8 DWELLING
UNITS PER ACRE (RMF-8)**

LOCATED AT 2945 D 1/2 ROAD

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of applying an RMF-8 zone district to this annexation.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RMF-8 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 Multi-family, not to exceed 8 dwelling units per acre (RMF-8) zone district

Includes the following tax parcel 2943-173-00-204

**PERIMETER BOUNDARY LEGAL DESCRIPTION
SIENA VIEW ANNEXATION**

A Serial Annexation Comprising Siena View Annexation No. 1 and Siena View Annexation No. 2

SIENA VIEW ANNEXATION NO. 1

A certain parcel of land lying in the Southwest Quarter (SW 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Northeast Corner of the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of said Section 17, and assuming the North line of the NW

1/4 SW 1/4 of said Section 17 bears N 90°00'00" W with all other bearings mentioned herein being relative thereto; thence from said Point of Beginning, N 90°00'00" W along the North line of the NW 1/4 SW 1/4 of said Section 17, a distance of 528.00 feet; thence S 00°00'00" E a distance of 1.00 feet; thence N 90°00'00" E along a line 1.00 foot South of and parallel to the North line of the NW 1/4 SW 1/4 of said Section 17, a distance of 528.00 feet; thence S 89°59'32" E along a line 1.00 foot South of and parallel to the North line of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of said Section 17, a distance of 1113.48 feet; thence N 00°02'12" W a distance of 1.00 feet to a point on the North line of the NE 1/4 SW 1/4 of said Section 17; thence N 89°59'32" W, along the North line of the NE 1/4 SW 1/4 of said Section 17, a distance of 1113.48 feet, more or less, to the Point of Beginning.

CONTAINING 0.377 Acres (1,641.48 Square Feet), more or less, as described.

SIENA VIEW ANNEXATION NO. 2

A certain parcel of land lying in the Southwest Quarter (SW 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Northeast Corner of the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of said Section 17, and assuming the North line of the NW 1/4 SW 1/4 of said Section 17 bears N 90°00'00" W with all other bearings mentioned herein being relative thereto; thence from said Point of Commencement, S 00°09'39" E a distance of 1.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S 89°59'32" E along a line 1.00 foot South of and parallel to, the North line of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of said Section 17, a distance of 1113.48 feet; thence S 00°02'12" E along the East line of that certain property described in Book 3080, Pages 157 and 158, Public Records of Mesa County, Colorado, a distance of 994.88 feet, more or less, to a point on the North line of the Grand Valley Canal; thence N 60°15'16" W along the South line of that certain property described in Book 3080, Pages 157 and 158, also being the North line of the Grand Valley Canal, a distance of 239.08 feet; thence N 00°02'12" W, along the West line of that certain property described in Book 3080, Pages 157 and 158, a distance of 875.29 feet; thence N 89°59'32" W along a line 2.00 feet South of and parallel to, the North line of the NE 1/4 SW 1/4 of said Section 17, a distance of 905.97 feet; thence N 00°09'39" W a distance of 1.00 feet, more or less, to the Point of Beginning.

CONTAINING 4.4774 Acres (195,039.62 Square Feet), more or less, as described.

Introduced on first reading this 15th day of January, 2003.

PASSED and ADOPTED on second reading this ____ day of _____ , 2003.

Attest:

City Clerk

President of the Council

Attach 7
Setting a Hearing for the Red Tail Ridge Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Red Tail Ridge Annexation, South end of Buena Vista Drive					
Meeting Date		January 15, 2003					
Date Prepared		January 7, 2003			File #ANX-2002-230		
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 Red Tail Ridge Annexation is an annexation comprised of 1 parcel of land located at the south end of Buena Vista Drive, comprising a total of 10.38 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 February 19, 2003.

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:	<i>South end of Buena Vista Drive</i>		
Applicants:	La Cima I, LLC, petitioner Gemni Development, LLC, developer Ciavonne & Assoc., representative		
Existing Land Use:	<i>Undeveloped</i>		
Proposed Land Use:	<i>Residential development</i>		
Surrounding Land Use:	North	<i>Residential</i>	
	South	Orchard Mesa Irrigation District land	
	East	Orchard Mesa Irrigation District land	
	West	Residential	
Existing Zoning:	RSF-R (County)		
Proposed Zoning:	RSF-4 (Residential Single Family -4 dwelling units per acre.		
Surrounding Zoning:	North	<i>RSF-R (County) (1-3 acre parcels)</i>	
	South	RSF-R (County) (OM Irrigation District)	
	East	RSF-R (County) (OM Irrigation District)	
	West	<i>RSF-R (County) (1-3 acre parcels)</i>	
Growth Plan Designation:	Residential Medium Low 2-4		
Zoning within density range?	X	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 10.38 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 Persigo 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.

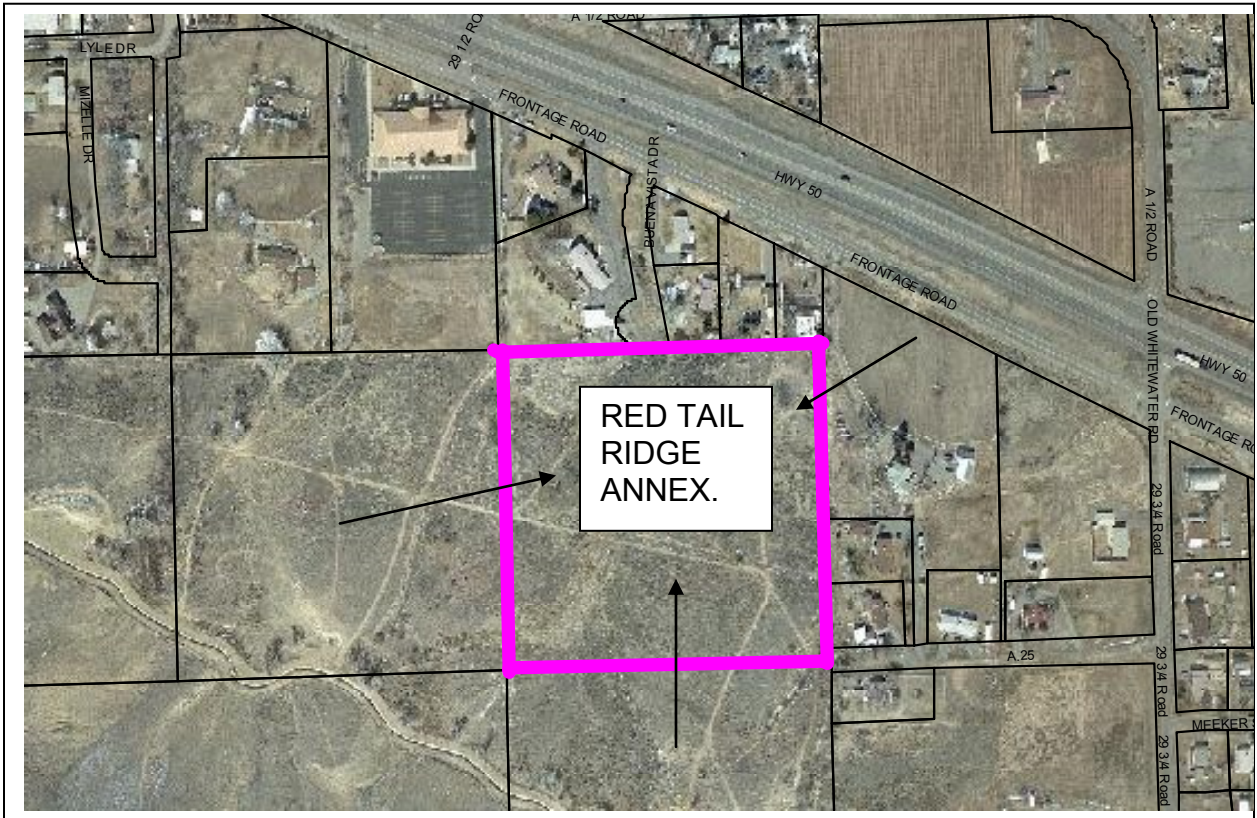
The following annexation and zoning schedule is being proposed.

<i>ANNEXATION SCHEDULE</i>	
01/15/03	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
01/28/03	Planning Commission considers Zone of Annexation
02/5/03	First Reading on Zoning by City Council
02/19/03	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
03/23/03	Effective date of Annexation and Zoning

RED TAIL RIDGE ANNEXATION SUMMARY

File Number:		ANX-2002-230
Location:		South end of Buena Vista Road
Tax ID Number:		2943-324-00-007
Parcels:		1
Estimated Population:		0
# of Parcels (owner occupied):		0
# of Dwelling Units:		0
Acres land annexed:		10.38 acres
Developable Acres Remaining:		10.38 acres
Right-of-way in Annexation:		0
Previous County Zoning:		RSF-R
Proposed City Zoning:		RSF-4
Current Land Use:		Undeveloped
Future Land Use:		Residential Medium Low 2-4
Values:	Assessed:	\$17,720
	Actual:	\$61,100
Census Tract:		13
Address Ranges:		East to West: 2950 through 2962 North to South: 125 through 137
Special Districts:	Water:	Ute Water District
	Sewer:	Orchard Mesa
	Fire:	GJ Rural Fire District
	Drainage:	Orchard Mesa
	School:	District 51
	Pest:	N/A

Red Tail Ridge ANNEXATION
ANX-2002-230



**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 15th day of January, 2003, 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*

RED TAIL RIDGE ANNEXATION

LOCATED at the south end of BUENA VISTA ROAD

WHEREAS, on the 15th day of January, 2003, 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 32, Township 1 South, Range 1 East of the Ute Meridian, State of Colorado, County of Mesa, being more particularly described as follows:

COMMENCING at the Center of said Section 32 and assuming the West line of the NW 1/4 SE 1/4 of said Section 32 bears S 00°05'43" E and all other bearings mentioned herein are relative thereto; thence from said Point of Commencement, S 00°05'43" E along the West line of the NW 1/4 SE 1/4 of said Section 32, a distance of 2.23 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S 63°44'41" E a distance of 749.01 feet; thence N 26°15'19" E a distance of 2.00 feet; thence S 63°44'41" E a distance of 200.00 feet; thence S 26°15'19" W a distance of 4.00 feet; thence N 63°44'41" W a distance of 530.49 feet; thence S 18°28'17" W a distance of 159.04 feet to a point on the East right of way for Buena Vista Drive, as same is shown on the Plat of Buena Vista Subdivision, as recorded in Plat Book 8, Page 38, Public Records of Mesa County, Colorado, said point being the beginning of a 200.00 foot radius curve, concave East, whose long chord bears S 05°15'28" W; thence Southerly along the arc of said curve, through a central angle of 27°26'57", a distance of 95.82 feet; thence S 09°05'43" E a distance of 225.44 feet to a point being the Southwest corner of Lot 2, said Plat of Buena Vista Subdivision; thence N 89°54'17" E a distance of 304.27 feet, more or less, to a point being the Northeast corner of the Southwest Quarter of the Northwest Quarter of the Southeast Quarter (SW 1/4 NW 1/4 SE 1/4) of said Section 32; thence S 00°06'23" E a distance of 652.93 feet, more or less, to a point being the

Southeast corner of the SW 1/4 NW 1/4 SE 1/4 of said Section 32; thence S 89°29'14" W a distance of 654.33 feet, more or less, to a point being the Southwest corner of the SW1/4 NW 1/4 SE 1/4 of said Section 32; thence N 00°05'43" W along the West line of the NW 1/4 SE 1/4 of said Section 32, a distance of 657.70 feet, more or less, to a point being the Northwest corner of the SW 1/4 NW 1/4 SE 1/4 of said Section 32 and the Southwest corner of Lot 3, Replat of Buena Vista Subdivision, as same is recorded in Plat Book 9, Page 167, Public Records of Mesa County, Colorado; thence N 89°54'17" E a distance of 291.38 feet to the Point of Cusp of a 50.00 foot radius curve, concave East, whose long chord bears N 04°35'43" W; thence Northerly along the arc of said curve, through a central angle of 171°00'00", a distance of 149.23 feet; thence N 09°05'43" W along the West right of way for said Buena Vista Drive, a distance of 116.90 feet to a point being the beginning of a 250.00 foot radius curve, concave East, whose long chord bears N 05°08'31" E; thence Northerly along the arc of said curve, through a central angle of 27°28'21", a distance of 119.87 feet; thence N 18°28'17" E a distance of 12.27 feet, more or less, to a point on the South right of way for Highway 50 as shown on said Replat of Buena Vista Subdivision; thence S 62°21'43" E, along said South right of way, a distance of 48.62 feet; thence N 18°28'17" E a distance of 154.79 feet; thence N 63°44'41" E a distance of 415.51 feet to a point on the West line of the NW 1/4 SE 1/4 of said Section 32; thence N 00°05'43" W, along said West line, a distance of 2.23 feet, more or less, to the Point of Beginning.

CONTAINING 10.3800 Acres (452,153.79 Sq. Ft.), 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 19th day of February, 2003, 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 15th day of January, 2003.

Attest:

President of the Council

City Clerk

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

City Clerk

<i>PUBLISHED</i>
January 17, 2003
January 24, 2003
January 31, 2003
February 7, 2003

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

RED TAIL RIDGE ANNEXATION

APPROXIMATELY 10.38 ACRES

LOCATED AT THE SOUTH END OF BUENA VISTA ROAD

WHEREAS, on the 15th day of January, 2003, 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 19th day of February, 2003; 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 32, Township 1 South, Range 1 East of the Ute Meridian, State of Colorado, County of Mesa, being more particularly described as follows:

COMMENCING at the Center of said Section 32 and assuming the West line of the NW 1/4 SE 1/4 of said Section 32 bears S 00°05'43" E and all other bearings mentioned herein are relative thereto; thence from said Point of Commencement, S 00°05'43" E along the West line of the NW 1/4 SE 1/4 of said Section 32, a distance of 2.23 feet to the POINT OF BEGINNING; thence from said Point of Beginning, S 63°44'41" E a distance of 749.01 feet; thence N

26°15'19" E a distance of 2.00 feet; thence S 63°44'41" E a distance of 200.00 feet; thence S 26°15'19" W a distance of 4.00 feet; thence N 63°44'41" W a distance of 530.49 feet; thence S 18°28'17" W a distance of 159.04 feet to a point on the East right of way for Buena Vista Drive, as same is shown on the Plat of Buena Vista Subdivision, as recorded in Plat Book 8, Page 38, Public Records of Mesa County, Colorado, said point being the beginning of a 200.00 foot radius curve, concave East, whose long chord bears S 05°15'28" W; thence Southerly along the arc of said curve, through a central angle of 27°26'57", a distance of 95.82 feet; thence S 09°05'43" E a distance of 225.44 feet to a point being the Southwest corner of Lot 2, said Plat of Buena Vista Subdivision; thence N 89°54'17" E a distance of 304.27 feet, more or less, to a point being the Northeast corner of the Southwest Quarter of the Northwest Quarter of the Southeast Quarter (SW 1/4 NW 1/4 SE 1/4) of said Section 32; thence S 00°06'23" E a distance of 652.93 feet, more or less, to a point being the Southeast corner of the SW 1/4 NW 1/4 SE 1/4 of said Section 32; thence S 89°29'14" W a distance of 654.33 feet, more or less, to a point being the Southwest corner of the SW1/4 NW 1/4 SE 1/4 of said Section 32; thence N 00°05'43" W along the West line of the NW 1/4 SE 1/4 of said Section 32, a distance of 657.70 feet, more or less, to a point being the Northwest corner of the SW 1/4 NW 1/4 SE 1/4 of said Section 32 and the Southwest corner of Lot 3, Replat of Buena Vista Subdivision, as same is recorded in Plat Book 9, Page 167, Public Records of Mesa County, Colorado; thence N 89°54'17" E a distance of 291.38 feet to the Point of Cusp of a 50.00 foot radius curve, concave East, whose long chord bears N 04°35'43" W; thence Northerly along the arc of said curve, through a central angle of 171°00'00", a distance of 149.23 feet; thence N 09°05'43" W along the West right of way for said Buena Vista Drive, a distance of 116.90 feet to a point being the beginning of a 250.00 foot radius curve, concave East, whose long chord bears N 05°08'31" E; thence Northerly along the arc of said curve, through a central angle of 27°28'21", a distance of 119.87 feet; thence N 18°28'17" E a distance of 12.27 feet, more or less, to a point on the South right of way for Highway 50 as shown on said Replat of Buena Vista Subdivision; thence S 62°21'43" E, along said South right of way, a distance of 48.62 feet; thence N 18°28'17" E a distance of 154.79 feet; thence N 63°44'41" E a distance of 415.51 feet to a point on the West line of the NW 1/4 SE 1/4 of said Section 32; thence N 00°05'43" W, along said West line, a distance of 2.23 feet, more or less, to the Point of Beginning.

CONTAINING 10.3800 Acres (452,153.79 Sq. Ft.), more or less, as described be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 15th day of January, 2003.

ADOPTED and ordered published this ___ day of _____, 2003.

Attest:

President of the Council

City Clerk

Attach 8
Setting a Hearing for the North Avenue Center Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject		Setting a Hearing for the North Avenue Center Annexation located at 2938 North Avenue						
Meeting Date		January 15, 2003						
Date Prepared		January 8, 2003			File #ANX-2002-243			
Author		Scott D. Peterson		Associate Planner				
Presenter Name		Scott D. Peterson		Associate 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 North Avenue Center Annexation consists of 5.44 acres of land that is located at 2938 North Avenue and is currently vacant. The petitioner's intent is to annex and then subdivide the property into two (2) lots through the Simple Subdivision Plat process and develop the area as commercial lease retail/office space that would be named Palace Pointe Market Place. The proposed annexation lies within the Persigo 201 sewer district.

Budget: N/A

Action Requested/Recommendation: Approve the Resolution of Referral, First Reading of the Annexation Ordinance, exercise land use jurisdiction immediately and also set a hearing for February 19, 2003.

Attachments:

1. Background Information/Staff Analysis
2. Annexation Map
3. Aerial Location Map
4. Resolution of Referral

5. Annexation Ordinance

BACKGROUND INFORMATION			
Location:		2938 North Avenue	
Applicants:		North Avenue Center, LLC	
Existing Land Use:		Vacant	
Proposed Land Use:		Commercial retail/office lease space	
Surrounding Land Use:	North	Residential (Palace Estates Condominiums)	
	South	Commercial & Vacant (School Dist. Career Center)	
	East	Commercial (Auto Sales)	
	West	Commercial (Retail/Office)	
Existing Zoning:		County C-2	
Proposed Zoning:		C-1	
Surrounding Zoning:	North	County RMF-8	
	South	County C-2	
	East	County C-2	
	West	City C-1	
Growth Plan Designation:		Residential Medium (4 – 8 DU/Acre)	
Zoning within density range?		<input type="checkbox"/>	<input type="checkbox"/>
		Yes	No

Staff Analysis:

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 North Avenue Center 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.

Currently, the Growth Plan Future Land Use Map indicates this area of North Avenue to be residential with a density of 4 to 8 units per acre, however this area is proposed to be revised during the next update of the Growth Plan to reflect the current County zoning of commercial and also the current land uses along North Avenue.

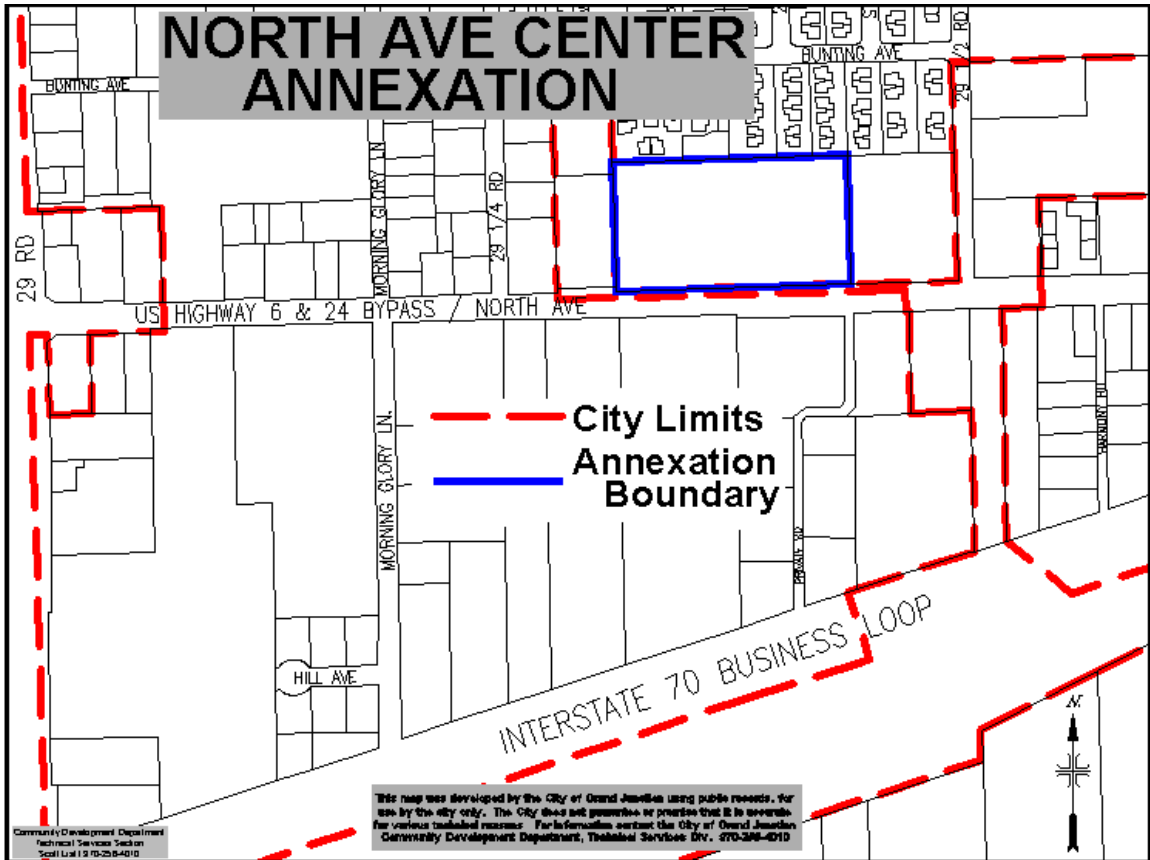
The proposed City zoning of commercial conforms to the current County zoning as allowed under the Persigo Agreement.

NORTH AVENUE CENTER ANNEXATION SUMMARY

File Number:	ANX-2002-243	
Location:	2938 North Avenue	
Tax ID Number:	2943-083-00-099	
Parcels:	1	
Estimated Population:	0	
# of Parcels (owner occupied):	N/A	
# of Dwelling Units:	N/A	
Acres land annexed:	5.44 acres	
Developable Acres Remaining:	5.44 acres	
Right-of-way in Annexation:	N/A	
Previous County Zoning:	Commercial	
Proposed City Zoning:	Light Commercial (C-1)	
Current Land Use:	Vacant	
Future Land Use:	Commercial retail/office lease space	
Values:	Assessed:	= \$ 58,000
	Actual:	= \$ 200,000
Census Tract:	6	
Address Ranges:	2932 – 2948 (Even only)	
Special Districts:	Water:	Ute Water District
	Sewer:	Fruitvale Water & Sanitation Dist.
	Fire:	Grand Junction Rural Fire District
	Drainage:	Grand Junction Drainage District
	School:	District 51

<i>ANNEXATION SCHEDULE</i>	
January 15, 2003	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
January 28, 2003	Planning Commission considers Zone of Annexation
February 5, 2003	First Reading on Zoning by City Council
February 19, 2003	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
March 23, 2003	Effective date of Annexation and Zoning

ANNEXATION MAP



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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 15th day of January, 2003, the following Resolution was adopted:

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

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

AND EXERCISING LAND USE CONTROL

NORTH AVENUE CENTER ANNEXATION

LOCATED AT 2938 NORTH AVENUE

WHEREAS, on the 15th day of January, 2003, 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
NORTH AVENUE CENTER ANNEXATION**

A certain parcel of land lying in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 8, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Southeast Corner of the SE 1/4 SW 1/4 of said Section 8, and assuming the South line of the SE 1/4 SW 1/4 of said Section 8 bears N 89°53'09" W and all other bearing mentioned herein are relative thereto; thence from said Point of Commencement, N 89°53'09" W along the South line of the SE 1/4 SW 1/4 of said Section 8 a distance of 332.50 feet; thence N 00°05'12" W a distance of 40.00 feet to a point on the North right of way for North Avenue (US Hwy 6) and the POINT OF BEGINNING; thence from said Point of Beginning, N 89°53'09" W along the North right of way for North Avenue, said line lying 40.00 feet North of and parallel to, the South line of the SE 1/4 SW 1/4 of said Section 8, a distance of 659.00 feet; thence N 00°00'07" E along the East line of Cantrell Subdivision, as same is recorded in Plat Book 18, Page 261, Public Records of Mesa County, Colorado, a distance of 359.97 feet; thence S 89°53'18" E, along the South line of several Palace Estates Condominiums, as they are recorded in Condominium Book 2, Pages 88 through 93 and Page 153, Public Records of Mesa County, Colorado, a distance of 658.45 feet; thence S 00°05'12" E along a line 332.50 feet West of and parallel to, the East line of the SE 1/4 SW 1/4 of said Section 8, a distance of 360.00 feet, more or less, to the Point of Beginning.

CONTAINING 5.4440 Acres (237,141.00 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 19th day of February, 2003, 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 15th day of January, 2003.

Attest:

City Clerk

President of the Council

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>
January 17, 2003
January 24, 2003
January 31, 2003
February 7, 2003

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

NORTH AVENUE CENTER ANNEXATION

APPROXIMATELY 5.44 ACRES

LOCATED AT 2938 NORTH AVENUE

WHEREAS, on the 15th day of January, 2003, 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 19th day of February, 2003; and

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

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

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

**PERIMETER BOUNDARY LEGAL DESCRIPTION
NORTH AVENUE CENTER ANNEXATION**

A certain parcel of land lying in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 8, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Southeast Corner of the SE 1/4 SW 1/4 of said Section 8, and assuming the South line of the SE 1/4 SW 1/4 of said Section 8 bears N 89°53'09" W and all other bearing mentioned herein are relative thereto; thence from said Point of Commencement, N 89°53'09" W along the South line of the SE 1/4 SW 1/4 of said Section 8 a distance of 332.50 feet; thence N 00°05'12" W a distance of 40.00 feet to a point on the North right of way for North Avenue (US Hwy 6) and the POINT OF BEGINNING; thence from said Point of Beginning, N 89°53'09" W along the North right

of way for North Avenue, said line lying 40.00 feet North of and parallel to, the South line of the SE 1/4 SW 1/4 of said Section 8, a distance of 659.00 feet; thence N 00°00'07" E along the East line of Cantrell Subdivision, as same is recorded in Plat Book 18, Page 261, Public Records of Mesa County, Colorado, a distance of 359.97 feet; thence S 89°53'18" E, along the South line of several Palace Estates Condominiums, as they are recorded in Condominium Book 2, Pages 88 through 93 and Page 153, Public Records of Mesa County, Colorado, a distance of 658.45 feet; thence S 00°05'12" E along a line 332.50 feet West of and parallel to, the East line of the SE 1/4 SW 1/4 of said Section 8, a distance of 360.00 feet, more or less, to the Point of Beginning.

CONTAINING 5.4440 Acres (237,141.00 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 15th day January, 2003.

ADOPTED and ordered published this _____ day of _____, 2003.

Attest:

City Clerk

President of the Council

Attach 9
Contract with Western Slope Center for Children

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA										
Subject		Subrecipient Contract with Western Slope Center for Children for the City's 2002 Program Year Community Development Block Grant Program								
Meeting Date		January 15, 2003								
Date Prepared		January 9, 2003				File: CDBG 2002-4				
Author		Kristen Ashbeck			Senior Planner					
Presenter Name		Kristen Ashbeck			Senior 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			<input checked="" type="checkbox"/>	Consent		Individual Consideration	

Summary: The Subrecipient Contract formalizes the City's award of \$101,280 to Western Slope Center for Children (WSSC) for remodel and renovation of its existing facility located at 259 Grand 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 WSSC for the City's 2002 Program Year, Community Development Block Grant Program.

Background Information: WSSC is proposing to remodel and renovate its existing facility located at 259 Grand Avenue. The project consists of improvements to include: reconfiguration and soundproofing of interview rooms, remodel of the exam suite and kitchen, renovation of restrooms, repair of HVAC systems and exterior improvements including rain gutters and application of a stucco finish on the building. These improvements will enhance the services provided by the Center which includes investigations of child abuse cases in the Grand Valley. The City awarded a grant of \$101,280 to WSSC from the City's 2002 Community Development Block Grant monies to be used towards the remodel and renovation work. WSSC will match the grant with

over \$450,000 for the improvements as well as other costs that are not eligible to be funded by CDBG funds.

WSCC is considered a “subrecipient” to the City. The City will “pass through” a portion of its 2002 Program Year CDBG funds to WSCC but the City remains responsible for the use of these funds. This contract with WSCC outlines the duties and responsibilities of each party and is used to ensure that WSCC 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 WSCC for the remodel and renovation improvements to its facility.

Attachments:

1. Exhibit A, Subrecipient Contract

**2002 SUBRECIPIENT CONTRACT FOR
CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
WITH
WESTERN SLOPE CENTER FOR CHILDREN**

**EXHIBIT "A"
SCOPE OF SERVICES**

The City agrees to pay subject to the subrecipient agreement Western Slope Center for Children (WSCC) \$101,280 from its 2002 Program Year CDBG Entitlement Funds for interior remodeling and renovation and application of exterior stucco to the Western Slope Center for Children facility located at 259 Grand Avenue in Grand Junction, Colorado ("Property" or "the Property"). The general purpose of the project is to create a home-like site and interior environment for the facility that is conducive to the interviews, investigations, medical examinations and support services for child abuse victims and their families.

2. Western Slope Center for Children certifies that it will meet the CDBG National Objective of low/moderate limited clientele benefit (570.201(c)), Public Facilities and Improvements. 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 570.208(a)(2)(A), limited clientele activity.

3. The entire project consists of site improvements and exterior and interior remodel and renovation of the Property to include: reconfiguration and soundproofing of interview rooms, remodel of the exam suite and kitchen, renovatation of restrooms, repair of HVAC systems, exterior improvements including rain gutters and application of a stucco finish and other site improvements including fencing, parking area resurfacing and landscaping. The Property is owned by the Western Slope Center for Children who will continue to operate on the site. It is understood that the City's grant of \$101,280 in CDBG funds shall be used only for the interior remodel and exterior stucco mentioned above. Costs associated with any other elements of the project shall be paid for by other funding sources obtained by Western Slope Center for Children.

____ WSCC
____ City

4. This project shall commence upon the full and proper execution of the 2002 Subrecipient Agreement and the completion of all appropriate environmental, Code, State and Local permit review and approval and compliance. The project shall be completed on or before December 31, 2003.
5. The entire project shall entail the following activities to be undertaken at the 259 Grand Avenue facility:

INTERIOR REMODEL/RENOVATION

- East & West Interview Rooms – Add hallway, doorway, lighting, soundproofing
- Sane Exam Room & Suite Bathroom – Sinks, cupboards, countertops, heating
- Upstairs and Downstairs Kitchens – Appliances, sinks, cupboards, countertops, flooring, lighting
- All Existing Bathrooms – Remove/replace flooring
- Board Room – Door finish, stairway, furnishings, countertop
- Downstairs Lobby – Drinking fountain
- Miscellaneous Safety and Interior Design Improvements

EXTERIOR BUILDING IMPROVEMENTS

- Exterior Stucco
- Install Rain Gutters and Awnings
- Install Security Lighting
- Signage on Exterior Doors

SITE IMPROVEMENTS

- Replace Site Fencing
- Resurface Parking Lot
- Signage: Parking, Employee Entrances
- Renovate Landscaping on South Side of Building
- Trim Trees
- Construct Garden of Healing
- Move Playhouse to Garden

TOTAL PROJECT COST \$ 560,000.00

City CDBG funds up to \$101,280 shall be used for interior remodel/renovation and exterior building improvement costs. City CDBG funds will not be used for any of the site improvement costs. Source of funds for all other costs shall be WSCC, other grants received by WSCC and in-kind services/materials.

6. Western Slope Center for Children anticipates serving 325 to 350 child victims per year over the next 2 years.

____ WSCC
____ City

7. The City of Grand Junction shall monitor and evaluate the progress and performance of Western Slope Center for Children 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. Western Slope Center for Children shall cooperate with the City relating to monitoring, evaluation and inspection and compliance.
8. Western Slope Center for Children 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 when the project is completed.
9. During a period of five (5) years following the date of completion of the project the 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) Western Slope Center for Children provides affected citizens with reasonable notice and an opportunity to comment on any proposed changes. If Western Slope Center for Children 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, Western Slope Center for Children must reimburse the City a prorated share of the City's \$101,280 CDBG contribution. At the end of the five-year period following the project closeout date and thereafter, no City restrictions under this agreement on use of the Property shall be in effect.
10. Western Slope Center for Children 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. Western Slope Center for Children 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. Western Slope Center for Children 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 Western Slope Center for Children once all funds are expended and a final report is received.

_____ WSCC
_____ City

Attach 10
Adoption of the City Council's Strategic Plan

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject	City Council's Strategic Plan							
Meeting Date	15 January 2003							
Date Prepared	8 January 2003							
Author	David Varley		Assistant City Manager					
Presenter Name	David Varley							
Report results back to Council	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Yes	When	Monthly		
Citizen Presentation	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name			
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda			Consent	<input checked="" type="checkbox"/>	Individual Consideration

Summary: This resolution will adopt the Strategic Plan that City Council recently completed.

Budget: N/A

Action Requested/Recommendation: Adopt attached resolution.

Attachments: Resolution

Background Information:

City Council initiated the development of its Strategic Plan in early 2002 to identify both long-term direction for the City and nearer-term goals, objectives and action steps for the City organization. The overriding commitment inherent in this Plan is the City's continued support of the strong services and programs residents expect from the City and the superior service standards the City expects of itself.

City Council spent months developing this Plan. All relevant plans from organizations in the Valley were reviewed; nine neighborhood meetings were conducted; and a

scientifically valid survey was conducted. This Plan will be a guiding document for the City for years to come. Adoption of this resolution will formally adopt the Council's Strategic Plan.

RESOLUTION NO. _____

A RESOLUTION ADOPTING THE CITY COUNCIL'S STRATEGIC PLAN 2002-2012

RECITALS:

- A. The Grand Junction City Council initiated the development of a Strategic Plan in early 2002 to identify both long-term direction for the City and nearer-term goals, objectives and action steps for the City organization.
- B. The overriding commitment inherent in the Strategic Plan is the City's continued support of the strong services and programs residents expect from the City and the superior service standards the City expects of itself.
- C. A Strategic Plan Team was formed composed of all seven members of City Council, the City and Assistant City Managers, the City Attorney and the seven City department heads.
- D. The City reviewed existing plans from relevant Grand Valley agencies and organizations and identified consistent themes found in these plans.
- E. After identifying critical issues in the existing plans, the team developed Strategic Issues and Directions critical to the City in the next ten to fifteen years.
- F. The City contracted for administration of a statistically valid random sample telephone survey of 435 residents. Working with a professional research firm, the Team developed the survey as a means of assessing residents' interest in/awareness of the areas identified as Strategic Directions. Results of the survey guided Team members as they developed and prioritized three to five year Goals to address each of the Strategic Directions.
- G. In order to inform and respond to citizens, Team members hosted a series of nine neighborhood meetings. The purpose of these meetings was to review the Plan Directions and Goals with local residents and ask for their responses. Results from these meetings guided the Team in the determination of the final Strategic Directions and Goals.
- H. This Strategic Plan was developed to help improve the quality of life for Grand Junction citizens and it is intended to be a guiding document for the City Council and City staff.

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

1. The City's Strategic Plan 2002-2012, is hereby adopted.

Adopted this _____ day of _____, 2003.

Attest:

President of Council

City Clerk

Attach 11
Public Hearing – Dettmer II Annexation No. 2 & No. 3

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Annexation of Dettmer II No. 2 and No. 3 Annexation					
Meeting Date	January 15, 2003					
Date Prepared	January 8, 2003				File: ANX-2002-221	
Author	Kristen Ashbeck		Senior Planner			
Presenter Name	Kristen Ashbeck		Senior Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation	X	Yes		No	Name	Warren Dettmer, Applicant
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary: Resolution for Acceptance of Petition to Annex and Second Reading of the annexation ordinance for the Dettmer II No. 2 and No. 3 Annexation located at 2918, 2924 and 2926 D-1/2 Road. This 2.95-acre annexation consists of three parcels of land.

Budget: N/A

Action Requested/Recommendation: It is recommended that City Council approve the resolution accepting the petition to annex and second reading of the annexation ordinance for the Dettmer II No. 2 and No. 3 Annexation.

Attachments:

1. Background Information/Staff Analysis
2. Annexation Map
3. Resolution of Acceptance of Petition
4. Annexation Ordinance

BACKGROUND INFORMATION

Location		<i>2918, 2924 and 2926 D-1/2 Road</i>	
Applicant		Warren Dettmer	
Existing Land Use		<i>2 Large Lot Single Family Residential, 1 Vacant Lot</i>	
Proposed Land Use		<i>Single Family Residential</i>	
Surrounding Land Use	North	<i>Vacant</i>	
	South	Large Lot Single Family Residential	
	East	Large Lot Single Family Residential	
	West	Large Lot Single Family Residential	
Existing Zoning (Mesa County)		Industrial (I-2)	
Proposed Zoning		RSF-4	
Surrounding Zoning	North	<i>I-2 (Mesa County)</i>	
	South	RSF-R (Mesa County)	
	East	I-2 (Mesa County)	
	West	<i>RSF-4 (City)</i>	
Growth Plan Designation		Residential Medium Low – 2 to 4 units per acre	
Zoning within density range?		<input type="checkbox"/>	<input checked="" type="checkbox"/> Yes
		<input checked="" type="checkbox"/>	<input type="checkbox"/> No

STAFF ANALYSIS

This annexation area consists of annexing 2.95 acres of land. The property owner has requested annexation into the City as the result of proposing to rezone the properties so that the existing single family residence and potential residential use on the vacant parcels conforms to the zoning. Under the 1998 Persigo Agreement all such types of development require annexation and processing in the City.

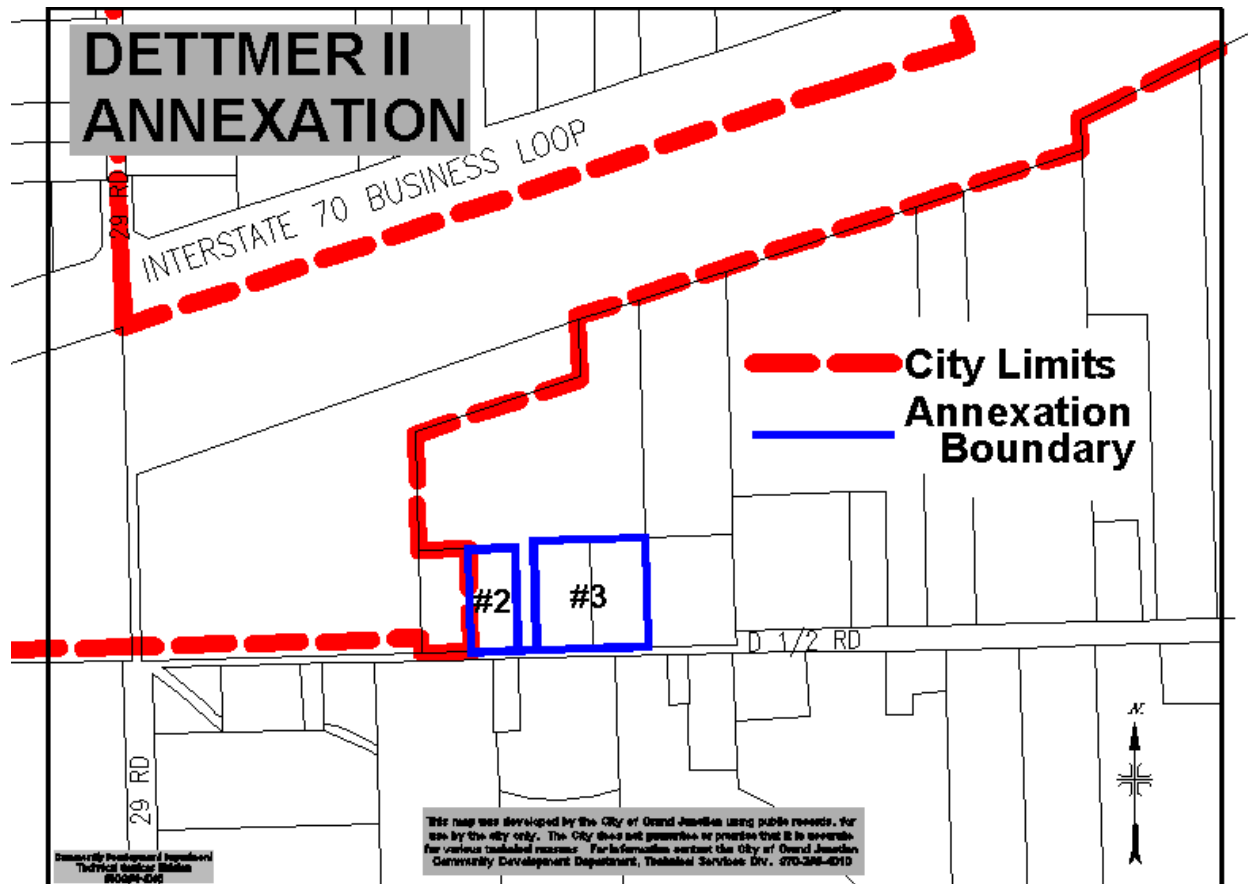
In order to annex the three parcels, a serial annexation has been created. The legal description for Dettmer II No. 2 Annexation includes all of 2918 D-1/2 Road and a one-foot strip along the south boundaries of 2924 and 2926 D-1/2 Roads which provides the contiguity for the Dettmer II No. 3 Annexation legal description. The Dettmer II No. 3 Annexation legal description comprises the remainder of the 2924 and 2926 D-1/2 Road properties. Although the same property owner also owns 2920 D-1/2 Road, he has formally requested that it not be included in this 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 Dettmer II No. 2 and No. 3 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.

DETTMER II ANNEXATION SUMMARY

File Number		ANX-2002-221
Location		2918, 2924, 2926 D-1/2 Road
Tax ID Number		2943-172-00-255, 257 and 258
Parcels		3
Estimated Population		5
# of Parcels (owner occupied)		0
# of Dwelling Units		2
Acres land annexed		2.95
Developable Acres Remaining		2.95
Right-of-way in Annexation		None
Previous County Zoning		Industrial
Proposed City Zoning		RSF-4
Current Land Use		2 Large Lot Residential, 1 Vacant Lot
Future Land Use		Single Family Residential
Values	Assessed	\$ 11,650
	Actual	\$ 88,890
Census Tract		8
Address Ranges		2918-2928 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



**CITY OF GRAND JUNCTION, COLORADO
RESOLUTION NO. ____-03**

**A RESOLUTION ACCEPTING A PETITION TO ANNEX, MAKING CERTAIN
FINDINGS, DETERMINING THAT PROPERTY KNOWN AS**

**A Serial Annexation Comprising
DETTMER II NO. 2 and NO. 3 ANNEXATION
Located at 2918, 2924 and 2926 D-1/2 Road**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 20th day of November, 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:

DETTMER II NO. 2 ANNEXATION

A certain parcel of land lying in the South half of the Northwest Quarter (S 1/2 NW 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Southeast corner of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 17, and considering the South line of the SW 1/4 NW 1/4 of said Section 17 to bear N 90°00'00" W with all other bearings mentioned herein being relative thereto; thence from said Point of Beginning, N 90°00'00" W along the South line of the SW 1/4 NW 1/4 of said Section 17 a distance of 395.00 feet; thence N 00°00'00" E a distance of 291.96 feet; thence S 90°00'00" E a distance of 130.00 feet; thence S 00°00'00" W a distance of 280.96 feet; thence N 90°00'00" E, along a line 1.00 foot North of and parallel to the South line of the SW 1/4 NW 1/4 of said Section 17, a distance of 265.00 feet; thence S 89°59'32" E, along a line 1.00 foot North of and parallel to the South line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 17, a distance of 92.50 feet; thence S 00°00'00" W a distance of 1.00 feet to a point on the South line of the SE 1/4 NW 1/4 of said Section 17; thence N 89°59'32" W, along the South line of the SE 1/4 NW 1/4 of said Section 17, a distance of 92.50 feet, more or less, to the Point of Beginning. CONTAINING 0.8496 Acres (37,012.16 Sq. Ft.), more or less, as described.

And,

DETTMER II NO. 3 ANNEXATION

A certain parcel of land lying in the South half of the Northwest Quarter (S 1/2 NW 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Southeast corner of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 17, and considering the South line of the SW 1/4 NW 1/4 of said Section 17 to bear N 90°00'00" W with all other bearings mentioned herein being relative thereto; thence from said Point of Commencement, N 90°00'00" W along the South line of the SW 1/4 NW 1/4 of said Section 17, a distance of 213.00 feet; thence N 00°00'00" E a distance of 1.00 feet to a point being the POINT OF BEGINNING; thence, from said Point of Beginning, N 00°00'00" E a distance of 299.00 feet; thence S 90°00'00" E a distance of 305.50 feet; thence S 00°00'00" W a distance of 299.00 feet; thence N 89°59'32" W, along a line 1.00 foot North of and parallel to the South line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 17, a distance of 92.50 feet; thence N 90°00'00" W along a line 1.00 foot North of and parallel to the South line of the SW 1/4 NW 1/4 of said Section 17, a distance of 213.00 feet, more or less, to the Point of Beginning.

CONTAINING 2.0970 Acres (91,344.50 Sq. Ft.), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 15th day of January, 2003; and

WHEREAS, the Council 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; than 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 landowners' consent; and that no election is required under the Municipal Annexation Act of 1965.

ADOPTED this 15th day of January, 2003.

Attest: _____

President of Council

City Clerk

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

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

**DETTMER II ANNEXATION No. 2
Approximately 0.85 Acres**

Located at 2918 and including a portion of 2924 and 2926 D-1/2 Road

WHEREAS, on the 20th day of November, 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 15th day of January, 2003; 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:
DETTMER ANNEXATION NO. 2**

A certain parcel of land lying in the South half of the Northwest Quarter (S 1/2 NW 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Southeast corner of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 17, and considering the South line of the SW 1/4 NW 1/4 of said Section 17 to bear N 90°00'00" W with all other bearings mentioned herein being relative thereto; thence from said Point of Beginning, N 90°00'00" W along the South line of the SW 1/4 NW 1/4 of said Section 17 a distance of 395.00 feet; thence N 00°00'00" E a distance of 291.96 feet; thence S 90°00'00" E a distance of 130.00 feet; thence S 00°00'00" W a distance of 280.96 feet; thence N 90°00'00" E, along a line 1.00 foot North of and parallel to the South line of the SW 1/4 NW 1/4 of said Section 17, a distance of 265.00 feet; thence S 89°59'32" E, along a line 1.00 foot North of and parallel to the South line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 17, a distance of 92.50 feet; thence S

00°00'00" W a distance of 1.00 feet to a point on the South line of the SE 1/4 NW 1/4 of said Section 17; thence N 89°59'32" W, along the South line of the SE 1/4 NW 1/4 of said Section 17, a distance of 92.50 feet, more or less, to the Point of Beginning.

CONTAINING 0.8496 Acres (37,012.16 Sq. Ft.), more or less, as described.

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

INTRODUCED on first reading on the 20th day of November, 2002.

ADOPTED and ordered published this ____ day of _____, 2003.

President of the Council

Attest:

City Clerk

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

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

**DETTMER II ANNEXATION No. 3
Approximately 2.1 Acres
Located at 2924 and 2926 D-1/2 Road**

WHEREAS, on the 20th day of November, 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 15th day of January, 2003; 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:

DETTMER ANNEXATION NO. 3

A certain parcel of land lying in the South half of the Northwest Quarter (S 1/2 NW 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Southeast corner of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 17, and considering the South line of the SW 1/4 NW 1/4 of said Section 17 to bear N 90°00'00" W with all other bearings mentioned herein being relative thereto; thence from said Point of Commencement, N 90°00'00" W along the South line of the SW 1/4 NW 1/4 of said Section 17, a distance of 213.00 feet; thence N 00°00'00" E a distance of 1.00 feet to a point being the POINT OF BEGINNING; thence, from said Point of Beginning, N 00°00'00" E a distance of 299.00 feet; thence S 90°00'00" E a distance of 305.50 feet; thence S 00°00'00" W a distance of 299.00 feet; thence N 89°59'32" W, along a line 1.00 foot North of and parallel to the South line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 17, a distance of 92.50 feet; thence N 90°00'00" W along a line 1.00 foot North

of and parallel to the South line of the SW 1/4 NW 1/4 of said Section 17, a distance of 213.00 feet, more or less, to the Point of Beginning.

CONTAINING 2.0970 Acres (91,344.50 Sq. Ft.), more or less, as described.

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

INTRODUCED on first reading on the 20th day of November, 2002.

ADOPTED and ordered published this ____ day of _____, 2003.

President of the Council

Attest:

City Clerk

Attach 12
Zoning Dettmer II No. 2 and No. 3

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA										
Subject		Zoning the Dettmer II Nos. 2 and 3 Annexation								
Meeting Date		January 15, 2003								
Date Prepared		January 8, 2003				File: ANX-2002-221				
Author		Kristen Ashbeck			Senior Planner					
Presenter Name		Kristen Ashbeck			Senior Planner					
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				
<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Formal Agenda			<input type="checkbox"/>	Consent	<input checked="" type="checkbox"/>	Individual Consideration	

Summary: The Dettmer II Nos. 2 and 3 Annexation consists of three parcels, totaling 2.95 acres located at 2918, 2924 and 2926 D-1/2 Road. The petitioner is requesting a zone of Residential Single Family 4 units per acre (RSF-4), which will conform to the Growth Plan Future Land Use Map that shows this area as Residential Medium Low with a density range of 2 to 4 units per acre.

Budget: N/A

Action Requested/Recommendation: Adopt the ordinance zoning the Dettmer II Nos. 2 and 3 Annexation.

Attachments:

1. Background Information/Staff Analysis
2. Annexation Map
3. Existing Zoning Map
4. Zoning Ordinance

DETTMER II ANNEXATION BACKGROUND INFORMATION			
Location		2918, 2924 and 2926 D-1/2 Road	
Applicant		Warren Dettmer	
Existing Land Use		Single Family Residence (2918) and Vacant (2924 and 2926)	
Proposed Land Use		Single Family Residential	
Surrounding Land Use	North	Vacant	
	South	Large Lot Single Family Residential	
	East	Vacant	
	West	Single Family Residence	
Existing Zoning (Mesa County)		Industrial (I-2)	
Proposed Zoning		RSF-4	
Surrounding Zoning	North	I-2 (Mesa County)	
	South	RSF-R (Mesa County)	
	East	I-2 (Mesa County)	
	West	RSF-4 (City)	
Growth Plan Designation		Residential Medium Low – 2 to 4 units per acre	
Zoning within density range?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Yes	No

STAFF ANALYSIS

This annexation area consists of three parcels of land located at 2918, 2924 and 2926 D-1/2 Road. The property owner has requested annexation into the City as the result of proposing to rezone the property so that the existing single family residence and vacant

land with potential for residential use conform to the zoning. Residential use is presently not allowed within the County Industrial zoning.

State law requires the City to zone newly annexed areas within 90 days of the annexation. Under the 1998 Persigo Agreement with Mesa County, the City is allowed to 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. This proposed zoning of RSF-4 conforms to the City Future Land Use Map which designates this property Residential Medium Low with a density range of 2 to 4 dwelling units per acre. The property to the west was recently annexed and zoned RSF-4 by the same owner for the same purpose.

RSF-4 ZONE DISTRICT

- This property is currently zoned Industrial (I-2) in Mesa County, which does not conform to the Growth Plan Future Land Use Map.
- The proposed RSF-4 zone district conforms to the densities of the Future Land Use Map of 2 to 4 units per acre.
- Zoning this annexation with the RSF-4 zone district meets the criteria found in Sections 2.14.F and 2.6 of the Grand Junction Zoning and Development Code.

Zoning and Development Code Criteria.

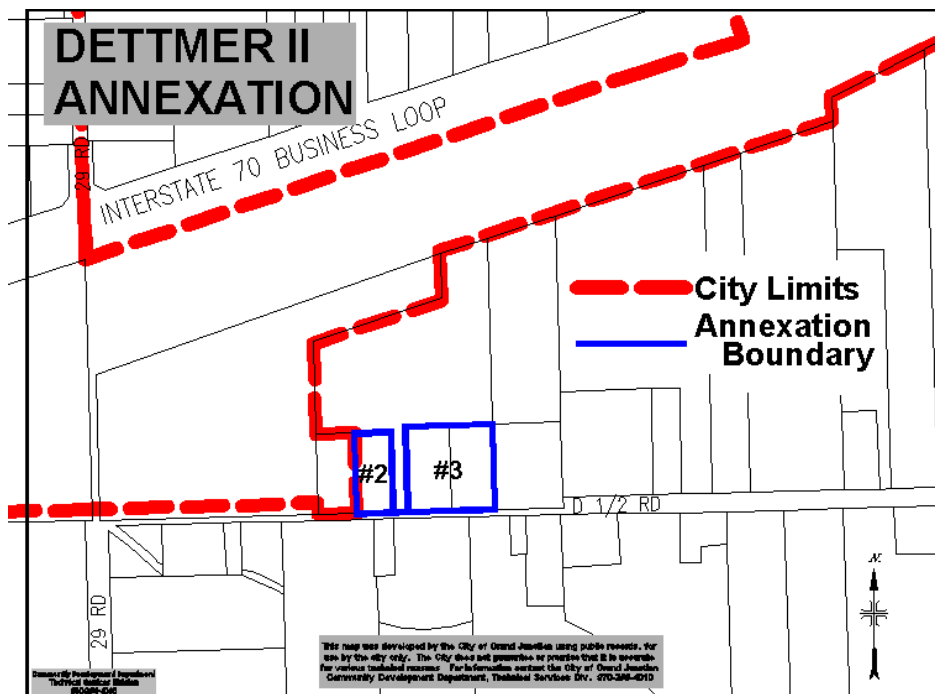
Section 2.14.F: "Land annexed to the City shall be zoned in accordance with Section 2.6 to a district that is consistent with the adopted Growth Plan or consistent with existing County zoning."

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

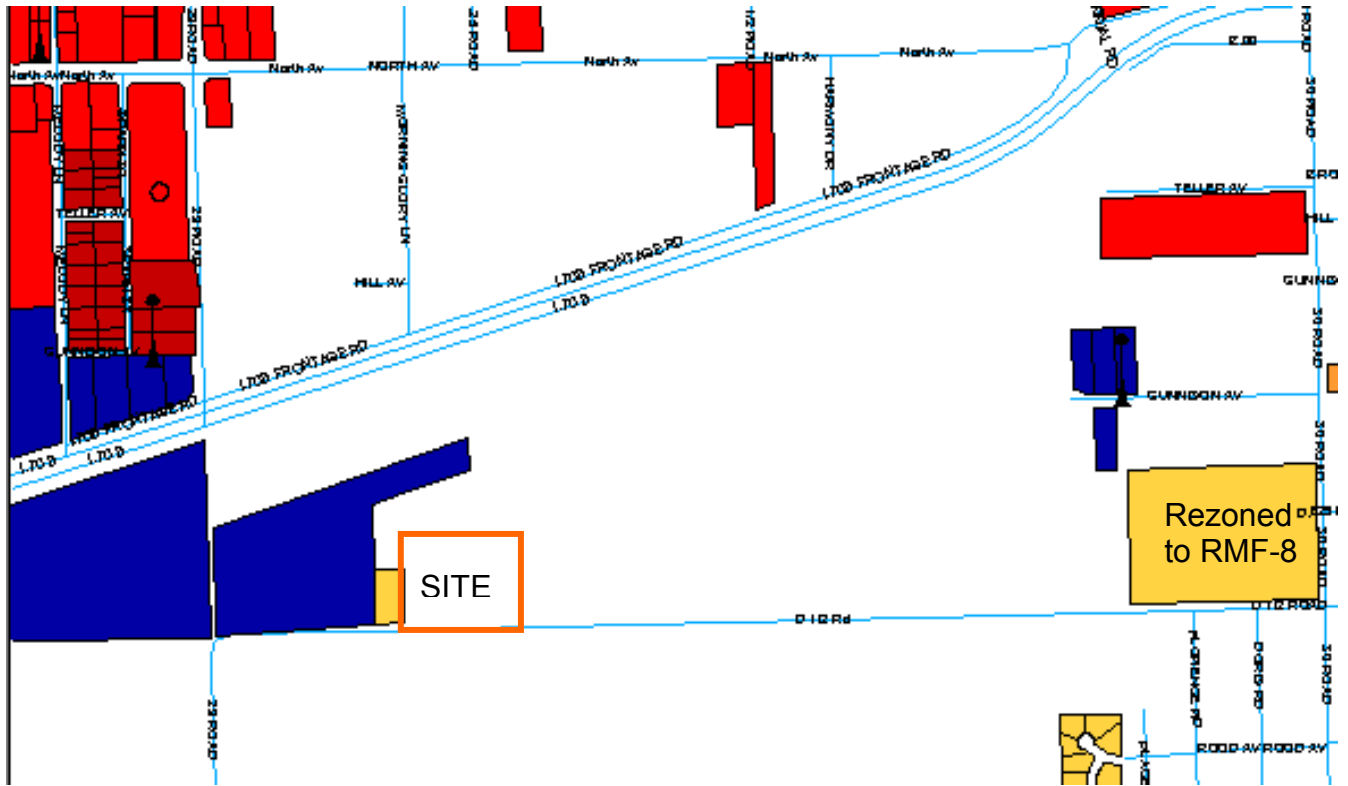
1. The existing zoning was in error at the time of adoption;
2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.
3. The proposed rezone is compatible with the neighborhood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

5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development;
6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs; and
7. The community or neighborhood will benefit from the proposed zone.

PLANNING COMMISSION RECOMMENDATION (12/17/02 6-0): Planning Commission recommended approval of the RSF-4 zone district for the Dettmer II Nos. 2 and 3 Annexation at its December 17, 2002 meeting.



EXISTING ZONING MAP



**CITY ZONING
COUNTY ZONING**

- Red = C1
- Dark Red = C2
- Dark Blue = I2
- PD (no plan)
- Gold = RSF-4 except as noted

SURROUNDING

- North – RSF-R
- East – I and RSF-R
- South – RSF-R and

CITY OF GRAND JUNCTION, COLORADO
ORDINANCE No. _____

An Ordinance Zoning the Dettmer II No. 2 and No. 3 Annexation
Residential Single Family with a Maximum Density of 4 units per acre (RSF-4)
Located at 2918, 2924 and 2926 D-1/2 Road

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of applying an RSF-4 zone district to this annexation.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-4 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 conforming 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 4 UNITS PER ACRE (RSF-4) ZONE DISTRICT:

Dettmer II No. 2 Annexation

A certain parcel of land lying in the South half of the Northwest Quarter (S 1/2 NW 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Southeast corner of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 17, and considering the South line of the SW 1/4 NW 1/4 of said Section 17 to bear N 90°00'00" W with all other bearings mentioned herein being relative thereto; thence from said Point of Beginning, N 90°00'00" W along the South line of the SW 1/4 NW 1/4 of said Section 17 a distance of 395.00 feet; thence N 00°00'00" E a distance of 291.96 feet; thence S 90°00'00" E a distance of 130.00 feet; thence S 00°00'00" W a distance of 280.96 feet; thence N 90°00'00" E, along a line 1.00 foot North of and parallel to the South line of the SW 1/4 NW 1/4 of said Section 17, a distance of 265.00 feet; thence S 89°59'32" E, along a line 1.00 foot North of and parallel to the South line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 17, a distance of 92.50 feet; thence S 00°00'00" W a distance of 1.00 feet to a point on the South line of the SE 1/4 NW 1/4 of said Section 17; thence N 89°59'32" W, along the South line of the SE 1/4 NW 1/4 of said Section 17, a distance of 92.50 feet, more or less, to the Point of Beginning.

CONTAINING 0.8496 Acres (37,012.16 Sq. Ft.), more or less, as described.

Dettmer II No. 3 Annexation

A certain parcel of land lying in the South half of the Northwest Quarter (S 1/2 NW 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

COMMENCING at the Southeast corner of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 17, and considering the South line of the SW 1/4 NW 1/4 of said Section 17 to bear N 90°00'00" W with all other bearings mentioned herein being relative thereto; thence from said Point of Commencement, N 90°00'00" W along the South line of the SW 1/4 NW 1/4 of said Section 17, a distance of 213.00 feet; thence N 00°00'00" E a distance of 1.00 feet to a point being the POINT OF BEGINNING; thence, from said Point of Beginning, N 00°00'00" E a distance of 299.00 feet; thence S 90°00'00" E a distance of 305.50 feet; thence S 00°00'00" W a distance of 299.00 feet; thence N 89°59'32" W, along a line 1.00 foot North of and parallel to the South line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 17, a distance of 92.50 feet; thence N 90°00'00" W along a line 1.00 foot North of and parallel to the South line of the SW 1/4 NW 1/4 of said Section 17, a distance of 213.00 feet, more or less, to the Point of Beginning.

CONTAINING 2.0970 Acres (91,344.50 Sq. Ft.), more or less, as described.

INTRODUCED on first reading this 18th day of December 2002.

PASSED and ADOPTED on second reading this 15th day of January, 2003.

Mayor

ATTEST:

City Clerk

Attach 13
Public Hearing – Rowe Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Public hearing for Resolution for Acceptance of Petition to Annex the Rowe Annexation and Second reading of the Annexation Ordinance, located at 176 28 1/2 Road.					
Meeting Date		January 15, 2003					
Date Prepared		January 8, 2003			File # ANX-2002-223		
Author		Lisa Gerstenberger		Senior Planner			
Presenter Name		Lisa Gerstenberger		Senior Planner			
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	
<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		<input type="checkbox"/>	Consent	<input checked="" type="checkbox"/> Individual Consideration

Summary: Resolution for acceptance of petition to annex and second reading of the annexation ordinance for the Rowe Annexation, located at 176 28 1/2 Road.

Budget: N/A

Action Requested/Recommendation: Approval of Resolution for Acceptance of Petition to Annex and Second reading of the Annexation Ordinance.

Attachments:

1. Staff report
2. Annexation Map
3. Resolution for Acceptance
4. Annexation Ordinance

Background Information: **See attached staff report and background information**

BACKGROUND INFORMATION					
Location:		<i>176 28 1/2 Road</i>			
Applicant:		David and Debra Rowe, Owner			
Existing Land Use:		<i>Residential/Agriculture</i>			
Proposed Land Use:		<i>Residential</i>			
Surrounding Land Use:	North	Residential			
	South	Residential			
	East	Residential			
	West	Vacant			
Existing Zoning:		RSF-4 (Mesa County)			
Proposed Zoning:		RSF-4 (Residential Single-Family 4, not to exceed 4 units per acre)			
Surrounding Zoning:	North	RSF-4(Mesa County)			
	South	RSF-4 (Mesa County)			
	East	RSF-4 (Mesa County)			
	West	RSF-4 (Mesa County)			
Growth Plan Designation:		Residential Medium-Low, 2-4 units per acre			
Zoning within density range?		X	Yes	<input type="checkbox"/>	No

ANNEXATION:

The owner of the property has signed a petition for annexation pursuant to the 1998 Persigo Agreement.

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 subject property 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.

Summary		
File Number:	ANX-2002-223	
Location:	176 28 ½ Road	
Tax ID Number:	2943-311-00-029	
Parcels:	1	
Estimated Population:	2	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	1	
Acres land annexed:	7.3892 acres for annexation area	
Developable Acres Remaining:	as above	
Right-of-way in Annexation:	0 acres	
Previous County Zoning:	RSF-4 (Mesa County)	
Proposed City Zoning:	RSF-4 (Residential Single-Family 4, not to exceed 4 units per acre)	
Current Land Use:	Single Family Residence/Agriculture	
Future Land Use:	Single Family Residential	
Values:	Assessed:	\$ 1,130
	Actual:	\$ 3,910
Census Tract:	8	
Address Ranges:	Existing house – 176	
Special Districts:	Water:	Ute Water
	Sewer:	Orchard Mesa Sanitation
	Fire:	Grand Junction Rural Fire
	Drainage:	
	School:	District 51
	Pest:	

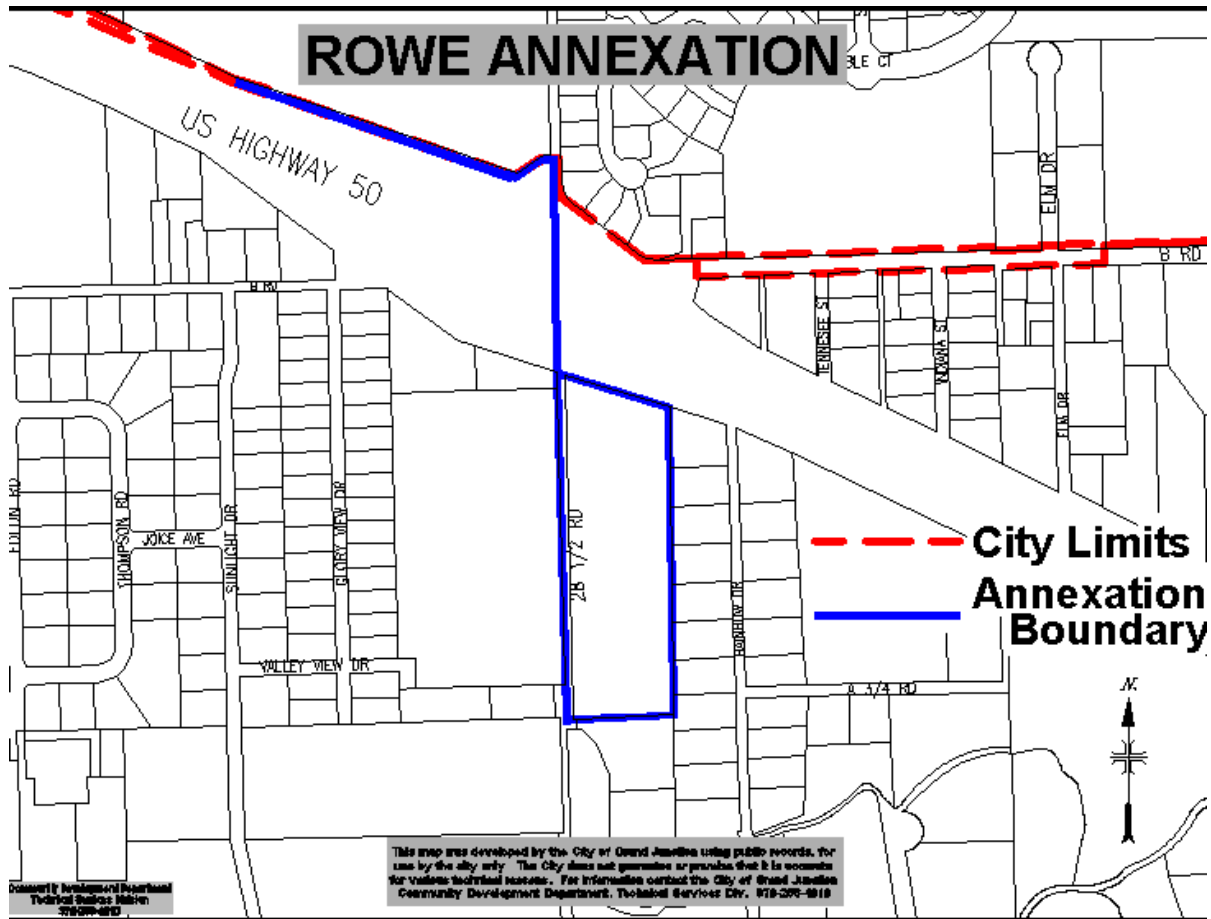
The following annexation and zoning schedule is proposed.

ANNEXATION SCHEDULE	
11-20-02	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
11-26-02	Planning Commission recommendation for City zone district
12-18-02	First Reading of Zoning Ordinance by City Council
1-15-03	Acceptance of Petition and Public hearing on Annexation Second Reading of Zoning Ordinance by City Council
2-16-03	Effective date of Annexation Effective date of City Zoning

Action Requested/Recommendation: It is recommended that City Council accept the petition for annexation for the Rowe Annexation and adopt the Annexation Ordinance.

Attachments:

- Annexation Map
- Resolution for Acceptance of Petition
- Annexation Ordinance



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. -03

A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION, MAKING CERTAIN FINDINGS, DETERMINING THAT PROPERTY KNOWN AS THE ROWE ANNEXATION AREA IS ELIGIBLE FOR ANNEXATION LOCATED AT 176 28 1/2 ROAD

WHEREAS, on the day of 20th day of November, 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:

ROWE ANNEXATION

A certain parcel of land lying in the South Half (S 1/2) of Section 30, Township 1 South, Range 1 West of the Ute Meridian, and the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 31, Township 1 South, Range 1 West of the Ute Meridian, lying in Mesa County, Colorado, being more particularly described as follows:

BEGINNING at the Northwest corner of the NW 1/4 NE 1/4 of said Section 31, and assuming the West line of the NW 1/4 NE 1/4 of said Section 31 bears S 00°00'45" E with all other bearings mentioned herein being relative thereto; thence from said Point of Beginning, S 00°00'45" E along the West line of the NW 1/4 NE 1/4 of said Section 31 a distance of 1321.23 feet, more or less, to a point being the Southwest corner of the NW 1/4 NE 1/4 of said Section 31; thence N 89°58'49" E, along the South line of the NW 1/4 NE 1/4 of said Section 31, a distance of 330.00 feet; thence N 00°00'45" W along a line 330.00 feet East of and parallel to the West line of the NW 1/4 NE 1/4 of said Section 31, also being the West line of Sharon Heights, as same is recorded in Plat Book 7, Page 18, Public Records of Mesa County, Colorado, a distance of 913.88 feet, more or less, to a point on the Southerly right of way for U.S. Highway 50; thence N 71°05'19" W, along said South right of way, a distance of 347.80 feet; thence N 00°00'45" W along a line 1.00 foot East of and parallel to, the West line of the NW 1/4 NE 1/4 of said Section 31, a distance of 294.51 feet, more or less, to a point on the North line of the NW 1/4 NE 1/4 of said Section 31; thence N00°03'48" E along a line 1.00 foot East of and parallel to the East line of the Southwest Quarter (SW 1/4) of said Section 30, a distance of 333.84 feet to a point on the South line of CHIPETA PINES ANNEXATION NO. 2, having Ordinance No. 3191 as assigned by the City of Grand Junction, Colorado; thence along the South line of said CHIPETA PINES ANNEXATION NO. 2 the following numbered courses:

1. N 89°56'12" W a distance of 19.60 feet; thence...
2. S 58°50'01" W a distance of 92.53 feet; thence...
3. N 69°38'29" W a distance of 22.41 feet; thence...
4. S 20°21'31" W a distance of 5.00 feet; thence...
5. N 69°38'29" W a distance of 849.00 feet;

thence departing said South line, S 20°21'31" W a distance of 1.00 feet; thence along a line 1.00 foot South of and parallel to the South line of said CHIPETA PINES ANNEXATION NO. 2 the following numbered courses:

1. S 69°38'29" E a distance of 850.00 feet; thence...
2. N 20°21'31" E a distance of 5.00 feet; thence...
3. S 69°38'29" E a distance of 21.90 feet; thence...
4. N 58°50'01"E a distance of 92.73 feet; thence...
5. S 89°56'12" E a distance of 18.32 feet to a point on the East line of the SW 1/4 of said Section 31;

Thence S 00°03'48" W, along the East line of the SW 1/4 of said Section 31, a distance of 332.84 feet, more or less, to the Point of Beginning.

CONTAINING 7.3892 Acres (321,871.52 Sq. Ft.), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 15th day of January, 2003; and

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:

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

ADOPTED this ____ day of _____, 2003.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

**ROWE ANNEXATION
APPROXIMATELY 7.3892 ACRES
LOCATED at 176 28 1/2 Road**

WHEREAS, on the 20th day of November, 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 15th day of January, 2003; 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:

ROWE ANNEXATION

A certain parcel of land lying in the South Half (S 1/2) of Section 30, Township 1 South, Range 1 West of the Ute Meridian, and the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 31, Township 1 South, Range 1 West of the Ute Meridian, lying in Mesa County, Colorado, being more particularly described as follows:

BEGINNING at the Northwest corner of the NW 1/4 NE 1/4 of said Section 31, and assuming the West line of the NW 1/4 NE 1/4 of said Section 31 bears S 00°00'45" E with all other bearings mentioned herein being relative thereto; thence from said Point of Beginning, S 00°00'45" E along the West line of the NW 1/4 NE 1/4 of said Section 31 a distance of 1321.23 feet, more or less, to a point being the Southwest corner of the NW 1/4 NE 1/4 of said Section 31; thence N 89°58'49" E, along the South line of the NW 1/4 NE 1/4 of said Section 31, a distance of 330.00 feet; thence N 00°00'45" W along a line 330.00 feet East of and parallel to the West line of the NW 1/4 NE 1/4 of said Section 31, also being the West line of Sharon Heights, as same is recorded in Plat Book 7, Page 18, Public Records of Mesa County, Colorado, a distance of 913.88 feet, more or less, to a point on the Southerly right of way for U.S. Highway 50; thence N 71°05'19" W, along said South right of way, a distance of 347.80 feet; thence N

00°00'45" W along a line 1.00 foot East of and parallel to, the West line of the NW 1/4 NE 1/4 of said Section 31, a distance of 294.51 feet, more or less, to a point on the North line of the NW 1/4 NE 1/4 of said Section 31; thence N00°03'48" E along a line 1.00 foot East of and parallel to the East line of the Southwest Quarter (SW 1/4) of said Section 30, a distance of 333.84 feet to a point on the South line of CHIPETA PINES ANNEXATION NO. 2, having Ordinance No. 3191 as assigned by the City of Grand Junction, Colorado; thence along the South line of said CHIPETA PINES ANNEXATION NO. 2 the following numbered courses:

1. N 89°56'12" W a distance of 19.60 feet; thence...
2. S 58°50'01" W a distance of 92.53 feet; thence...
3. N 69°38'29" W a distance of 22.41 feet; thence...
4. S 20°21'31" W a distance of 5.00 feet; thence...
5. N 69°38'29" W a distance of 849.00 feet;

thence departing said South line, S 20°21'31" W a distance of 1.00 feet; thence along a line 1.00 foot South of and parallel to the South line of said CHIPETA PINES ANNEXATION NO. 2 the following numbered courses:

1. S 69°38'29" E a distance of 850.00 feet; thence...
2. N 20°21'31" E a distance of 5.00 feet; thence...
3. S 69°38'29" E a distance of 21.90 feet; thence...
4. N 58°50'01" E a distance of 92.73 feet; thence...
5. S 89°56'12" E a distance of 18.32 feet to a point on the East line of the SW 1/4 of said Section 31;

Thence S 00°03'48" W, along the East line of the SW 1/4 of said Section 31, a distance of 332.84 feet, more or less, to the Point of Beginning.

CONTAINING 7.3892 Acres (321,871.52 Sq. Ft.), more or less, as described.

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

INTRODUCED on first reading on the 20th day of November, 2002.

ADOPTED and ordered published this ____ day of _____, 2003.

Attest:

President of the Council

City Clerk

Attach 14
Public Hearing – Zoning the Rowe Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Zoning the Rowe Annexation, located 176 28 1/2 Road					
Meeting Date	January 15, 2003					
Date Prepared	January 8, 2003				File # ANX-2002-223	
Author	Lisa Gerstenberger			Senior Planner		
Presenter Name	As above			As above		
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda			Consent X Individual Consideration

Summary: Second reading of the Zoning ordinance to zone the Rowe Annexation Residential Single-Family-4 (RSF-4), located at 176 28 1/2 Road.

Budget: N/A

Action Requested/Recommendation: Approve second reading of the zoning ordinance.

Attachments:

1. Staff Report
2. Annexation Map
3. Zoning Ordinance

Background Information: See attached staff report and background information

BACKGROUND INFORMATION					
Location:		176 28 1/2 Road			
Applicant:		Robert and Marvelle Rowe, Owner			
Existing Land Use:		Vacant			
Proposed Land Use:		Residential			
Surrounding Land Use:	North	Residential			
	South	Vacant			
	East	Vacant			
	West	Residential			
Existing Zoning:		RSF-R (Mesa County)			
Proposed Zoning:		RSF-4 (Residential Single-Family 4, not to exceed 4 units per acre)			
Surrounding Zoning:	North	RSF-2(Mesa County)			
	South	RSF-R (Mesa County)			
	East	RSF-4			
	West	RSF-R (Mesa County)			
Growth Plan Designation:		Residential Medium-Low, 2-4 units per acre			
Zoning within density range?		X	Yes		No

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

Staff Analysis:

ZONING OF ANNEXATION:

The proposed zoning for the Rowe Annexation is the Residential Single-family, 4 units/acre (RSF-4) zone district. The proposed use of the site is to be residential, which is in keeping with the goals of the Growth Plan and the RSF-4 zone district. Section 2.14(F), Zoning of Annexed Properties, of the Zoning and Development Code, states that land annexed into the City shall be zoned in accordance with Section 2.6 to a district that is consistent with the adopted Growth Plan or consistent with existing County zoning.

REZONING CRITERIA:

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

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

2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc. The property is located in an area with developing residential uses. The request for Residential Single-family, 4 units/acre (RSF-4) zoning is in keeping with the Growth Plan and Section 2.14, Annexations, of the Zoning and Development Code.

3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances. The requested rezone to RSF-4 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 public infrastructure can address the impacts of any development consistent with the proposed zone district, therefore this criterion is met.

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

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

6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs. An adequate supply of land is available in the community, however, it is located in the County and has not yet developed. This area is designated as Residential Medium-Low, 2-4 units/acre on the Future Land Use Map of the Growth Plan. In accordance with Section 2.14, Annexations, of the Zoning and Development Code, the Residential Single-family, 4 units/acre (RSF-4) zone district is appropriate for this property when it develops.

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

STAFF RECOMMENDATION

Staff recommends approval of the Residential Single-Family, 4 dwelling units per acre (RSF-4) zone district, with the finding that the proposed zone district is consistent with the Growth Plan land use designation, and with Section 2.6(a) of the Zoning and Development Code.

PLANNING COMMISSION RECOMMENDATION

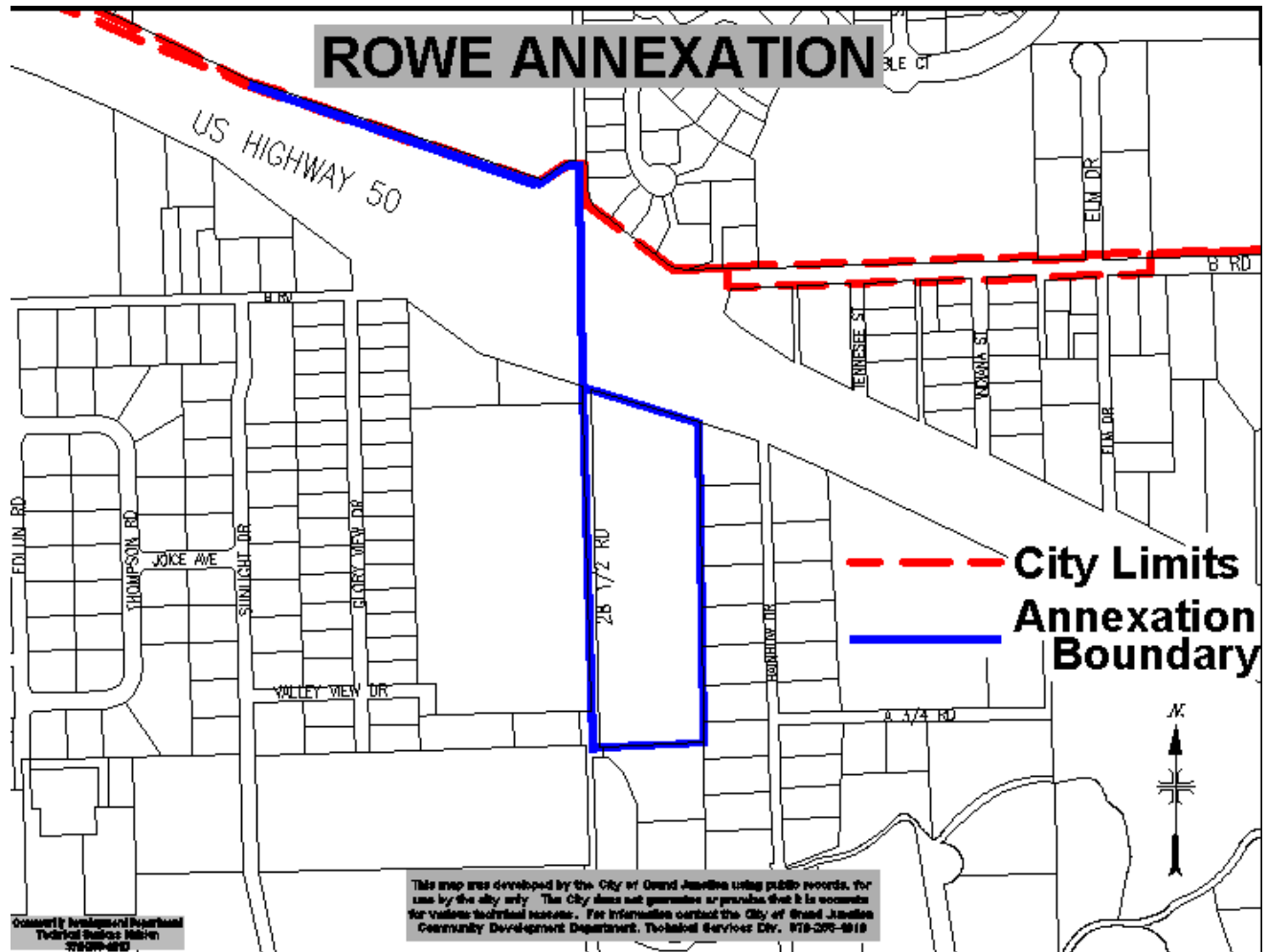
Approval of the Residential Single-Family-4 (RSF-4) zone district for the following reasons:

- RSF-4 zone district meets the recommended land use categories as shown through the Growth Plan, as well as the Growth Plan's goals and policies.
- RSF-4 zone district meets the criteria found in Section 2.6(A) of the Zoning and Development Code.

Attachments:

- Annexation Map
- Zoning Ordinance

H:\Projects2002\ANX-2002-223\RoweCityZord2



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE No. ____

**An Ordinance Zoning the Rowe Annexation to
Residential Single-Family-4 (RSF-4),
Located at 176 28 1/2 Road**

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning the Rowe Annexation to the RSF-4 zone district for the following reasons:

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

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-4 zone district be established.

The Planning Commission and City Council find that the RSF-4 zoning is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following property shall be rezoned RSF-4, Residential Single Family with a density not to exceed 4 units per acre, zone district:

ROWE ANNEXATION

A certain parcel of land lying in the South Half (S 1/2) of Section 30, Township 1 South, Range 1 West of the Ute Meridian, and the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 31, Township 1 South, Range 1 West of the Ute Meridian, lying in Mesa County, Colorado, being more particularly described as follows:

BEGINNING at the Northwest corner of the NW 1/4 NE 1/4 of said Section 31, and assuming the West line of the NW 1/4 NE 1/4 of said Section 31 bears S 00°00'45" E with all other bearings mentioned herein being relative thereto; thence from said Point of Beginning, S 00°00'45" E along the West line of the NW 1/4 NE 1/4 of said Section

31 a distance of 1321.23 feet, more or less, to a point being the Southwest corner of the NW 1/4 NE 1/4 of said Section 31; thence N 89°58'49" E, along the South line of the NW 1/4 NE 1/4 of said Section 31, a distance of 330.00 feet; thence N 00°00'45" W along a line 330.00 feet East of and parallel to the West line of the NW 1/4 NE 1/4 of said Section 31, also being the West line of Sharon Heights, as same is recorded in Plat Book 7, Page 18, Public Records of Mesa County, Colorado, a distance of 913.88 feet, more or less, to a point on the Southerly right of way for U.S. Highway 50; thence N 71°05'19" W, along said South right of way, a distance of 347.80 feet; thence N 00°00'45" W along a line 1.00 foot East of and parallel to, the West line of the NW 1/4 NE 1/4 of said Section 31, a distance of 294.51 feet, more or less, to a point on the North line of the NW 1/4 NE 1/4 of said Section 31; thence N00°03'48" E along a line 1.00 foot East of and parallel to the East line of the Southwest Quarter (SW 1/4) of said Section 30, a distance of 333.84 feet to a point on the South line of CHIPETA PINES ANNEXATION NO. 2, having Ordinance No. 3191 as assigned by the City of Grand Junction, Colorado; thence along the South line of said CHIPETA PINES ANNEXATION NO. 2 the following numbered courses:
N 89°56'12" W a distance of 19.60 feet; thence...
S 58°50'01" W a distance of 92.53 feet; thence...
N 69°38'29" W a distance of 22.41 feet; thence...
S 20°21'31" W a distance of 5.00 feet; thence...
N 69°38'29" W a distance of 849.00 feet;
thence departing said South line, S 20°21'31" W a distance of 1.00 feet; thence along a line 1.00 foot South of and parallel to the South line of said CHIPETA PINES ANNEXATION NO. 2 the following numbered courses:
S 69°38'29" E a distance of 850.00 feet; thence...
N 20°21'31" E a distance of 5.00 feet; thence...
S 69°38'29" E a distance of 21.90 feet; thence...
N 58°50'01"E a distance of 92.73 feet; thence...
S 89°56'12" E a distance of 18.32 feet to a point on the East line of the SW 1/4 of said Section 31;
Thence S 00°03'48" W, along the East line of the SW 1/4 of said Section 31, a distance of 332.84 feet, more or less, to the Point of Beginning.

CONTAINING 7.3892 Acres (321,871.52 Sq. Ft.), more or less, as described.

Introduced on first reading this 18th day of December, 2002.

PASSED and ADOPTED on second reading this ____ day of January, 2003.

Mayor

ATTEST:

City Clerk

Attach 15
Public Hearing Smith Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Public hearing for Resolution for Acceptance of Petition to Annex for the Smith Annexation and Second reading of the Annexation Ordinance located south of 378 Evergreen Road.					
Meeting Date		January 15, 2003					
Date Prepared		January 8, 2003			File # ANX-2002-222		
Author		Lisa Gerstenberger		Senior Planner			
Presenter Name		Lisa Gerstenberger		Senior 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	<input checked="" type="checkbox"/> Individual Consideration

Summary: Resolution for acceptance of petition to annex and second reading of the Annexation Ordinance for the Smith Annexation located south of 378 Evergreen Road.

Budget: N/A

Action Requested/Recommendation: Approval of Resolution for Acceptance of Petition to Annex and Second reading of the Annexation Ordinance.

Attachments:

1. Staff report
2. Annexation Map
3. Resolution for Acceptance
4. Annexation Ordinance

Background Information: **See attached staff report and background information**

BACKGROUND INFORMATION					
Location:		<i>South of 378 Evergreen Road</i>			
Applicant:		Robert and Marvelle Smith, Owner			
Existing Land Use:		<i>Vacant</i>			
Proposed Land Use:		<i>Residential</i>			
Surrounding Land Use:	North	<i>Residential</i>			
	South	Vacant			
	East	Vacant			
	West	Residential			
Existing Zoning:		RSF-R (Mesa County)			
Proposed Zoning:		RSF-4 (Residential Single-Family 4, not to exceed 4 units per acre)			
Surrounding Zoning:	North	<i>RSF-2(Mesa County)</i>			
	South	RSF-R (Mesa County)			
	East	RSF-4			
	West	RSF-R (Mesa County)			
Growth Plan Designation:		Residential Medium-Low, 2-4 units per acre			
Zoning within density range?		X	Yes		No

ANNEXATION:

The owner of the property has signed a petition for annexation pursuant to the 1998 Persigo Agreement.

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 subject property 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.

Summary		
File Number:		ANX-2002-222
Location:		South of 378 Evergreen Road
Tax ID Number:		2943-192-00-233
Parcels:		1
Estimated Population:		0
# of Parcels (owner occupied):		0
# of Dwelling Units:		0
Acres land annexed:		3.2898 acres for annexation area
Developable Acres Remaining:		As above
Right-of-way in Annexation:		0 acres
Previous County Zoning:		RSF-R (Mesa County)
Proposed City Zoning:		RSF-4 (Residential Single-Family 4, not to exceed 4 units per acre)
Current Land Use:		Vacant
Future Land Use:		Residential
Values:	Assessed:	\$ 2,320
	Actual:	\$ 25,310
Census Tract:		8
Address Ranges:		n/a
Special Districts:	Water:	Ute Water
	Sewer:	Central Grand Valley Sanitation
	Fire:	Grand Junction Rural Fire
	Drainage:	Grand Junction Drainage District
	School:	District 51
	Pest:	n/a

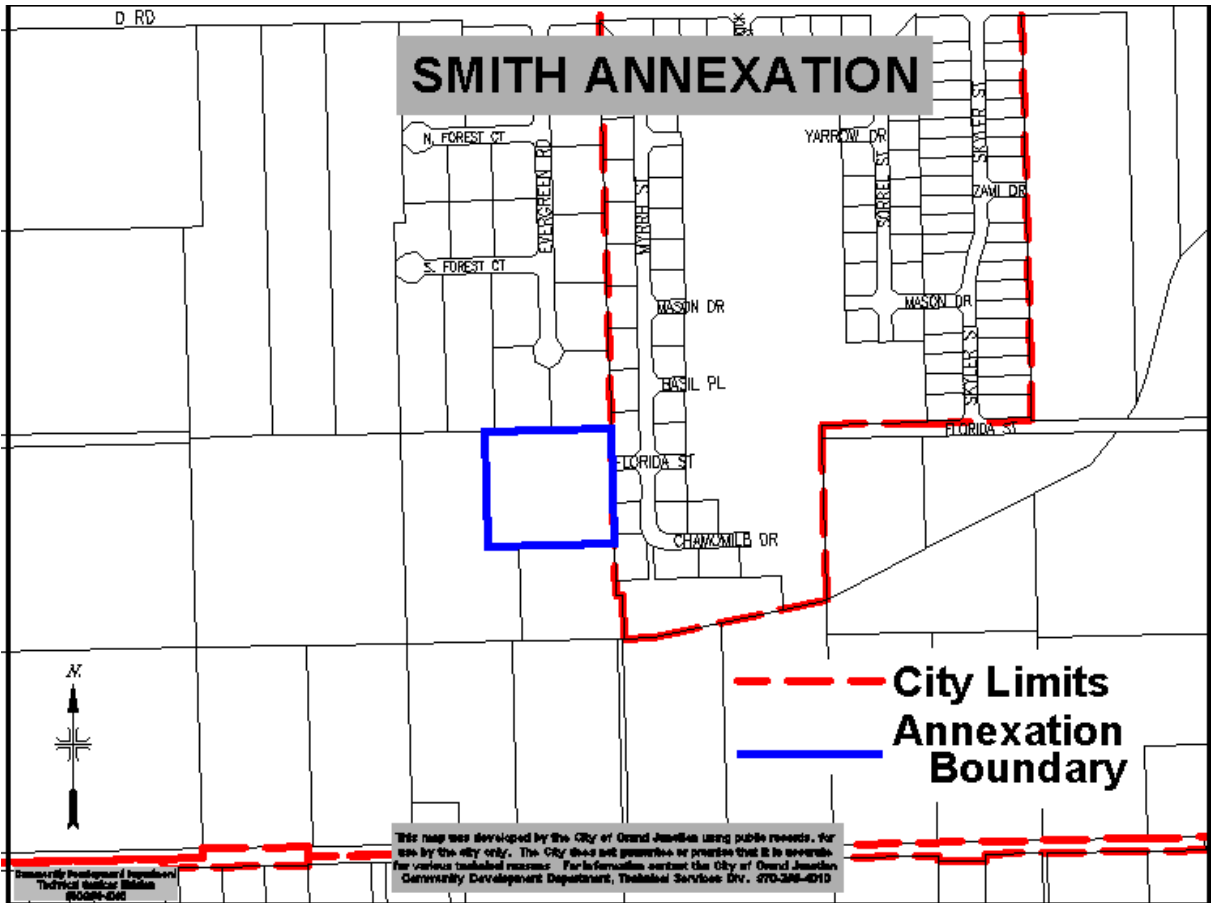
The following annexation and zoning schedule is proposed.

ANNEXATION SCHEDULE	
11-20-02	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
11-26-02	Planning Commission recommendation for City zone district
12-18-02	First Reading of Zoning Ordinance by City Council
1-15-03	Acceptance of Petition and Public hearing on Annexation Second Reading of Zoning Ordinance by City Council
2-16-03	Effective date of Annexation Effective date of City Zoning

Action Requested/Recommendation: It is recommended that City Council accept the petition for annexation for the Smith Annexation and adopt the Annexation Ordinance.

Attachments:

- Annexation Map
- Resolution for Acceptance of Petition
- Annexation Ordinance



CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. -03

A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION, MAKING CERTAIN FINDINGS, DETERMINING THAT PROPERTY KNOWN AS THE SMITH ANNEXATION IS ELIGIBLE FOR ANNEXATION LOCATED SOUTH OF 378 EVERGREEN ROAD

WHEREAS, on the day of 20th day of November, 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:

SMITH ANNEXATION

A certain parcel of land lying in the Northwest Quarter (NW 1/4) of Section 19, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, as described in that certain Warranty Deed recorded in Book 2487, Page 479, Public Records of Mesa County, Colorado and being more particularly described as follows:

BEGINNING at the Southeast corner of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 19, and assuming the East line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 19 bears S 00°00'00" E with all other bearings mentioned herein being relative thereto; thence from said Point of Beginning, S 00°00'00" E along the East line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 19 a distance of 361.81 feet; thence N 89°35'21" W a distance of 396.09 feet; thence N 00°00'00" E a distance of 361.81 feet to a point on the North line of the South Half of the Northwest Quarter (S 1/2 NW 1/4) of said Section 19, also being the South line of said Plat of Pine Estates Filing No. Two; thence S 89°35'21" E along the South line of said Plat of Pine Estates Filing No. Two, a distance of 396.09 feet, more or less, to the Point of Beginning.

CONTAINING 3.2898 Acres (143,305.64 Square Feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 15th day of January, 2003; and

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:

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

ADOPTED this ____ day of _____, 2003.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

**SMITH ANNEXATION
APPROXIMATELY 3.289 ACRES
LOCATED South of 378 Evergreen Road**

WHEREAS, on the 20th day of November, 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 15th day of January, 2003; 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:

SMITH ANNEXATION

A certain parcel of land lying in the Northwest Quarter (NW 1/4) of Section 19, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, as described in that certain Warranty Deed recorded in Book 2487, Page 479, Public Records of Mesa County, Colorado and being more particularly described as follows:

BEGINNING at the Southeast corner of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 19, and assuming the East line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 19 bears S 00°00'00" E with all other bearings mentioned herein being relative thereto; thence from said Point of Beginning, S 00°00'00" E along the East line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 19 a distance of 361.81 feet; thence N 89°35'21" W a distance of 396.09 feet; thence N 00°00'00" E a distance of 361.81 feet to a point on the North line of the South Half of the Northwest Quarter (S 1/2 NW

1/4) of said Section 19, also being the South line of said Plat of Pine Estates Filing No. Two; thence S 89°35'21" E along the South line of said Plat of Pine Estates Filing No. Two, a distance of 396.09 feet, more or less, to the Point of Beginning.

CONTAINING 3.2898 Acres (143,305.64 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 20th day of November, 2002.

ADOPTED and ordered published this ___ day of _____, 2003.

Attest:

President of the Council

City Clerk

Attach 16
Public Hearing – Zoning the Smith Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Zoning the Smith Annexation, located south of 378 Evergreen Road					
Meeting Date	January 15, 2003					
Date Prepared	January 8, 2003				File # ANX-2002-222	
Author	Lisa Gerstenberger			Senior Planner		
Presenter Name	As above			As above		
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary: Second reading of the Zoning ordinance to zone the Smith Annexation Residential Single-Family-4 (RSF-4), located south of 378 Evergreen Road.

Budget: N/A

Action Requested/Recommendation: Approve second reading of the zoning ordinance.

Attachments:

1. Staff Report
2. Annexation Map
3. Zoning Ordinance

Background Information: See attached staff report and background information

BACKGROUND INFORMATION					
Location:		South of 378 Evergreen Road			
Applicant:		Robert and Marvelle Smith, Owner			
Existing Land Use:		Vacant			
Proposed Land Use:		Residential			
Surrounding Land Use:	North	Residential			
	South	Vacant			
	East	Vacant			
	West	Residential			
Existing Zoning:		RSF-R (Mesa County)			
Proposed Zoning:		RSF-4 (Residential Single-Family 4, not to exceed 4 units per acre)			
Surrounding Zoning:	North	RSF-2(Mesa County)			
	South	RSF-R (Mesa County)			
	East	RSF-4			
	West	RSF-R (Mesa County)			
Growth Plan Designation:		Residential Medium-Low, 2-4 units per acre			
Zoning within density range?		X	Yes		No

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

Staff Analysis:

ZONING OF ANNEXATION:

The proposed zoning for the Smith Annexation is the Residential Single-family, 4 units/acre (RSF-4) zone district. The proposed use of the site is to be residential, which is in keeping with the goals of the Growth Plan and the RSF-4 zone district. Section 2.14(F), Zoning of Annexed Properties, of the Zoning and Development Code, states that land annexed into the City shall be zoned in accordance with Section 2.6 to a district that is consistent with the adopted Growth Plan or consistent with existing County zoning.

REZONING CRITERIA:

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

- 1. The existing zoning was in error at the time of adoption.** This property is being annexed into the City and has not been previously considered for zoning, therefore, there has not been an error in zoning.
- 2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.** The property is located in an area with developing residential uses. The request for Residential Single-family, 4 units/acre (RSF-4) zoning is in keeping with the Growth Plan and Section 2.14, Annexations, of the Zoning and Development Code.
- 3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances.** The requested rezone to RSF-4 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 public infrastructure can address the impacts of any development consistent with the proposed zone district, therefore this criterion is met.
- 4. The proposal conforms with and furthers the goals and policies of the Growth Plan, other adopted plans, and the policies, the requirements of the Code and other City regulations and guidelines.** The proposal is in conformance with the Growth Plan, and the policies and requirements of the Zoning and Development Code and other City regulations and guidelines.
- 5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development.** Adequate public facilities and services are available at this time or will be installed with development of the site.
- 6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs.** An adequate supply of land is available in the community, however, it is located in the County and has not yet developed. This area is designated as Residential Medium-Low, 2-4 units/acre on the Future Land Use Map of the Growth Plan. In accordance with Section 2.14, Annexations, of the Zoning and Development Code, the Residential Single-family, 4 units/acre (RSF-4) zone district is appropriate for this property when it develops.

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

STAFF RECOMMENDATION

Staff recommends approval of the Residential Single-Family, 4 dwelling units per acre (RSF-4) zone district, with the finding that the proposed zone district is consistent with the Growth Plan land use designation, and with Section 2.6(a) of the Zoning and Development Code.

PLANNING COMMISSION RECOMMENDATION

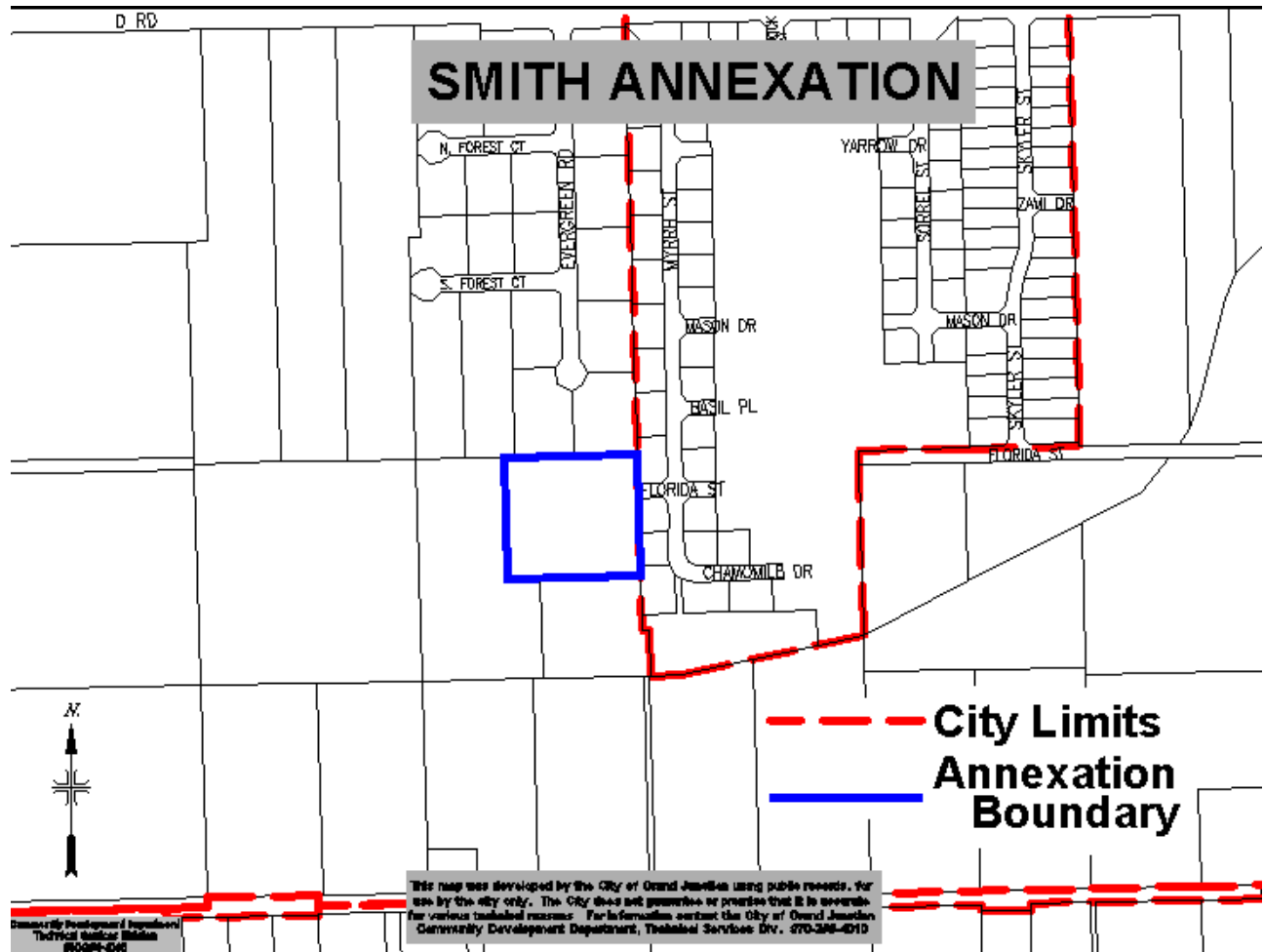
Approval of the Residential Single-Family-4 (RSF-4) zone district for the following reasons:

- RSF-4 zone district meets the recommended land use categories as shown through the Growth Plan, as well as the Growth Plan's goals and policies.
- RSF-4 zone district meets the criteria found in Section 2.6(A) of the Zoning and Development Code.

Attachments:

- Annexation Map
- Zoning Ordinance

H:\Projects2002\ANX-2002-222\SmithCityZord2



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE No. ____

**An Ordinance Zoning the Smith Annexation to
Residential Single-Family-4 (RSF-4),
Located south of 378 Evergreen Road**

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning the Smith Annexation to the RSF-4 zone district for the following reasons:

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

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-4 zone district be established.

The Planning Commission and City Council find that the RSF-4 zoning is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following property shall be rezoned RSF-4, Residential Single Family with a density not to exceed 4 units per acre, zone district:

SMITH ANNEXATION

A certain parcel of land lying in the Northwest Quarter (NW 1/4) of Section 19, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, as described in that certain Warranty Deed recorded in Book 2487, Page 479, Public Records of Mesa County, Colorado and being more particularly described as follows:

BEGINNING at the Southeast corner of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 19, and assuming the East line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 19 bears S 00°00'00"

E with all other bearings mentioned herein being relative thereto; thence from said Point of Beginning, S 00°00'00" E along the East line of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 19 a distance of 361.81 feet; thence N 89°35'21" W a distance of 396.09 feet; thence N 00°00'00" E a distance of 361.81 feet to a point on the North line of the South Half of the Northwest Quarter (S 1/2 NW 1/4) of said Section 19, also being the South line of said Plat of Pine Estates Filing No. Two; thence S 89°35'21" E along the South line of said Plat of Pine Estates Filing No. Two, a distance of 396.09 feet, more or less, to the Point of Beginning.

CONTAINING 3.2898 Acres (143,305.64 Square Feet), more or less, as described.

Introduced on first reading this 18th day of December, 2002.

PASSED and ADOPTED on second reading this ___ day of January, 2003.

Mayor

ATTEST:

City Clerk

Attach 17
Rezoning the King Property

CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION

<i>CITY COUNCIL</i>						
Subject:	King Property Rezone at 2610 Kelley Drive					
Meeting Date:	January 15, 2003					
Date Prepared:	December 16, 2011			File #RZ-2002-208		
Author:	Senta Costello		Associate Planner			
Presenter Name:	Senta Costello		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	Consent	<input checked="" type="checkbox"/>	Individual Consideration	

Summary: Petitioner is requesting to rezone a 3.28 lot from RSF-R (Residential Single Family – 1 unit/5 acres) to RSF-1 (Residential Single Family not to exceed 1 units/acre).

Budget: N/A

Action Requested/Recommendation: It is recommended that City Council approve the second reading of the zoning ordinance for the King Rezone request.

Attachments:

- a. Vicinity Map
- b. Applicant’s response to the Rezone Criteria
- c. Zoning Ordinance

Background Information: See attached report.

BACKGROUND INFORMATION					
Location:		2610 Kelley Dr			
Applicants:		Vernon & Christine King			
Existing Land Use:		Single Family Residential			
Proposed Land Use:		Single Family Residential			
Surrounding Land Use:	North	Single Family Residential			
	South	Single Family Residential			
	East	Single Family Residential			
	West	Single Family Residential			
Existing Zoning:		RSF-R (Residential Single Family – Rural – 1 unit/5 acres)			
Proposed Zoning:		RSF-1 (Residential Single Family 1 unit/acre)			
Surrounding Zoning:	North	RSF-R (Residential Single Family – Rural – 1 unit/5 acres)			
	South	RSF-R (Residential Single Family – Rural – 1 unit/5 acres)			
	East	RSF-R (Residential Single Family – Rural – 1 unit/5 acres)			
	West	RSF-1 (Residential Single Family – 1 unit/acre)			
Growth Plan Designation:		Residential Low (½ – 2 acres/du)			
Zoning within density range?		X	Yes		No

Staff Analysis:

Project Analysis:

The property located at 2610 Kelley Drive is currently zoned RSF-R (Residential Single Family – Rural – 1 unit/5 acres). The property was zoned at the time of annexation with the same zoning designation that the property had in the County. The RSF-R zone district has a minimum lot size of 5 acres. The property does not meet the minimum requirements for the RSF-R zone district with only 3.28 acres. The existing garage on the property also sits within the 50' side-yard setback required for this zone district.

With the RSF-1 zone district the property and all structures meet the Code requirements for the proposed RSF-1 zone district.

Rezoning Criteria:

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:

Please see attachment “b” for the applicant’s response to these criteria.

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

Staff agrees with the applicant’s responses to the rezone criteria.

Findings and Conclusions:

- The zoning is consistent with the Growth Plan
- Proposed zoning is consistent with adjacent zoning.

- Findings required by Section 2.6 of the Zoning and Development Code can be made.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommended approval of the requested rezoning to the City Council.

Action Requested/Recommendation: It is recommended that City Council approve the zone amendment from RSF-R (Residential Single Family – 1 unit/5 acres) to RSF-1 (Residential Single Family not to exceed 1 units/acre) zone district.

Attachments:

- d. Vicinity Map
- e. Applicant's response to the Rezone Criteria
- f. Zoning Ordinance

Staff Report 2nd CC.doc

VICINITY MAP



King Property Rezone 2610 Kelley Drive General Project Report

Project Overview

Dr. Vernon and Chris King, the petitioners, are seeking to rezone their 3.28 acre property at 2610 Kelly Drive from RSF-R to RSF-1. In 2000, this property was annexed into the City of Grand Junction and zoned RSF-R.

The minimum requirements of the RSF-R zoning is 5 acre lots with 20' front yard setback and 50' side yard setback. This existing lot failed to meet either of these criteria, being 3.28 acres in size and having a garage which encroaches into the side yard setback by more than 13 feet.

The proposed RSF-1 zone fits this existing lot within its parameters with minimum lot size of 2 acres and side yard setbacks of 15 feet. This rezone would then enable Dr. & Mrs. King to plan improvements to their home with the confidence that this encroachment would not be an obstacle.

Rezone Criteria

1. **The existing zoning was in error at the time of adoption.** The RSF-R zone assigned to the property at the time of annexation was in error as the RSF-R zone is for 5+-acre parcels. The King's property is 3.28 acres.
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 character of the neighborhood has not changed nor will it change with this rezone. It was the recent rezone, at the time of annexation, of the property that has conflicted with the existing parcels and their existing improvements.
3. **The proposed rezone is compatible with the neighborhood and will not create adverse impacts:** The property adjacent on the West boundary of the King property is zoned RSF-1. Similarly, the property at the Northwest corner of the King property is zoned RSF-1. The remaining adjoining properties are RSF-R. In addition, two properties southwest on Kelly Drive are RSF-1.

On Wednesday August 28, 2002, the Kings held a neighborhood meeting to discuss their rezone and future plans. A representative from the City was in attendance as well as 1 neighbor who had no objections. In addition, several neighbors sent written letters of support to the Kings. This meeting was announced and held in

accordance to the City's instructions for neighborhood meetings. A copy of the mailing list as well as the letters received is part of this submittal.

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:** Yes.
5. **Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development:** There are no impacts to public facilities and services associated with this rezone request.
6. **There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs:** Not applicable.
7. **The community or neighborhood will benefit from the proposed zone:** Yes, as I am sure the King's will have many pool parties!!

CITY OF GRAND JUNCTION, COLORADO
Ordinance No. _____
AN ORDINANCE ZONING A PARCEL OF LAND
KNOWN AS THE KING PROPERTY LOCATED
AT 2610 KELLEY DRIVE

Recitals.

The Grand Junction Planning Commission, at its December 17, 2002 hearing, recommended approval of the rezone request from the RSF-R district to the RSF-1 district.

A rezone from the RSF-R (Residential Single Family – Rural – 1 unit/5 acres) to RSF-1 (Residential Single Family – 1 unit/acre) district has been requested for the properties located at 2610 Kelley Drive. The City Council finds that the request meets the goals and policies and future land use set forth by the *Growth Plan* (Residential Low (½ – 2 acres/du). City Council also finds that the requirements for a rezone as set forth in Section 2.6 of the Zoning and Development Code have been satisfied.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE PARCEL (S) DESCRIBED BELOW IS HEREBY ZONED TO THE RSF-1 (RESIDENTIAL SINGLE FAMILY NOT TO EXCEED 1 UNIT/ACRE) DISTRICT:

Parcel No. 1

BEG at a pt. from when the NW COR of SEC 35, T1N, R1W of the UM bears N62°54'W 744.9'; thence W324.95'; thence S25°55'E 176.5'; thence S52°09'W 43.31'; thence S14°31'E 355.84', to a pt. on the N line of Kelley Dr; thence along said N line of Kelley Dr N59°41'E 114.42' to a pt. on the cul-de-sac of Sunny Knoll Sub; thence 71.51' along the arc of a 50' radius curve to the right with a central angle of 81°56'30", a chord which bears N40°03'18"E 131.08'; thence N7°53'45"W 338.13' to the POB.

Parcel No. 2:

A parcel of land located in the NW1/4 of the NW1/4 of SEC 35, T1N, R1W of the UM, being more particularly described as follows: Commencing as a pt. of reference at the NW COR of said SEC 35, said monument being a Mesa County Surveyors Monument, from whence the N1/4 COR, said 1/4 COR also being a Mesa County Surveyors Monument, bears S89°55'00"E a DIS of 2631.25'; thence S38°46'40"E 977.29' to a pt. on the right of way of Kelley Dr, said pt. being the POB; thence along an existing boundary line N48°00'24"E 349.76'; thence S35°11'02"W 224.29'; thence S48°35'17"W 109.48' to the ROW of said Kelley Dr; thence along said ROW 56.13' along the arc of a curve concave to the SW, having radius of 50', a central angle of 64°19'11" and a chord bearing N65°53'19"W a DIS of 53.23' to the POB.

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

PASSED on SECOND READING this _____ day of _____, 2003.

ATTEST:

City Clerk

President of Council

Attach 18
Public Hearing – Oda Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA										
Subject		Public Hearing for the Oda Annexation located at 2561 River Road								
Meeting Date		January 15, 2003								
Date Prepared		January 6, 2003				File #ANX-2002-220				
Author		David Thornton			Principal Planner					
Presenter Name		David Thornton			Principal Planner					
Report results back to Council		X	No		Yes	When				
Citizen Presentation			Yes	X	No	Name				
Workshop		X	Formal Agenda			Consent	X	Individual Consideration		

Summary: The Oda Annexation consists of 2 parcels of land on 21.18 acres located at 2561 River Road. The Oda's are requesting annexation as part of a contract with the City as sellers of the property. In addition, the City currently owns land adjacent to the Oda property which is also included in the annexation request. The City owned land is adjacent to the Colorado River and has a portion of the riverfront trail crossing it.

Budget: N/A

Action Requested/Recommendation: Approve the Resolution of Acceptance of Petition and second reading of the annexation ordinance.

Attachments:

6. Background Information/Staff Analysis
7. Annexation Map
8. Aerial Location Map
9. Resolution of Acceptance of Petition
10. Annexation Ordinance

BACKGROUND INFORMATION			
Location:		2561 River Road	
Applicants:		Buck & Yo Oda / City of Grand Junction	
Existing Land Use:		Residential Single Family/Riverfront Trail	
Proposed Land Use:		City Shops/Riverfront Trail	
Surrounding Land Use:	North	Industrial (High Country Court)	
	South	Industrial (City Shops)	
	East	Railroad Tracks	
	West	Colorado River	
Existing Zoning:		County RSF-R	
Proposed Zoning:		I-1 and CSR for City owned property	
Surrounding Zoning:	North	I-1	
	South	I-1	
	East	C-1	
	West	County Industrial	
Growth Plan Designation:		Commercial/Industrial	
Zoning within density range?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	X	Yes	No

Staff Analysis:

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

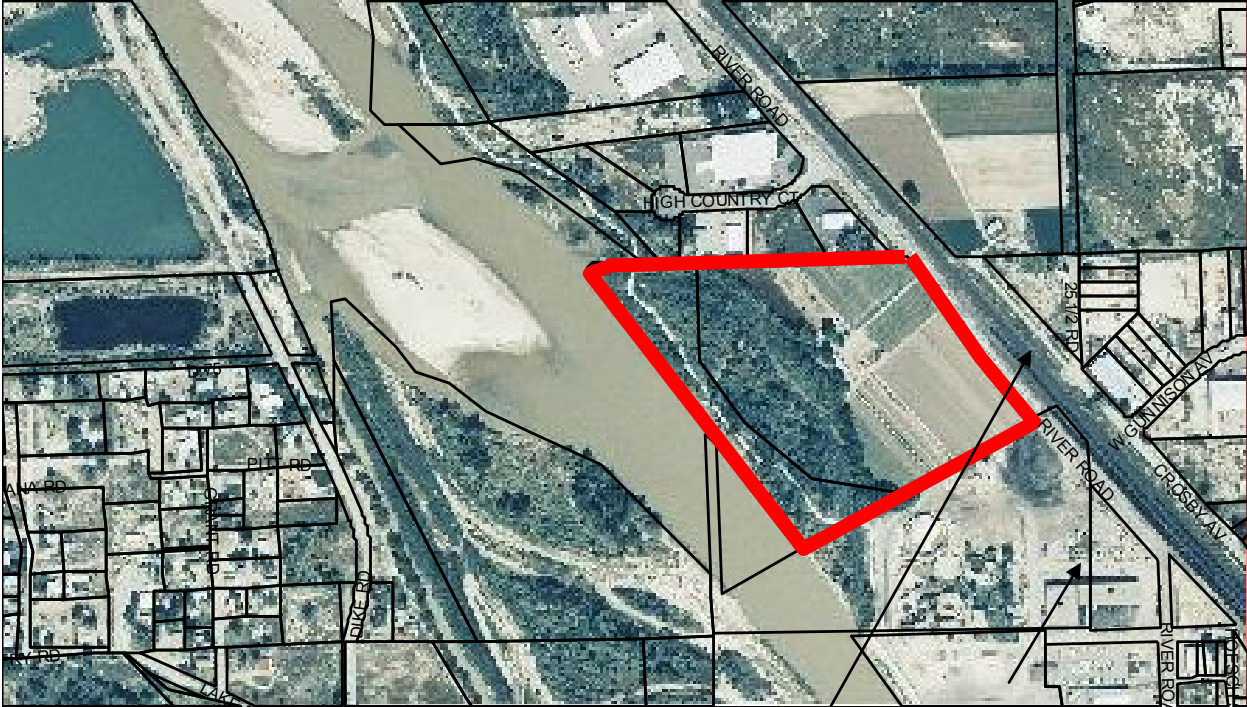
- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and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

ODA ANNEXATION SUMMARY		
File Number:		ANX-2002-220
Location:		2561 River Road
Tax ID Number:		2945-152-00-096 & 2945-152-00-945
Parcels:		2
Estimated Population:		2
# of Parcels (owner occupied):		1
# of Dwelling Units:		1
Acres land annexed:		21.18 acres
Developable Acres Remaining:		15 acres
Right-of-way in Annexation:		NA
Previous County Zoning:		Industrial
Proposed City Zoning:		Light Industrial (I-1)
Current Land Use:		Single Family Residential/ Trail
Future Land Use:		Industrial/Riverfront Trail
Values:	Assessed:	= \$ 8,310
	Actual:	= \$ 74,540
Census Tract:		9
Address Ranges:		2561 River Road
Special Districts:	Water:	Ute Water District
	Sewer:	
	Fire:	Grand Junction Rural Fire District
	Drainage:	Grand Junction Drainage District
	School:	District 51

<i>ANNEXATION SCHEDULE</i>	
November 20, 2002	Referral of Petition (30 Day Notice), First Reading, Exercising Land Use
December 10, 2002	Planning Commission considers Zone of Annexation
December 18, 2002	First Reading on Zoning by City Council
January 15, 2003	Acceptance of Petition and Public hearing on Annexation and Zoning by City Council
February 16, 2003	Effective date of Annexation and Zoning

AERIAL LOCATION MAP



2561 River

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. _____

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

ODA ANNEXATION

IS ELIGIBLE FOR ANNEXATION

LOCATED AT 2561 RIVER ROAD AND INCLUDING A PORTION OF THE RIVERFRONT TRAIL

WHEREAS, on the 20th day of November, 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
ODA ANNEXATION**

A certain parcel of land lying in the Northwest Quarter (NW 1/4) of Section 15, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado and being bounded as follows:

On the North by the North line of the South half (S1/2) of the NW 1/4 of said Section 15; on the East by the West line of the D & RGW ANNEXATION WEST, having Ordinance Number 2135, assigned by the City of Grand Junction, Colorado; on the South by the North line of the WEST SIDE PLANT ANNEXATION, having Ordinance Number 1502, assigned by the City of Grand Junction, Colorado; on the West by the East bank of the Colorado River.

CONTAINING 21.18 +/- Acres (922,490 Sq. Ft.+/-), as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 15th day of January, 2003;

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 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 15th day of January, 2003.

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*

ODA ANNEXATION

APPROXIMATELY 21.18 ACRES

**LOCATED AT 2561 RIVER ROAD AND INCLUDING
A PORTION OF THE RIVERFRONT TRAIL**

WHEREAS, on the 20th day of November, 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 15th day of January, 2003; and

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

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

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

**PERIMETER BOUNDARY LEGAL DESCRIPTION
ODA ANNEXATION**

A certain parcel of land lying in the Northwest Quarter (NW 1/4) of Section 15, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado and being bounded as follows:

On the North by the North line of the South half (S1/2) of the NW 1/4 of said Section 15; on the East by the West line of the D & RGW ANNEXATION WEST, having Ordinance Number 2135, assigned by the City of Grand Junction, Colorado; on the South by the North line of the WEST SIDE PLANT ANNEXATION, having Ordinance

Number 1502, assigned by the City of Grand Junction, Colorado; on the West by the East bank of the Colorado River.

CONTAINING 21.18 +/- Acres (922,490 Sq. Ft.+/-), as described.

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

INTRODUCED on first reading on the 20th day November, 2002.

ADOPTED and ordered published this _____ day of _____, 2003.

Attest:

City Clerk

President of the Council

Attach 19
Zoning the Oda Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Zoning the Oda Annexation located at 2561 River Road					
Meeting Date		January 15, 2003					
Date Prepared		January 6, 2003			File #ANX-2002-220		
Author		David Thornton		Principal Planner			
Presenter Name		David Thornton		Principal Planner			
Report results back to Council		X	No		Yes	When	
Citizen Presentation			Yes	X	No	Name	
	Workshop	X	Formal Agenda			Consent	X Individual Consideration

Summary: The Oda Annexation consists of 2 parcels of land on 21.18 acres located at 2561 River Road. The Oda's are requesting annexation as part of a contract with the City. The proposed zoning is I-1 for the Oda property. The second parcel is owned by the City and is adjacent to the Oda property. The City owned land is adjacent to the Colorado River and has a portion of the riverfront trail crossing it. The proposed zoning for the City property is Community Services and Recreation (CSR).

Budget: N/A

Action Requested/Recommendation: Approve second reading of the zoning ordinance.

Attachments:

- 11. Background Information/Staff Analysis
- 12. Annexation Map
- 13. Future Land Use Map
- 14. Zoning Ordinance

BACKGROUND INFORMATION			
Location:		2561 River Road	
Applicants:		Buck & Yo Oda / City of Grand Junction	
Existing Land Use:		Residential Single Family/Riverfront Trail	
Proposed Land Use:		City Shops/Riverfront Trail	
Surrounding Land Use:	North	Industrial (High Country Court)	
	South	Industrial (City Shops)	
	East	Railroad Tracks	
	West	Colorado River	
Existing Zoning:		County RSF-R	
Proposed Zoning:		I-1 and CSR for City owned property	
Surrounding Zoning:	North	I-1	
	South	I-1	
	East	C-1	
	West	County Industrial	
Growth Plan Designation:		Commercial/Industrial	
Zoning within density range?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		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 I-1 and CSR conforms to the Future Land Use Map.

Project Analysis: 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 zone districts of I-1 and CSR are conforming to the Future Land Use Map.

I-1 and CSR ZONE DISTRICTS

- The I-1 conforms to the recommended future land use on the Growth Plan Future Land Use map currently designated Commercial/Industrial.
- Zoning this annexation with the I-1 and CSR zone districts meet the criteria found in Sections 2.14.F and 2.6 of the Grand Junction Zoning and Development Code.
- The property is surrounded by industrial/commercial zoning and uses and is bordered on the west by the Colorado River and riverfront trail.

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-R, Residential Single Family with a density not to exceed 1 unit/5 acres, is not consistent with the current land use classification of Commercial/Industrial as shown on the Future Land Use Map of the Growth Plan. The annexation and zone request of I-1 is consistent. The proposed CSR is consistent with the use of the City property and riverfront trail.
- 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 developed and zoned in an industrial manner consistent with the Growth Plan. All public utilities are located adjacent to the property. The subject parcel will provide an infill opportunity for industrial/commercial development that will be compatible with surrounding uses.
- 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;**
Any proposed development would not create adverse impacts to the existing street network. All future development applications will be required to address such issues as stormwater management, drainage and infrastructure at the time they are submitted.
- 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 industrial/commercial uses in this particular area. The proposed zones are equivalent to existing land use and meet the requirements of the Zoning and Development Code.

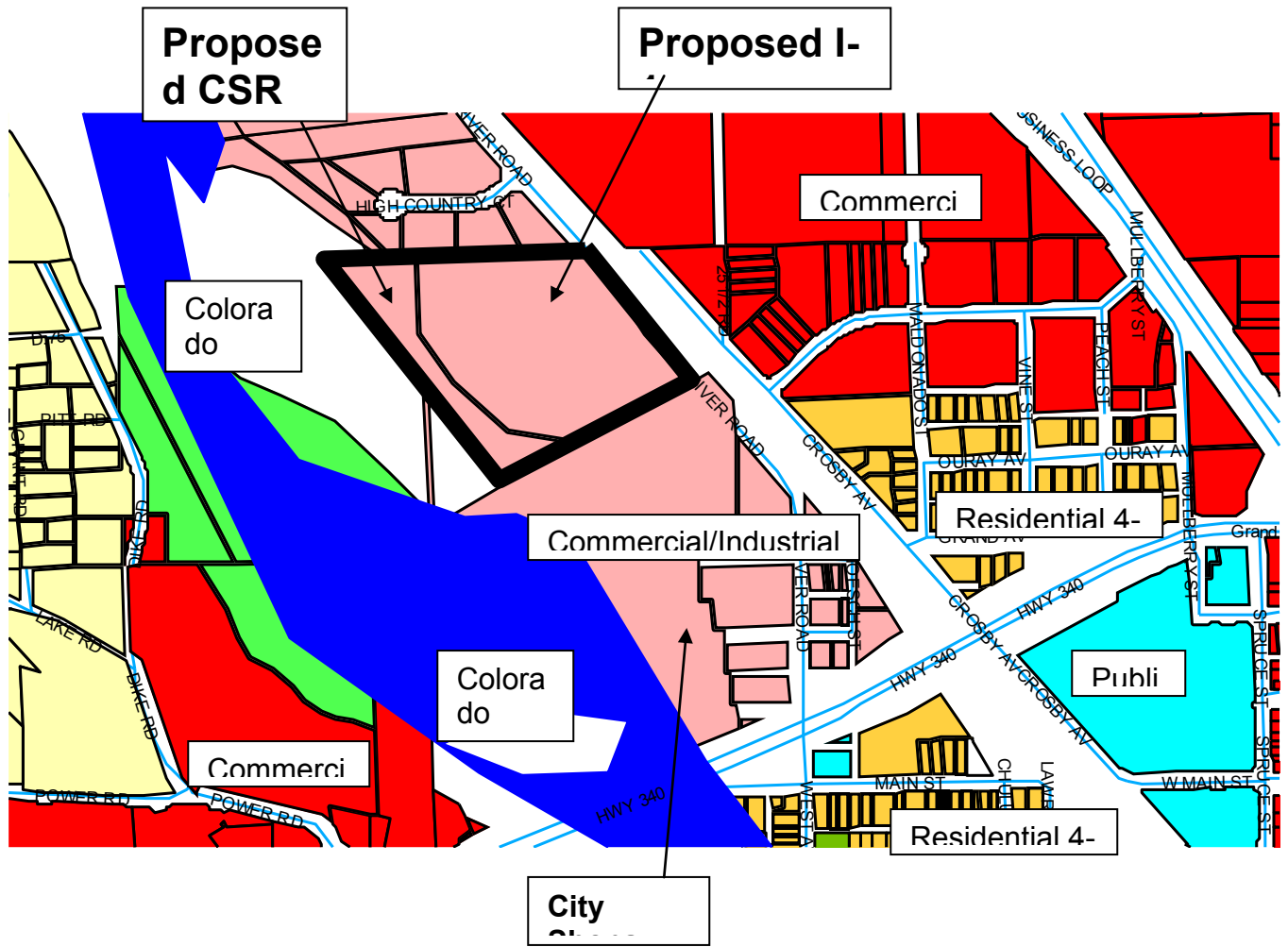
5. **Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development;**
Public facilities and services are located adjacent to the property and are available for industrial/commercial use.
6. **There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs; and**
Not applicable. This proposal is to zone property to be in conformance with the Growth Plan.
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.

FINDINGS AND CONCLUSIONS:

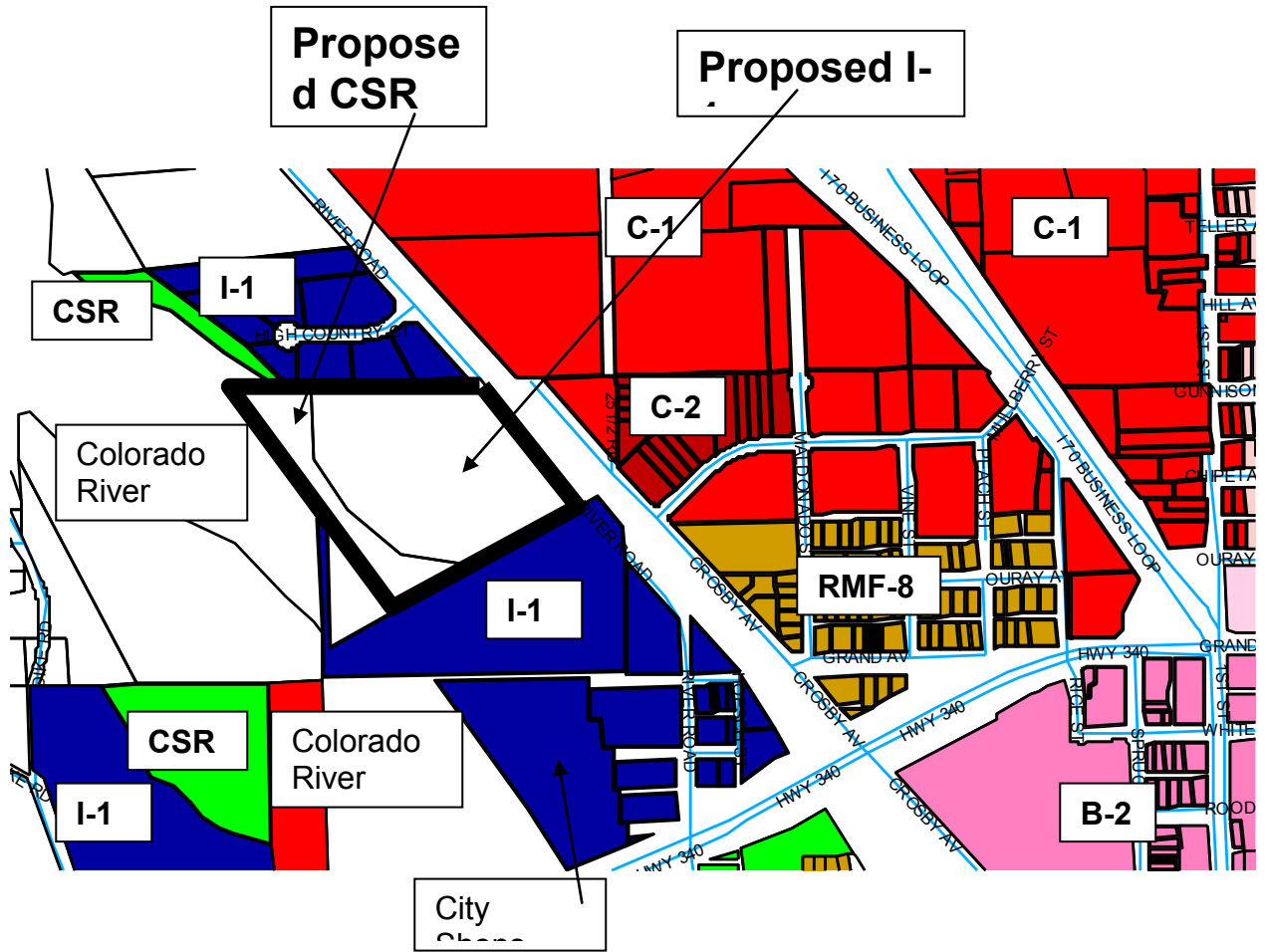
3. Consistent with the Future Land Use Map in the Growth Plan
4. Consistent with 2.6 and 2.14 of the Zoning and Development Code

PLANNING COMMISSION RECOMMENDATION: Planning Commission recommended approval at its December 17, 2002 meeting.

FUTURE LAND USE MAP



SURROUNDING ZONING MAP



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE ZONING THE ODA ANNEXATION

TO LIGHT INDUSTRIAL (I-1) AND

COMMUNITY SERVICES AND RECREATION (CSR)

**LOCATED AT 2561 RIVER ROAD AND ADJACENT TO THE
COLORADO RIVER**

Recitals.

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

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

- These zone districts meet the criteria of Section 2.14.F of the Zoning and Development Code by conforming 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 Light Industrial (I-1) zone district

Includes the following tax parcel: 2945-152-00-096

Beginning at the SE Corner of Lot 2, being the fractional SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado; thence North along the East line of Lot 2 698.45 feet to the line of the right of way of the Denver and Rio Grande Western Railway, 50 feet at right angles from track center; thence North 40 $^{\circ}$ 44' West (variation 14 $^{\circ}$ 38' East) along said right of way 131 feet to a center sandstone with a cross cut in the top, 20x8x5 inches in dimension, which is the point of beginning; thence running South 61 $^{\circ}$ 33' West 9.44 chains to a limestone rock 18x4x3 inches in dimension with a cross cut on top, having been set

589.1 feet from place of beginning to verify and establish this line; thence North 79°51' West 7.48 chains; thence North 61° West 1.60 chains; thence North 37°50' West 1.15 chains; thence North 51° East 14.45 chains; thence South 40°44' East 10.02 chains to place of beginning,

AND ALSO

Beginning at the NW Corner of the SE¼ NW¼ of Section 15, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado; thence East 737 feet, more or less, to the right of way of the Rio Grande Western Railroad 100 feet at right angles from the center of the main track; thence South 40°44' East along said right of way 80 feet, more or less, to the corner of the tract of land formerly owned by Henry Lotz; thence South 51°00' West 1020 feet, more or less, to the Grand River, thence Northwesterly, along the bank of the Grand River to its intersection with the West line of said SE ¼ NW ¼ of said Section 15; thence North along the West line of said SE ¼ NW ¼ of said Section 15 to beginning,

EXCEPTING FROM said Property that portion thereof conveyed to the City of Grand Junction by instrument recorded January 10, 1994, in Book 2040 at Page 522.

The following property shall be zoned Community Services and Recreation (CSR) zone district

Includes the following tax parcel: 2945-152-00-945

All that part of grantor's property on the right bank or North and East side of the Colorado River lying South and West of the following described line; from the South 1/16 corner of Sections 9 & 10, Township 1 South, Range 1 West, Ute Meridian, proceed South 0deg 8' 31" East 960.66 feet and South 0deg 8' 31" East to the point of beginning of said line on the Colorado River bank. Said line proceeds thence North 0deg 8' 31" West to point which bears South 0deg 8' 31" East 960.66 feet from the above named 1/16 corner; thence South 24deg 30' 21" East 364.76 feet; thence South 28deg 6' 41" East 916.39 feet; thence South 52deg 22' 41" East 556.93 feet; thence South 41deg 34' 57" East 246.70 feet; thence South 89deg 59' 55" East 120.93 feet to the Northwest 1/16 corner of Section 15, Township 1 South, Range 1 West, Ute Meridian; thence South 0deg 0' 0" West 342.22 feet; thence South 33deg 49' 0" East 265.31 feet; thence South 47deg 37' 14" East 311.22 feet; thence South 79deg 51' 0" East 316.65 feet to a point which bears North 51deg 29' 17" West 811.52 feet from the center ¼ corner of Section 15, Township 1 South, Range 1 West, Ute Meridian; thence South 61deg 33' 0" West to the bank of the Colorado River.

Introduced on first reading on the 18th day December, 2002.

PASSED and ADOPTED on second reading this _____ day of _____, 2003.

Attest:

City Clerk

President of the Council