

**GRAND JUNCTION CITY COUNCIL  
CITY HALL AUDITORIUM, 250 NORTH 5<sup>TH</sup> STREET  
AGENDA**

**WEDNESDAY, SEPTEMBER 15, 2004, 7:30 P.M.**

**CALL TO ORDER**

Pledge of Allegiance  
Invocation – Pastor Eldon Coffey, Central Orchard Mesa  
Community Church

**PROCLAMATIONS / RECOGNITIONS**

PROCLAIMING THE MONTH OF OCTOBER, 2004 AS “BREAST CANCER  
AWARENESS MONTH”

PROCLAIMING SEPTEMBER 25, 2004 AS “DIABETES AWARENESS DAY”

PROCLAIMING SEPTEMBER 19<sup>TH</sup> – 25<sup>TH</sup>, 2004 AS “YELLOW RIBBON YOUTH  
SUICIDE AWARENESS AND PREVENTION WEEK”

PROCLAIMING OCTOBER 2, 2004, AS “OKTOBERFEST DAY”

PROCLAIMING OCTOBER 3 - 9, 2004 AS “NATIONAL 4-H WEEK”

RIVERFRONT FOUNDATION REPRESENTATIVE BRIAN MAHONEY WILL PRESENT  
THE CITY COUNCIL WITH A COPY OF THE FOUNDATION’S RECENTLY PUBLISHED  
HISTORY BOOK ENTITLED PEOPLE, PARKS, AND TRAILS

**CITIZEN COMMENTS**

**\*\*\* CONSENT CALENDAR \*\*\*®**

1. **Minutes of Previous Meetings**

**[Attach 1](#)**

\*\*\* Indicates New Item  
® Requires Roll Call Vote

*Action: Approve the Summary of the August 30, 2004 Workshop and the Minutes of the September 1, 2004 Regular Meeting*

2. **Appointment of a Designated Voter for the City to Cast a Vote in the Upcoming Special Election and Approving Amendments to the Written Mail Ballot Plan** [Attach 2](#)

The City Council has called a Special Election to extend the number of years and the maximum amount of additional debt financing of the Grand Junction Downtown Development Authority (DDA) to be repaid with the revenues derived from Tax Increment Financing (TIF). The City owns several properties in the DDA and is entitled to cast a ballot in the Special Election; however, because only natural persons can vote, the City must designate a representative to do so.

Resolution No. 81-04 – A Resolution Appointing a Designated Voter for the City of Grand Junction to Cast a Vote in the Special Election Scheduled for November 2, 2004 Regarding Tax Increment Financing Debt

*®Action: Adopt Resolution No. 81-04*

Staff presentation: Stephanie Tuin, City Clerk

3. **Three Subrecipient Contracts for Projects within the City's 2004 Program Year Community Development Block Grant (CDBG) Program** [Attach 3](#)

The Subrecipient Contracts formalize the City's award of a total of \$25,000 to various non-profit organizations via the St. Mary's Foundation as allocated from the City's 2004 CDBG Program as previously approved by Council.

*Action: Authorize the City Manager to Sign the Three Subrecipient Contracts with the St. Mary's Foundation for the City's 2004 Program Year, Community Development Block Grant Program*

Staff presentation: Dave Thornton, CDBG Program Manager  
Kristen Ashbeck, Senior Planner

4. **Setting a Hearing on Zoning the Prairie View Annexation No. 1 and 2, Located at 474 Dodge Street and 3038 Mohawk Avenue to RMF-5** [File # ANX-2004-141] [Attach 4](#)

Introduction of a proposed zoning ordinance to zone the Prairie View Annexation No. 1 and 2, located at 474 Dodge Street and 3038 Mohawk Avenue.

Proposed Ordinance Zoning the Prairie Annexation No. 1 and 2 to RMF-5 Located at 474 Dodge Street and 3038 Mohawk Avenue

*Action: Introduction of a Proposed Ordinance and Set a Hearing for October 6, 2004*

Staff presentation: Lisa E. Cox, Senior Planner

5. **Setting a Hearing on Vacating a Portion of the D ¾ Road Right-of-Way, Located East of Dodge Street and Southwest of Mohawk Avenue** [File # ANX-2004-141] [Attach 5](#)

Introduction of a proposed vacation ordinance to vacate a portion of the D ¾ Road right-of-way, located east of Dodge Street and southwest of Mohawk Avenue.

Proposed Ordinance Vacating a Portion of D ¾ Road Right-of-Way Located East of Dodge Street and Southwest of Mohawk Avenue

*Action: Introduction of a Proposed Ordinance and Set a Hearing for October 6, 2004*

Staff presentation: Lisa E. Cox, Senior Planner

6. **Setting a Hearing on D Road Storage Annexation Located at 2755 D Road** [File # ANX-2004-182] [Attach 6](#)

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 0.985 acre D Road Storage Annexation consists of three (3) parcels of vacant land and adjoining right-of-way located at 2755 D Road. The petitioner's intent is to annex and then develop all three (3) properties in anticipation of future industrial development.

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

Resolution No. 82-04 – 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, D Road Storage Annexation Located at 2755 D Road and Including a Portion of the D Road Right-of-Way

®Action: *Adopt Resolution No. 82-04*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, D Road Storage Annexation, Approximately 0.985 Acres Located at 2755 D Road and Including a Portion of the D Road Right-of-Way

Action: *Introduction of Proposed Ordinance and Set a Hearing for October 20, 2004*

Staff presentation: Scott D. Peterson, Associate Planner

7. **Setting a Hearing on Kronvall Annexation Located at 2263 Greenbelt Drive**  
[File # ANX-2004-175] [Attach 7](#)

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 4.274 acre Kronvall annexation consists of 2 parcels.

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

Resolution No. 83-04 – 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, Kronvall Annexation, Located at 2263 Greenbelt Drive

®Action: *Adopt Resolution No. 83-04*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado Kronvall Annexation, Approximately 4.274 Acres, Located at 2263 Greenbelt Drive

Action: *Introduction of Proposed Ordinance and Set a Hearing for October 20, 2004*

Staff presentation: Senta L. Costello, Associate Planner

8. **Setting a Hearing on Zoning the Indian Road Annexation Located between C ½ Road and D Road at Indian Road to I-1 (Light Industrial)** [File # ANX-2004-137] [Attach 8](#)

Introduction of a proposed zoning ordinance to zone the Indian Road Annexation I-1 (Light Industrial), located between C ½ Road and D Road at Indian Road.

Proposed Ordinance Zoning the Indian Road Annexation to I-1 Located Between C ½ Road and D Road at Indian Road

*Action: Introduction of Proposed Ordinance and Set a Hearing for October 6, 2004*

Staff presentation: Senta L. Costello, Associate Planner

9. **Rename Poplar Avenue to Poplar Drive** [File # MSC-2004-138] [Attach 9](#)

Resolution to rename Poplar Avenue to Poplar Drive.

Resolution No. 84-04 – A Resolution Renaming Poplar Avenue to Poplar Drive Located Between Lorey Drive and Lilac Lane

*®Action: Adopt Resolution No. 84-04*

Staff presentation: Ronnie Edwards, Associate Planner

10. **Setting a Hearing for Alley Improvement District No. ST-04 and ST-04 Phase B Assessments** [Attach 10](#)

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

- East/West Alley from 13<sup>th</sup> to 15<sup>th</sup>, between Kennedy Avenue and Elm Avenue.
- East/West Alley from 14<sup>th</sup> to 15<sup>th</sup>, between Elm Avenue and Texas Avenue.
- East/West Alley from 2<sup>nd</sup> to 3<sup>rd</sup>, between Chipeta Avenue and Ouray Avenue
- East/West Alley from 2<sup>nd</sup> to 3<sup>rd</sup>, between Teller Avenue and Belford Avenue.
- “T” shaped Alley from 7<sup>th</sup> to Cannell, between Kennedy Avenue and Elm Avenue.
- East/West Alley from 8<sup>th</sup> to Cannell, between Mesa Avenue and Hall Avenue (Alley Improvement District ST-04, Phase B)

Proposed Ordinance Approving the Assessable Cost of the Improvements Made in and for Alley Improvement Districts No. ST-04 and ST-04 Phase B in the City of Grand Junction, Colorado, Pursuant to Ordinance No. 178, Adopted and Approved the 11th Day of June, 1910, as Amended; Approving the Apportionment of Said Cost to Each Lot or Tract of Land or Other Real Estate in Said Districts; Assessing the Share of Said Cost Against Each Lot or Tract of Land or Other Real Estate in Said Districts; Approving the Apportionment of Said Cost and Prescribing the Manner for the Collection and Payment of Said Assessment

*Action: Introduction of Proposed Ordinance and Set a Hearing for October 6, 2004*

Staff presentation: Mark Relph, Public Works and Utilities Director

11. **Setting a Hearing on Sanitary Sewer Improvement District No. SS-46-04 Assessments** [Attach 11](#)

First Reading of a Proposed Assessing Ordinance for the apportionment of costs associated with Sanitary Sewer Improvement District No. SS-46-04.

Proposed Ordinance Approving the Assessable Cost of the Improvements Made in and for Sanitary Sewer Improvement District No. SS-46-04, in the City of Grand Junction, Colorado, Pursuant to Ordinance No. 178, Adopted and Approved the 11<sup>th</sup> Day of June, 1910, as Amended; Approving the Apportionment of Said Cost to Each Lot or Tract of Land or Other Real Estate in Said District; Assessing the Share of Said Cost Against Each Lot or Tract of Land or Other Real Estate in Said District; Approving the Apportionment of Said Cost and Prescribing the Manner for the Collection and Payment of Said Assessment

*Action: Introduction of Proposed Ordinance and Set a Hearing for October 6, 2004*

Staff presentation: Mark Relph, Public Works and Utilities Director

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

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

12.\*\*\* **Authorizing Support for the Revolving Loan Fund of the Business Incubator Center** [Attach 20](#)

A Resolution of the City of Grand Junction that authorizes the expenditure of \$300,000 from the Economic Development Fund to help recapitalize the Business Incubator Revolving Loan Fund.

Resolution No. 88-04 – A Resolution Authorizing the Expenditure of Economic Development Fund to Recapitalize the Revolving Loan Fund of Mesa County

®Action: *Adopt Resolution No. 88-04*

Staff presentation: Ron Lappi, Administrative Services Director

13. **Public Hearing – Barker Annexation Located at 172 Lantzer Avenue, 2934 Highway 50, and 2937 Jon Hall Drive** [File # ANX-2004-127] [Attach 12](#)

The Barker Annexation is a serial annexation. The developable area is comprised of 8.89 acres, located at 172 Lantzer Avenue, 2934 Highway 50, and 2937 Jon Hall Drive. The annexation area includes portions of 29 ½ Road; Lantzer Avenue; Jon Hall Drive and Highway 50 rights-of-way. The applicants request approval of the Resolution accepting the annexation petition, and hold a public hearing to consider final passage of the Annexation Ordinance.

**a. Accepting Petition**

Resolution No. 85-04 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as Barker Annexations, No. 1 and 2 is Eligible for Annexation, Located at 172 Lantzer Avenue; 2934 Highway 50; 2937 Jon Hall Drive

®Action: *Adopt Resolution No. 85-04*

**b. Annexation Ordinances**

Ordinance No. 3665 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Barker Annexation No. 1, Approximately 0.16 Acres Located Along a Portion of 29 ½ Road and Highway 50 Rights-of-Way

Ordinance No. 3666 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Barker Annexation No. 2, Approximately 10.72 Acres Located at 172 Lantzer Avenue; 2934 Highway 50 and 2937 Jon Hall Drive

*®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinances No. 3665 and 3666*

Staff presentation: Lori V. Bowers, Senior Planner

14. **Public Hearing – Zoning the Barker Annexation Located at 172 Lantzer Avenue, 2934 Highway 50, and 2937 Jon Hall Drive to RSF-4** [File # ANX-2004-127] [Attach 13](#)

Consider Final Passage of a proposed zoning ordinance to zone the Barker Annexation, located at 172 Lantzer Avenue, 2934 Highway 50 and 2937 Jon Hall Drive, to RSF-4 (Residential Single Family, not to exceed 4 dwelling units per acre).

Ordinance No. 3667 – An Ordinance Zoning the Barker Annexation to RSF-4 Located at 172 Lantzer Avenue, 2934 Hwy 50, and 2937 Jon Hall Drive

*®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3667*

Staff presentation: Lori V. Bowers, Senior Planner

15. **Public Hearing – Vacating Right-of-Way at the Southwest Corner of Patterson Road and 28 ½ Road Intersection within The Falls Filing One Subdivision** [File # VR-2004-133] [Attach 14](#)

Adoption of a proposed ordinance to vacate the public right-of-way as dedicated in the Falls Filing No. One, as amended, except for F Road also known as Patterson Road, located at the southwest corner of Patterson Road and 28 ½ Road. The Planning Commission recommended approval of the right-of-way vacation on August 24, 2004, making the Findings of Fact/Conclusion identified in the staff report.

Ordinance No. 3668 – An Ordinance Vacating Right-of-Way Located in the Falls Filing No. One, as amended, Subdivision on the Southwest Corner of Patterson Road and 28 ½ Road

*®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3668*

Staff presentation: Ronnie Edwards, Associate Planner



16. **Public Hearing – Growth Plan Amendment from Commercial / Industrial to Park for Five Properties Located at 2515 River Road** [File # GPA-2004-125] [Attach 15](#)

Hold a public hearing and consider passage of a resolution to change the Growth Plan designation from a Commercial / Industrial designation to a Park designation.

Resolution No. 86-04 – A Resolution Amending the City of Grand Junction Growth Plan Future Land Use Map to Re-Designate Approximately 10 Acres Located Generally at 2515 River Road from Commercial / Industrial to Park

*®Action: Adopt Resolution No. 86-04*

Staff presentation: Senta L. Costello, Associate Planner

17. **Public Hearing – Rezoning the Ice Skating Inc. Property, Located at 2515 River Road, from I-1 to CSR (Continued from September 1, 2004)** [File # RZ-2004-125] [Attach 16](#)

Hold a public hearing and consider final passage of the zoning ordinance to rezone the Ice Skating Inc. property from I-1 (Light Industrial) to CSR (Community Services & Recreation), located at 2515 River Road.

Ordinance No. 3669 – An Ordinance Rezoning the Ice Skating Inc Property to CSR (Community Services And Recreation) Located at 2515 River Road

*®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3669*

Staff presentation: Senta L. Costello, Associate Planner

18. **Appeal of the Record of a Planning Commission Decision Regarding the Denial of a Variance Request Located at 2938 North Avenue, Palace Pointe Market Place (Continued from July 7, 2004)** [File # VAR-2004-056] [Attach 17](#)

The appellant, North Avenue Center, LLC, wishes to appeal the Planning Commission's decision of May 11, 2004 regarding the denial of their variance request of the Zoning & Development Code's requirement to provide a six foot (6') masonry wall between a C-1, Light Commercial and a RMF-8, Residential Multi-Family – 8 units/acre (County) Zoning District. This appeal is per Section 2.18 E.

of the Zoning & Development Code which specifies that the City Council is the appellant body of the Planning Commission.

*Action: Review the Appeal of the Appellant*

Staff presentation: Scott D. Peterson, Associate Planner

19. **Adopting the Implementation of the Infill/Redevelopment Program** [Attach 18](#)

In September, 2002, City Council approved an infill / redevelopment policy which consisted of definitions of "Infill," "Redevelopment," and "Redevelopment Area." Early in 2003, the policy was formally adopted as part of the Growth Plan update. Following that, Leslie Bethel Design and Planning was contracted to develop an implementation program. Working with Council and the Planning Commission, the final implementation report was completed in March, 2004. This proposed resolution adopts Council's direction provided at the July 19, 2004 workshop at which time the definitions were reaffirmed and the proposed infill and redevelopment area maps, proposed incentives and the information required of applicants were approved.

Resolution No. 87-04 – A Resolution Adopting an Infill/Redevelopment Implementation Program

*®Action: Adopt Resolution No. 87-04*

Staff presentation: Bob Blanchard, Community Development Director

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

21. **OTHER BUSINESS**

22. **EXECUTIVE SESSION** – RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS UNDER C.R.S. SECTION 24-6-402(4)(e), RELATIVE TO GRAND MESA RESERVOIR COMPANY PROPOSALS

[Attach 19](#)

23. **ADJOURNMENT**

**Attach 1  
Minutes from Previous Meetings**

**GRAND JUNCTION CITY COUNCIL  
WORKSHOP SUMMARY**

**AUGUST 30, 2004**

The City Council of the City of Grand Junction, Colorado met on Monday, August 30, 2004 at 7:01 p.m. in the City Hall Auditorium to discuss workshop items. Those present were Harry Butler, Cindy Enos-Martinez, Dennis Kirtland, Bill McCurry, Gregg Palmer, Jim Spehar and President of the Council Bruce Hill.

**Summaries and action on the following topics:**

1. **COMMUNICATIONS UPDATE:** Communications and Community Relations Coordinator Sam Szymanski addressed City Council on communication matters. First, she updated Council on what she has been working on since she began her employment. She noted that the position has been augmented with community relations being a new component. She listed the meetings and people she has met with, the one of kind events for which she facilitated media coverage, and advised she organized a citywide PIO (Public Information Officer) group. Her regular ongoing activities were identified, as well as community relations activities she has been involved in and activities in process. Ms. Szymanski concluded by noting things she would like to address in the future. She then asked for City Council feedback.

Council President Hill commended Ms. Szymanski for her work, especially her timely responses and agreed with the PIO group giving City representatives one voice. Councilmember Kirtland highlighted the areas he was particularly interested in including the media, broadcast, and the website. Councilmember Palmer concurred, adding additional items of interest including more neighborhood-type meetings and upgrading the broadcast. Councilmember Spehar said besides distributing information, he is interested in learning the needs of citizens. He would like to focus on creating opportunities to receive that feedback.

Councilmembers spoke to the need for a general number for City information, an "ombudsman" so to speak, and that customer service is personal service. Council President Hill noted the phone system was changed at the City and the City needs to be sensitive to how that feels from the outside. City Manager Arnold explained the reason for installing that system and advised that larger communities are going to a 3-1-1

system. CityDial's usefulness was also discussed. A joint switchboard with Mesa County was another suggestion.

**Action summary:** Council did want to keep up-to-date with communications issues but deferred to Ms. Szymanski to determine when the time is to report, although it may be more frequent than other departments and in conjunction with particular events. Council encouraged her to pull Councilmembers into situations when they are needed.

**The meeting adjourned at 8:00 p.m.**

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

**September 1, 2004**

The City Council of the City of Grand Junction convened into regular session on the 1<sup>st</sup> day of September 2004, at 7:30 p.m. in the City Auditorium. Those present were Councilmembers Harry Butler, Bill McCurry, Gregg Palmer, Jim Spehar and President of the Council Bruce Hill. Absent was, Councilmembers Cindy Enos-Martinez, and Dennis Kirtland (who arrived later). Also present were City Manager Kelly Arnold, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Hill called the meeting to order. Councilmember McCurry led in the pledge of allegiance. The audience remained standing for the invocation by Rob Storey, River of Life Alliance Church.

**RECOGNITIONS / PROCLAMATIONS**

RECOGNITION OF CITY MANAGER KELLY ARNOLD'S ACHIEVEMENT AS AN ICMA CREDENTIALLED MANAGER

RECOGNITION OF PUBLIC WORKS EMPLOYEES DENNIS PRICE AND JASON BROWN FOR THEIR ASSISTANCE TO THE GRAND JUNCTION FIRE DEPARTMENT IN A RIVER RESCUE

Operations Officer Jim Bright introduced Captain Eric Cox who described the incident that occurred where Dennis and Jason had rescued a woman from the river in the early spring.

PROCLAIMING SEPTEMBER 17, 2004 THROUGH SEPTEMBER 23, 2004 AS "CONSTITUTION WEEK"

PROCLAIMING THE GRAND JUNCTION CITY COUNCIL'S SUPPORT FOR THE EFFORT TO BUILD A NEW LIBRARY BUILDING AND FOR THE BALLOT MEASURE THAT WILL BE GOING BEFORE THE VOTERS

**PRESENTATION OF CERTIFICATES OF APPOINTMENT**

TO THE PLANNING COMMISSION

Tom Lowery was present and received his certificate.

TO THE PLANNING COMMISSION BOARD OF APPEALS

Travis Cox, Lynn Pavelka-Zarkesh, and Reginald Wall were present and received their certificates.

Councilmember Dennis Kirtland joined the meeting at 7:46 p.m.

### **APPOINTMENTS/ENDORSEMENTS**

#### **APPOINTMENT OF COUNCIL PRESIDENT BRUCE HILL TO CML'S POLICY COMMITTEE FOR 2004-2005**

Councilmember McCurry moved to appoint Council President Hill to CML's Policy Committee. Councilmember Palmer seconded. Motion carried.

#### **RESOLUTION NO. 79-04 – A RESOLUTION ENDORSING COUNCIL PRESIDENT BRUCE HILL'S APPLICATION FOR APPOINTMENT TO THE NATIONAL LEAGUE OF CITIES COMMUNITY AND ECONOMIC DEVELOPMENT STEERING COMMITTEE AND DIRECTING THAT A LETTER OF ENDORSEMENT BE SENT TO NLC**

It was moved by Councilmember Palmer, seconded by Councilmember McCurry and carried to approve Resolution No. 79-04.

### **CITIZEN COMMENTS**

There was none.

### **CONSENT CALENDAR**

John Sink, 597 Ravenwood Lane, asked that the Castanha Zoning be taken off the Consent Calendar. Council President Hill advised that item is not on the Consent Calendar and will be addressed individually.

It was moved by Councilmember Palmer, seconded by Councilmember McCurry and carried by roll call vote to approve Consent Calendar Items #1through #5.

#### **1. Minutes of Previous Meetings**

*Action: Approve the Workshop Summary/Special Meeting Minutes from August 16, 2004 and the Minutes of the August 18, 2004 Regular Meeting*

#### **2. Alley Improvement District 2004**

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

- East/West Alley from 13<sup>th</sup> to 15<sup>th</sup>, between Kennedy Avenue and Elm Avenue
  - East/West Alley from 14<sup>th</sup> to 15<sup>th</sup>, between Elm Avenue and Texas Avenue
  - East/West Alley from 2<sup>nd</sup> to 3<sup>rd</sup>, between Chipeta Avenue and Ouray Avenue
- East/West Alley from 2<sup>nd</sup> to 3<sup>rd</sup>, between Teller Avenue and Belford Avenue
- “T” shaped Alley from 7<sup>th</sup> to Cannell, between Kennedy Avenue and Elm Avenue
- East/West Alley from 8<sup>th</sup> to Cannell, between Mesa Avenue and Hall Avenue (Alley Improvement District ST-04, Phase B)

A public hearing is scheduled for October 6, 2004.

Resolution No. 78-04 – A Resolution Approving and Accepting the Improvements Connected with Alley Improvement Districts No. ST-04 and No. ST-04, Phase B

*Action: Adopt Resolution No. 78-04*

3. **Setting a Hearing on Zoning the Barker Annexation Located at 172 Lantzer Avenue, 2934 Highway 50, and 2937 Jon Hall Drive to RSF-4** [File # ANX-2004-127]

Introduction of a proposed zoning ordinance to zone the Barker Annexation, located at 172 Lantzer Avenue, 2934 Highway 50 and 2937 Jon Hall Drive, to RSF-4 (Residential Single Family, not to exceed 4 dwelling units per acre).

Proposed Ordinance Zoning the Barker Annexation to RSF-4 Located at 172 Lantzer Avenue, 2934 Hwy 50, and 2937 Jon Hall Drive

*Action: Introduction of a Proposed Ordinance and Set a Hearing for September 15, 2004*

4. **Setting a Hearing on Right-of-Way Vacation – Southwest Corner of Patterson Road and 28 ½ Road intersection within The Falls Filing One Subdivision** [File # VR-2004-133]

Introduction of a proposed ordinance to vacate the public right-of-way as dedicated in the Falls Filing No. One, as amended, except for F Road also known as Patterson Road, located at the southwest corner of Patterson Road and 28 ½ Road.

Proposed Ordinance Vacating Right-of-Way Located in the Falls Filing No. One, as amended, Subdivision on the Southwest Corner of Patterson Road and 28 ½ Road

*Action: Introduction of a Proposed Ordinance and Set a Hearing for September 15, 2004*

5. **Setting a Hearing on Indian Road Annexation Located between C ½ Road and D Road at Indian Road** [File # ANX-2004-137]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 34.806 acre Indian Road Annexation consists of 49 parcels. Indian Road Annexation is a 2 part serial annexation.

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

Resolution No. 80-04 – 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, Indian Road Annexation Located Between C ½ Road and D Road at Indian Road

*Action: Adopt Resolution No. 80-04*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Indian Road Annexation #1, Approximately 1.017 Acres Located at C ½ Road and Indian Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Indian Road Annexation #2, Approximately 33.789 Acres Located at D Road and Indian Road

*Action: Introduction of Proposed Ordinances and Set a Hearing for October 6, 2004*

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

**Public Hearing – Rezoning the Ice Skating Inc. Property, Located at 2515 River Road, from I-1 to CSR** [File # RZ-2004-125]

A continuance to the September 15, 2004 City Council meeting is requested to hold the public hearing and consider final passage of the zoning ordinance to rezone the Ice Skating Inc. property from I-1 (Light Industrial) to CSR (Community Services & Recreation), located at 2515 River Rd. At that time a Growth Plan Amendment request will also be heard to change the subject property from a Commercial/Industrial designation to a Park designation.



Kathy Portner, Planning Manager, asked the Council to continue this item until September 15, 2004 at which time a Growth Plan Amendment will be brought before Council.

Proposed Ordinance Rezoning the Ice Skating Inc. property to CSR (Community Services and Recreation) Located at 2515 River Road

Councilmember Kirtland moved to continue the public hearing to September 15, 2004. Councilmember Palmer seconded the motion. Motion carried.

**Public Hearing – Zoning the Castanha Annexation 1, 2, 3 & 4 Located at 2250 Saddlehorn Road to RSF-2 [File # ANX-2004-135]**

Hold a Public Hearing and Consider Final Passage of a proposed zoning ordinance for the Castanha Annexation. The request is for RSF-2 zoning. Castanha Annexation is a serial annexation comprised of 4.895 acres, located at 2250 Saddlehorn Road.

The public hearing was opened at 7:54 p.m.

Lori V. Bowers, Senior Planner, reviewed this item. She described the site and the surrounding areas. She referred to three letters of concern included in the packet that related to the road and specific criteria relative to the compatibility to the neighborhood.

Tom Dixon was present representing the applicant. He pointed out that the Mesa County land use designation allows a minimum lot size of 8,000 square feet. The applicant is requesting an RSF-2 zone district with minimum lot sizes of 17,000 square feet. Mr. Dixon advised that the Planning Commission recommended approval of the request 7 to 0.

John Sink, 597 Ravenwood Lane, thought RSF-1 would be more appropriate. The surrounding areas are mostly one acre lots in Redlands Village, this was discussed at the Planning Commission. The proposal then was for a simple lot split, yet the request tonight is RSF-2.

Council President Hill noted this was the first time he had seen a downzone from the existing zoning. So to clarify, Mr. Sink was stating it to be less.

Councilmember Butler inquired what Mr. Sink's response would have been if the applicant had built at the current zoning. Mr. Sink said he would have come down and offered his perspective on that. He felt it is not a good fit.

Councilmember Palmer asked about the RSF-2 density. City Attorney Shaver said that the maximum density would be 2 units per acre.

Councilmember Spehar said the zoning has to be consistent with either the County zone or the Growth Plan. The Growth Plan allows two to four units, so the request is consistent. Certainly other development restraints will come into play. He believes they should follow the lead of the Planning Commission and approve the request.

Tom Dixon said the RSF-1 issue came up and that would work for the Castanhas but may not fit long term. There are opportunities in this area for higher densities, like RSF-2. The properties to the north do not have sewer, but areas to the west have potential for redevelopment to have RSF-2 since the Growth Plan has directed that. Any further downzone may set a precedent in the area. He asked for the requested zoning.

The public hearing was closed at 8:06 p.m.

Councilmember Kirtland agreed with Councilmember Spehar's remarks. The property owner should be able to rely on the Growth Plan designation and it seems reasonable to allow this type of development.

Councilmember Spehar referred to another similar situation and how the Council reacted.

Councilmember Palmer said they are not unsympathetic but feel the request is appropriate.

Council President Hill thanked the neighbors for taking the time to come down and testify. It would be hard to vote against the Future Land Use designation for that property and was sympathetic to the roadway concerns, but was confident that will be addressed during development review.

Ordinance No. 3664 – An Ordinance Zoning the Castanha Annexation to Residential Single Family (RSF-2) not to exceed 2 dwelling units per acre Located at 2250 Saddlehorn Road

Councilmember Spehar moved to adopt Ordinance No. 3664 on Second Reading and ordered it published. Councilmember Kirtland seconded the motion. Motion carried by roll call.

### **NON-SCHEDULED CITIZENS & VISITORS**

There was none

### **OTHER BUSINESS**

There was none

**ADJOURNMENT**

The meeting adjourned at 8:11p.m.

Stephanie Tuin, MMC  
City Clerk

**Attach 2**  
**Appoint a Designated Voter for the City**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
<b>Subject</b>	Appointment of a Designated Voter for the City to Cast a Vote in the Upcoming Special Election and Approving Amendments to the Written Mail Ballot Plan						
<b>Meeting Date</b>	September 15, 2004						
<b>Date Prepared</b>	September 8, 2004					<b>File #</b>	
<b>Author</b>	Stephanie Tuin			<b>City Clerk</b>			
<b>Presenter Name</b>	Stephanie Tuin			<b>City Clerk</b>			
<b>Report results back to Council</b>	X	<b>No</b>		<b>Yes</b>	<b>When</b>		
<b>Citizen Presentation</b>		<b>Yes</b>	X	<b>No</b>	<b>Name</b>		
	<b>Workshop</b>	X	<b>Formal Agenda</b>		X	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** The City Council has called a Special Election to extend the number of years and the maximum amount of additional debt financing of the Grand Junction Downtown Development Authority (DDA) to be repaid with the revenues derived from Tax Increment Financing (TIF). The City owns several properties in the DDA and is entitled to cast a ballot in the Special Election; however, because only natural persons can vote, the City must designate a representative to do so.

Additionally, there have been a couple of minor changes made to the Written Mail Ballot Plan approved by the City Council at the August 18, 2004 meeting. The changes have been made to comply with the different provisions governing the election and rules set forth by the Secretary of State.

**Budget:** None.

**Action Requested/Recommendation:** Adopt Resolution No. \_\_\_\_ -04

**Attachments:** Proposed resolution

**Background Information:** Part 8 of Title 31, Article 25 of the Colorado Revised Statutes relates to Downtown Development Authorities and includes TIF elections. The qualifications for electors under this statute are very different from ordinary municipal elections. Specifically, 31-25-802 (9) defines a “qualified elector” as “a resident, a landowner, or a lessee as said terms are defined in this section.” Further it states that

“any landowner or lessee, which is not a natural person may vote only if it designates by some official action a representative thereof to cast its ballot.”

The City of Grand Junction owns several parcels in the TIF District and is therefore a landowner and qualified elector. By this resolution City Manager Kelly Arnold will be the designated voter for the City. When the ballot package is mailed, Mr. Arnold will receive it on behalf of the City.

The changes made to the Written Mail Ballot Plan are minor and relate to the fact that lessees are also allowed to vote in the election. The Secretary of State has until September 23<sup>rd</sup> to approve the Mail Ballot Plan. If there are any additional changes required by the Secretary of State, the resolution authorizes the Designated Election Official (the City Clerk) to make the changes as necessary.

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO. -04

A RESOLUTION APPOINTING A DESIGNATED VOTER FOR THE CITY OF GRAND JUNCTION TO CAST A VOTE IN THE SPECIAL ELECTION SCHEDULED NOVEMBER 2, 2004 REGARDING TAX INCREMENT FINANCING DEBT

**Recitals.**

On August 4, 2004, the Grand Junction City Council adopted Ordinance No. 3653 which directed that a question be submitted to the qualified electors of the Downtown Development Authority which if approved will extend the number of years for borrowing, authorize an increase in the maximum incurred debt and modify the purposes of the Downtown Development Authority.

On August 18, 2004, the City Council by Resolution No. 70-04 directed the election be conducted by mail ballot.

The provisions of 31-25-801 *et seq*, C.R.S. define how such an election will be conducted and define qualified electors as "a resident, a landowner, or a lessee as said terms are defined in this section." Further it states that "any landowner or lessee which is not a natural person may vote only if it designates by some official action a representative thereof to cast its ballot." The City is a landowner and is not a natural person and therefore must designate a representative to vote in the election.

The appointment of a representative by resolution satisfies the requirements of State law.

The City Council approved a Written Mail Ballot Plan on August 18, 2004 by Resolution No. 70-04. Since that adoption, the estimated number of qualified electors has been refined. The City Clerk made that change prior to submitting the Mail Ballot Plan to the Secretary of State. The City Council needs to ratify that and other minor changes that may be needed as required by the Secretary of State.

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

1. City Manager Kelly Arnold is the designated representative to cast a ballot on behalf of the City of Grand Junction.

2. Changes made to the Written Mail Ballot plan as required by the provisions of 31-25-801 *et seq* C.R.S., by the Secretary of State and as otherwise required by law are hereby ratified and approved.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
President of the Council

ATTEST:

\_\_\_\_\_  
City Clerk

**Attach 3**  
**Three CDBG Subrecipient Contracts for Projects**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA								
<b>Subject</b>		Three Subrecipient Contracts for Projects within the City's 2004 Program Year Community Development Block Grant (CDBG) Program						
<b>Meeting Date</b>		September 15, 2004						
<b>Date Prepared</b>		September 8, 2004			Files: CDBG 2004-03 CDBG 2004-04 CDBG 2004-05			
<b>Authors</b>		Dave Thornton Kristen Ashbeck		CDBG Program Manager Senior Planner				
<b>Presenter Name</b>		David Varley		Assistant City Manager				
<b>Report Results Back to Council</b>		X	No		Yes	<b>When</b>		
<b>Citizen Presentation</b>			Yes	X	No	<b>Name</b>		
	<b>Workshop</b>	X	<b>Formal Agenda</b>			X	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** The Subrecipient Contracts formalize the City's award of a total of \$25,000 to various non-profit organizations via the St. Mary's Foundation as allocated from the City's 2004 CDBG Program as previously approved by Council.

**Budget:** 2004 CDBG Allocation

**Action Requested:** Authorization for the City Manager to sign the three subrecipient contracts with the St. Mary's Foundation for the City's 2004 Program Year, Community Development Block Grant Program.

**Background Information:** The St. Mary's Foundation operates the Gray Gourmet (CDBG 2004-03), Foster Grandparent (CDBG 2004-04) and Senior Companion (CDBG 2004-05) programs in the Grand Valley. The Gray Gourmet program services the nutritional needs of the frail, low to moderate income, homebound seniors of the Grand Valley. The City awarded the Gray Gourmet \$10,000 from the 2004 CDBG funds to purchase food for the program.

The Foster Grandparent Program provides low to moderate income elderly persons with opportunities to help an estimate 1,400 to 1,500 children in local schools. These children with special needs receive the nurturing, mentoring and tutoring services



provided by the program. The City's \$7,000 CDBG 2004 Program Year funds will be used to reimburse volunteers for mileage expenses incurred for traveling to and from their volunteer station.

The Senior Companion Program enables low to moderate income active seniors to assist other low income frail, elderly persons so that these persons can continue to live at home rather than in an assisted living facility. The City's CDBG funds of \$8,000 from the 2004 Program Year will be used to reimburse volunteers for mileage expenses incurred for traveling to and from their client's home and for travel to provide other services to the client.

The St. Mary's Foundation is considered a "subrecipient" to the City. The City will "pass through" a portion of its 2004 Program Year CDBG funds to the St. Mary's Foundation but the City remains responsible for the use of these funds. These contracts with the St. Mary's Foundation outline the duties and responsibilities of each party/program and are used to ensure that the St. Mary's Foundation will comply with all Federal rules and regulations governing the use of these funds. The contracts must be approved before the subrecipient may spend any of these Federal funds. Exhibit A of each of the contracts (attached) contain the specifics of the projects and how the money will be used by the St. Mary's Foundation for the three programs.

**Attachments:**

1. Exhibit A, Subrecipient Contract – Gray Gourmet
2. Exhibit A, Subrecipient Contract – Foster Grandparent Program
3. Exhibit A, Subrecipient Contract – Senior Companion Program

**2004 SUBRECIPIENT CONTRACT FOR  
CITY OF GRAND JUNCTION  
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS  
WITH  
ST. MARY'S FOUNDATION FOR THE GRAY GOURMET PROGRAM**

**EXHIBIT "A"  
SCOPE OF SERVICES**

1. The City agrees to pay subject to the Subrecipient Agreement St. Mary's Foundation for the Gray Gourmet Program (Gray Gourmet) \$10,000 from its 2004 Program Year CDBG Entitlement Funds for the purchase of food for the Gray Gourmet program. The general purpose of the entire program and this project is to meet the nutritional needs of a growing population of low to moderate income and frail elderly persons.
2. Gray Gourmet certifies that it will meet the CDBG National Objective of low and moderate income clientele benefit (570.201(e)). It shall meet this objective by providing the above-referenced services to low and moderate income persons in Grand Junction, Colorado.
3. The Gray Gourmet Program (Gray Gourmet) prepares meals at a central kitchen located at 551 Chipeta Avenue in Downtown Grand Junction. Volunteers then pick up the meals and deliver them to the homes of designated participants 5 days a week to low to moderate income, frail elderly who live in the City limits of Grand Junction. It is understood that the City's grant of \$10,000 in CDBG funds shall be used to purchase food that will allow Gray Gourmet to provide approximately 6,667 additional meals for a minimum of 26 persons during the project time period.
4. This project shall commence upon the full and proper execution of the 2004 Subrecipient Agreement and the completion of all appropriate environmental, Code, permit review and approval and compliance. The project shall be completed on or before June 30, 2005.

5. The revenue for the entire annual program is as follows:

City of Grand Junction CDBG	\$10,000
Other Sources from Gray Gourmet	\$23,335
Total Budget	\$33,335

6. The Gray Gourmet estimates that the total number of clients served by the program will be 1,700 persons during its operation in FY 04-05.

\_\_\_\_\_ St. Mary's Foundation  
\_\_\_\_\_ City of Grand Junction

7. The City of Grand Junction shall monitor and evaluate the progress and performance of Gray Gourmet 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. Gray Gourmet shall cooperate with the City relating to monitoring, evaluation and inspection and compliance.
8. Gray Gourmet 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. Gray Gourmet 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. Gray Gourmet 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. Gray Gourmet shall provide the City of Grand Junction with documentation establishing that all local and federal CDBG requirements have been met.
10. 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.
11. A formal project notice will be sent to Gray Gourmet once all funds are expended and a final report is received.

\_\_\_\_\_ St. Mary's Foundation  
\_\_\_\_\_ City of Grand Junction

**2004 SUBRECIPIENT CONTRACT FOR  
CITY OF GRAND JUNCTION  
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS  
WITH**

***ST. MARY'S FOUNDATION FOR THE FOSTER GRANDPARENT PROGRAM***

**EXHIBIT "A"  
SCOPE OF SERVICES**

1. The City agrees to pay subject to the Subrecipient Agreement St. Mary's Foundation for the Foster Grandparent Program \$7,000 from its 2004 Program Year CDBG Entitlement Funds for reimbursement of mileage expenses for program volunteers. The general purpose of the entire program and this project is to provide useful, productive roles for senior citizens while in turn providing children with special needs with nurturing, mentoring and tutoring provided by the volunteer foster grandparents.
2. The Foster Grandparent Program certifies that it will meet the CDBG National Objective of low and moderate income clientele benefit (570.201(e)). It shall meet this objective by providing the above-referenced services to low and moderate income persons in Grand Junction, Colorado.
3. The Foster Grandparent Program provides low to moderate income elderly persons with opportunities to help children. It is estimated that 1,400 to 1,500 children in local schools with special needs receive the nurturing, mentoring and tutoring services provided by the program. It is understood that the City's grant of \$7,000 in CDBG funds shall be used to reimburse volunteers for mileage expenses incurred for traveling to and from their volunteer station within the City limits.
4. This project shall commence upon the full and proper execution of the 2004 Subrecipient Agreement and the completion of all appropriate environmental, Code, permit review and approval and compliance. The project shall be completed on or before June 30, 2005.
5. The revenue for the entire annual program based on the 2004 budget is as follows:

United Way of Mesa County	\$ 5,946
Corporation for National and Community Service	\$255,419
Daniels Fund	\$ 10,000
Y-MA Foundation	\$ 6,000
City of Grand Junction CDBG	\$ 7,000

\_\_\_\_\_ St. Mary's Foundation  
\_\_\_\_\_ City of Grand Junction

Burt Foundation	\$ 2,500
El Pomar - Colorado Springs	\$ 1,000
El Pomar – GJHS	\$ 650

6. The Foster Grandparent Program estimates that the total number of clients served by the program will be 58-60 volunteer foster grandparents that will provide services to between 1,400 and 1,500 children during its operation in FY 04-05.
7. The City of Grand Junction shall monitor and evaluate the progress and performance of the Foster Grandparent Program 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. The Foster Grandparent Program shall cooperate with the City relating to monitoring, evaluation and inspection and compliance.
8. The Foster Grandparent Program 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. The Foster Grandparent Program 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. The Foster Grandparent Program 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. The Foster Grandparent Program shall provide the City of Grand Junction with documentation establishing that all local and federal CDBG requirements have been met.
10. 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.
11. A formal project notice will be sent to the Foster Grandparent Program once all funds are expended and a final report is received.

\_\_\_\_\_ St. Mary's Foundation  
\_\_\_\_\_ City of Grand Junction

**2004 SUBRECIPIENT CONTRACT FOR  
CITY OF GRAND JUNCTION  
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS  
WITH  
ST. MARY'S FOUNDATION FOR THE SENIOR COMPANION PROGRAM**

**EXHIBIT "A"  
SCOPE OF SERVICES**

1. The City agrees to pay subject to the Subrecipient Agreement St. Mary's Foundation for the Senior Companion Program \$8,000 from its 2004 Program Year CDBG Entitlement Funds for reimbursement of mileage expenses for program volunteers. The general purpose of the entire program and this project is to enable frail elderly persons to keep their independence as long as possible. Volunteer Senior Companions help their clients with grocery shopping, medical appointments, other errands out of the home and general housekeeping.
2. The Senior Companion Program certifies that it will meet the CDBG National Objective of low and moderate income clientele benefit (570.201(e)). It shall meet this objective by providing the above-referenced services to low and moderate income persons in Grand Junction, Colorado.
3. The Senior Companion Program enables low to moderate income active seniors to assist other low income frail, elderly persons so that these persons can continue to living at home rather than in an assisted living facility. It is understood that the City's grant of \$8,000 in CDBG funds shall be used to reimburse volunteers for mileage expenses incurred for traveling to and from their client's home and for travel to provide other services to the client.
4. This project shall commence upon the full and proper execution of the 2004 Subrecipient Agreement and the completion of all appropriate environmental, Code, permit review and approval and compliance. The project shall be completed on or before June 30, 2005.
5. The revenue for the entire annual program is as follows:

Corporation for National and Community Service	\$ 90,493
United Way of Mesa County	\$ 6,000
Area Agency on Aging	\$ 19,500
Western CO Community Foundation	\$ 750

\_\_\_\_\_ St. Mary's Foundation  
 \_\_\_\_\_ City of Grand Junction

Fundraising/Donations/In-Kind	\$18,700
El Pomar Foundation	\$ 1,000
Mobil Corporation Foundation	\$ 2,000
Wells Fargo Neighborhood Assistance	\$ 1,000
Daniels Foundation	\$ 5,000
Bacon Family Foundation	\$ 9,000
Anschutz Foundation	\$ 8,000
City of Grand Junction CDBG	\$ 8,000

6. The Senior Companion Program served 165 homebound elderly seniors with 41 volunteers in FY 03-04 and estimates that the total number of clients served by the program will be 50 volunteer Senior Companions that will provide services to approximately 185 frail elderly persons during its operation in FY 04-05.
7. The City of Grand Junction shall monitor and evaluate the progress and performance of the Senior Companion Program 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. The Senior Companion Program shall cooperate with the City relating to monitoring, evaluation and inspection and compliance.
8. The Senior Companion Program 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. The Senior Companion Program 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. The Senior Companion Program 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. The Senior Companion Program shall provide the City of Grand Junction with documentation establishing that all local and federal CDBG requirements have been met.
10. 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.
11. A formal project notice will be sent to the Senior Companion Program once all funds are expended and a final report is received.

\_\_\_\_\_ St. Mary's Foundation  
\_\_\_\_\_ City of Grand Junction



**Attach 4**  
**Setting a Hearing on Zoning the Prairie View Annexation No. 1 and 2**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
<b>Subject</b>	Zoning the Prairie View Annexation No. 1 and 2, located at 474 Dodge Street and 3038 Mohawk Avenue.						
<b>Meeting Date</b>	September 15, 2004						
<b>Date Prepared</b>	September 8, 2004			File #ANX-2004-141			
<b>Author</b>	Lisa E. Cox, AICP		Senior Planner				
<b>Presenter Name</b>	As Above		As Above				
<b>Report results back to Council</b>	X	No		Yes	<b>When</b>		
<b>Citizen Presentation</b>		Yes	X	No	<b>Name</b>		
	<b>Workshop</b>	X	<b>Formal Agenda</b>		X	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** Introduction of a proposed zoning ordinance to zone the Prairie View Annexation No. 1 and 2, located at 474 Dodge Street and 3038 Mohawk Avenue.

**Budget:** N/A

**Action Requested/Recommendation:** Introduce a proposed zoning ordinance and set a public hearing for October 6, 2004.

**Background Information:** See attached Staff Report/Background Information

**Attachments:**

1. Staff report/Background information
2. Site Location Map (Figure 1)
3. Aerial Photo Map (Figure 2)
4. Future Land Use Map (Figure 3)
5. Existing City and County Zoning Map (Figure 4)
6. Annexation Map (Figure 5)
7. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION				
<b>Location:</b>		474 Dodge Street and 3038 Mohawk Avenue		
<b>Applicants:</b>		Charlene Anderson, Deborah Kay Ereth and Condor Properties, LLC		
<b>Existing Land Use:</b>		Residential/Vacant		
<b>Proposed Land Use:</b>		Residential		
<b>Surrounding Land Use:</b>	<b>North</b>	Residential		
	<b>South</b>	Residential		
	<b>East</b>	Residential		
	<b>West</b>	Residential		
<b>Existing Zoning:</b>		County RSF-R		
<b>Proposed Zoning:</b>		RMF-5		
<b>Surrounding Zoning:</b>	<b>North</b>	County RSF-4		
	<b>South</b>	County RSF-R		
	<b>East</b>	City RMF-5		
	<b>West</b>	County RMF-5		
<b>Growth Plan Designation:</b>		Residential Medium, 4-8 DU/AC		
<b>Zoning within density range?</b>		<b>X</b>	<b>Yes</b>	<b>No</b>

**Staff Analysis:**

**Rezoning:** The requested zone of annexation to the RMF-5 district is consistent with the Growth Plan land use classification of Residential Medium. Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

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;

Response: The requested zoning is to place the property into an appropriate City zoning designation due to the annexation request. Therefore, this criteria is not applicable.

2. There has been a change of character in the neighborhood due to installation

of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.;

Response: The zoning request is in conjunction with an annexation request. Therefore this criteria is not applicable.

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

Response: The zoning request is compatible with the neighborhood and adjacent zoning. Future improvements to facilities will occur if the preliminary plan goes forward.

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;

Response: The proposed zoning is consistent with the Goals and polices of the Growth Plan, the 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;

Response: Adequate public facilities are available or will be supplied at the time of further development of the property.

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

Response: The zoning request is in conjunction with an annexation request. Therefore this criteria is not applicable.

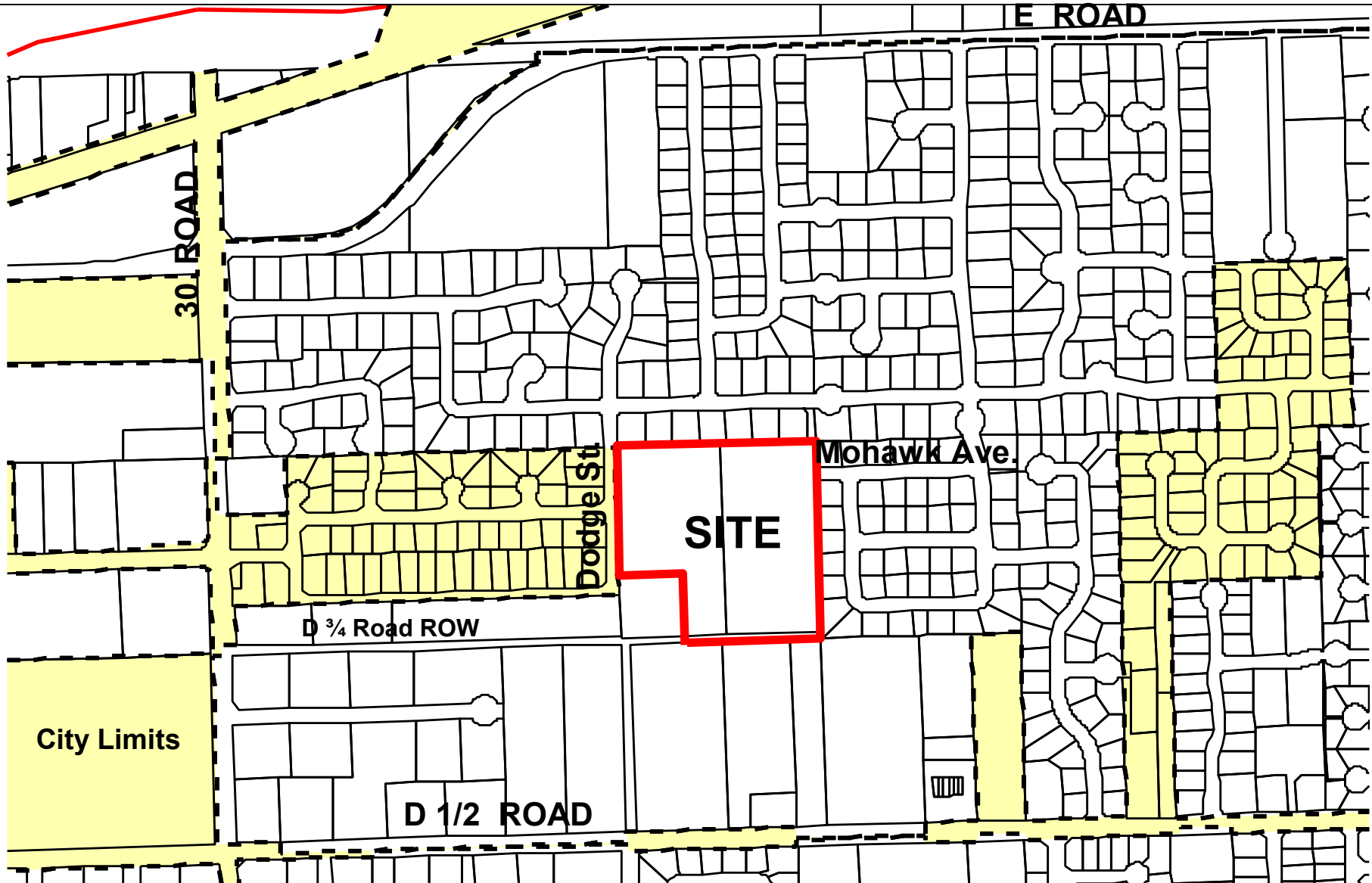
7. The community or neighborhood will benefit from the proposed zone.

Response: The zoning request is in conjunction with an annexation request. Therefore this criteria is not applicable.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the RMF-5 district to be consistent with the goals and policies of the Growth Plan and Future Land Use Map, and Sections 2.6 and 2.14 of the Zoning and Development Code.

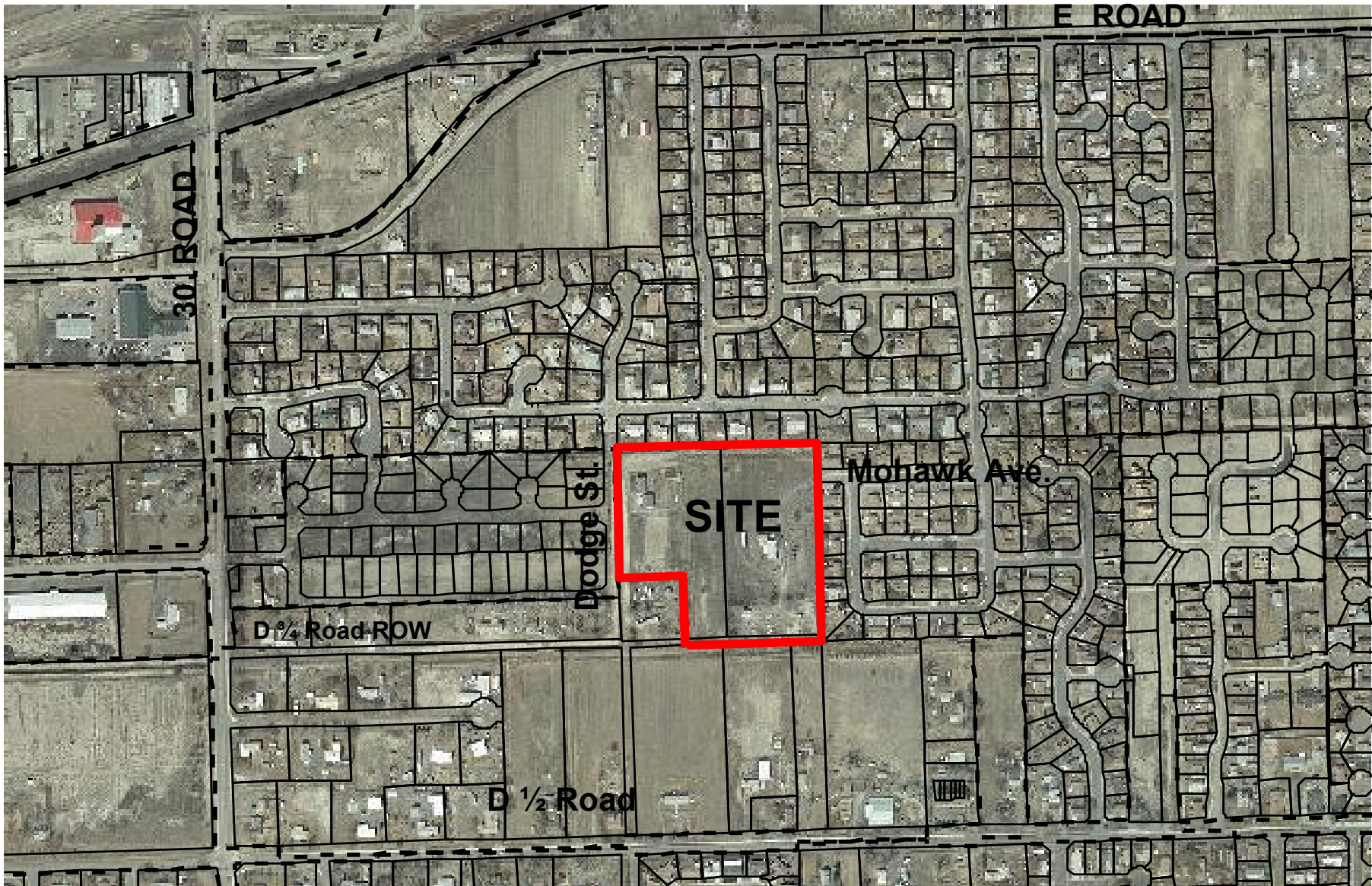
# Site Location Map

Figure 1



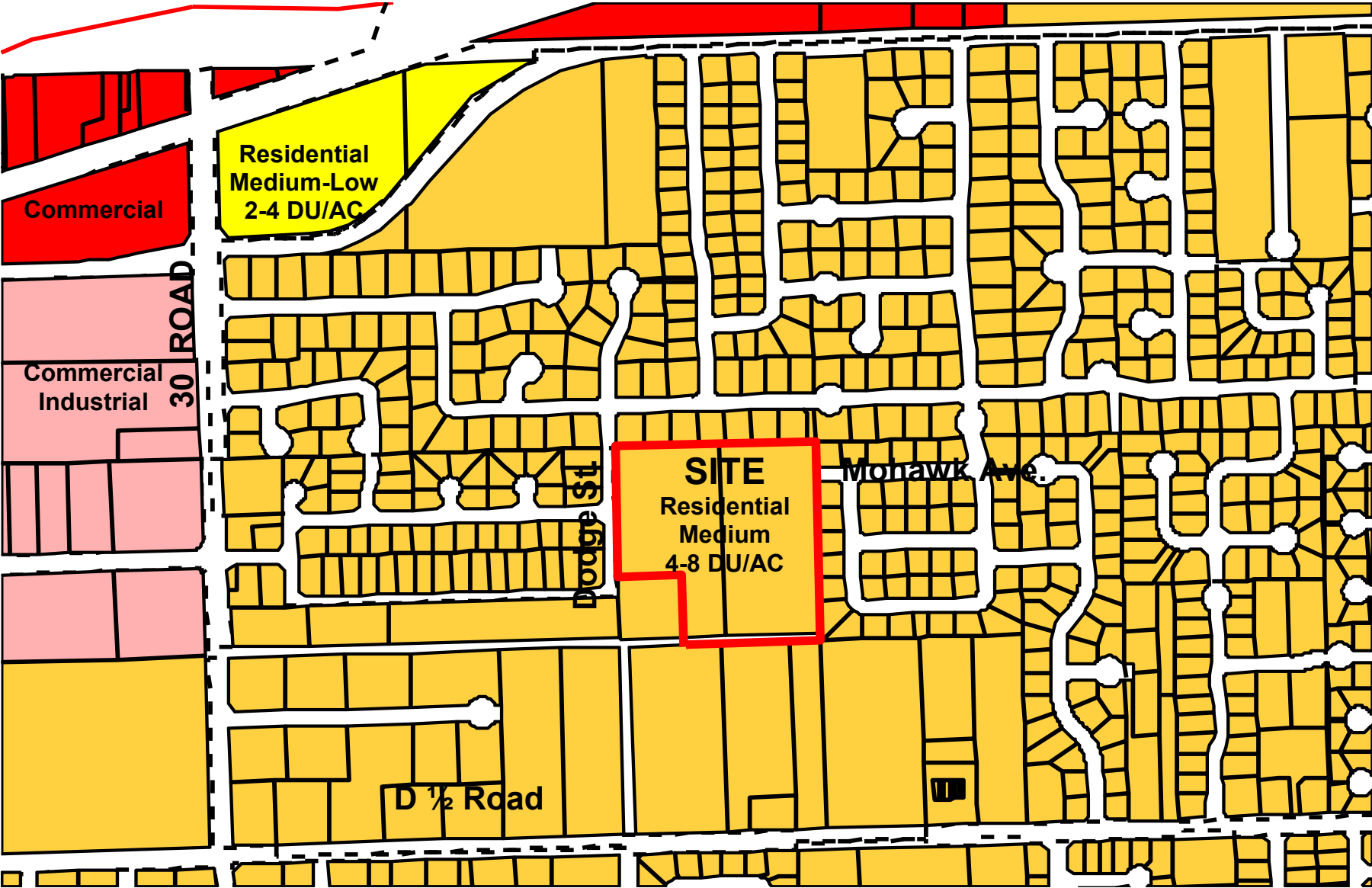
# Aerial Photo Map

Figure 2



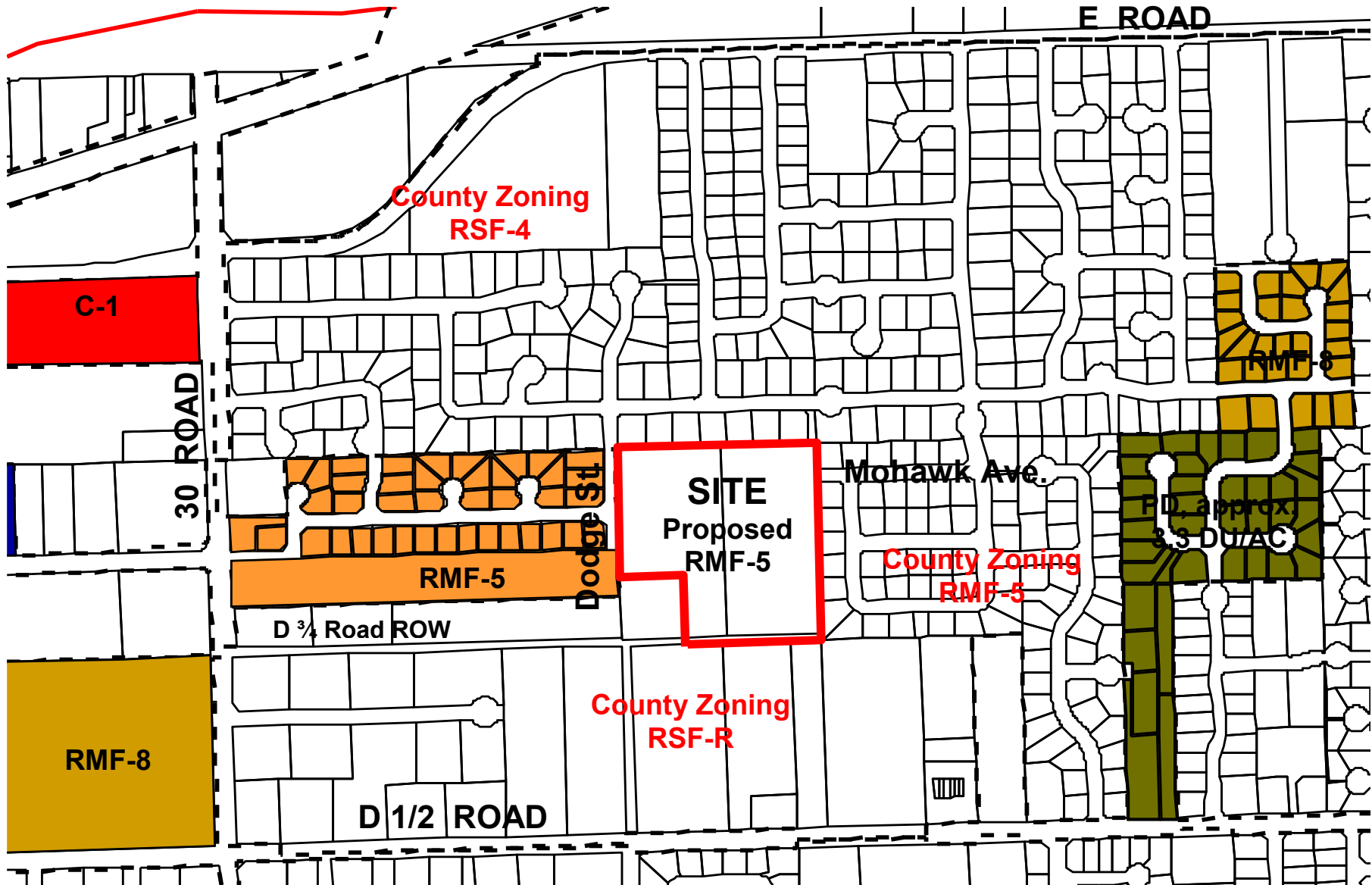
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4

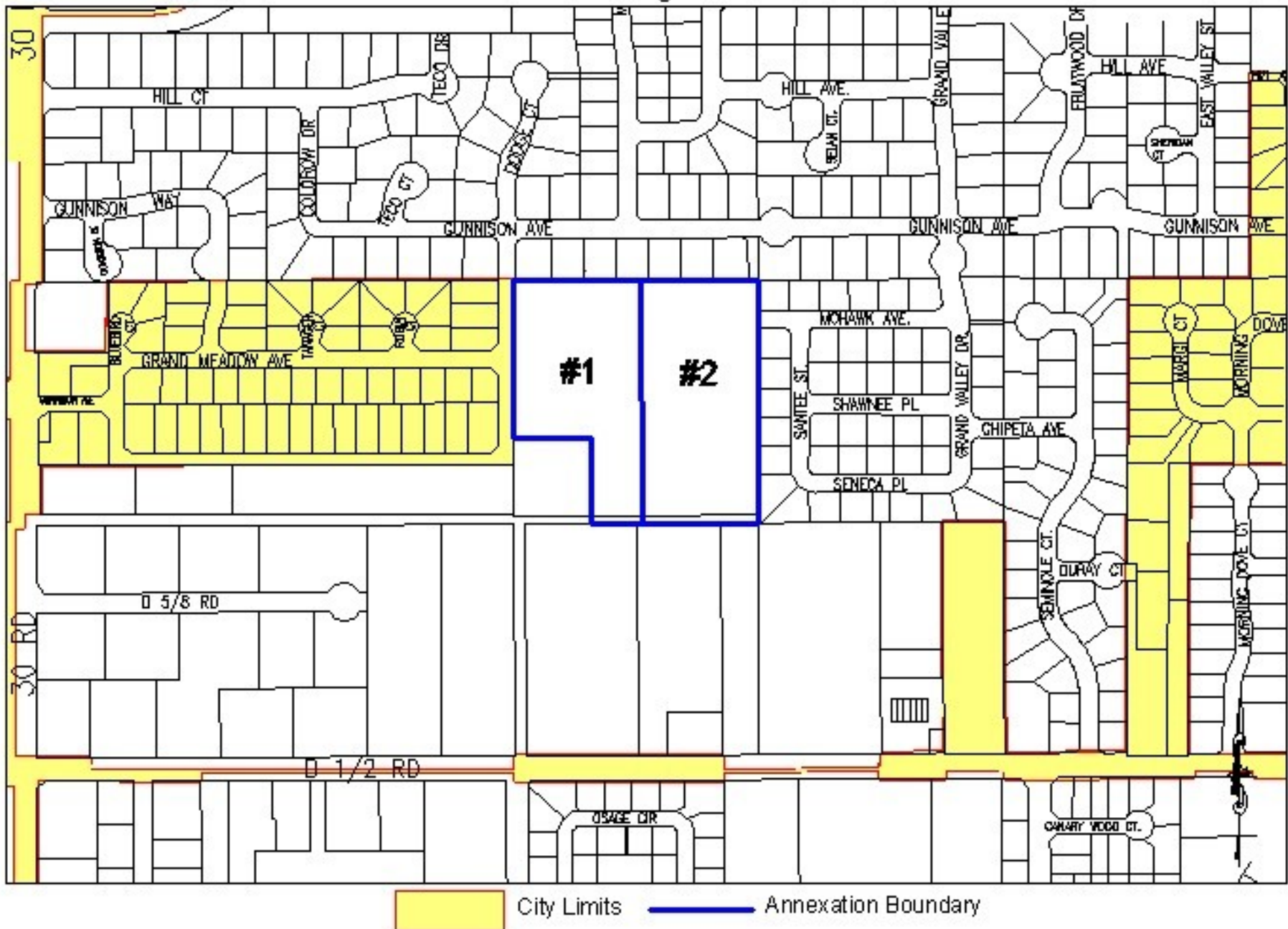


NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."



# Prarie View Annexations No. 1 and 2

Figure 5



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE PRAIRIE ANNEXATION NO. 1 AND 2  
TO RMF-5**

**LOCATED AT  
474 DODGE STREET AND 3038 MOHAWK AVENUE**

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of rezoning the Prairie View Annexation No. 1 and 2 to the RMF-5 zone district for the following reasons:

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

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

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

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

The following property shall be rezoned RMF-5 with a density not to exceed 5 units per acre.

**PERIMETER BOUNDARY LEGAL DESCRIPTION**  
**PRAIRIE VIEW ANNEXATION**

A Serial Annexation comprising Prairie View Annexation No. 1 and Prairie View Annexation No 2

**PRAIRIE VIEW ANNEXATION NO. 1**

A certain parcel of land lying in the Northwest Quarter of the Southeast Quarter of the Northwest Quarter (NW 1/4 SE 1/4 NW 1/4) of Section 16, Township 1 South, Range 1

East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northwest corner of the NW 1/4 SE 1/4 NW 1/4 of said Section 16 and assuming the North line of the NW 1/4 SE 1/4 NW 1/4 of said Section 16 bears N 89°55'43" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°55'43" E along the North line of the NW 1/4 SE 1/4 NW 1/4 of said Section 16, a distance of 345.00 feet; thence S 00°05'30" W a distance of 660.13 feet, more or less, to a point on the South line of the NW 1/4 SE 1/4 NW 1/4 of said Section 16; thence S 89°54'06" W along the South line of the NW 1/4 SE 1/4 NW 1/4 of said Section 16, a distance of 134.18 feet, more or less, to a point of intersection with the Southerly projection of the East line of that certain parcel of land as described and recorded in Book 1826, Page 820, Public Records of Mesa County, Colorado; thence N 00°05'30" W along the East line of said parcel, a distance of 228.71 feet to a point being the Northeast corner of that certain parcel of land; thence S 89°54'06" W along the North line of that certain parcel described in said Book 1826, Page 820, a distance of 208.71 feet to a point on the West line of the NW 1/4 SE 1/4 NW 1/4 of said Section 16; thence N 00°05'30" W along the West line of the NW 1/4 SE 1/4 NW 1/4 of said Section 16, a distance of 431.57 feet, more or less, to the Point of Beginning.

CONTAINING 4.117 Acres (179,340 Sq. Ft.), more or less, as described.

## PRAIRIE VIEW ANNEXATION NO. 2

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

COMMENCING at the Northwest corner of the NW 1/4 SE 1/4 NW 1/4 of said Section 16 and assuming the North line of the NW 1/4 SE 1/4 NW 1/4 of said Section 16 bears N 89°55'43" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, N 89°55'43" E along the North line of the NW 1/4 SE 1/4 NW 1/4 of said Section 16, a distance of 345.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, continue N 89°55'43" E along the North line of the NW 1/4 SE 1/4 NW 1/4 of said Section 16, a distance of 316.91 feet, more or less, to a point being the Northwest corner of the NW 1/4 SE 1/4 NW 1/4 of said Section 16; thence S 00°01'41" E along the East line of the NW 1/4 SE 1/4 NW 1/4 of said Section 16, being the West line of Cherokee Village No. Two, as same is recorded in Plat Book 13, Page 13, Public Records of Mesa County, Colorado, a distance of 659.97 feet, more or less, to a point being the Southeast corner of the NW 1/4 SE 1/4 NW 1/4 of said Section 16; thence S 89°54'06" W along the South line of

the NW 1/4 SE 1/4 NW 1/4 of said Section 16, a distance of 318.29 feet; thence N 00°05'30" E a distance of 660.13 feet, more or less, to the Point of Beginning.

CONTAINING 4.812 Acres (209,629 Sq. Ft.), more or less, as described.

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

Introduced on first reading September 15, 2004 and ordered published.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**Attach 5**  
**Setting a Hearing on Vacating a Portion of the D ¾ Road Right-of-Way**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
Subject	Vacate a portion of the D ¾ Road right-of-way, located east of Dodge Street and southwest of Mohawk Avenue						
Meeting Date	September 15, 2004						
Date Prepared	September 8, 2004				File #ANX-2004-141		
Author	Lisa E. Cox, AICP			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		X	Consent	Individual Consideration

Summary: Introduction of a proposed vacation ordinance to vacate a portion of the D ¾ Road right-of-way, located east of Dodge Street and southwest of Mohawk Avenue.

Budget: N/A

Action Requested/Recommendation: Introduce a proposed vacation ordinance and set a public hearing for October 6, 2004.

Background Information: See attached Staff report/Background information

Attachments:

1. Staff report/Background information
2. Site Location Map (Figure 1)
3. Aerial Photo Map (Figure 2)
4. Future Land Use Map (Figure 3)
5. Existing City and County Zoning Map (Figure 4)
6. Vacation Ordinance

## ANALYSIS:

### 1. Background

Property which will be developed in the future as a subdivision known as Prairie View Subdivision is currently in the process of being annexed into the City. The anticipated date of annexation is October 6, 2004. The two parcels being annexed are located at 474 Dodge Street and 3038 Mohawk Avenue.

The applicant has submitted an application for City review of the Preliminary Plan and has requested a vacation of a portion of the D  $\frac{3}{4}$  Road right-of-way in anticipation of the future development of the properties. The portion of D  $\frac{3}{4}$  Road right-of-way that has been requested for vacation is located east of Dodge Street and southwest of Mohawk Avenue. If approved, the portion of vacated right-of-way will be utilized in the future subdivision to be known as Prairie View Subdivision.

The property located to the east of the annexed area has developed and built out in Mesa County without provision for any right-of-way for the extension of D  $\frac{3}{4}$  Road. Because the road can not be extended to the east, staff supports the request to vacate a portion of the D  $\frac{3}{4}$  Road right-of-way.

### 2. Consistency with the Growth Plan

The request to vacate a portion of the D  $\frac{3}{4}$  Road right-of-way is consistent with the goals and policies of the Growth Plan, the Grand Valley Circulation Plan and is supported by Public Works and Utilities and Community Development Department staff.

### 3. Section 2.11.c of the Zoning and Development Code

Requests to vacate any public right-of-way or easement must conform to all of the following:

- a. The Growth Plan, major street plan and other adopted plans and policies of the City. *The request to vacate a portion of the D  $\frac{3}{4}$  Road ROW conforms to City requirements, plans and policies including the Grand Valley Circulation Plan.*
- b. No parcel shall be landlocked as a result of the vacation. *There is no parcel that will be landlocked as a result of the requested vacation.*
- c. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive or reduces or devalues any property affected by the proposed vacation. *Access shall not be impacted as a result of the request to vacate.*
- d. There shall be no adverse impacts on the health, safety, and/or welfare of the general community and the quality of public facilities and services

provided to any parcel of land shall not be reduced (e.g. police/fire protection and utility services). *No adverse impacts have been identified.*

- e. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of the Zoning and Development Code. *The provision of services shall not be inhibited. All required services shall be provided to the proposed new development and/or adjacent properties.*
- f. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc. *The City will benefit from the request to vacate through improved traffic circulation in developed areas and a reduction of maintenance of unconstructed right-of-way.*

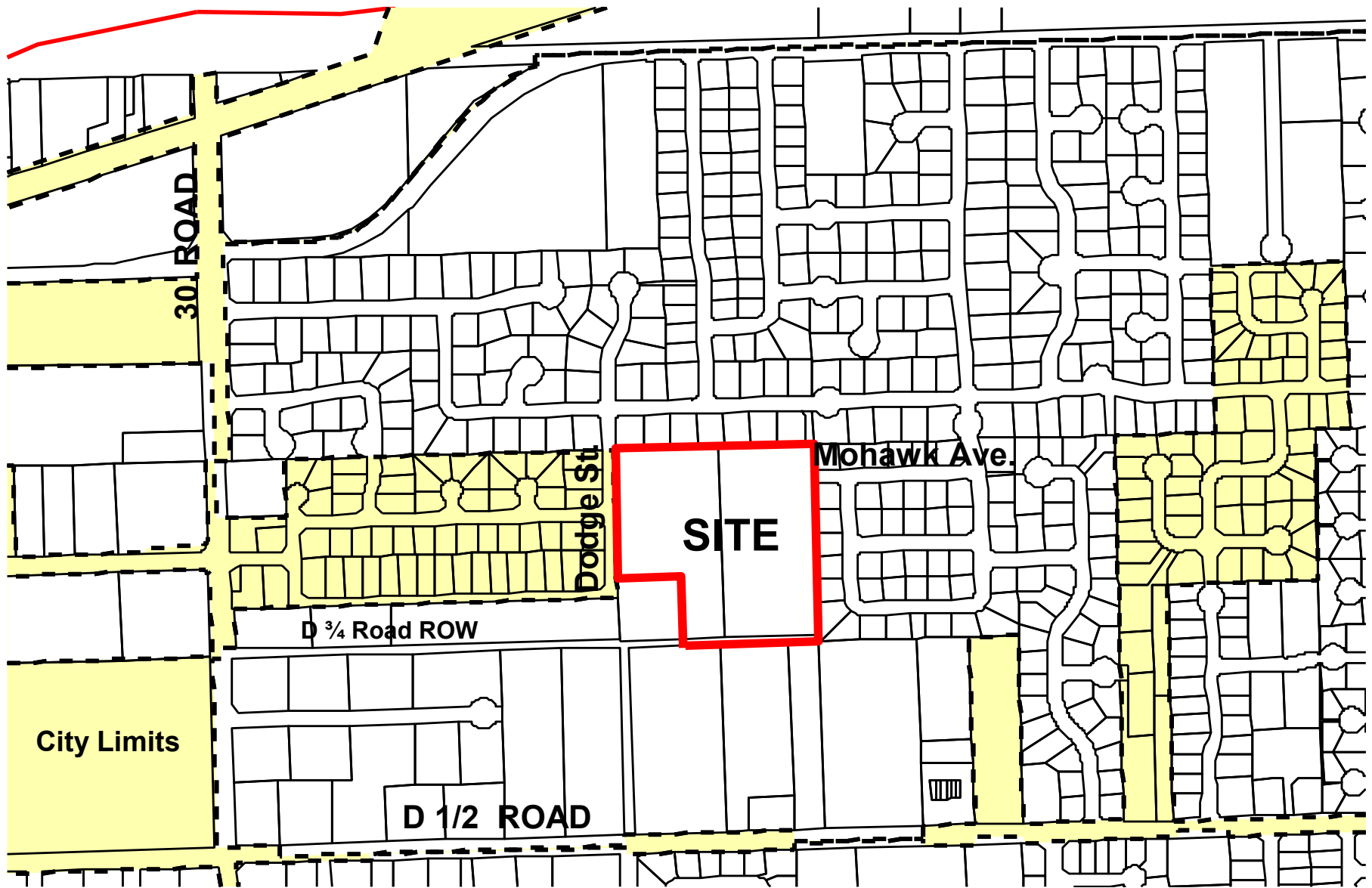
#### FINDINGS OF FACT/CONCLUSIONS

After reviewing the Prairie View Annexation application, ANX-2004-141, request for the vacation of a portion of D  $\frac{3}{4}$  Road right-of-way, the Planning Commission made the following findings of fact and conclusions:

1. The requested right-of-way vacation is consistent with the goals and policies of the Growth Plan.
2. The review criteria of Section 2.11, Vacations of Public Rights-of-way, have been met.

#### PLANNING COMMISSION RECOMMENDATION

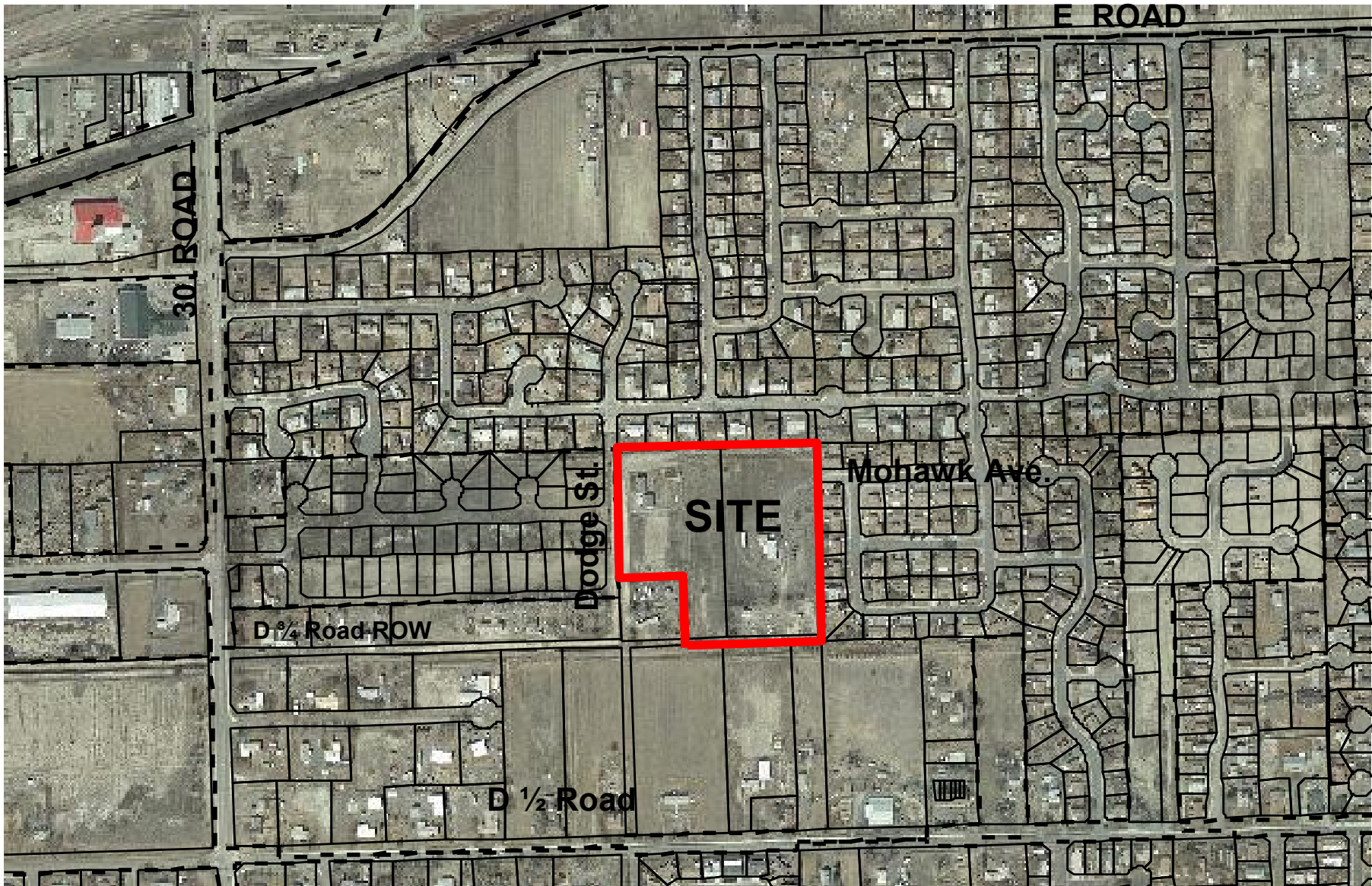
The Planning Commission made a recommendation of approval of the request to vacate a portion of the D  $\frac{3}{4}$  Road right-of-way with the findings and conclusions listed above.





# Aerial Photo Map

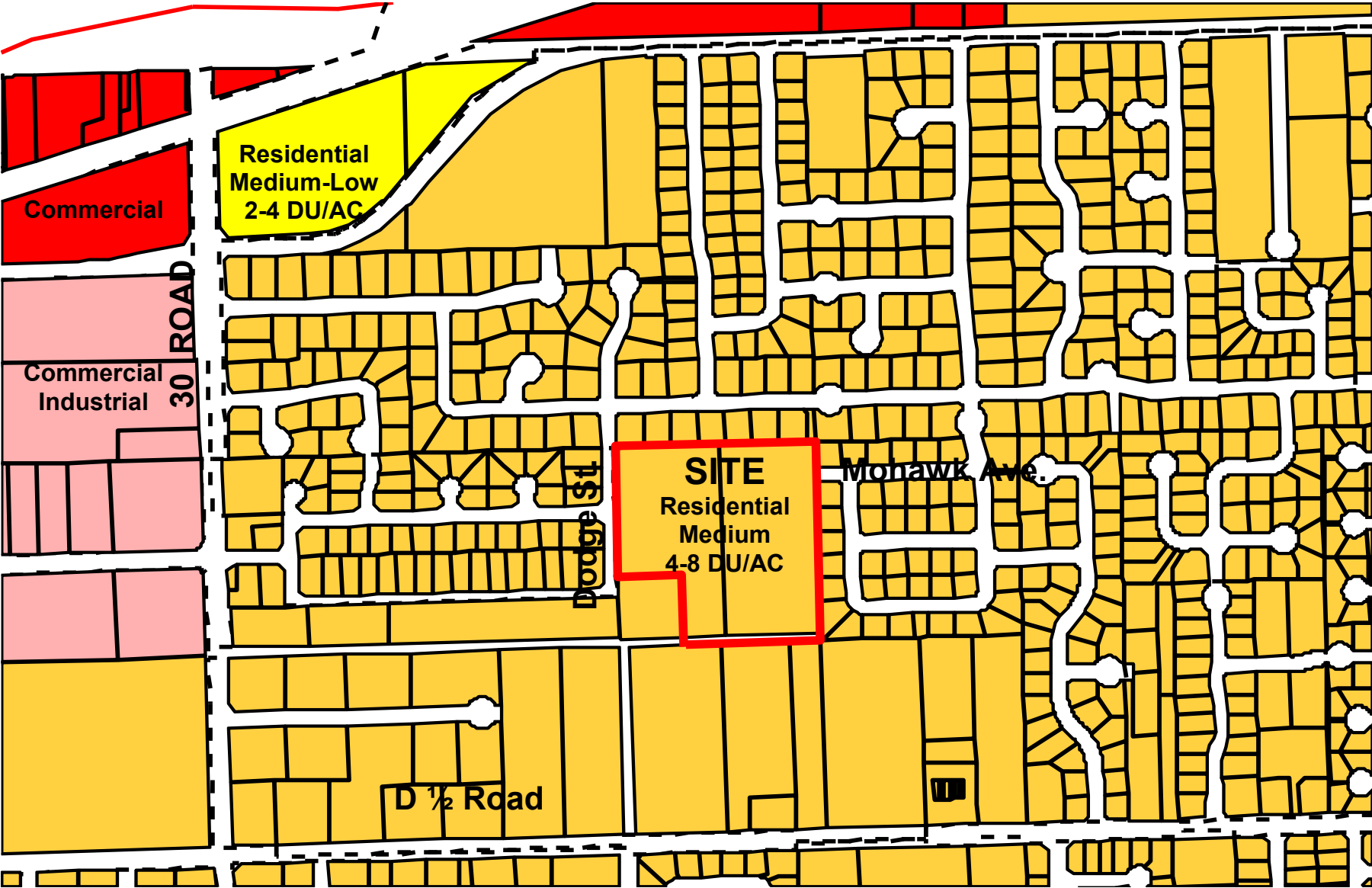
Figure 2



# Future Land Use Map

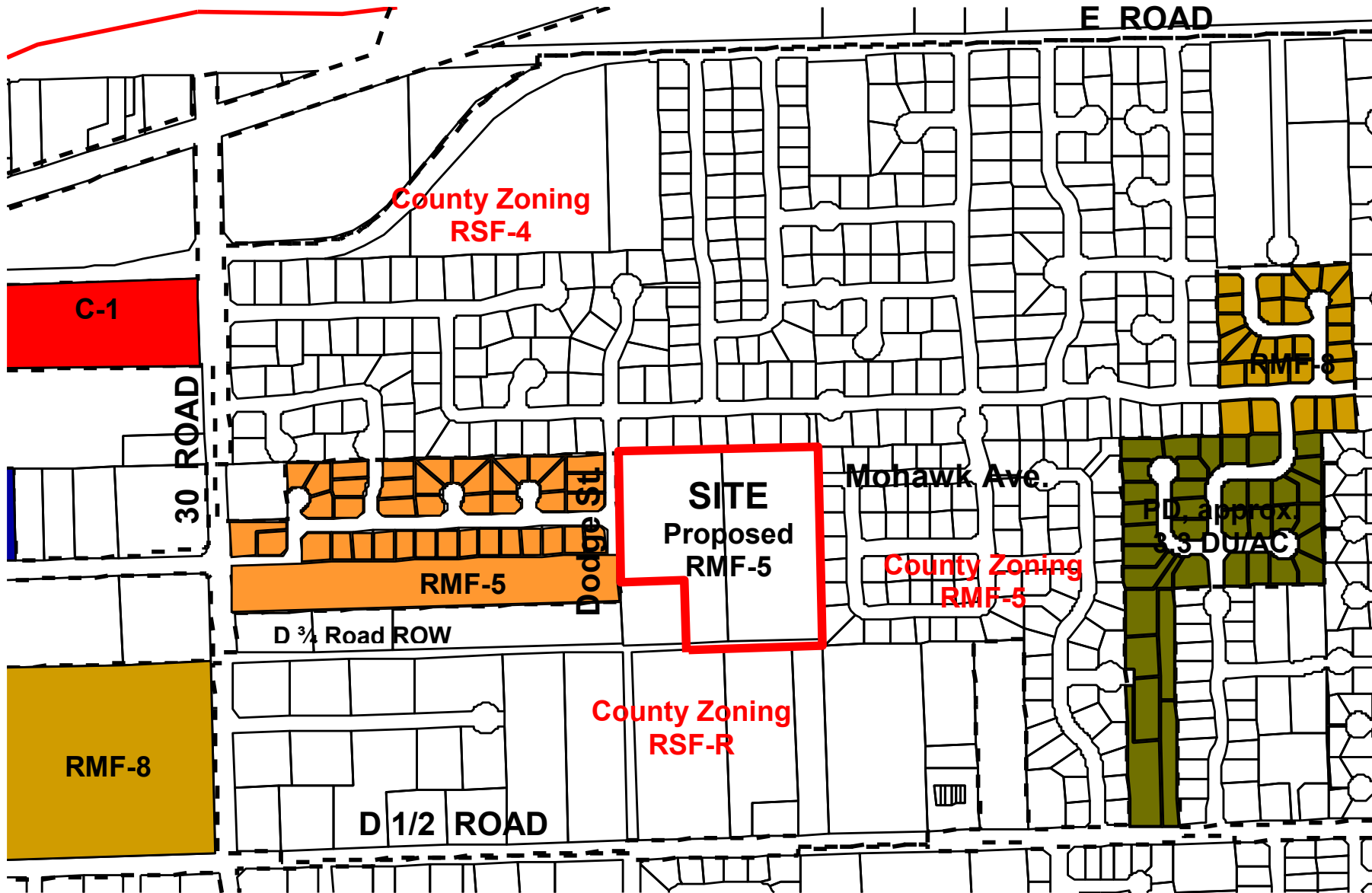
Figure 3

E ROAD



# Existing City and County Zoning

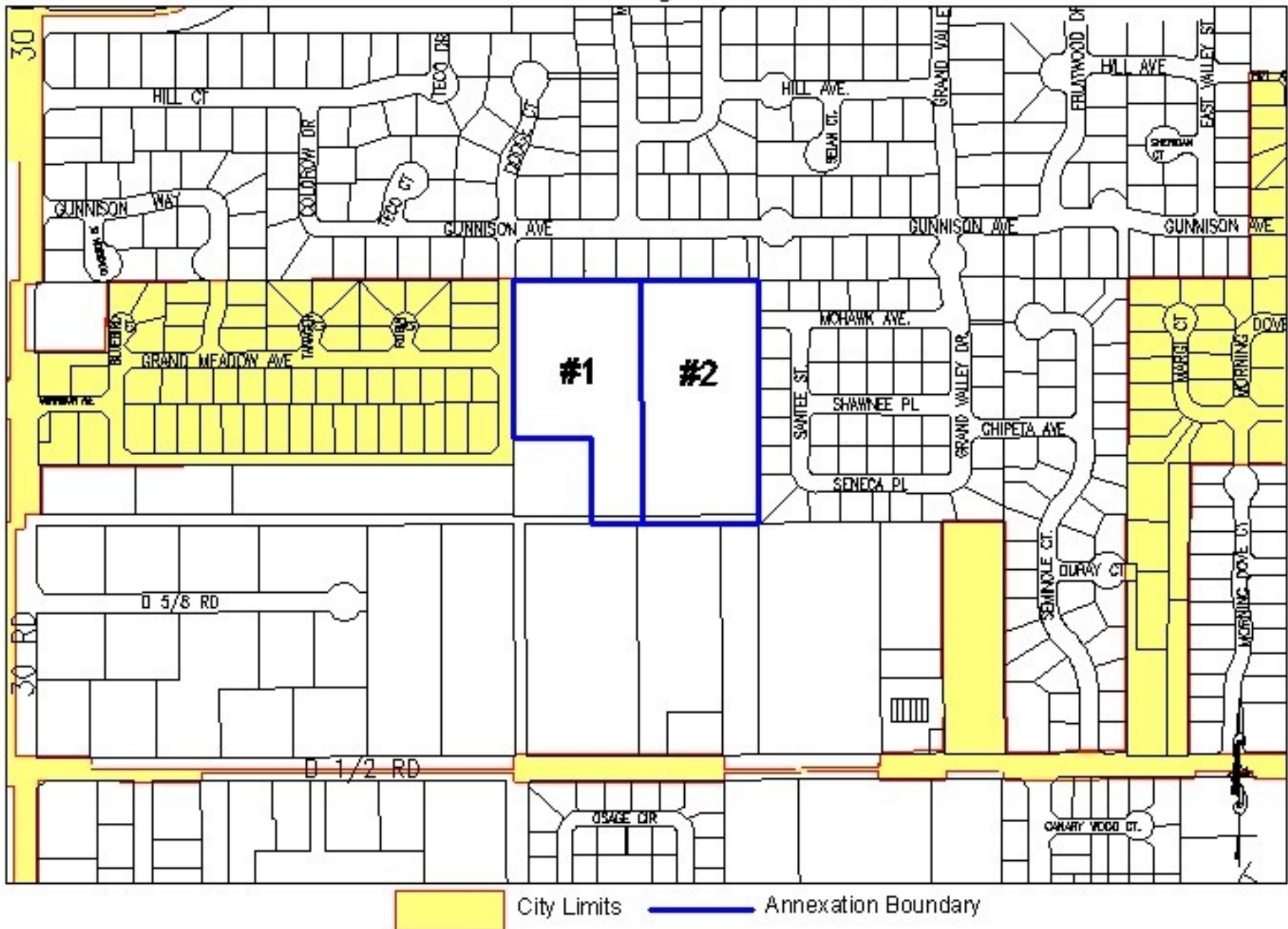
Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

# Prarie View Annexations No. 1 and 2

Figure 5





**CITY OF GRAND JUNCTION**

**ORDINANCE NO.**

**AN ORDINANCE VACATING A PORTION OF D  $\frac{3}{4}$  ROAD RIGHT-OF-WAY  
LOCATED EAST OF DODGE STREET  
AND SOUTHWEST OF MOHAWK AVENUE**

RECITALS:

A vacation of a portion of the dedicated right-of-way of D  $\frac{3}{4}$  Road has been requested by the property owner.

The City Council finds that the request is consistent with the Growth Plan, the Grand Valley Circulation Plan and Section 2.11 of the Zoning and Development Code.

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

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

The following described dedicated right-of-way is hereby vacated subject to the following conditions:

1. Applicants shall pay all recording/documentary fees for the vacation.

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

Dedicated right-of-way to be vacated:

ROW Vacation: That part of the NW1/4SE1/4NW1/4 of Section 16 in Township One South, Range One East of the Ute Meridian, in the City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at a Mesa County Survey Marker for the NW 1/16 Corner of said Section 16, from whence a Mesa County Survey Marker for the N1/16 Corner of said Section 16 bears S89°55'09"W for a distance of 1321.03 feet; thence S00°01'09"E for a distance of 659.87 feet to the SW Corner of the NW1/4SE1/4NW1/4 of said Section 16; thence N89°54'39"E, on the southerly line of the NW1/4SE1/4NW1/4 of said Section 16 for a distance of 208.71 feet to the point of beginning; thence the following courses and distances:

1. N00°01'09"W a distance of 20.00 feet:

2. N89°54'39"E a distance of 452.04 feet to a point on the westerly line of Cherokee Village No. Two Subdivision, as recorded in Plat Book 13 at Page 13 of the Mesa County real property records;
3. S00°01'04"E, on said westerly line, for a distance of 20.00 feet to a 5/8-inch rebar and alloy cap for the SW Corner of said Cherokee Village No. Two Subdivision;
4. S89°54'39"W, on the southerly line of the NW1/4SE/14NW1/4 of said Section 16, for a distance of 452.04 feet to the beginning.

(9041 sq. ft.)

Introduced on first reading September 15, 2004 and ordered published.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

---

President of City Council

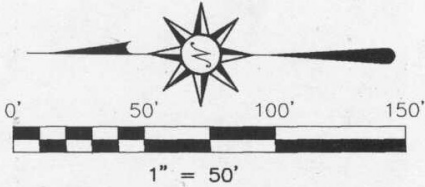
ATTEST:

---

City Clerk

# EXHIBIT

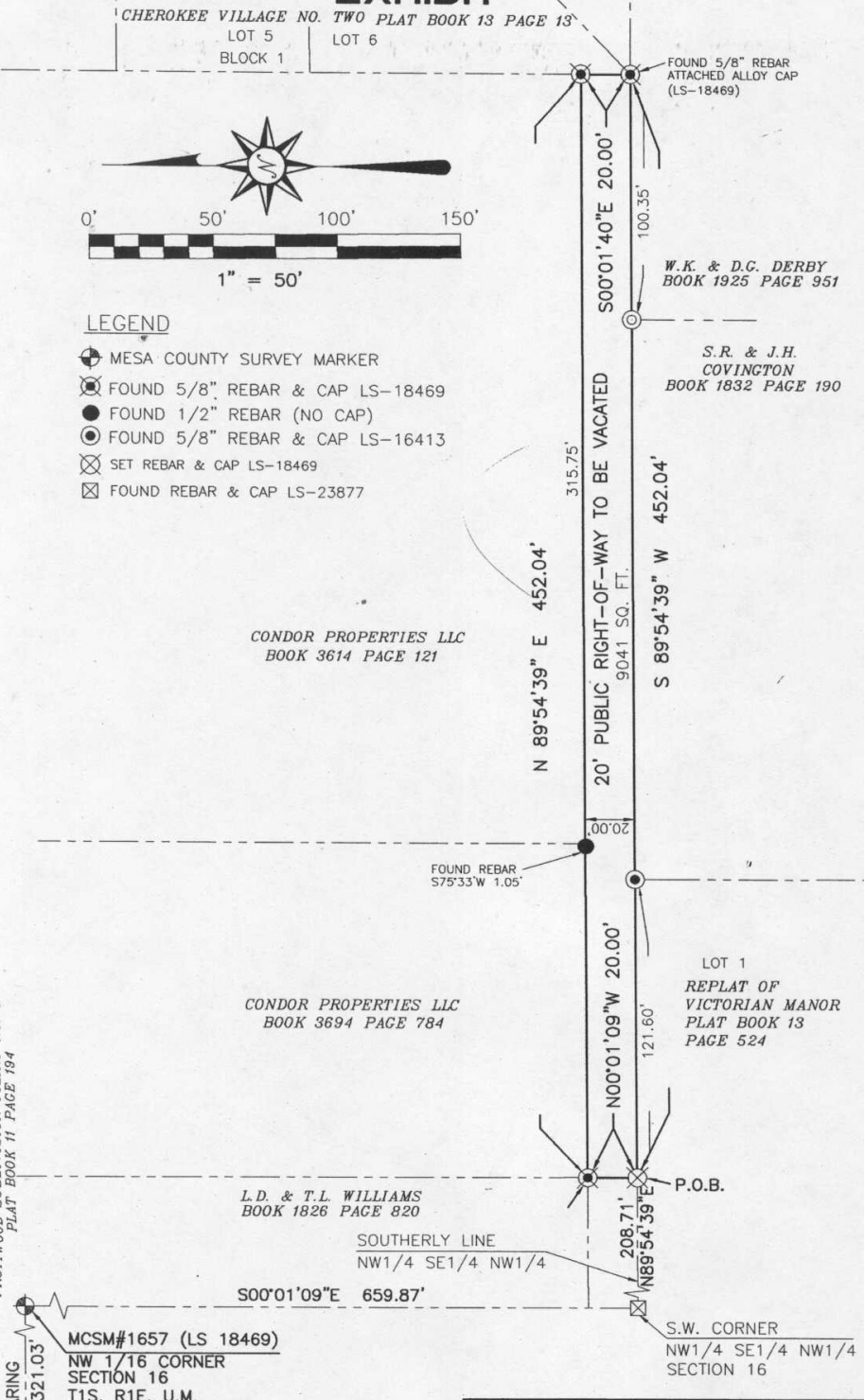
CHEROKEE VILLAGE NO. TWO PLAT BOOK 13 PAGE 13  
 LOT 5 LOT 6  
 BLOCK 1



### LEGEND

- ⊕ MESA COUNTY SURVEY MARKER
- ⊗ FOUND 5/8" REBAR & CAP LS-18469
- FOUND 1/2" REBAR (NO CAP)
- ⊙ FOUND 5/8" REBAR & CAP LS-16413
- ⊗ SET REBAR & CAP LS-18469
- ⊗ FOUND REBAR & CAP LS-23877

FRUITWOOD SUBDIVISION FILING NO. 5  
 PLAT BOOK 11 PAGE 194



CONDOR PROPERTIES LLC  
 BOOK 3614 PAGE 121

CONDOR PROPERTIES LLC  
 BOOK 3694 PAGE 784

L.D. & T.L. WILLIAMS  
 BOOK 1826 PAGE 820

FOUND 5/8" REBAR  
 ATTACHED ALLOY CAP  
 (LS-18469)

W.K. & D.G. DERBY  
 BOOK 1925 PAGE 951

S.R. & J.H.  
 COVINGTON  
 BOOK 1832 PAGE 190

LOT 1  
 REPLAT OF  
 VICTORIAN MANOR  
 PLAT BOOK 13  
 PAGE 524

MCSM#1657 (LS 18469)  
 NW 1/16 CORNER  
 SECTION 16  
 T1S, R1E, U.M.

MCSM NO. 283-1  
 NW 1/16 CORNER  
 SEC 16/SEC 17  
 T1S, R1E, U.M.

ROLLAND ENGINEERING  
 405 Ridgen Blvd  
 Grand Jct, CO 81503  
 (970) 241-8100

File Name: C:\PROJECTS\3125\3125ROWVAC.DWG			
<b>EXHIBIT</b>			
<b>RIGHT-OF-WAY VACATION</b>			
IN THE NW1/4 OF SECTION 16			
T1S, R1E, OF THE UTE MERIDIAN			
MESA COUNTY COLORADO			
Designed	Checked	Printed	Sheet
	RAM	3125	1



**Attach 6**  
**Setting a Hearing on D Road Storage Annexation**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
<b>Subject</b>	Setting a hearing for the D Road Storage Annexation located at 2755 D Road						
<b>Meeting Date</b>	September 15, 2004						
<b>Date Prepared</b>	September 7, 2004				<b>File #ANX-2004-182</b>		
<b>Author</b>	Scott D. Peterson		Associate Planner				
<b>Presenter Name</b>	Scott D. Peterson		Associate Planner				
<b>Report results back to Council</b>	X	No		Yes	When		
<b>Citizen Presentation</b>		Yes	X	No	Name		
	<b>Workshop</b>	X	<b>Formal Agenda</b>		X	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** Resolution referring a petition for annexation and introduction of a proposed ordinance. The 0.985 acre D Road Storage Annexation consists of three (3) parcels of vacant land and adjoining right-of-way located at 2755 D Road. The petitioner's intent is to annex and then develop all three (3) properties in anticipation of future industrial development.

**Action Requested/Recommendation:** Approval of the Resolution of Referral, accepting the D Road Storage Annexation petition and introduce the proposed D Road Storage Annexation Ordinance, exercise land use jurisdiction immediately and set a hearing for October 20<sup>th</sup>, 2004.

**Background Information:** See attached Staff Report/Background Information.

**Attachments:**

8. Staff Report/Background Information
9. General Location Map
10. Aerial Photo
11. Growth Plan Map
12. Zoning Map
13. Annexation Map
14. Resolution Referring Petition
15. Annexation Ordinance

STAFF REPORT / BACKGROUND INFORMATION				
<b>Location:</b>		2755 D Road		
<b>Applicants:</b>		Richard & Linda Weber, Owners		
<b>Existing Land Use:</b>		Vacant land (3 parcels)		
<b>Proposed Land Use:</b>		Mini-storage units		
<b>Surrounding Land Use:</b>	<b>North</b>	Railroad property (vacant)		
	<b>South</b>	Single-family residential		
	<b>East</b>	Industrial land (vacant)		
	<b>West</b>	Single-family residential		
<b>Existing Zoning:</b>		I-2, General Industrial (County)		
<b>Proposed Zoning:</b>		I-2, General Industrial		
<b>Surrounding Zoning:</b>	<b>North</b>	I-1, Light Industrial (City)		
	<b>South</b>	I-2, General Industrial (County)		
	<b>East</b>	I-1, Light Industrial (Proposed City)		
	<b>West</b>	RSF-R, Residential Single Family – Rural (County)		
<b>Growth Plan Designation:</b>		Industrial		
<b>Zoning within density range?</b>	N/A	<b>Yes</b>		<b>No</b>

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 0.985 acres of land and adjoining right-of-way and is comprised of three (3) Unplatted parcels. The property owners have requested annexation into the City in anticipation of developing the properties for future industrial development. Under the 1998 Persigo Agreement all new development activities and rezones require annexation and processing in the City.

It is staff's 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 D Road Storage 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.

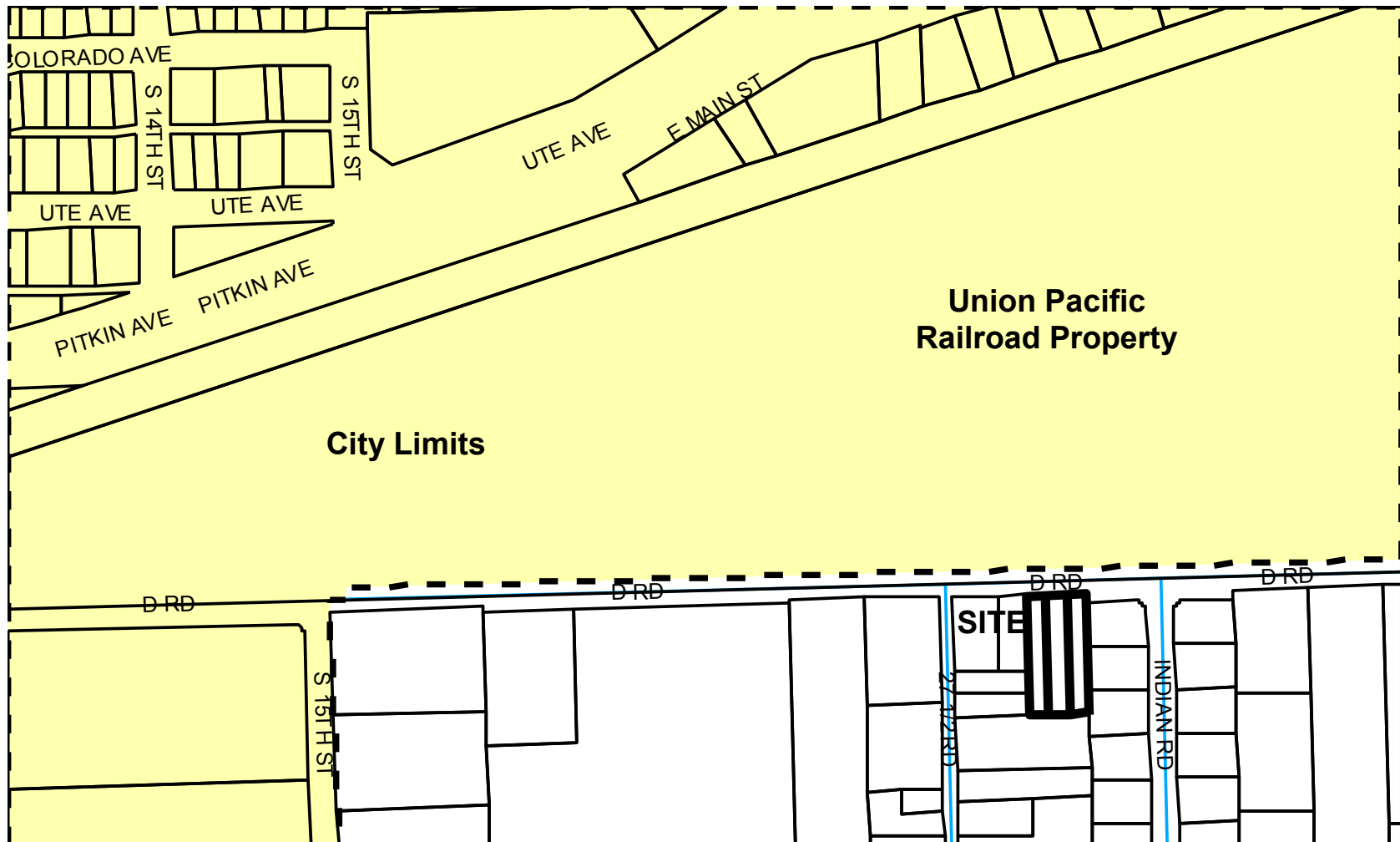
<b><i>ANNEXATION SCHEDULE</i></b>	
<b>September 15, 2004</b>	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
<b>September 28, 2004</b>	Planning Commission considers Zone of Annexation
<b>October 6, 2004</b>	Introduction Of A Proposed Ordinance on Zoning by City Council
<b>October 20, 2004</b>	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
<b>November 21, 2004</b>	Effective date of Annexation and Zoning

**D ROAD STORAGE ANNEXATION SUMMARY**

<b>File Number:</b>		<b>ANX-2004-182</b>
<b>Location:</b>		<b>2755 D Road</b>
<b>Tax ID Numbers:</b>		<b>2945-241-00-044; 2945-241-00-023 &amp; 2945-241-00-022</b>
<b>Parcels:</b>		<b>Three (3)</b>
<b>Estimated Population:</b>		<b>0</b>
<b># of Parcels (owner occupied):</b>		<b>N/A</b>
<b># of Dwelling Units:</b>		<b>N/A</b>
<b>Acres land annexed:</b>		<b>0.985</b>
<b>Developable Acres Remaining:</b>		<b>0.81</b>
<b>Right-of-way in Annexation:</b>		<b>0.175</b>
<b>Previous County Zoning:</b>		<b>I-2, General Industrial</b>
<b>Proposed City Zoning:</b>		<b>I-2, General Industrial</b>
<b>Current Land Use:</b>		<b>Vacant</b>
<b>Future Land Use:</b>		<b>Mini-Storage Units</b>
<b>Values:</b>	<b>Assessed:</b>	<b>\$11,880</b>
	<b>Actual:</b>	<b>\$93,860</b>
<b>Census Tract:</b>		<b>8</b>
<b>Address Ranges:</b>		<b>2755, 2757 &amp; 2759 D Road (Odd Only)</b>
<b>Special Districts:</b>	<b>Water:</b>	<b>Ute Water</b>
	<b>Sewer:</b>	<b>Central Grand Valley</b>
	<b>Fire:</b>	<b>Grand Junction Rural</b>
	<b>Irrigation/ Drainage:</b>	<b>Grand Junction Drainage</b>
	<b>School:</b>	<b>School District 51</b>
	<b>Pest:</b>	<b>N/A</b>

# Site Location Map – D Road Storage Annex – 2755 D Road

Figure 1



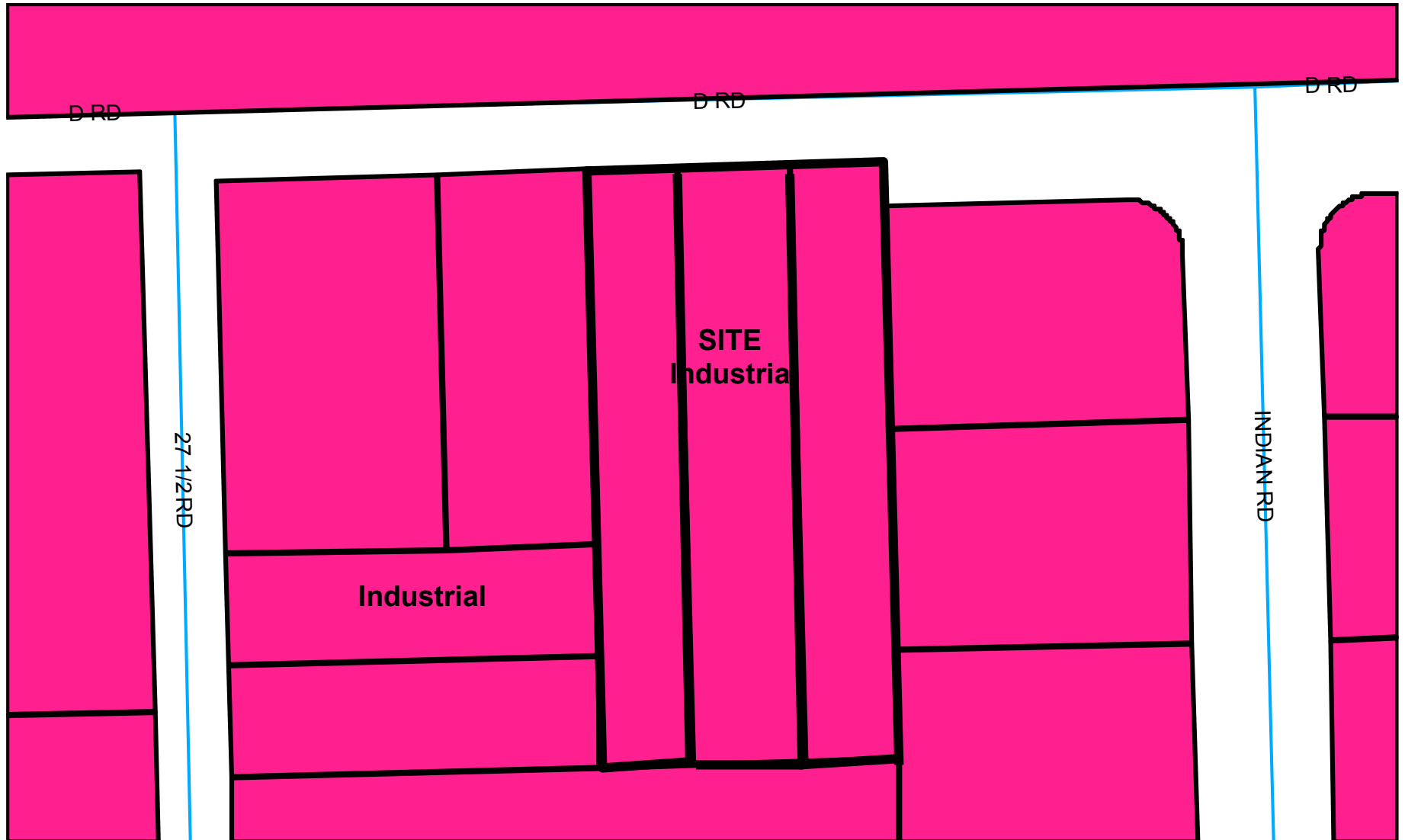
# Aerial Photo Map – D Road Storage Annex – 2755 D Road

Figure 2



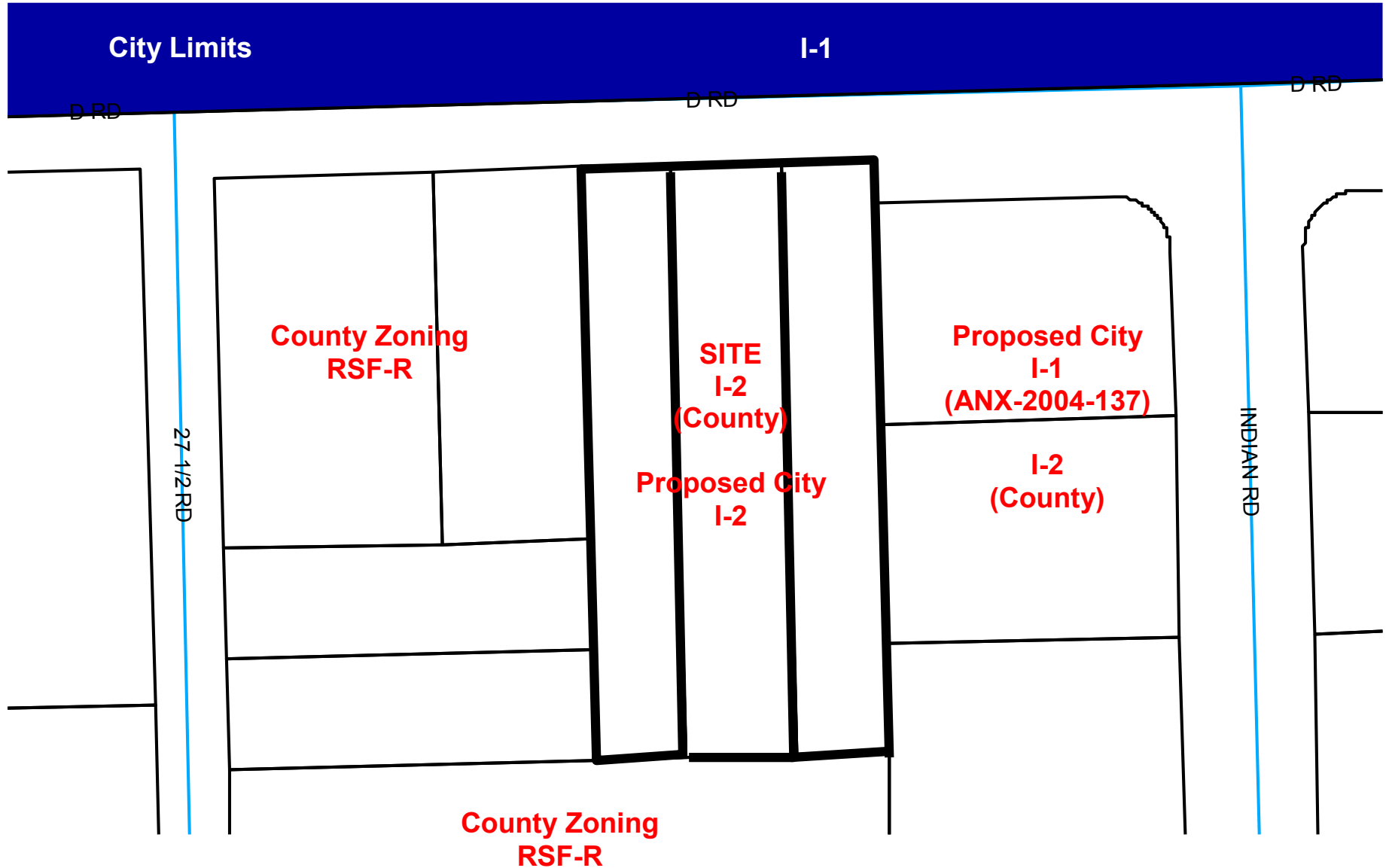
# Future Land Use Map – D Road Storage Annex

Figure 3



# Existing City and County Zoning – D Road Storage Annex

Figure 4



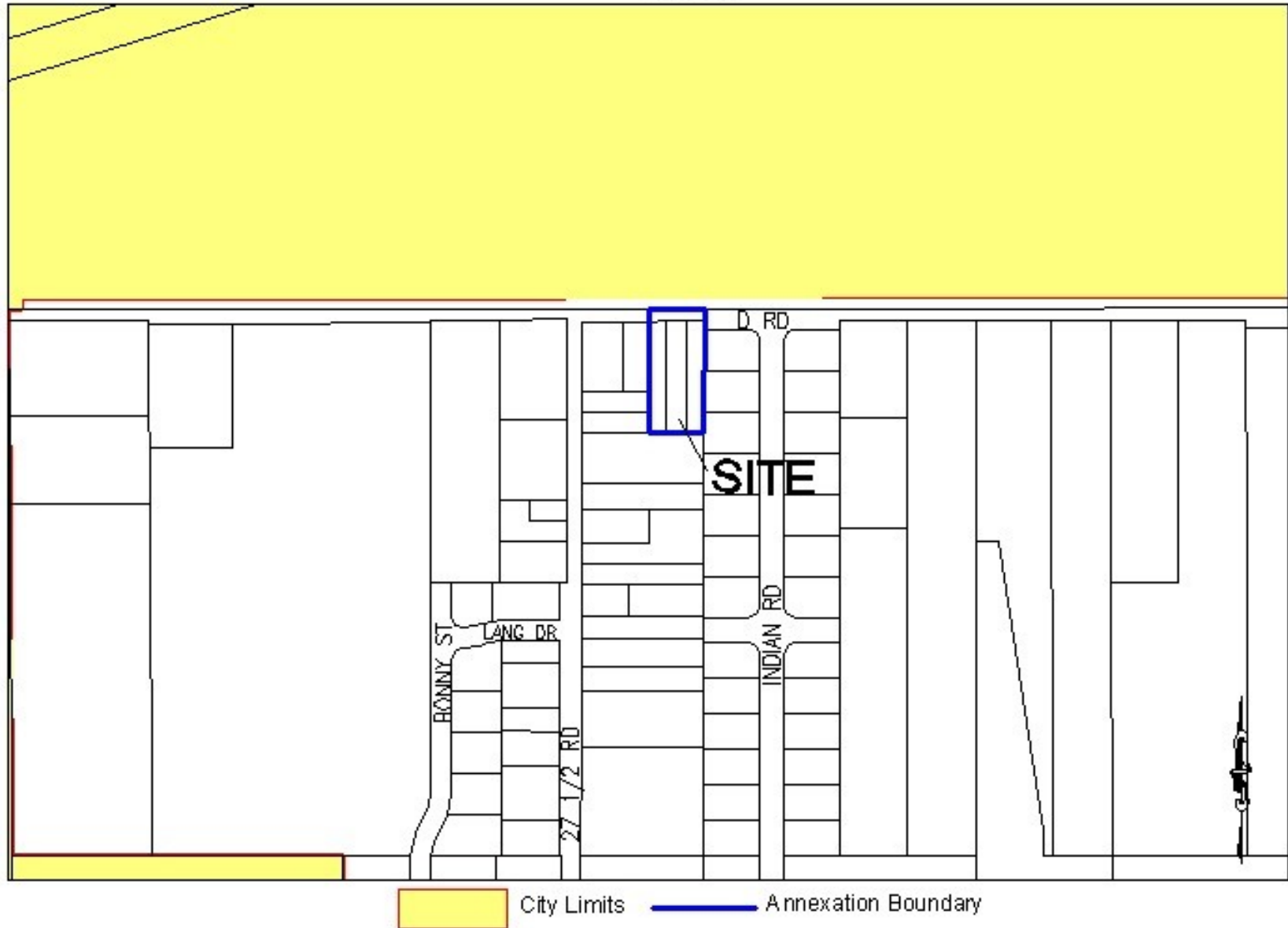
NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."





# D ROAD STORAGE ANNEXATION

Figure 5



**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 15<sup>th</sup> of September, 2004, 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**

**D ROAD STORAGE ANNEXATION**

**LOCATED AT 2755 D ROAD AND INCLUDING A PORTION OF  
THE D ROAD RIGHT-OF-WAY**

**WHEREAS**, on the 15<sup>th</sup> day of September, 2004, 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**

**D ROAD STORAGE ANNEXATION**

A certain parcel of land lying in the Northeast Quarter (NE 1/4) of Section 24 and the Southeast Quarter (SE 1/4) of Section 13, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the North Quarter (N 1/4) corner of said Section 24 and assuming the North line of the NE 1/4 of said Section 24 bears S 89°59'19" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°59'19" E along the North line of the NE 1/4 of said Section 24, a distance of 198.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 00°08'44" E a distance of 28.00 feet; thence S 89°59'19" E along a line 28.00 feet North of and parallel with, the North line of the NE 1/4 of said Section 24, a distance of 132.00 feet, more or less, to a point on the West line of Indian Road Industrial Subdivision, as same is recorded in Plat Book 12, Page 43, Public Records of Mesa County, Colorado, projected Northerly; thence S 00°08'44" W along the West line of said Indian Road Industrial Subdivision, a distance of 325.00 feet; thence N 89°59'19" W a distance of 132.00 feet; thence N 00°08'44" E a distance of 297.00 feet, more or less, to the Point of Beginning.

CONTAINS 0.985 Acres (42,900.1 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 20<sup>th</sup> day of October, 2004, in the City Hall auditorium, located at 250 North 5<sup>th</sup> Street, City of Grand Junction, Colorado, at 7:30 PM 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 15<sup>th</sup> day of September, 2004.

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><b>DATES PUBLISHED</b></i>
<b>September 17, 2004</b>
<b>September 24, 2004</b>
<b>October 1, 2004</b>
<b>October 8, 2004</b>

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO. \_\_\_\_\_**

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

**D ROAD STORAGE ANNEXATION**

**APPROXIMATELY 0.985 ACRES**

**LOCATED AT 2755 D ROAD AND INCLUDING A PORTION OF  
THE D ROAD RIGHT-OF-WAY**

**WHEREAS**, on the 15<sup>th</sup> day of September, 2004, 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 20<sup>th</sup> day of October, 2004; 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  
D ROAD STORAGE ANNEXATION**

A certain parcel of land lying in the Northeast Quarter (NE 1/4) of Section 24 and the Southeast Quarter (SE 1/4) of Section 13, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the North Quarter (N 1/4) corner of said Section 24 and assuming the North line of the NE 1/4 of said Section 24 bears S 89°59'19" E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S 89°59'19" E along the North line of the NE 1/4 of said Section 24, a distance of 198.00 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 00°08'44" E a distance of 28.00 feet; thence S 89°59'19" E along a line

28.00 feet North of and parallel with, the North line of the NE 1/4 of said Section 24, a distance of 132.00 feet, more or less, to a point on the West line of Indian Road Industrial Subdivision, as same is recorded in Plat Book 12, Page 43, Public Records of Mesa County, Colorado, projected Northerly; thence S 00°08'44" W along the West line of said Indian Road Industrial Subdivision, a distance of 325.00 feet; thence N 89°59'19" W a distance of 132.00 feet; thence N 00°08'44" E a distance of 297.00 feet, more or less, to the Point of Beginning.

CONTAINS 0.985 Acres (42,900.1 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 15<sup>th</sup> day of September, 2004 and ordered published.

**ADOPTED** on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

Attest:

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
City Clerk



**Attach 7**  
**Setting a Hearing on Kronvall Annexation**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
<b>Subject</b>	Setting a hearing for the Kronvall Annexation located at 2263 Greenbelt Drive						
<b>Meeting Date</b>	September 15, 2004						
<b>Date Prepared</b>	September 8, 2004				File #ANX-2004-175		
<b>Author</b>	Senta L. Costello		Associate Planner				
<b>Presenter Name</b>	Senta L. Costello		Associate Planner				
<b>Report results back to Council</b>	X	No		Yes	<b>When</b>		
<b>Citizen Presentation</b>		Yes	X	No	<b>Name</b>		
	<b>Workshop</b>	X	<b>Formal Agenda</b>		X	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** Resolution referring a petition for annexation and introduction of a proposed ordinance. The 4.274 acre Kronvall annexation consists of 2 parcels.

**Budget:** N/A

**Action Requested/Recommendation:** Approval of the Resolution of Referral, accepting the Kronvall Annexation petition and introduce the proposed Kronvall Annexation Ordinance, exercise land use jurisdiction immediately and set a hearing for October 20, 2004.

**Background Information:** See attached Staff Report/Background Information

**Attachments:**

- 16. Staff report/Background information
- 17. General Location Map
- 18. Aerial Photo
- 19. Growth Plan Map
- 20. Zoning Map
- 21. Annexation map
- 22. Resolution Referring Petition
- 23. Annexation Ordinance

**STAFF REPORT / BACKGROUND INFORMATION**

<b>Location:</b>		2263 Greenbelt Drive			
<b>Applicants:</b>		Owner/Developer: Milo Johnson – Peak Const. Representative: Brian Hart - Landesign			
<b>Existing Land Use:</b>		Vacant			
<b>Proposed Land Use:</b>		Residential			
<b>Surrounding Land Use:</b>	<b>North</b>	Single Family Residential			
	<b>South</b>	Single Family Residential			
	<b>East</b>	Single Family Residential			
	<b>West</b>	Single Family Residential			
<b>Existing Zoning:</b>		County RSF-4			
<b>Proposed Zoning:</b>		Requested City RSF-4; Staff recommends RSF-2			
<b>Surrounding Zoning:</b>	<b>North</b>	County PD 4.01 du/ac, PD 14.88 du/ac			
	<b>South</b>	County RSF-4			
	<b>East</b>	City CSR, RSF-4, PD 2 du/ac			
	<b>West</b>	County RSF-4			
<b>Growth Plan Designation:</b>		Residential Low ½ - 2 ac/du			
<b>Zoning within density range?</b>		Recommended	<b>Yes</b>	Requested	<b>No</b>

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 4.274 acres of land and is comprised of 2 parcels. The property owners have requested annexation into the City as the result of a request to subdivide the property. Under the 1998 Persigo Agreement all subdivisions require annexation and processing in the City.

It is staff's 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 Kronvall 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.

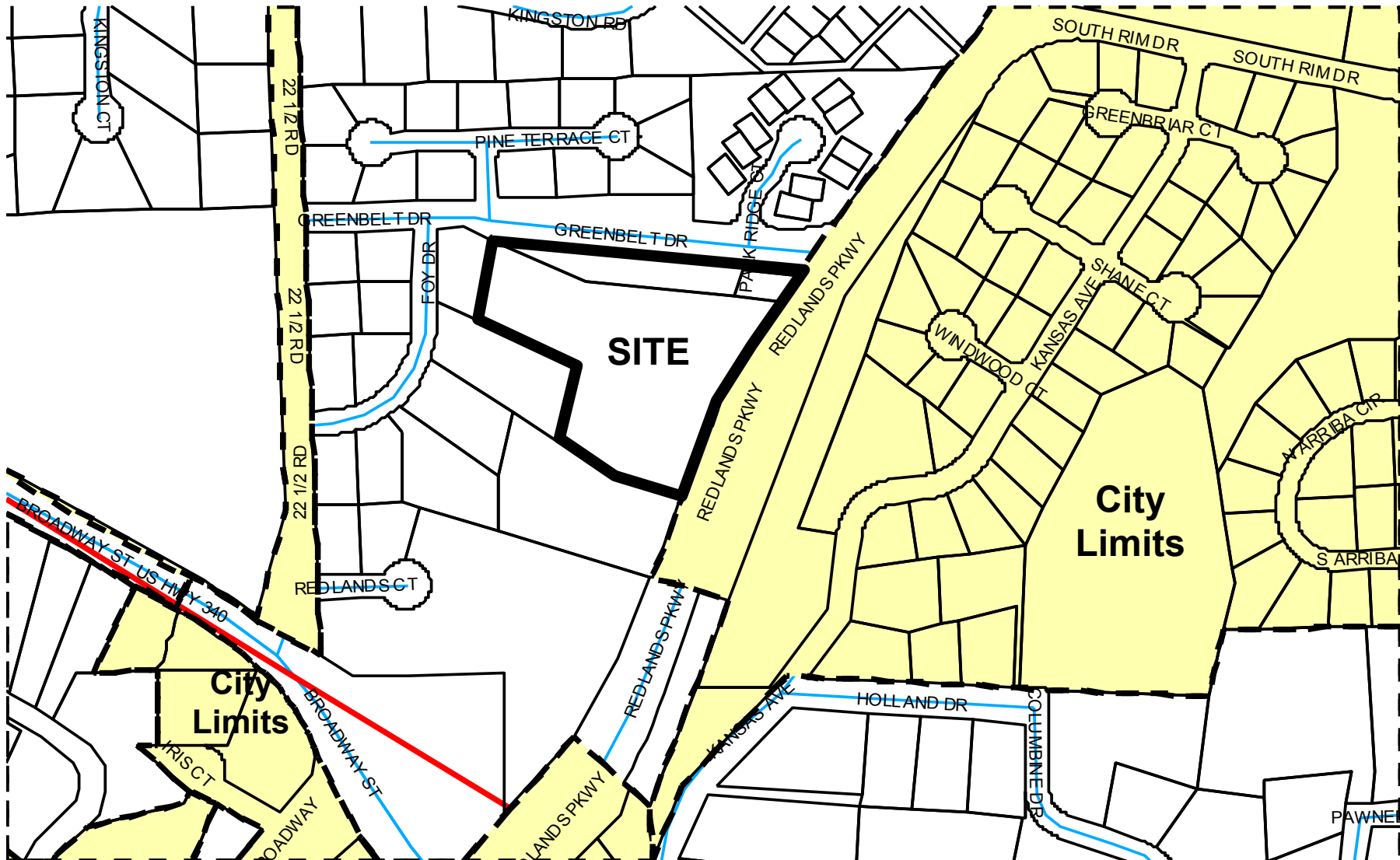
<b><i>ANNEXATION SCHEDULE</i></b>	
<b>September 15, 2004</b>	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
<b>September 28, 2004</b>	Planning Commission considers Zone of Annexation
<b>October 6, 2004</b>	Introduction Of A Proposed Ordinance on Zoning by City Council
<b>October 20, 2004</b>	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
<b>November 21, 2004</b>	Effective date of Annexation and Zoning

**KRONVALL ANNEXATION SUMMARY**

<b>File Number:</b>		ANX-2004-175
<b>Location:</b>		2263 Greenbelt Drive
<b>Tax ID Number:</b>		2945-074-27-002, 2945-074-00-002
<b>Parcels:</b>		2
<b>Estimated Population:</b>		0
<b># of Parcels (owner occupied):</b>		0
<b># of Dwelling Units:</b>		0
<b>Acres land annexed:</b>		4.274 acres
<b>Developable Acres Remaining:</b>		4.274 acres
<b>Right-of-way in Annexation:</b>		0 acres
<b>Previous County Zoning:</b>		RSF-4
<b>Proposed City Zoning:</b>		Requested RSF-4 Recommended RSF-2
<b>Current Land Use:</b>		Vacant
<b>Future Land Use:</b>		Residential
<b>Values:</b>	<b>Assessed:</b>	\$12,980
	<b>Actual:</b>	\$44,750
<b>Address Ranges:</b>		2263 Greenbelt Drive
<b>Special Districts:</b>	<b>Water:</b>	Ute Water
	<b>Sewer:</b>	Grand Junction
	<b>Fire:</b>	Grand Junction Rural
	<b>Irrigation/Drainage :</b>	N/A
	<b>School:</b>	Mesa County School District # 51
	<b>Pest:</b>	Redlands Mosquito Control

# Site Location Map

Figure 1



# Aerial Photo Map

Figure 2



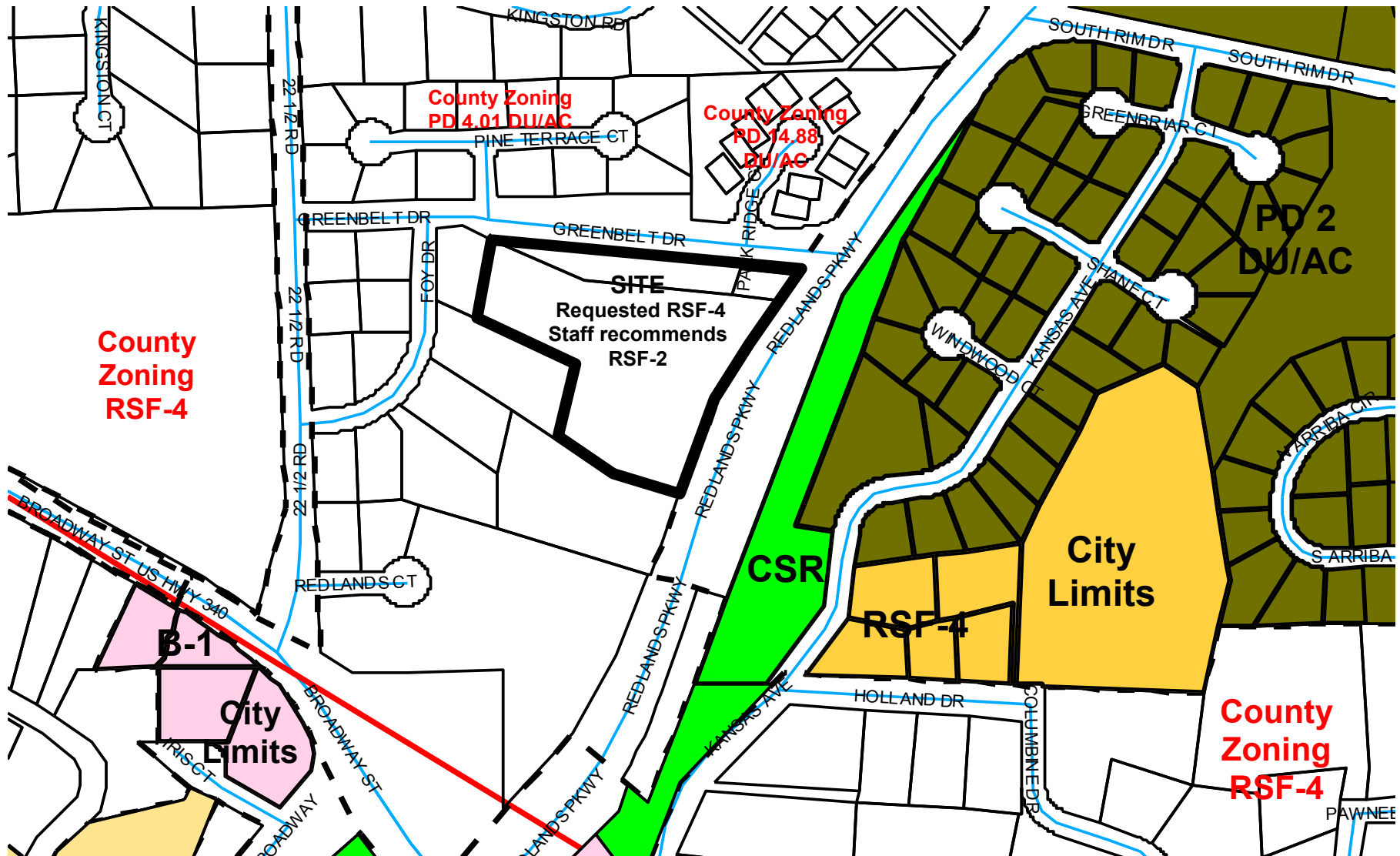
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4

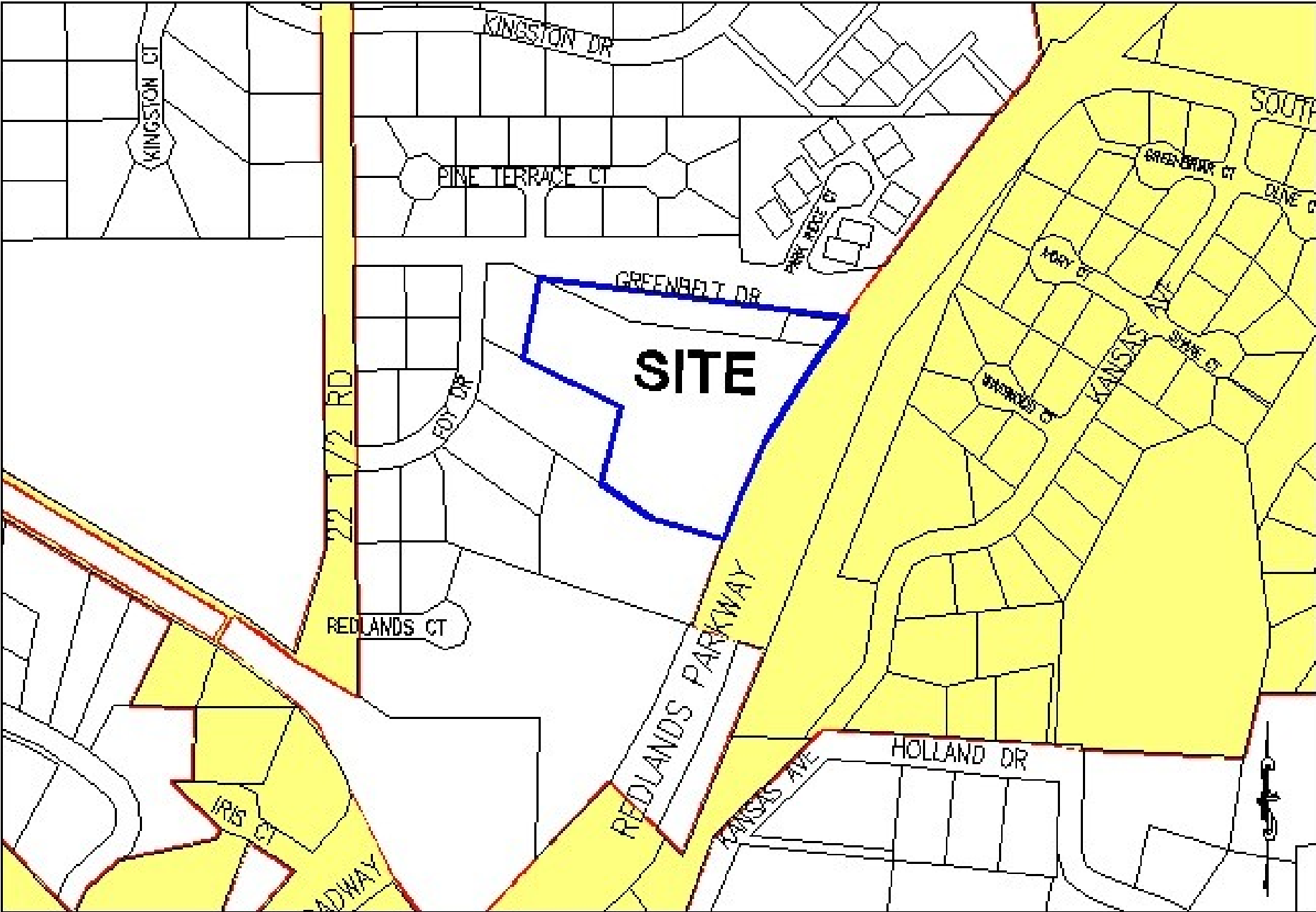


NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."



# Kronvall Annexation

Figure 5



City Limits      Annexation Boundary

**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 15<sup>th</sup> of September, 2004, 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**

**KRONVALL ANNEXATION**

**LOCATED AT 2263 GREENBELT DRIVE**

WHEREAS, on the 15<sup>th</sup> day of September, 2004, 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:

**KRONVALL ANNEXATION**

A certain parcel of land lying in the Southeast Quarter (SE 1/4) of Section 7, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado, being all of Lot 2, Greenbelt Subdivision, as same is recorded in Book 3671, Page 249, Public Records of Mesa County, Colorado, together with a parcel of land shown and labeled within the Northeast portion of said Lot 2 having a Mesa County Parcel Number of 2945-074-00-002, all being more particularly described as follows:

BEGINNING at the Southeast corner of said Lot 2, Greenbelt Subdivision and assuming the North line of said Lot 2 bears S 82°26'11" E with all other bearings mentioned herein in reference thereto; thence from said Point of Beginning, N 73°00'10" W along the South line of said Lot 2, a distance of 151.23 feet; thence continuing along said South line, N 56°07'10" W a distance of 128.84 feet to a point being the Southeast corner of Lot 1, Kronvall Subdivision, as same is recorded in Book 3602, Page 477, Public Records of Mesa County, Colorado; thence N 16°45'36" E along the East line of said Lot 1, Kronvall Subdivision, a distance of 151.81 feet to a point being the Northeast corner of said Lot 1, Kronvall Subdivision; thence N 62°57'41" W a distance of 203.26 feet to a point being the Southeast corner of Lot 1 of said Greenbelt Subdivision; thence N 12°08'01" E along the East line of said Lot 1, Greenbelt Subdivision, a distance of 172.00 feet to a point being the Northwest corner of Lot 2, Greenbelt Subdivision; thence S 82°26'11" E along the North line of said Lot 2, Greenbelt Subdivision, a distance of 606.45 feet to a point being the Northeast corner of said Lot 2, Greenbelt Subdivision; thence S 36°48'00" W along the East line of said Lot 2, Greenbelt Subdivision, being the West right of way for the Redlands Parkway, a distance of 9.45 feet; thence S 35°34'34" W along said West right of way, a distance of

54.72 feet to a point being the Southeast corner of that certain parcel of land with Mesa County parcel control number of 2945-074-00-002; thence S 35°32'54" W along the West right of way for the Redlands Parkway, a distance of 71.68 feet; thence S 28°40'28" W along the East line of said Lot 2 and the West right of way for the Redlands Parkway, a distance of 284.08 feet; thence S 21°48'03" W along the East line of said Lot 2 and the West right of way for the Redlands Parkway, a distance of 88.85 feet, more or less, to the Point of Beginning.

CONTAINING 4.274 Acres (186,189 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:

3. That a hearing will be held on the 20<sup>th</sup> day of October, 2004, in the City Hall auditorium, located at 250 North 5<sup>th</sup> Street, City of Grand Junction, Colorado, at 7:30 PM 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.
4. 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 15<sup>th</sup> day of September, 2004.

---

President of the Council

Attest:

\_\_\_\_\_  
City Clerk

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

\_\_\_\_\_  
City Clerk

<i><b>DATES PUBLISHED</b></i>
<b>September 17, 2004</b>
<b>September 24, 2004</b>
<b>October 1, 2004</b>
<b>October 8, 2004</b>

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

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

**KRONVALL ANNEXATION**

**APPROXIMATELY 4.274 ACRES**

**LOCATED AT 2263 GREENBELT DRIVE**

**WHEREAS**, on the 15<sup>th</sup> day of September, 2004, 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 20<sup>th</sup> day of October, 2004; 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:

**KRONVALL ANNEXATION**

A certain parcel of land lying in the Southeast Quarter (SE 1/4) of Section 7, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado, being all of Lot 2, Greenbelt Subdivision, as same is recorded in Book 3671, Page 249, Public Records of Mesa County, Colorado, together with a parcel of land shown and labeled within the Northeast portion of said Lot 2 having a Mesa County Parcel Number of 2945-074-00-002, all being more particularly described as follows:

BEGINNING at the Southeast corner of said Lot 2, Greenbelt Subdivision and assuming the North line of said Lot 2 bears S 82°26'11" E with all other bearings mentioned herein in reference thereto; thence from said Point of Beginning, N 73°00'10" W along the South line of said Lot 2, a distance of 151.23 feet; thence

continuing along said South line, N 56°07'10" W a distance of 128.84 feet to a point being the Southeast corner of Lot 1, Kronvall Subdivision, as same is recorded in Book 3602, Page 477, Public Records of Mesa County, Colorado; thence N 16°45'36" E along the East line of said Lot 1, Kronvall Subdivision, a distance of 151.81 feet to a point being the Northeast corner of said Lot 1, Kronvall Subdivision; thence N 62°57'41" W a distance of 203.26 feet to a point being the Southeast corner of Lot 1 of said Greenbelt Subdivision; thence N 12°08'01" E along the East line of said Lot 1, Greenbelt Subdivision, a distance of 172.00 feet to a point being the Northwest corner of Lot 2, Greenbelt Subdivision; thence S 82°26'11" E along the North line of said Lot 2, Greenbelt Subdivision, a distance of 606.45 feet to a point being the Northeast corner of said Lot 2, Greenbelt Subdivision; thence S 36°48'00" W along the East line of said Lot 2, Greenbelt Subdivision, being the West right of way for the Redlands Parkway, a distance of 9.45 feet; thence S 35°34'34" W along said West right of way, a distance of 54.72 feet to a point being the Southeast corner of that certain parcel of land with Mesa County parcel control number of 2945-074-00-002; thence S 35°32'54" W along the West right of way for the Redlands Parkway, a distance of 71.68 feet; thence S 28°40'28" W along the East line of said Lot 2 and the West right of way for the Redlands Parkway, a distance of 284.08 feet; thence S 21°48'03" W along the East line of said Lot 2 and the West right of way for the Redlands Parkway, a distance of 88.85 feet, more or less, to the Point of Beginning.

CONTAINING 4.274 Acres (186,189 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 15<sup>th</sup> day of September, 2004 and ordered published.

**ADOPTED** on second reading this \_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
President of the Council

Attest:

\_\_\_\_\_  
City Clerk

**Attach 8**  
**Setting a Hearing on Zoning the Indian Road Annexation**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Zoning the Indian Road Annexation, located between C ½ Road and D Road at Indian Road, to I-1 (Light Industrial).					
<b>Meeting Date</b>	September 15, 2004					
<b>Date Prepared</b>	September 7, 2004			File #ANX-2004-137		
<b>Author</b>	Senta L. Costello		Associate Planner			
<b>Presenter Name</b>	Senta L. Costello		Associate Planner			
<b>Report results back to Council</b>	X	No		Yes	When	
<b>Citizen Presentation</b>		Yes	X	No	Name	
	<b>Workshop</b>	X	<b>Formal Agenda</b>	X	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** Introduction of a proposed zoning ordinance to zone the Indian Road Annexation I-1 (Light Industrial), located between C ½ Road and D Road at Indian Road.

**Budget:** N/A

**Action Requested/Recommendation:** Introduce a proposed zoning ordinance and set a public hearing for October 6, 2004.

**Background Information:** See attached Staff Report/Background Information

**Attachments:**

- 24. Staff report/Background information
- 25. General Location Map
- 26. Aerial Photo
- 27. Growth Plan Map
- 28. Zoning Map
- 29. Annexation map
- 30. Zoning Ordinance



STAFF REPORT / BACKGROUND INFORMATION					
<b>Location:</b>		Between C ½ Road and D Road at Indian Road			
<b>Applicants:</b>		Owner: Darren Davidson Representative: Steve Voytilla			
<b>Existing Land Use:</b>		Vacant			
<b>Proposed Land Use:</b>		Industrial			
<b>Surrounding Land Use:</b>	<b>North</b>	Industrial / Railroad			
	<b>South</b>	Single Family Residential / Rendering Plant / Colorado River			
	<b>East</b>	Single Family Residential / Commercial & Industrial uses			
	<b>West</b>	Single Family Residential / Commercial & Industrial uses			
<b>Existing Zoning:</b>		County I-2			
<b>Proposed Zoning:</b>		City I-1			
<b>Surrounding Zoning:</b>	<b>North</b>	City I-1			
	<b>South</b>	County I-2 & RSF-R			
	<b>East</b>	County I-2, PI, & RSF-R			
	<b>West</b>	County I-2 & RSF-R; City CSR			
<b>Growth Plan Designation:</b>		North of Winters Ave – Industrial South of Winters Ave – Commercial / Industrial			
<b>Zoning within intensity range?</b>		<b>X</b>	<b>Yes</b>		<b>No</b>

**Staff Analysis:**

**Zone of Annexation:** The requested zone of annexation to the I-1 district is consistent with the Growth Plan intensities of Commercial / Industrial and Industrial. The existing County zoning is I-2. Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

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:

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

Response: The requested zoning is to place the property into an appropriate City zoning designation due to the annexation request. Therefore, this criteria is not applicable.

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

Response: The zoning request is in conjunction with an annexation request. Therefore this criteria is not applicable.

6. 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;

Response: The zoning request is compatible with the neighborhood and adjacent zoning. Future improvements to facilities will occur if the preliminary plan goes forward.

7. 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;

Response: The proposed zoning is consistent with the Goals and polices of the Growth Plan, the requirements of the Zoning and Development Code and other City regulations and guidelines.

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

Response: Adequate public facilities are available or will be supplied at the time of further development of the property.

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

Response: The zoning request is in conjunction with an annexation request. Therefore this criteria is not applicable.

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

Response: The zoning request is in conjunction with an annexation request. Therefore this criteria is not applicable.

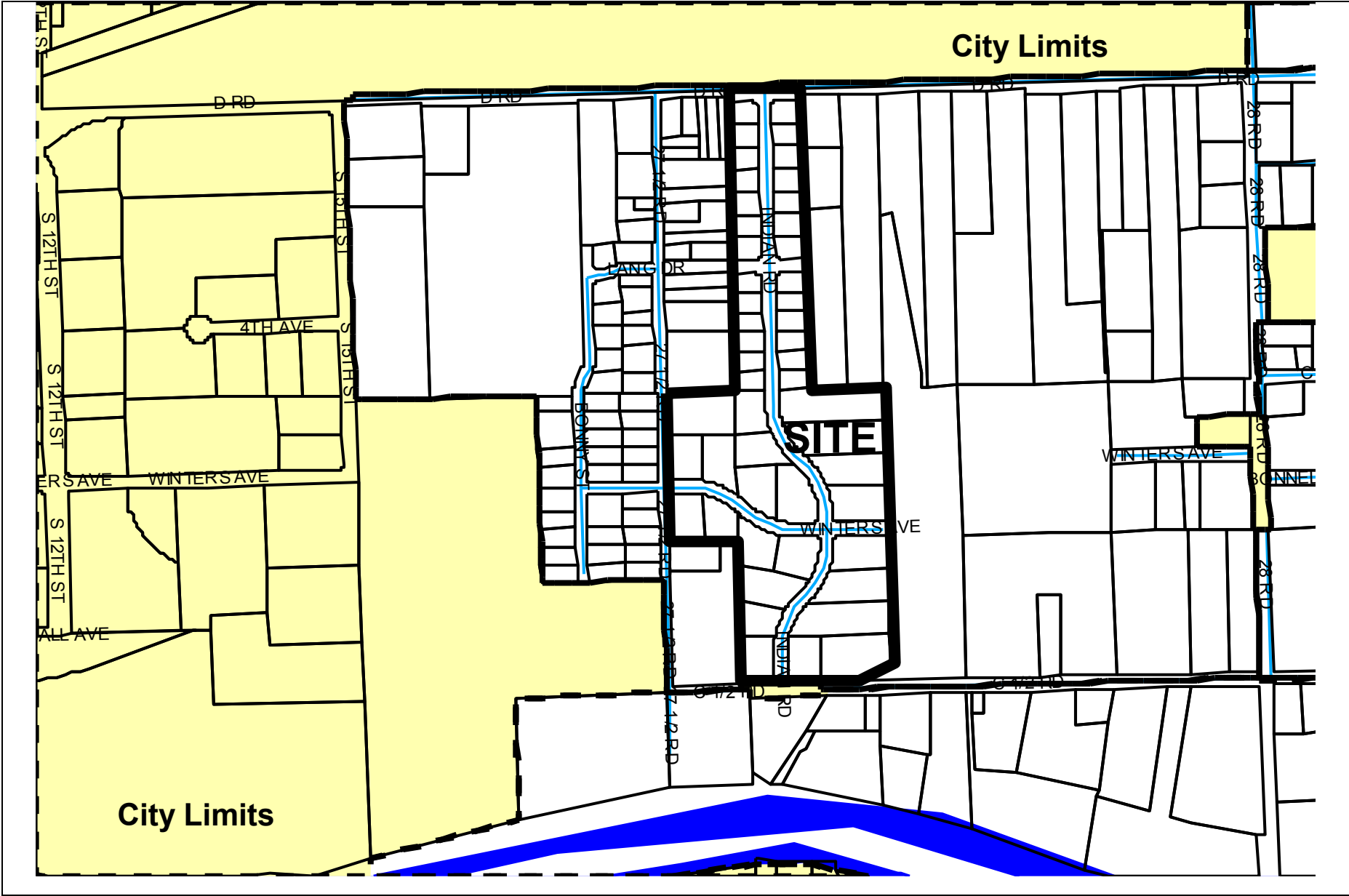
## **STAFF RECOMMENDATION**

Staff recommends approval of the I-1 zone district, with the finding that the proposed zone district is consistent with the Growth Plan and with Sections 2.6 and 2.14 of the Zoning and Development Code.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the I-1 district to be consistent with the Growth Plan, the existing County Zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.

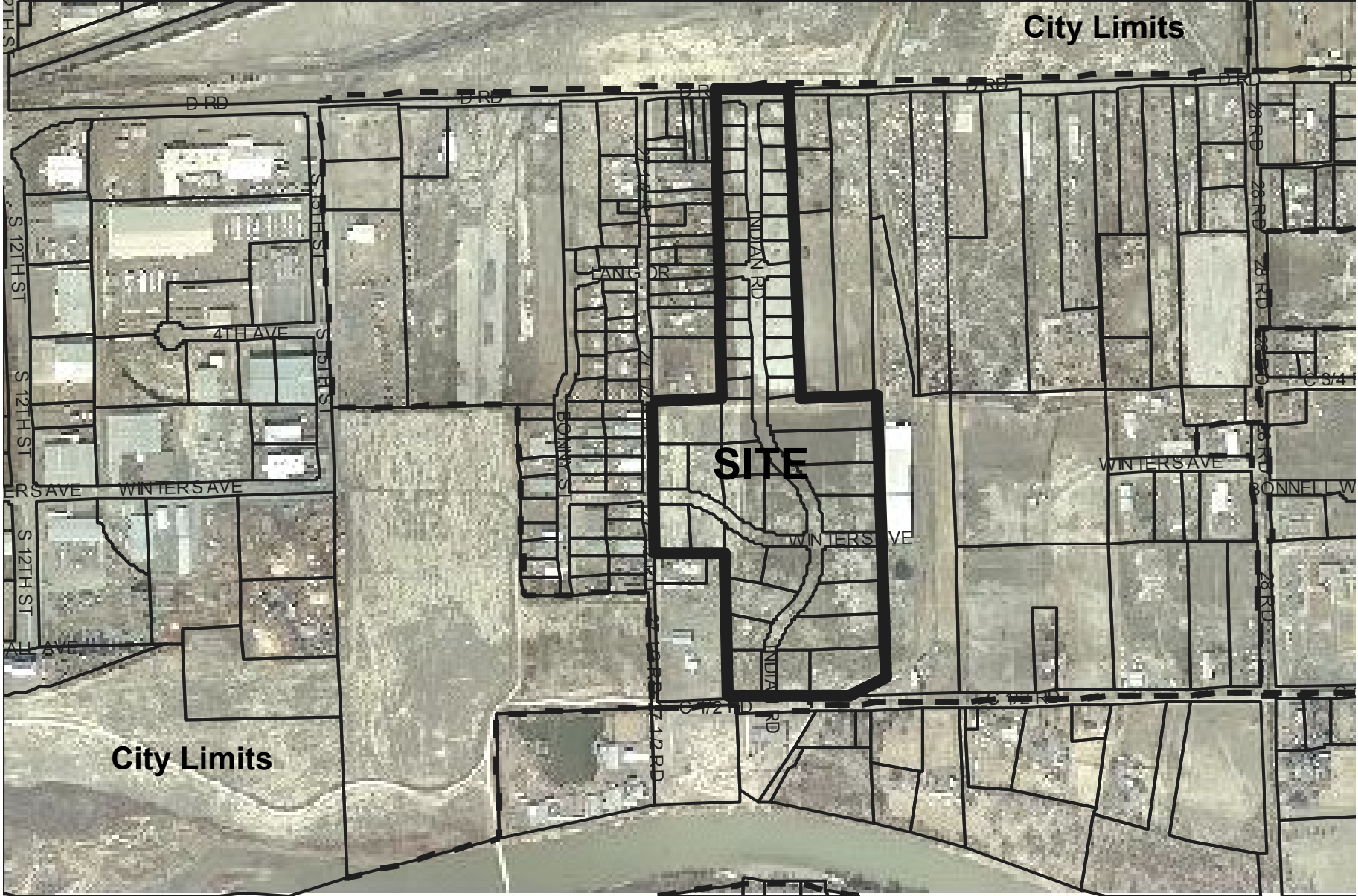
# Site Location Map

Figure 1



# Aerial Photo Map

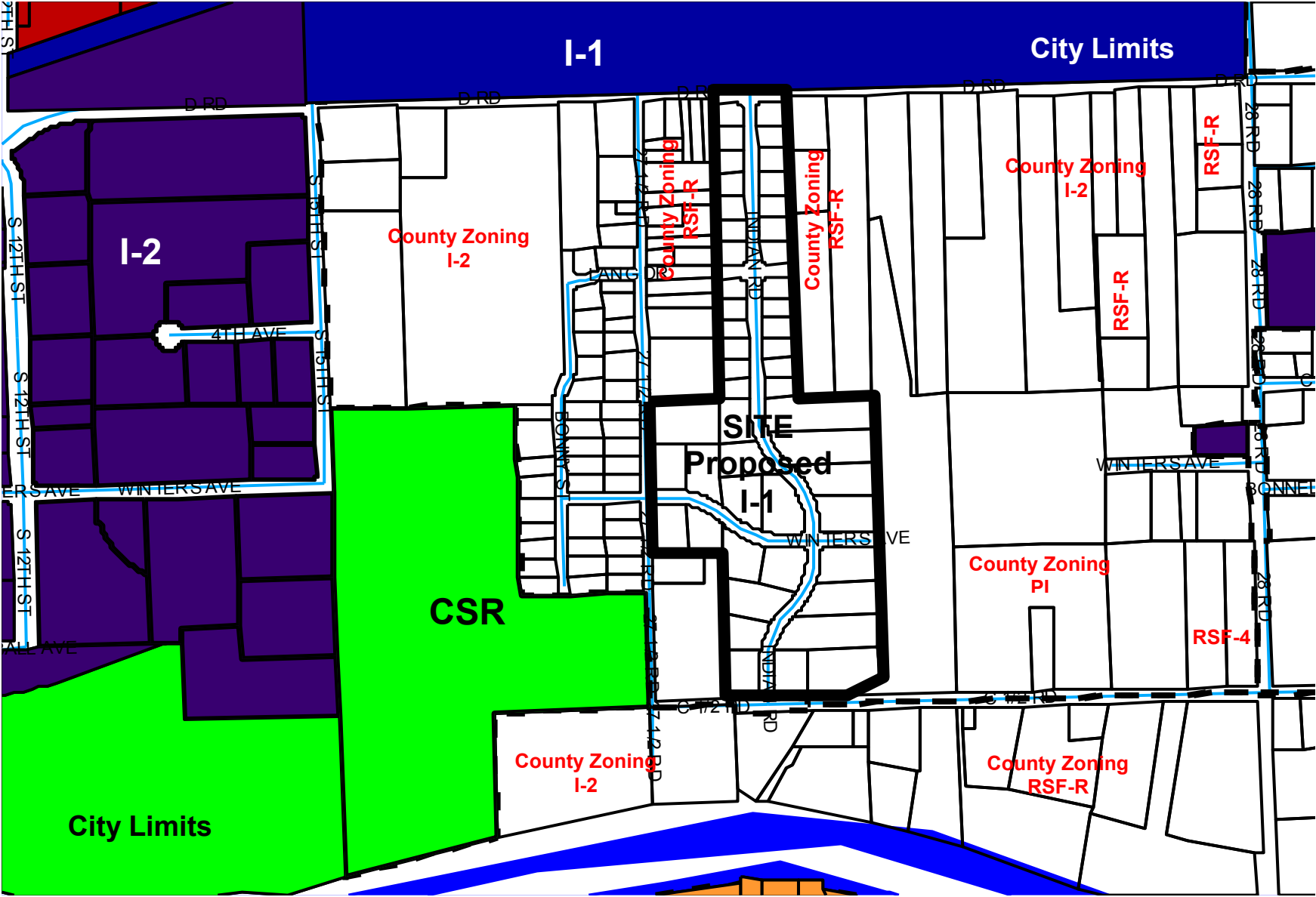
Figure 2





# Existing City and County Zoning

Figure 4

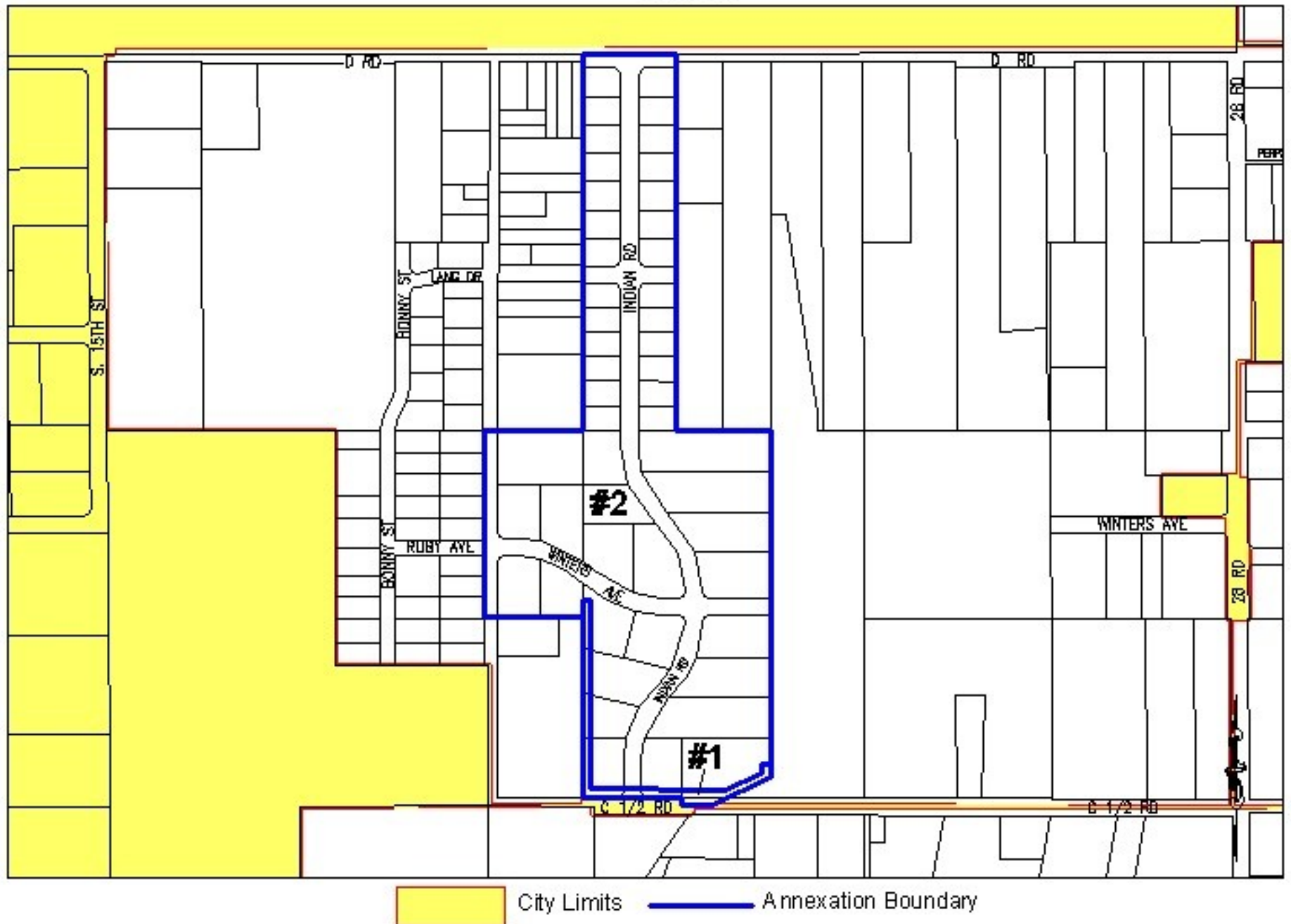


NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."



# Indian Road Industrial Subdivision Annexations No. 1 and 2

Figure 5



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE INDIAN ROAD ANNEXATION TO  
I-1**

**LOCATED BETWEEN C ½ ROAD AND D ROAD AT INDIAN 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 zoning the Indian Road Annexation to the I-1 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 land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

The Planning Commission and City Council find that the I-1 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 zoned I-1.

**INDIAN ROAD ANNEXATION**

Lots 1-7, both inclusive, in Blk 1; Lots 1-7, both inclusive, in Blk 2; Lots 1-10, both inclusive, in Blk 3; Lots 1-13, both inclusive, in Blk 4; Lots 1-7, both inclusive, in Blk 5; Lots 1-4, both inclusive, in Blk 6, all of Indian Road Sub, Mesa Co, Colorado; and also Beg 100' N of the SE cor of the W 30 ac of SW1/4NE1/4 of Sec 24, T1S, R1W of the Ute Meridian, thence N 138', thence W 312', thence S 208', thence E approximately 162' to the S line of drainage ditch right-of-way of the Grand Junction Drainage District, thence Northeasterly along S line of said drainage ditch right-of-way to the POB, Mesa Co, Colorado.

Introduced on first reading this 15<sup>th</sup> day of September, 2004 and ordered published.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**Attach 9**  
**Rename Poplar Avenue to Poplar Drive**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Rename Poplar Avenue to Poplar Drive					
<b>Meeting Date</b>	September 15, 2004					
<b>Date Prepared</b>	September 2, 2004				<b>File #</b> MSC-2004-138	
<b>Author</b>	Ronnie Edwards		Associate Planner			
<b>Presenter Name</b>	Ronnie Edwards		Associate Planner			
<b>Report results back to Council</b>	<input checked="" type="checkbox"/>	<b>No</b>	<input type="checkbox"/>	<b>Yes</b>	<b>When</b>	
<b>Citizen Presentation</b>	<input type="checkbox"/>	<b>Yes</b>	<input checked="" type="checkbox"/>	<b>No</b>	<b>Name</b>	
	<b>Workshop</b>	<input checked="" type="checkbox"/>	<b>Formal Agenda</b>	<input checked="" type="checkbox"/>	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** Resolution to rename Poplar Avenue to Poplar Drive.

**Budget:** N/A

**Action Requested/Recommendation:** Consideration and approval of a Resolution renaming Poplar Avenue to Poplar Drive.

**Background Information:** Please see attached Staff report

**Attachments:**

1. Staff report/Background information/Plat Map
2. General Location Map
3. Aerial Photo
4. Growth Plan Map
5. Zoning Map
6. Resolution

<b>BACKGROUND INFORMATION</b>					
<b>Location:</b>		Poplar Drive from Lorey Drive to Lilac Lane			
<b>Applicant:</b>		Eleven property owners on Poplar Drive			
<b>Existing Land Use:</b>		Single Family Residential			
<b>Proposed Land Use:</b>		Single Family Residential			
<b>Surrounding Land Use:</b>	<b>North</b>	Single Family Residential/Vacant			
	<b>South</b>	Single Family Residential			
	<b>East</b>	Single Family Residential			
	<b>West</b>	Single Family Residential			
<b>Existing Zoning:</b>		RSF-4			
<b>Proposed Zoning:</b>		RSF-4			
<b>Surrounding Zoning:</b>	<b>North</b>	RSF-4 & CSR			
	<b>South</b>	RSF-4			
	<b>East</b>	RSF-4			
	<b>West</b>	RSF-4 & RMF-12			
<b>Growth Plan Designation:</b>		Residential Medium (4-8 du/ac)			
<b>Zoning within density range?</b>		X	<b>Yes</b>		<b>No</b>

**Project Analysis:**

1. Background:

The subject right-of-way was constructed as Poplar Avenue with the recordation of Pomona View Subdivision in 1954. The subdivision was annexed into the City in August of 1970. This particular request originated from the eleven property owners that are presently living on Poplar Avenue. The affected residents expressed concern when it was discovered that through the years they had been using Poplar Drive for all mail, deliveries and on their drivers' licenses and not Poplar Avenue. The residents prefer the use of Drive in lieu of Avenue and have requested that Staff bring this forward so the street could be officially changed through the appropriate review process with a resolution. The street name change is proposed for the street segment running north and south from Lorey Drive to just north of Lilac Lane, which is 580' in length.

The Community Development Department has signatures from all residents concerned and notification will be sent out once approved.

Section 6.2.B.3.5 states that existing streets and roads not conforming or inconsistent to the addressing system shall be made conforming as the opportunity occurs. The benefit derived by the community would be that all the existing properties within this neighborhood would have the same address as what is listed on all their personal documentation and their postal delivery service. The proposed name change will not impact adjacent land uses or neighborhood stability or character. City Traffic Department and emergency response services were contacted and agreed no adverse impacts are being created.

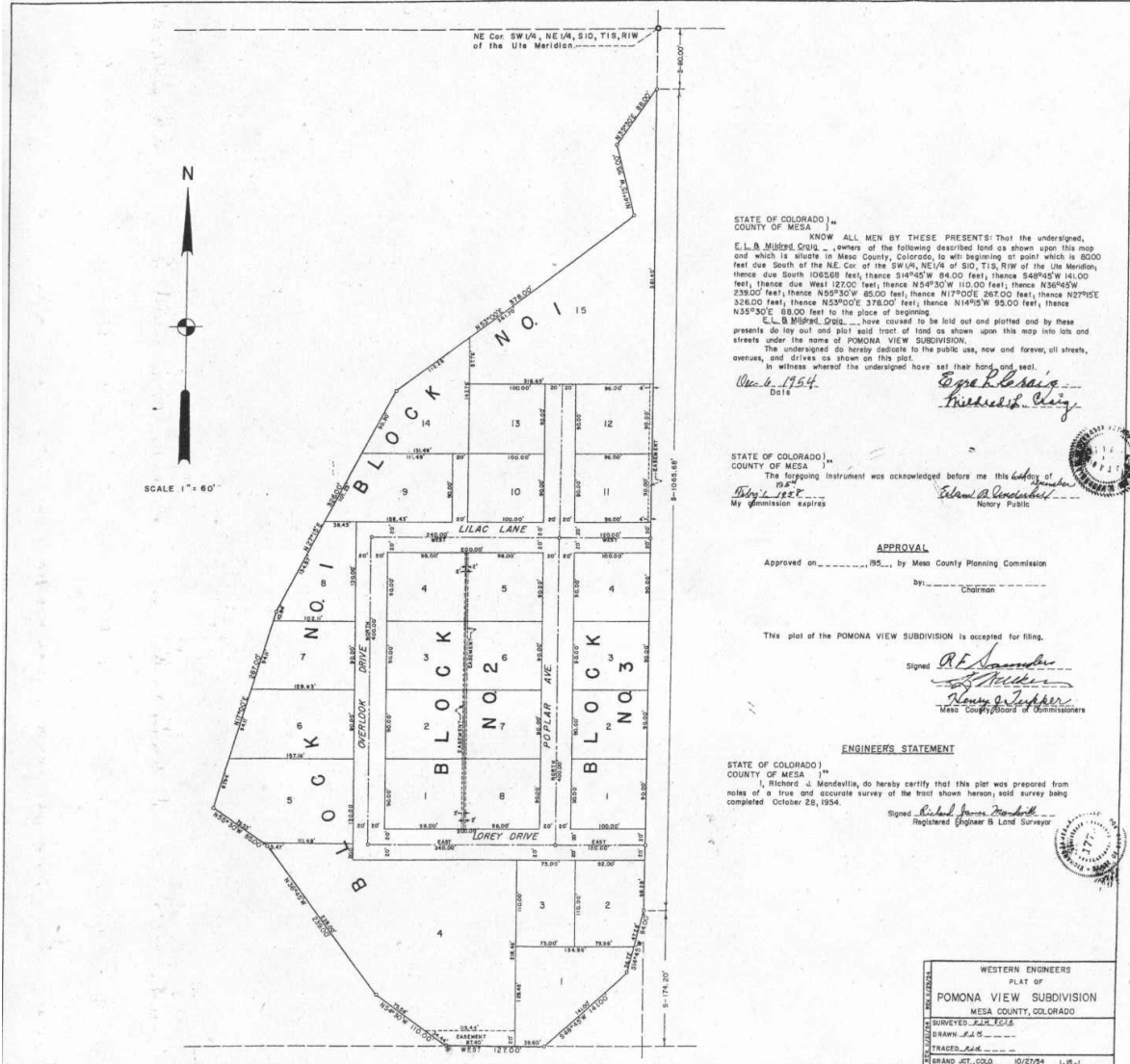
The proposal is in conformance with the Growth Plan and requirements of the Zoning and Development Code.

**STAFF RECOMMENDATION:**

Staff recommends that the City Council approve the resolution renaming Poplar Avenue to Poplar Drive.

**Attachments:**

Site Location Map  
Aerial Map  
Future Land Use Map  
Existing Zoning Map  
Resolution



STATE OF COLORADO )  
 COUNTY OF MESA )  
 KNOW ALL MEN BY THESE PRESENTS: That the undersigned, E. L. & MILDRED GRIFF, owners of the following described land as shown upon this map and which is situate in Mesa County, Colorado, to wit: beginning at post which is 8000 feet due South of the NE. Cor. of the SW 1/4, NE 1/4 of S10, T19, R1W of the Ute Meridian; thence due South 1085.88 feet; thence S14°45'W 84.00 feet; thence S48°45'W 141.00 feet; thence due West 127.00 feet; thence N54°30'W 110.00 feet; thence N38°45'W 239.00 feet; thence N55°30'W 85.00 feet; thence N17°00'E 267.00 feet; thence N27°15'E 328.00 feet; thence N53°00'E 378.00 feet; thence N14°15'W 95.00 feet; thence N35°30'E 68.00 feet to the place of beginning.  
 E. L. & MILDRED GRIFF, have caused to be laid out and plotted and by these presents do lay out and plot said tract of land as shown upon this map into lots and streets under the name of POMONA VIEW SUBDIVISION.  
 The undersigned do hereby dedicate to the public use, now and forever, all streets, avenues, and drives as shown on this plat.  
 In witness whereof the undersigned have set their hands and seal.  
 October 6, 1954.  
 Date  
 E. L. & Mildred Griff  
 Frederick C. Grigg

STATE OF COLORADO )  
 COUNTY OF MESA )  
 The foregoing instrument was acknowledged before me this 6th day of October, 1954.  
 My commission expires \_\_\_\_\_  
 Notary Public

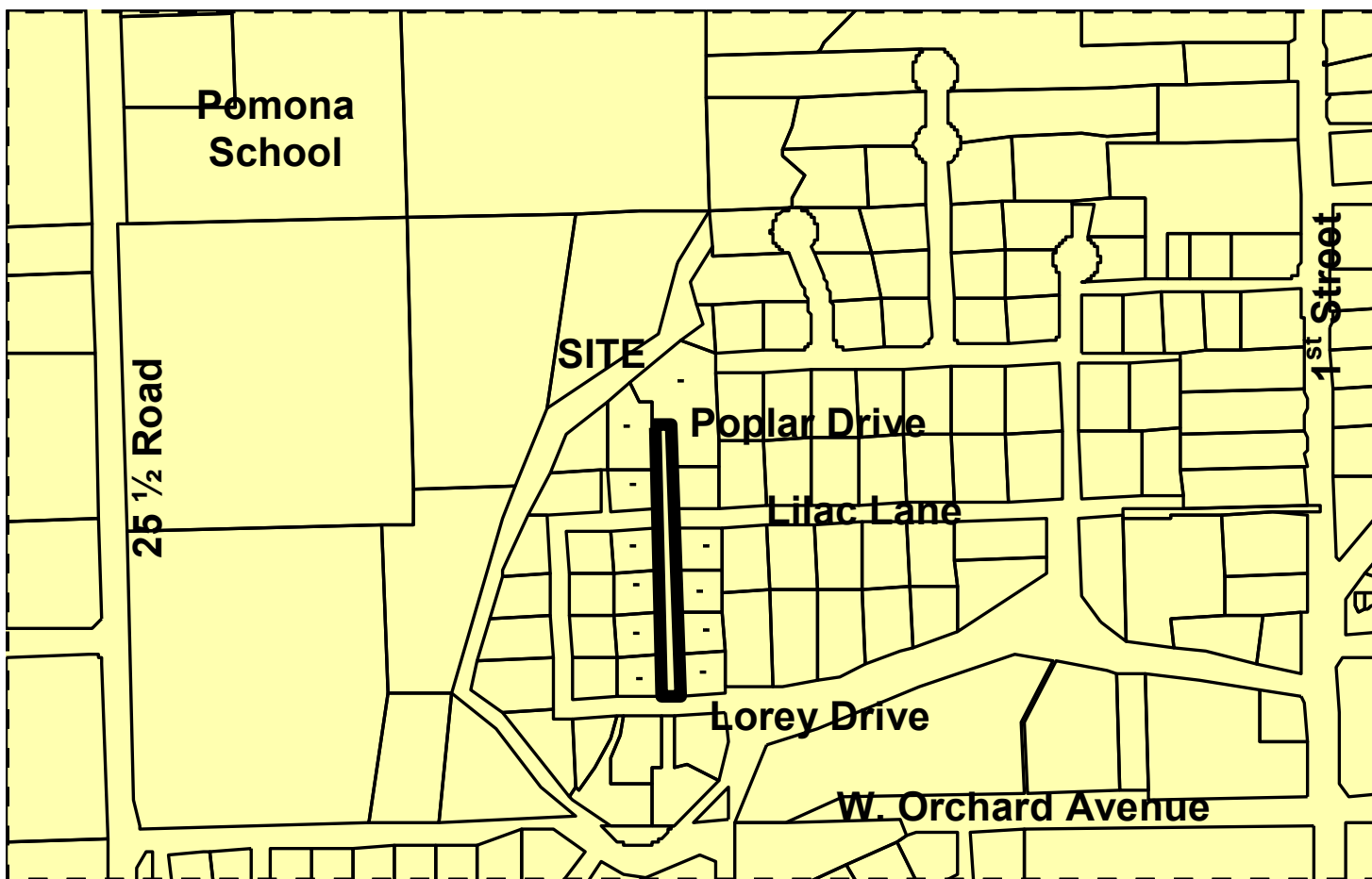
**APPROVAL**  
 Approved on \_\_\_\_\_, 1954, by Mesa County Planning Commission  
 By: \_\_\_\_\_  
 Chairman  
 This plat of the POMONA VIEW SUBDIVISION is accepted for filing.  
 Signed: R. E. Saunders  
 Notary Public  
 Mesa County Board of Commissioners

**ENGINEERS STATEMENT**  
 STATE OF COLORADO )  
 COUNTY OF MESA )  
 I, Richard J. Mandevilla, do hereby certify that this plat was prepared from notes of a true and accurate survey of the tract shown hereon, said survey being completed October 26, 1954.  
 Signed: Richard J. Mandevilla  
 Registered Engineer & Land Surveyor

WESTERN ENGINEERS  
 PLAT OF  
 POMONA VIEW SUBDIVISION  
 MESA COUNTY, COLO. GRADO  
 SURVEYED BY J. J. EGLE  
 DRAWN BY J. S. \_\_\_\_\_  
 TRACED BY K. M. \_\_\_\_\_  
 GRAND JCT., COLO. 10/27/54 1:5-1

# Site Location Map

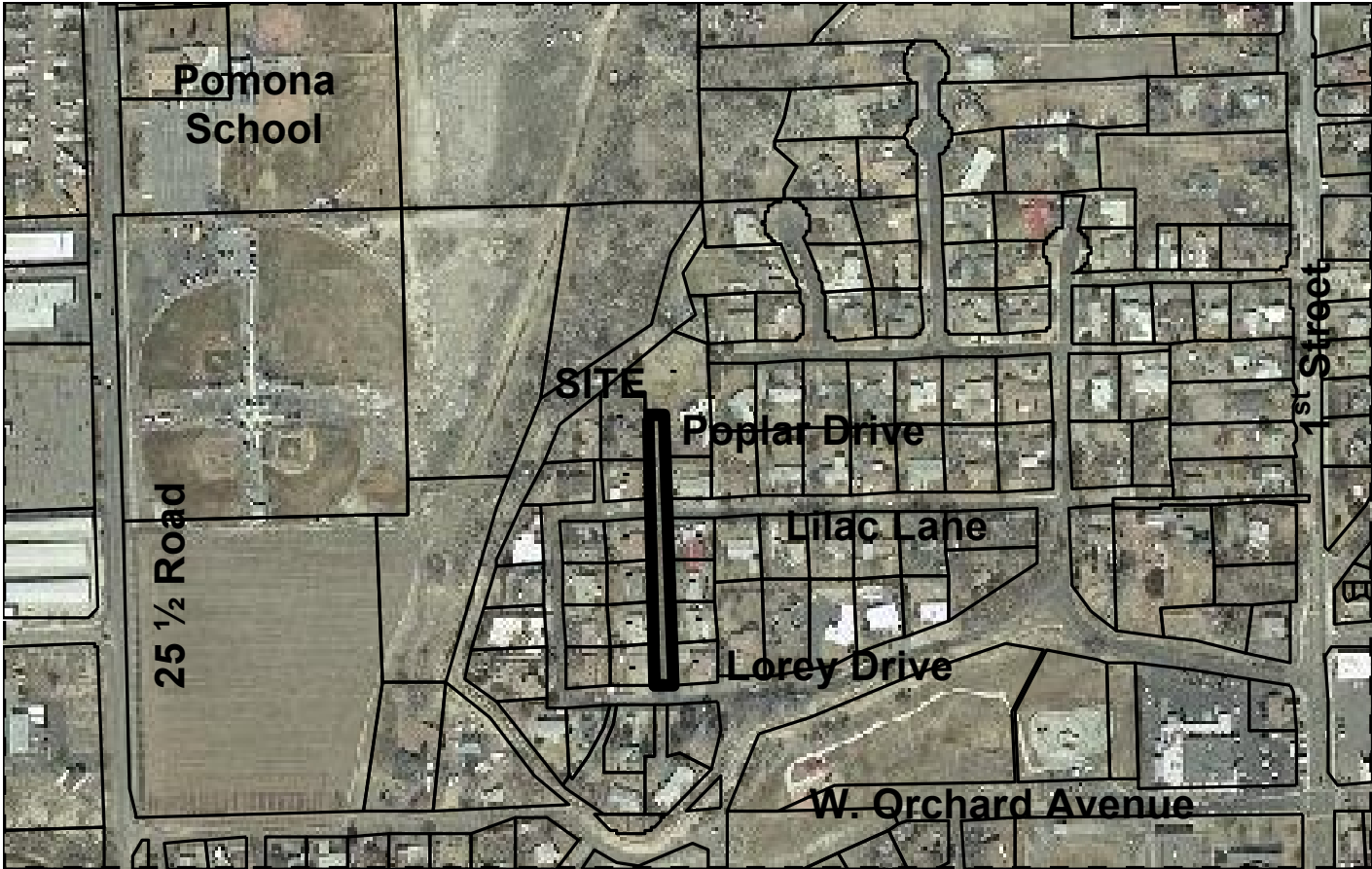
Figure 1





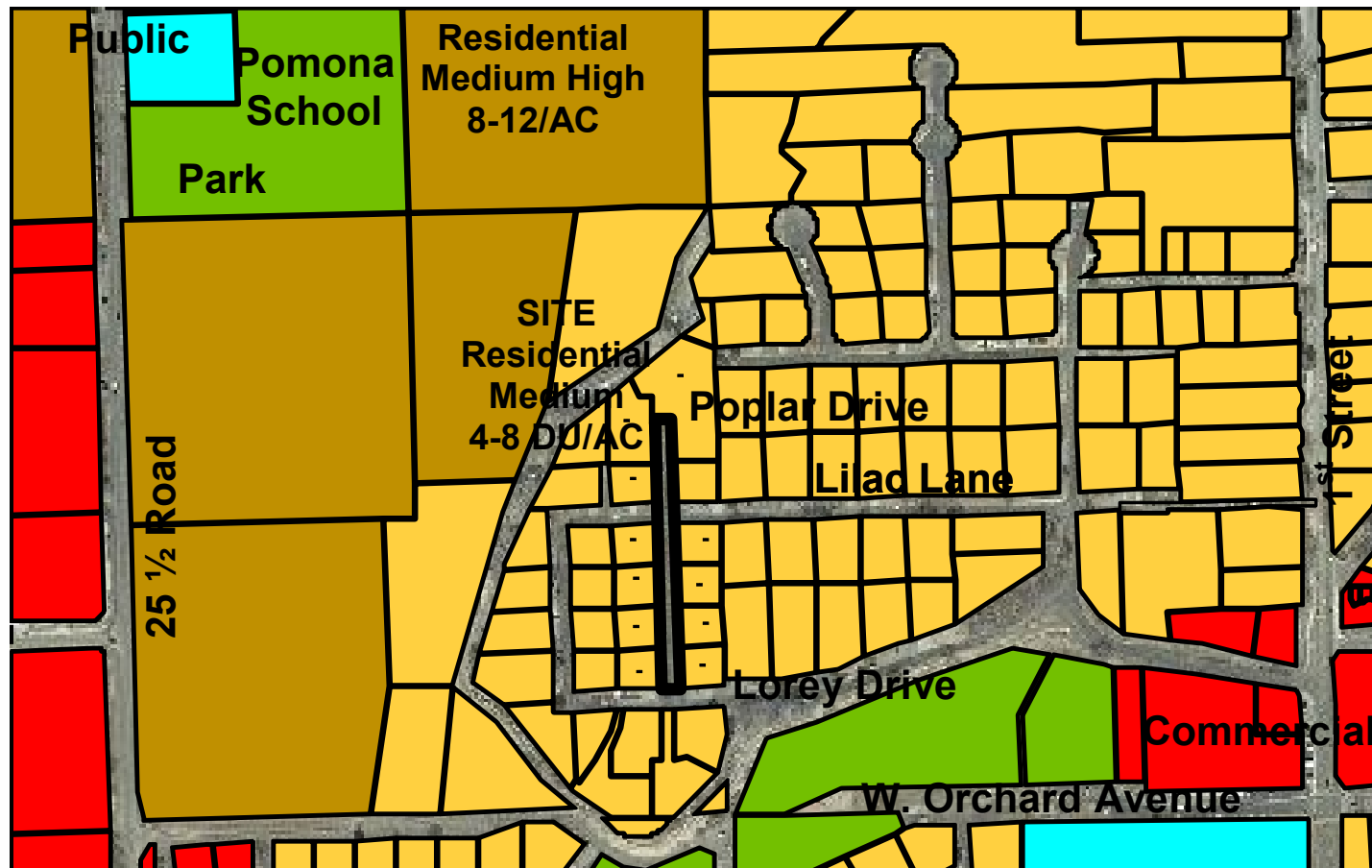
# Aerial Photo Map

Figure 2



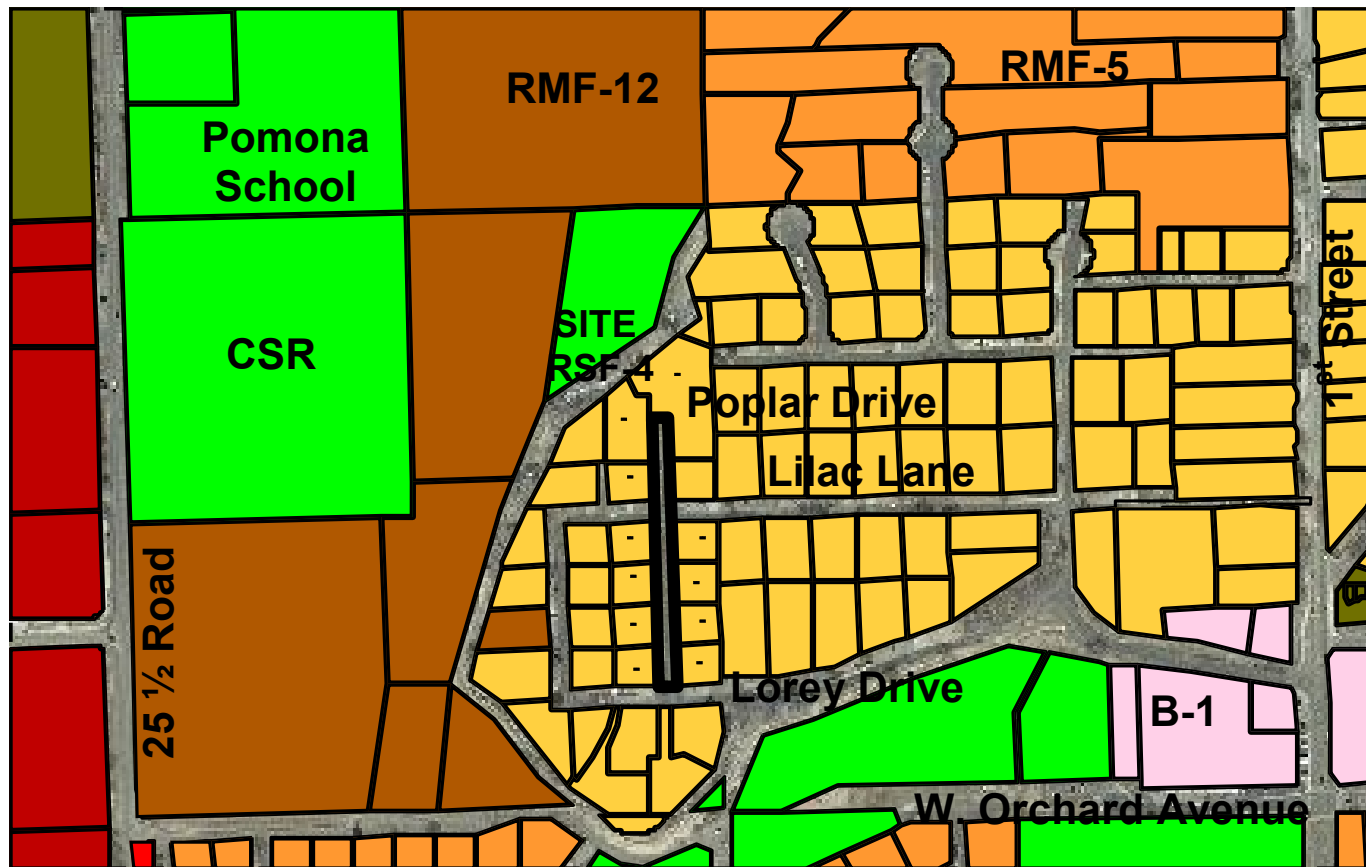
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION RENAMING POPLAR AVENUE TO POPLAR DRIVE LOCATED  
BETWEEN LOREY DRIVE AND LILAC LANE

Recitals.

The renaming of the public right-of-way known as Poplar Avenue to Poplar Drive is at the request of the existing eleven property owners. Residents expressed concern when it was discovered that all their present pertinent documents and postal delivery service did not agree with the original subdivision plat or Mesa County records. The street name change is proposed for the street segment running north and south from Lorey Drive to just north of Lilac Lane. The Community Development Department would notify all residents of the timing of the proposed change and neighborhood support has been expressed.

Section 6.2.B.3.5 states that existing streets and roads not conforming or inconsistent to the addressing system shall be made conforming as the opportunity occurs. The benefit derived by the community would be that all existing properties within this neighborhood would have the same address as their personal documents and delivery/emergency services. The proposed name change will not impact adjacent land uses or neighborhood stability or character.

The proposal is in conformance with the Growth Plan and requirements of the Zoning and Development Code.

Neighborhood residents and the Community Development Department have requested that the City Council rename the right-of-way known as Poplar Avenue to Poplar Drive.

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

That the name of Poplar Avenue, as described in this resolution is hereby changed to Poplar Drive.

ADOPTED AND APPROVED THIS 15th day of September, 2004.

ATTEST:

\_\_\_\_\_  
Stephanie Tuin  
City Clerk

\_\_\_\_\_  
Bruce Hill  
President of City Council

**Attach 10**  
**Setting a Hearing for Alley Improvement**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
<b>Subject</b>	1 <sup>st</sup> Reading of a Proposed Assessing Ordinance for Alley Improvement Districts No. ST-04 and ST-04 Phase B						
<b>Meeting Date</b>	September 15, 2004						
<b>Date Prepared</b>	September 9, 2004				<b>File #</b>		
<b>Author</b>	Michael Grizenko		Real Estate Technician				
<b>Presenter Name</b>	Mark Relph		Public Works and Utilities Director				
<b>Report results back to Council</b>	X	No		Yes	<b>When</b>		
<b>Citizen Presentation</b>		Yes	x	No	<b>Name</b>		
	<b>Workshop</b>	X	<b>Formal Agenda</b>		X	<b>Consent</b>	<b>Individual Consideration</b>

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

- East/West Alley from 13<sup>th</sup> to 15<sup>th</sup>, between Kennedy Avenue and Elm Avenue
- East/West Alley from 14<sup>th</sup> to 15<sup>th</sup>, between Elm Avenue and Texas Avenue
- East/West Alley from 2<sup>nd</sup> to 3<sup>rd</sup>, between Chipeta Avenue and Ouray Avenue
- East/West Alley from 2<sup>nd</sup> to 3<sup>rd</sup>, between Teller Avenue and Belford Avenue
- “T” shaped Alley from 7<sup>th</sup> to Cannell, between Kennedy Avenue and Elm Avenue
- East/West Alley from 8<sup>th</sup> to Cannell, between Mesa Avenue and Hall Avenue ( Alley Improvement District ST-04, Phase B)\*\*

\*\* Phase B was created with the Council directive that a reduced assessment be negotiated with the Seventh Day Adventist Church School. A negotiated settlement has been verbally agreed to and a signed settlement will be included with the packet for the October 6th, 2004 assessment hearing.

A public hearing is scheduled for October 6th, 2004.

**Budget:**

2004 Alley Budget	\$384,560
Reallocations of 2004 Alley Budget	(\$134,560)
Total Available	\$250,000
Actual Cost to construct 2004 Alleys	\$259,660.01
Estimated Balance	(\$9,660.01)

**Action Requested/Recommendation:** Review and adopt proposed Ordinance on First Reading for Alley Improvement Districts ST-04 and ST-04 Phase B.

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

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

A summary of the process that follows submittal of the petition is provided below. Items preceded by a √ indicate steps already taken with this Improvement District and the item preceded by a ► indicates the step being taken with the current Council action.

1. √ City Council passes a Resolution declaring its intent to create an improvement district. The Resolution acknowledges receipt of the petition and gives notice of a public hearing.
2. √ Council conducts a public hearing and passes a Resolution creating the Improvement District.
3. √ Council awards the construction contract.
4. √ Construction.
5. √ After construction is complete, the project engineer prepares a Statement of Completion identifying all costs associated with the Improvement District.
6. √ Council passes a Resolution approving and accepting the improvements and gives notice of a public hearing concerning a proposed Assessing Ordinance.
7. ► Council conducts the first reading of the proposed Assessing Ordinance.
8. Council conducts a public hearing and second reading of the proposed Assessing Ordinance.
9. The adopted Ordinance is published for three consecutive days.
10. The property owners have 30 days from final publication to pay their assessment in full. Assessments not paid in full will be amortized over a ten-year period. Amortized assessments may be paid in full at anytime during the ten-year period.

The first reading of the proposed Assessing Ordinance is scheduled for the September 15th, 2004 Council meeting. The second reading and public hearing is scheduled for the October 6th, 2004 Council meeting. The published assessable costs include a one-time charge of 6% for costs of collection and other incidentals. This fee will be deducted for assessments paid in full by November 8th, 2004. Assessments not paid in

full will be turned over to the Mesa County Treasurer for collection under a 10-year amortization schedule with simple interest at the rate of 8% accruing against the declining balance.



# SUMMARY SHEET

## ALLEY IMPROVEMENT DISTRICT 2004

### 13<sup>th</sup> STREET TO 15<sup>th</sup> STREET KENNEDY AVENUE TO ELM AVENUE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
• Michael & Christine Bonds	140.00	\$15.00	\$2,100.00
• Richard Polzin	60.00	\$ 8.00	\$ 480.00
• Ann Marie Lamphere	50.00	\$ 8.00	\$ 400.00
Katherine D Palmer	60.00	\$ 8.00	\$ 480.00
John Peeso	60.00	\$ 8.00	\$ 480.00
• Barbara Scott	50.00	\$ 8.00	\$ 400.00
• Steve Frame	50.00	\$ 8.00	\$ 400.00
• Julianne Hemming	50.00	\$ 8.00	\$ 400.00
Dianna Beltz	75.00	\$15.00	\$1,125.00
• Douglas Walsh	55.00	\$ 8.00	\$ 440.00
R. S. & Terrie Requa	60.00	\$ 8.00	\$ 480.00
Clay Reichardt	60.00	\$ 8.00	\$ 480.00
Mary Jo Stanislawski	120.00	\$15.00	\$1,800.00
• Max Martinez & Jennifer Sparks	50.00	\$ 8.00	\$ 400.00
• Mary Ann McCrea	50.00	\$ 8.00	\$ 400.00
• Stancyn Enterprises LLLP	50.00	\$ 8.00	\$ 400.00
<b>TOTAL</b>			<b>\$10,665.00</b>
<b>ASSESSABLE FOOTAGE</b>	<b>1,040.00</b>		

Estimated Cost to Construct                    \$ 87,875.00

Absolute Cost to Owners                        \$ 10,665.00

Estimated Cost to City                         \$ 77,210.00

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

- Indicates property owners signing petition = 10/16 or 63% of owners & 58% of assessable footage.

# SUMMARY SHEET

## ALLEY IMPROVEMENT DISTRICT 2004

### 14<sup>TH</sup> STREET TO 15<sup>TH</sup> STREET ELM AVENUE TO TEXAS AVENUE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
• Tom & Sara Burchell, et.al.	45.00	\$ 8.00	\$ 360.00
• Jean Duval Kane	75.00	\$ 8.00	\$ 600.00
• Nicklas Beightel	50.00	\$ 8.00	\$ 400.00
Craig & Anne Bowman	50.00	\$ 8.00	\$ 400.00
Sunbelt Environmental Corp	95.75	\$ 8.00	\$ 766.00
• Connie Badini	90.00	\$15.00	\$1,350.00
• Barbara & Larry Creasman	70.00	\$ 8.00	\$ 560.00
• Kendra Kleeman	50.00	\$ 8.00	\$ 400.00
Katherine Zeck & Elizabeth Zollner	50.00	\$ 8.00	\$ 400.00
George Ziegler	55.75	\$ 8.00	<u>\$ 446.00</u>
TOTAL			<u>\$5,682.00</u>
ASSESSABLE FOOTAGE	631.50		

Estimated Cost to Construct	\$ 35,625.00
Absolute Cost to Owners	<u>\$ 5,682.00</u>
Estimated Cost to City	\$ 29,943.00

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

- Indicates property owners signing petition = 6/10 or 60% of owners & 60% of assessable footage.

# SUMMARY SHEET

## ALLEY IMPROVEMENT DISTRICT 2004

### 2<sup>nd</sup> STREET TO 3<sup>rd</sup> STREET CHIPETA AVENUE TO OURAY AVENUE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
• Carolyn Queal	50.00	\$ 8.00	\$ 400.00
Jason A. Keesler	50.00	\$ 8.00	\$ 400.00
Martin & Ulrike Magdalenski	50.00	\$ 8.00	\$ 400.00
• Chuck Buderus	50.00	\$ 8.00	\$ 400.00
• James & Allison Blevins	50.00	\$ 8.00	\$ 400.00
• David Hall	25.00	\$ 8.00	\$ 200.00
• David Hall	25.00	\$ 8.00	\$ 200.00
Thomas Watson	50.00	\$15.00	\$ 750.00
• Jason Whitesides & Natalie Clark	50.00	\$ 8.00	\$ 400.00
• Lee Ann Blaney	50.00	\$ 8.00	\$ 400.00
Gordon & Gayle Zimmerman	50.00	\$ 8.00	\$ 400.00
• Lee Ann Blaney	50.00	\$ 8.00	\$ 400.00
David J. & Mandy Vindiola	50.00	\$ 8.00	\$ 400.00
Carman Herrick	50.00	\$ 8.00	\$ 400.00
• Richard Owens	25.00	\$ 8.00	\$ 200.00
• Richard Owens	25.00	\$ 8.00	\$ 200.00
Shay Reeves & Barbara Hunt	50.00	\$15.00	\$ 750.00
Brian & Tammy Mattfield	40.00	\$ 8.00	\$ 320.00
Brian & Tammy Mattfield	<u>10.00</u>	\$ 8.00	<u>\$ 80.00</u>
TOTAL			\$7,100.00
ASSESSABLE FOOTAGE	800.00		

Estimated Cost to Construct	\$ 42,750.00
Absolute Cost to Owners	<u>\$ 7,100.00</u>
Estimated Cost to City	\$ 35,650.00

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

- Indicates property owners signing petition = 10/19 or 53% of owners & 50% of assessable footage.

# SUMMARY SHEET

## ALLEY IMPROVEMENT DISTRICT 2004

### 2<sup>nd</sup> STREET TO 3<sup>rd</sup> STREET TELLER AVENUE TO BELFORD AVENUE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
• Michael Ferguson & Alex Duran	50.00	\$ 8.00	\$ 400.00
• TWENTY TWENTY ONE LLC	50.00	\$15.00	\$ 750.00
Edwin & Vickie Buttery	50.00	\$ 8.00	\$ 400.00
Greg & Scott Ashby	50.00	\$ 8.00	\$ 400.00
• Susan Darrow	50.00	\$ 8.00	\$ 400.00
Larry & Marguerite Dowd (Trustees)	50.00	\$ 8.00	\$ 400.00
• Charles Brown & Pattie Pagel	50.00	\$ 8.00	\$ 400.00
Thomas Dailey & Rhonda Jeffreys	50.00	\$ 8.00	\$ 400.00
• Ryan & Daysha Snow	50.00	\$ 8.00	\$ 400.00
• Richard Watson	50.00	\$ 8.00	\$ 400.00
Linda Takagi	50.00	\$ 8.00	\$ 400.00
Margaret Rodriguez	50.00	\$ 8.00	\$ 400.00
• Carl Strippel	50.00	\$ 8.00	\$ 400.00
• John Manfro	50.00	\$ 8.00	\$ 400.00
• Reymundo & Adelina Medina	50.00	\$ 8.00	\$ 400.00
• George Lloyd	<u>50.00</u>	\$ 8.00	<u>\$ 400.00</u>
TOTAL			\$6,750.00
ASSESSABLE FOOTAGE	800.00		

Estimated Cost to Construct                      \$ 42,750.00

Absolute Cost to Owners                              \$ 6,750.00

Estimated Cost to City                                \$ 36,000.00

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

- Indicates property owners signing petition = 10/16 or 63% of owners & 63% of assessable footage.

## SUMMARY SHEET

### ALLEY IMPROVEMENT DISTRICT 2004 7<sup>TH</sup> STREET TO CANNELL AVENUE KENNEDY AVENUE TO ELM AVENUE

OWNER	FOOTAGE	COST/FT	ASSESSMENT
• MARK & KAREN PETERSON	52.00	\$ 8.00	\$ 416.00
MARK & KATE HUSTER	50.00	\$ 8.00	\$ 400.00
• NATHAN & STACY KEEVER	52.00	\$ 8.00	\$ 416.00
PETER ELLINWOOD	58.00	\$ 8.00	\$ 464.00
• CARL STRIPPEL	65.00	\$ 8.00	\$ 520.00
• CALVIN & BRENDA BROWN	75.00	\$ 8.00	\$ 600.00
LENORE BRYANT	50.00	\$ 8.00	\$ 400.00
DOUGLAS & JENNIFER CLARY	50.00	\$ 8.00	\$ 400.00
JEROME GARDNER, ETAL.	50.00	\$ 8.00	\$ 400.00
• JOSEPH & KIM MALECKI	75.00	\$ 8.00	\$ 600.00
• JAMES L & KATRINA GALLIGHER	75.00	\$ 8.00	\$ 600.00
• CONNIE J BISH	75.00	\$ 8.00	\$ 600.00
PATRICIA HARRIS	75.00	\$ 8.00	\$ 600.00
MICHAEL & BARBARA HOLLINGSWORTH	121.00	\$ 8.00	\$968.00
• EDWARD & SOPHIE DONATELLI TRUST	83.00	\$15.00	\$1,245.00
• CINDY KIERSTAD	25.00	\$ 8.00	\$ 200.00
• DENNIS & KAYLEEN O'DWYER	50.00	\$ 8.00	\$ 400.00
ROBERT SAMMONS	50.00	\$31.50	\$1,575.00
PAUL & J.M. QUAM	70.00	\$15.00	\$1,050.00
PAUL & JOHANNA QUAM	75.00	\$ 8.00	\$ 600.00
• BILL & LINDA CLEVANGER	75.00	\$ 8.00	\$ 600.00
EINAR & JUSTINA NELSON	75.00	\$ 8.00	\$ 600.00
• JOE & KAREN MALBERG	75.00	\$ 8.00	\$ 600.00
• JOHN, JANET, & ALTA NOLAND	72.00	\$ 8.00	\$ 576.00
PATRICK & REBECCA MORRICK	72.00	\$ 8.00	\$ 576.00
• GREGORY, ANITA & CHARLES REICKS	72.00	\$ 8.00	\$ 576.00
MARIE & CARL SANTY	72.00	\$ 8.00	\$ 576.00
SUSIE CUNNINGHAM	72.00	\$ 8.00	\$ 576.00
• GILES & LORRAINE POULSON	72.00	\$ 8.00	\$ 576.00
• MARK & KAREN PETERSON	<u>69.61</u>	\$ 8.00	<u>\$ 556.88</u>
<b>TOTALS</b>	<b>2,002.61</b>		<b>\$18,266.88</b>

Estimated Cost to Construct	\$ 110,200.00
Absolute Cost to Owner	<u>\$ 18,266.88</u>
Estimated Cost to City	\$ 91,933.12

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

- Indicates property owners signing petition = 16/30 or 53% of owners & 53% of assessable footage.

# SUMMARY SHEET

## ALLEY IMPROVEMENT DISTRICT 2004 PHASE B 8<sup>th</sup> STREET TO CANNELL MESA AVENUE TO HALL AVENUE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
• Marvin Svaldi	74.54	\$15.00	\$1,118.10
• Duane & Janet Polk	52.63	\$ 8.00	\$ 421.04
• Dennis Cannon	50.00	\$ 8.00	\$ 400.00
• Daniela Shultz	50.00	\$ 8.00	\$ 400.00
• Terry & Julie Brown	53.00	\$ 8.00	\$ 424.00
• Cynthia Rose & Timothy Jackson	61.00	\$ 8.00	\$ 488.00
Larry Lampshire	61.00	\$ 8.00	\$ 488.00
• Mark & Gi Moon	61.00	\$ 8.00	\$ 488.00
Randy Gallegos & Natalie Clark	122.00	\$ 8.00	\$ 976.00
Susan Lazo	61.00	\$ 8.00	\$ 488.00
Robert Jordan	63.54	\$ 8.00	\$ 508.32
• Marvin Svaldi	88.37	\$15.00	\$1,325.55
Seventh Day Adventist Assoc.	<u>551.30</u>	\$31.50	<u>\$17,365.95</u>
TOTAL			\$24,890.96
ASSESSABLE FOOTAGE	1,349.92		

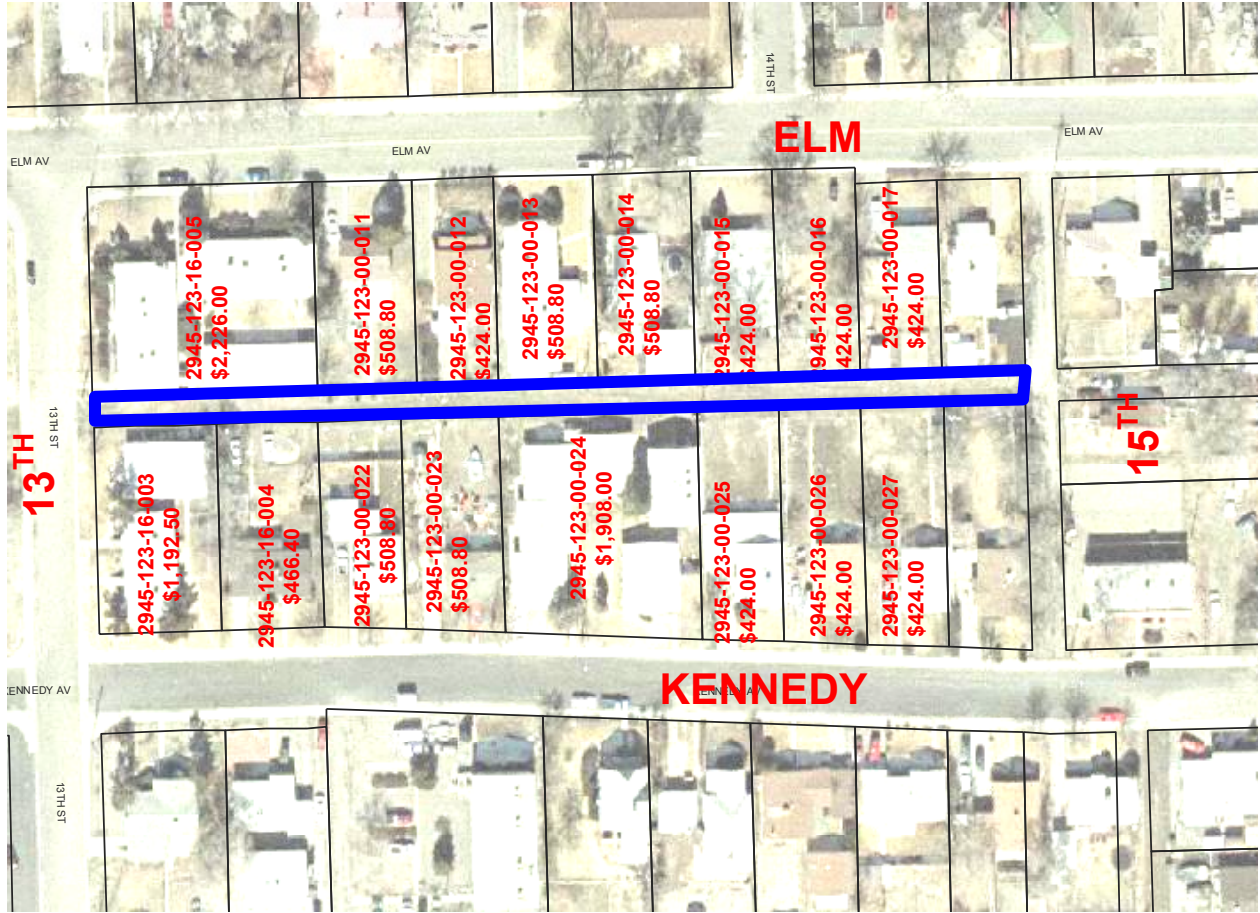
Estimated Cost to Construct	\$ 68,875.00
Absolute Cost to Owners	<u>\$ 24,890.96</u>
Estimated Cost to City	\$ 43,984.04

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

- Indicates property owners signing petition = 8/13 or 62% of owners & 36% of assessable footage.

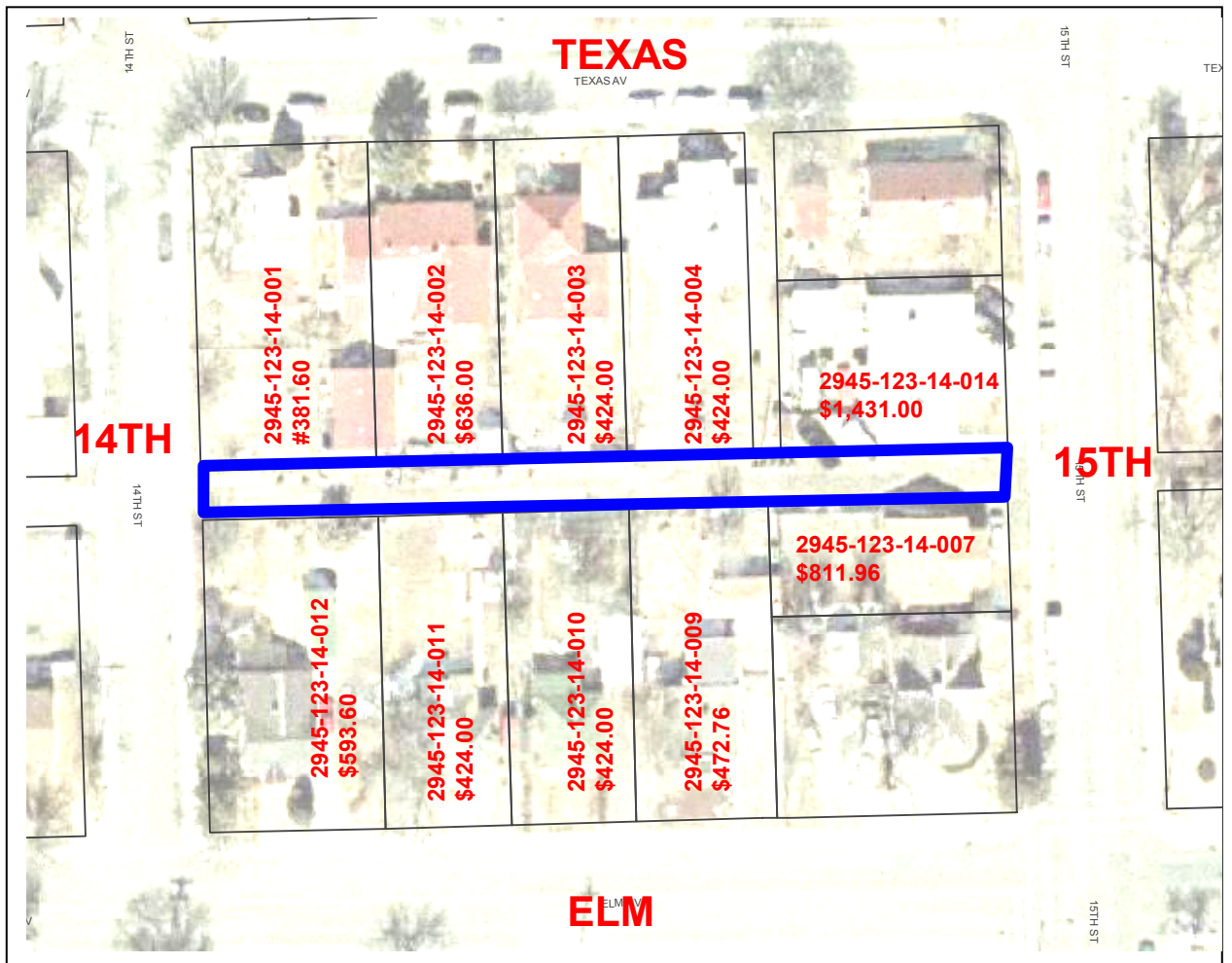


# 13<sup>th</sup> to 15<sup>th</sup>, Kennedy to Elm



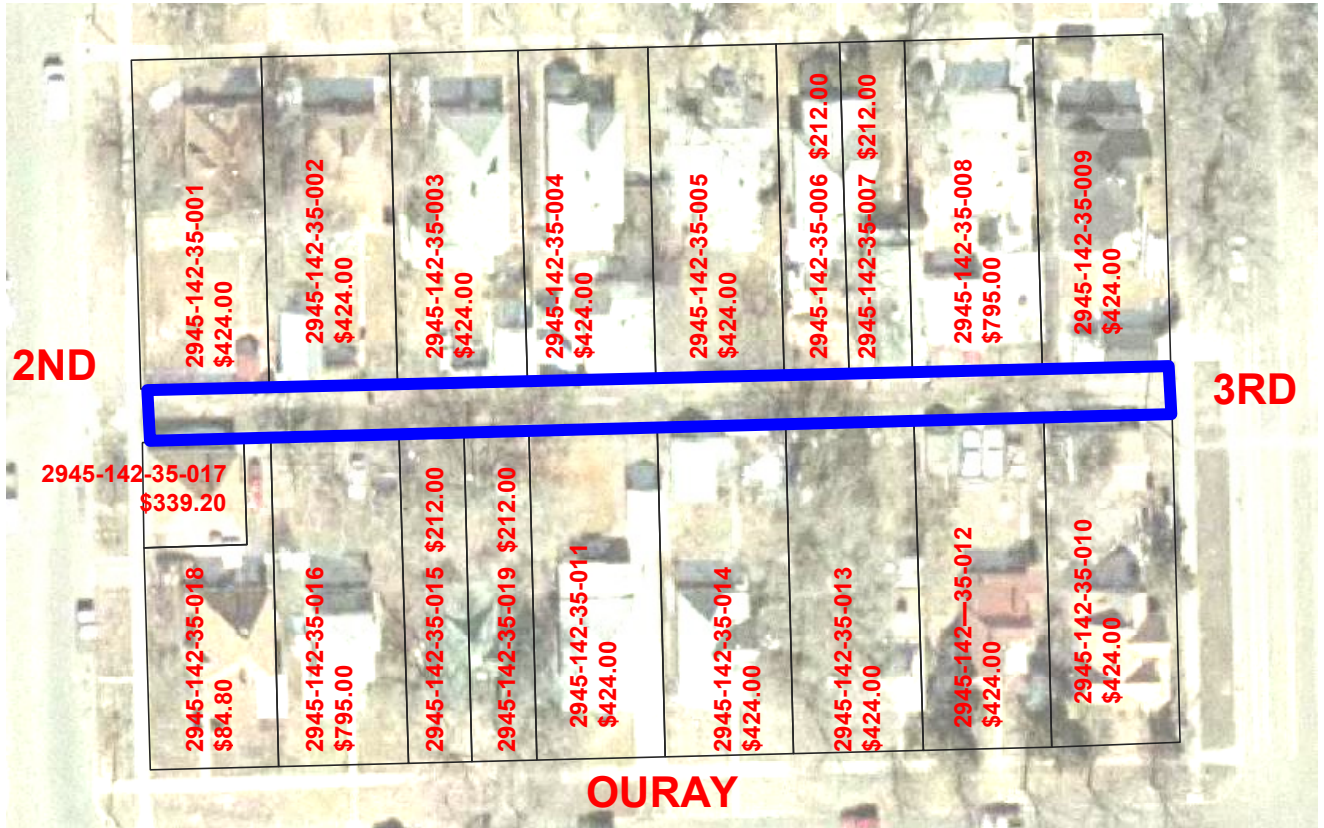


# 14<sup>th</sup> to 15<sup>th</sup>, Elm to Texas

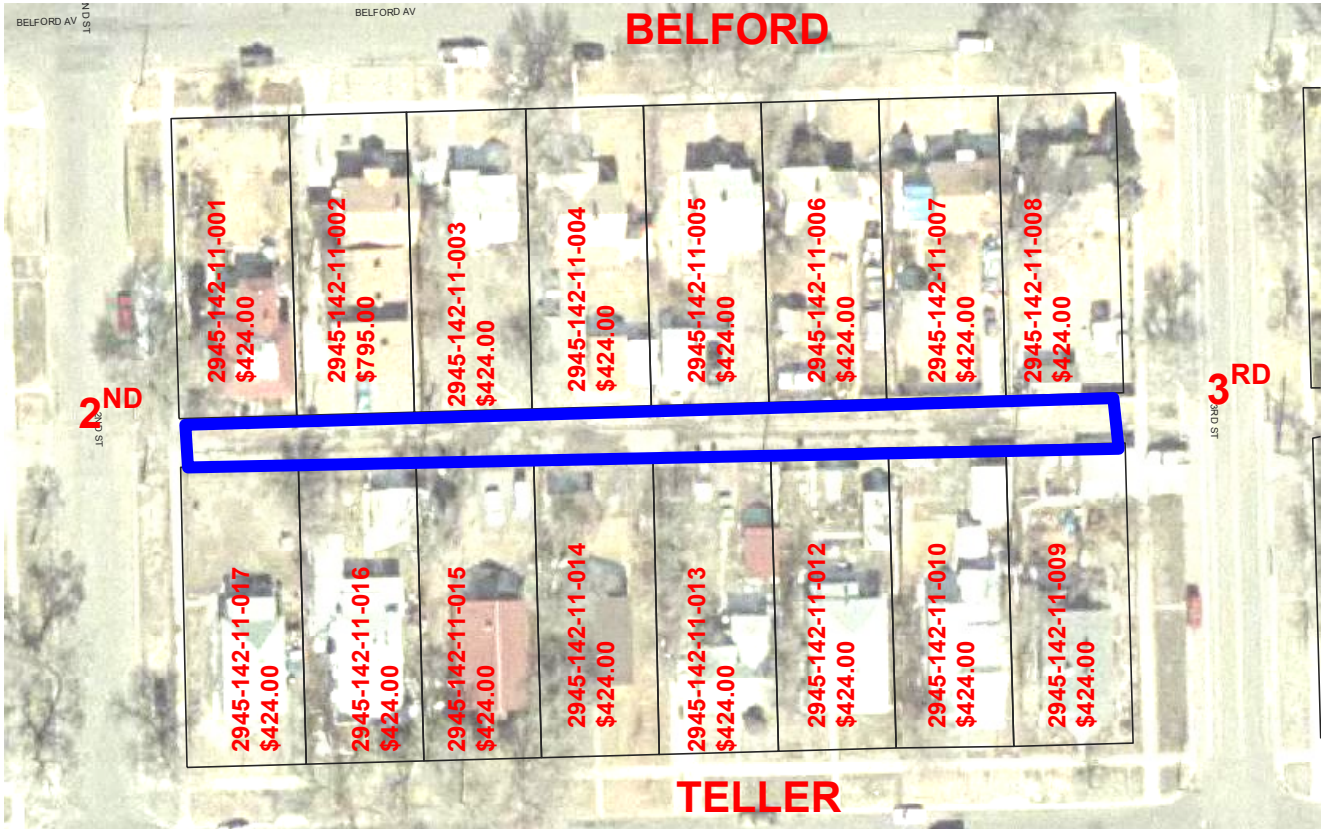


# 2<sup>nd</sup> to 3<sup>rd</sup>, Chipeta to Ouray

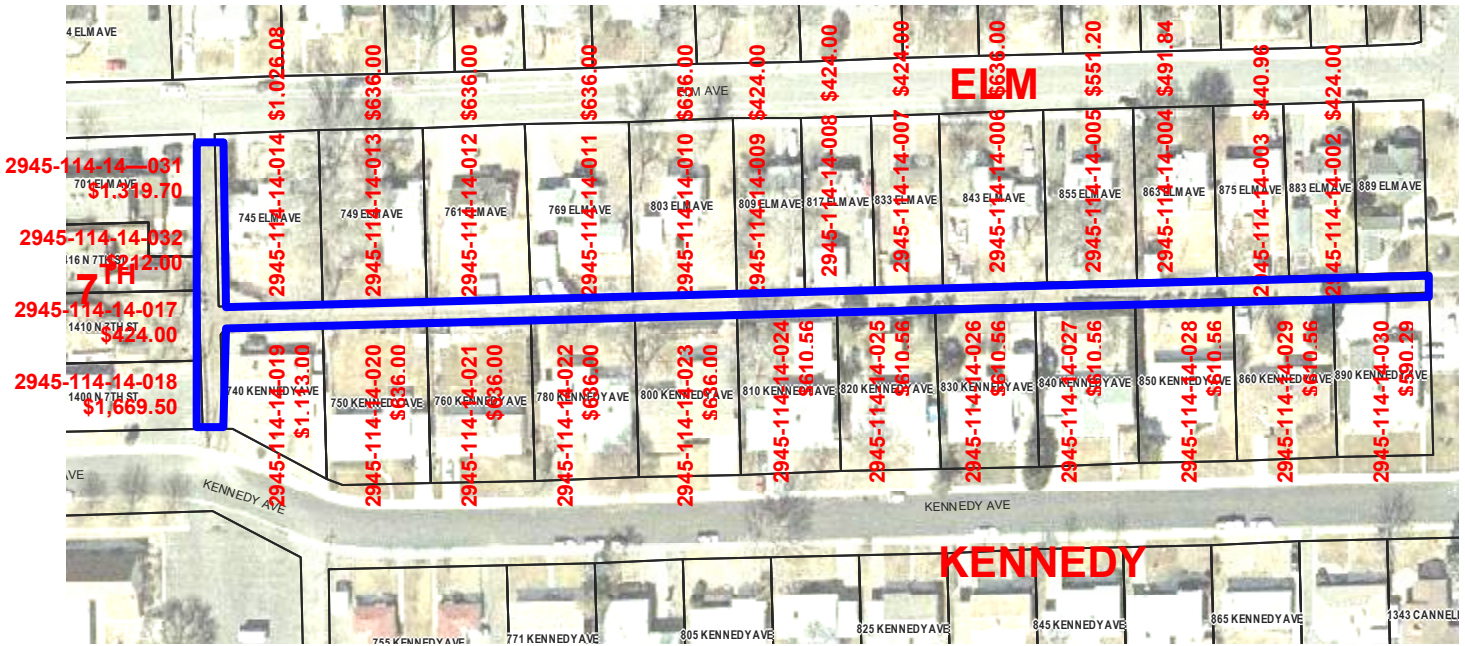
## CHIPETA



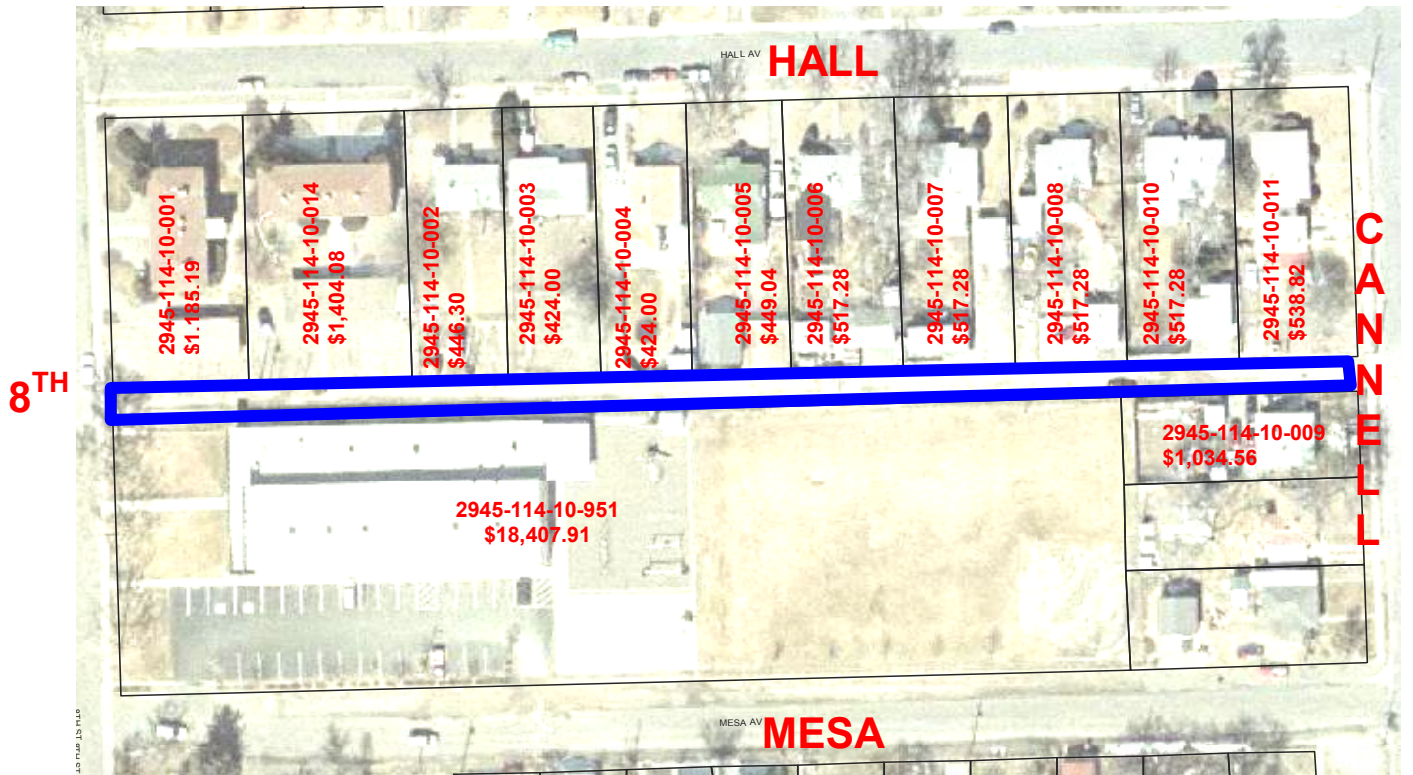
# 2<sup>nd</sup> to 3<sup>rd</sup>, Teller to Belford



# 7<sup>th</sup> to Cannell, Kennedy to Elm



# 8<sup>th</sup> to Cannell, Mesa to Hall



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR ALLEY IMPROVEMENT DISTRICTS NO. ST-04 AND ST-04 PHASE B IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11TH DAY OF JUNE, 1910, AS AMENDED; APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICTS; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICTS; APPROVING THE APPORTIONMENT OF SAID COST AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENT**

WHEREAS, the City Council and the Municipal Officers of the City of Grand Junction, in the State of Colorado, have complied with all the provisions of law relating to certain improvements in Alley Improvement Districts No. ST-04 and ST-04 Phase B in the City of Grand Junction, pursuant to Ordinance No.178 of said City, adopted and approved June 11, 1910, as amended, being Chapter 28 of the Code of Ordinances of the City of Grand Junction, Colorado, and pursuant to the various resolutions, orders and proceedings taken under said Ordinance; and

WHEREAS, the City Council has heretofore caused to be published the Notice of Completion of said local improvements in said Alley Improvement Districts No. ST-04 and ST-04 Phase B and the apportionment of the cost thereof to all persons interested and to the owners of real estate which is described therein, said real estate comprising the district of land known as Alley Improvement Districts No. ST-04 and ST-04 Phase B in the City of Grand Junction, Colorado, which said Notice was caused to be published in The Daily Sentinel, the official newspaper of the City of Grand Junction (the first publication thereof appearing on September 3rd, 2004, and the last publication thereof appearing on September 5th, 2004); and

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

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

WHEREAS, the City Council has fully confirmed the statement prepared by the City Engineer and certified by the President of the Council showing the assessable cost of said improvements and the apportionment thereof heretofore made as contained in that certain Notice to property owners in Alley Improvement Districts No. ST-04 and ST-04 Phase B duly published in the Daily Sentinel, the official newspaper of the City, and has duly ordered that the cost of said improvements in said Alley Improvement Districts No. ST-04 and ST-04 Phase B be assessed and apportioned against all of the real estate in said District in the portions contained in the aforesaid Notice; and

WHEREAS, from the statement made and filed with the City Clerk by the City Engineer, it appears that the assessable cost of the said improvements is \$77,756.13; and

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

**13TH ST TO 15TH ST KENNEDY AVE TO ELM AVE**

TAX SCHEDULE NO.: 2945-123-16-005 LEGAL DESCRIPTION: Lots 1 through 6, Block 1, Henderson Heights Sub, City of Grand Junction  
ASSESSMENT.....\$2,226.00

TAX SCHEDULE NO.: 2945-123-00-011 LEGAL DESCRIPTION: BEG NW COR LOT 7 GRAND VIEW SUB E 60FT S 130FT W 60FT N TO BEG EXC ALY ON S, City of Grand Junction  
ASSESSMENT.....\$508.80

TAX SCHEDULE NO.: 2945-123-00-012 LEGAL DESCRIPTION: BEG 60FT E OF NW COR LOT 7 GRAND VIEW SUB S 145.2FT E 50FT N 145.2FT W TO BEG EXC ALY ON S, City of Grand Junction  
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-123-00-013 LEGAL DESCRIPTION: BEG 110FT E OF NW COR LOT 7 GRANDVIEW SUB SEC 12 1S 1W E 60FT S 125.2FT W 60FT N TO BEG, City of Grand Junction  
ASSESSMENT.....\$508.80

TAX SCHEDULE NO.: 2945-123-00-014 LEGAL DESCRIPTION: E 60FT OF BEG 110FT E OF NW COR LOT 7 GRAND VIEW SUB E 120FT S 145.2FT W 120FT N TO

BEG EXC ALY ON S, City of Grand Junction  
ASSESSMENT.....\$508.80

TAX SCHEDULE NO.: 2945-123-00-015 LEGAL DESCRIPTION: BEG 230FT E OF  
NW COR LOT 7 GRAND VIEW SUB E 50FT S145.2FT W 50FT N TO BEG EXC ALY  
ON S, City of Grand Junction  
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-123-00-016 LEGAL DESCRIPTION: BEG 280FT E OF  
NW COR N2 LOT 7 GRAND VIEW SUB E 50FT S 135.2FT W 50FT N TO BEG EXC  
ALY ON S, City of Grand Junction  
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-123-00-017 LEGAL DESCRIPTION: BEG 330FT E +  
10FT S OF NW COR LOT 7 GRAND VIEW SUB E 50FT S 115.2FT W 50FT N TO  
BEG EXC ALY ON S, City of Grand Junction  
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-123-16-003 LEGAL DESCRIPTION: Lots 10 through 12,  
Block 1, Henderson Heights Sub, City of Grand Junction

ASSESSMENT.....\$1,192.50

TAX SCHEDULE NO.: 2945-123-16-004 LEGAL DESCRIPTION: Lots 8 & 9, plus the  
west 5 ft.of Lot 7, Block 1, Henderson Heights Sub, City of Grand Junction

ASSESSMENT.....\$466.40

TAX SCHEDULE NO.: 2945-123-00-022 LEGAL DESCRIPTION: BEG 135.2FT S OF  
NW COR LOT 7 GRAND VIEW SUB E 50FT S TO S LI N2 LOT 7 W 50FT N TO BEG  
EXC KENNEDY AVE + EXC ALY ON N + LOT 7 EXC W 5FT BLK 1 HENDERSON  
HEIGHTS SUB, City of Grand Junction  
ASSESSMENT.....\$508.80

TAX SCHEDULE NO.: 2945-123-00-023 LEGAL DESCRIPTION: BEG 110FT E +  
155.2FT S OF NW COR LOT 7 GRAND VIEW SUBW 60FT S TO S LI N2 LOT 7 E  
60FT N TO BEG EXC ALY ON N, City of Grand Junction

ASSESSMENT.....\$508.80

TAX SCHEDULE NO.: 2945-123-00-024 LEGAL DESCRIPTION: BEG 145.2FT S +  
110FT E OF NW COR LOT 7 GRAND VIEW SUB E 120FT S 138.12FT N  
86DEG47MIN W 120.18FT N 131.38FT TO BEG EXC ALY ON N, City of Grand



Junction

ASSESSMENT.....\$1,908.00

TAX SCHEDULE NO.: 2945-123-00-025 LEGAL DESCRIPTION: BEG 230FT E + 145.2FT S OF NW COR LOT 7 GRAND VIEW SUB E 50FT S TO S LI N2 LOT 7 W 50FT N TO BEG EXC ALY ON N, City of Grand Junction

ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-123-00-026 LEGAL DESCRIPTION: BEG 330FT E + 135.2FT S OF NW COR LOT 7 GRAND VIEW SUB W 50FT S TO S LI N2 LOT 7 E 50FT N TO BEG EXC ALY ON N, City of Grand Junction

ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-123-00-027 LEGAL DESCRIPTION: BEG 330FT E + 135.2FT S OF NW COR LOT 7 GRAND VIEW SUB E 50FT S TO S LI N2 LOT 7 W 50FT N TO BEG EXC ALY ON N, City of Grand Junction

ASSESSMENT.....\$424.00

**14TH ST TO 15TH ST ELM AVE TO TEXAS AVE**

TAX SCHEDULE NO.: 2945-123-14-001 LEGAL DESCRIPTION: Lot 1, Block 3, Prospect Park Sub , City of Grand Junction

ASSESSMENT.....\$381.60

TAX SCHEDULE NO.: 2945-123-14-002 LEGAL DESCRIPTION: Lot 2, Block 3, Prospect Park Sub, City of Grand Junction

ASSESSMENT.....\$636.00

TAX SCHEDULE NO.: 2945-123-14-003 LEGAL DESCRIPTION: Lot 3, Block 3, Prospect Park Sub , City of Grand Junction

ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-123-14-004 LEGAL DESCRIPTION: Lot 4, Block 3, Prospect Park Sub, City of Grand Junction

ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-123-14-007 LEGAL DESCRIPTION: S 44 ft. of Lot 7 & W 1/2 of vac row as found in Bk 1176, Pg 501 MCC&R, Block 3, Prospect Park Sub,

City of Grand Junction  
ASSESSMENT.....\$811.96

TAX SCHEDULE NO.: 2945-123-14-014 LEGAL DESCRIPTION: S 59.1 ft.of Lot 6 &  
N 10.9 ft. of Lot 7, Block 3, Prospect Park Sub, City of Grand Junction

ASSESSMENT.....\$1,431.00

TAX SCHEDULE NO.: 2945-123-14-012 LEGAL DESCRIPTION: Lot 12, Block 3,  
Prospect Park Sub , City of Grand Junction

ASSESSMENT.....\$593.60

TAX SCHEDULE NO.: 2945-123-14-011 LEGAL DESCRIPTION: Lot 11, Block 3,  
Prospect Park Sub, City of Grand Junction

ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-123-14-010 LEGAL DESCRIPTION: Lot 10, Block 3,  
Prospect Park Sub, City of Grand Junction

ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-123-14-009 LEGAL DESCRIPTION: Lot 9, Block 3,  
Prospect Park Sub, City of Grand Junction

ASSESSMENT.....\$472.76

**2ND STREET TO 3RD STREET, CHIPETA TO OURAY AVE**

TAX SCHEDULE NO.: 2945-142-35-001 LEGAL DESCRIPTION: Lots 1 & 2, Block  
57, City of Grand Junction

ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-142-35-002 LEGAL DESCRIPTION: Lots 3 & 4, Block  
57, City of Grand Junction

ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-142-35-003 LEGAL DESCRIPTION: Lots 5 & 6, Block  
57, City of Grand Junction

ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-142-35-004 LEGAL DESCRIPTION: Lots 7 & 8, Block  
57, City of Grand Junction

ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-142-35-005 LEGAL DESCRIPTION: Lots 9 & 10, Block 57, City of Grand Junction  
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-142-35-006 LEGAL DESCRIPTION: Lot 11, Block 57, City of Grand Junction  
ASSESSMENT.....\$212.00

TAX SCHEDULE NO.: 2945-142-35-007 LEGAL DESCRIPTION: Lot 12, Block 57, City of Grand Junction  
ASSESSMENT.....\$212.00

TAX SCHEDULE NO.: 2945-142-35-008 LEGAL DESCRIPTION: Lots 13 & 14, Block 57, City of Grand Junction  
ASSESSMENT.....\$795.00

TAX SCHEDULE NO.: 2945-142-35-009 LEGAL DESCRIPTION: Lots 15 & 16, Block 57, City of Grand Junction  
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-142-35-010 LEGAL DESCRIPTION: Lots 17 & 18, Block 57, City of Grand Junction  
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-142-35-011 LEGAL DESCRIPTION: Lots 25 & 26, Block 57, City of Grand Junction  
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-142-35-012 LEGAL DESCRIPTION: Lots 19 & 20, Block 57, City of Grand Junction  
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-142-35-013 LEGAL DESCRIPTION: Lots 21 & 22, Block 57, City of Grand Junction  
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-142-35-014 LEGAL DESCRIPTION: Lots 23 & 24, Block 57, City of Grand Junction  
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-142-35-015 LEGAL DESCRIPTION: Lot 28, Block 57, City of Grand Junction  
ASSESSMENT.....\$212.00

TAX SCHEDULE NO.: 2945-142-35-019 LEGAL DESCRIPTION: Lot 27, Block 57,  
City of Grand Junction

ASSESSMENT.....\$212.00

TAX SCHEDULE NO.: 2945-142-35-016 LEGAL DESCRIPTION: Lots 29 & 30, Block  
57, City of Grand Junction

ASSESSMENT.....\$795.00

TAX SCHEDULE NO.: 2945-142-35-017 LEGAL DESCRIPTION: Beginning at the  
NW corner of Lot 32, Thence S 40ft., thence E 40 ft., thence N 40 ft., thence W 40 ft.to  
the POB, Block 57, City of Grand Junction

ASSESSMENT.....\$339.20

TAX SCHEDULE NO.: 2945-142-35-018 LEGAL DESCRIPTION: Lots 31 & 32,  
except beginning at the NW corner of Lot 32, thence S 40 ft., thence E 40 ft., thence N  
40 ft., thence W 40 ft. to the POB, Block 57, City of Grand Junction

ASSESSMENT.....\$84.80

**2ND ST TO 3RD ST TELLER AVE TO BELFORD AVE**

TAX SCHEDULE NO.: 2945-142-11-001 LEGAL DESCRIPTION: Lots 1 & 2, Block  
13, City of Grand Junction

ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-142-11-002 LEGAL DESCRIPTION: Lots 3 & 4, Block  
13, City of Grand Junction

ASSESSMENT.....\$795.00

TAX SCHEDULE NO.: 2945-142-11-003 LEGAL DESCRIPTION: Lots 5 & 6, Block  
13, City of Grand Junction

ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-142-11-004 LEGAL DESCRIPTION: Lots 7 & 8, Block  
13, City of Grand Junction

ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-142-11-005 LEGAL DESCRIPTION: Lots 9 & 10, Block  
13, City of Grand Junction

ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-142-11-006 LEGAL DESCRIPTION: Lots 11 & 12, Block 13, City of Grand Junction  
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-142-11-007 LEGAL DESCRIPTION: Lots 13 & 14, Block 13, City of Grand Junction  
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-142-11-008 LEGAL DESCRIPTION: Lots 15 & 16, Block 13, City of Grand Junction  
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-142-11-009 LEGAL DESCRIPTION: Lots 17 & 18, Block 13, City of Grand Junction  
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-142-11-010 LEGAL DESCRIPTION: Lots 19 & 20, Block 13, City of Grand Junction  
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-142-11-012 LEGAL DESCRIPTION: Lots 21 & 22, Block 13, City of Grand Junction  
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-142-11-013 LEGAL DESCRIPTION: Lots 23 & 24, Block 13, City of Grand Junction  
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-142-11-014 LEGAL DESCRIPTION: Lots 25 & 26, Block 13, City of Grand Junction  
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-142-11-015 LEGAL DESCRIPTION: Lots 27 & 28, Block 13, City of Grand Junction  
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-142-11-016 LEGAL DESCRIPTION: Lots 29 & 30, Block 13, City of Grand Junction  
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-142-11-017 LEGAL DESCRIPTION: Lots 31 & 32, Block 13, City of Grand Junction  
ASSESSMENT.....\$424.00

**7TH ST TO CANNELL AVE, KENNEDY AVE TO ELM AVE**

TAX SCHEDULE NO.: 2945-114-14-001 LEGAL DESCRIPTION: South 121 ft. of the north 125 ft. of the west 52 ft. of LOT 14, Elm Avenue Subdivision, City of Grand Junction.

ASSESSMENT.....\$440.96

TAX SCHEDULE NO.: 2945-114-14-002 LEGAL DESCRIPTION: East 50 ft. of LOT 15, except the south 87 ft., Elm Avenue Subdivision, City of Grand Junction

ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-114-14-003 LEGAL DESCRIPTION: West 25 ft. of the south 121 ft. of the north 125 ft. of LOT 15. Also, the east 27 ft. of the south 121 ft. of the north 125 ft of LOT 16, Elm Avenue Subdivision, City of Grand Junction.

ASSESSMENT.....\$440.96

TAX SCHEDULE NO.: 2945-114-14-004 LEGAL DESCRIPTION: West 48 ft. of the south 121 ft. of the north 125 ft. of LOT 16. Also, the east 10 ft. of the south 121 ft. of the north 125 ft.of LOT 17, Elm Avenue Subdivision, City of Grand Junction.

ASSESSMENT.....\$491.84

TAX SCHEDULE NO.: 2945-114-14-005 LEGAL DESCRIPTION: West 65 ft. of the south 121 ft. of the north 125 ft. of LOT 17, Elm Avenue Subdivision, City of Grand Junction.

ASSESSMENT.....\$551.20

TAX SCHEDULE NO.: 2945-114-14-006 LEGAL DESCRIPTION: LOT 18, except the north 4ft.and the south 87 ft., Elm Avenue Subdivision, City of Grand Junction.

ASSESSMENT.....\$636.00

TAX SCHEDULE NO.: 2945-114-14-007 LEGAL DESCRIPTION: East 50 ft. of the south 121 ft. of the north 125 ft. of LOT 19, Elm Avenue Subdivision, City of Grand Junction.

ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-114-14-008 LEGAL DESCRIPTION: West 25 ft. of the south 121 ft. of the north 125 ft. of LOT 19. Also, the east 25 ft. of the south 121 ft. of the north 125 ft of LOT 20 Elm Avenue Subdivision, City of Grand Junction.

ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-114-14-009 LEGAL DESCRIPTION: West 50 ft. of the south 121 ft. of the north 125 ft. of LOT 20, Elm Avenue Subdivision, City of Grand Junction.

ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-114-14-010 LEGAL DESCRIPTION: South 121 ft. of the north 125 ft. of LOT 21, Elm Avenue Subdivision, City of Grand Junction.

ASSESSMENT.....\$636.00

TAX SCHEDULE NO.: 2945-114-14-011 LEGAL DESCRIPTION: South 121 ft. of the north 125 ft. of LOT 22, Elm Avenue Subdivision, City of Grand Junction.

ASSESSMENT.....\$636.00

TAX SCHEDULE NO.: 2945-114-14-012 LEGAL DESCRIPTION: South 121 ft. of the north 125 ft. of LOT 23, Elm Avenue Subdivision, City of Grand Junction.

ASSESSMENT.....\$636.00

TAX SCHEDULE NO.: 2945-114-14-013 LEGAL DESCRIPTION: LOT 24, except the north 4 ft. and the south 87 ft., Elm Avenue Subdivision, City of Grand Junction.

ASSESSMENT.....\$636.00

TAX SCHEDULE NO.: 2945-114-14-014 LEGAL DESCRIPTION: South 121 ft. of the north 125 ft. of LOT 25, Elm Avenue Subdivision, City of Grand Junction.

ASSESSMENT.....\$1,026.08

TAX SCHEDULE NO.: 2945-114-14-031 LEGAL DESCRIPTION: LOT 26, except the north 4 ft., and the east 35 ft. of LOT 27, Elm Avenue Subdivision, City of Grand Junction.

ASSESSMENT.....\$1,319.70

TAX SCHEDULE NO.: 2945-114-14-032 LEGAL DESCRIPTION: LOT 27, except the east 35 ft., and LOT 28, Elm Avenue Subdivision, City of Grand Junction.

ASSESSMENT.....\$212.00

TAX SCHEDULE NO.: 2945-114-14-017 LEGAL DESCRIPTION: LOTS 29 & 30,  
Elm Avenue Subdivision, City of Grand Junction.  
ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-114-14-018 LEGAL DESCRIPTION: LOTS 31 & 32,  
Elm Avenue Subdivision, City of Grand Junction.  
ASSESSMENT.....\$1,669.50

TAX SCHEDULE NO.: 2945-114-14-019 LEGAL DESCRIPTION: LOT 1, Amended  
Kennedy Subdivision, City of Grand Junction.  
ASSESSMENT.....\$1,113.00

TAX SCHEDULE NO.: 2945-114-14-020 LEGAL DESCRIPTION: LOT 2, Amended  
Kennedy Subdivision, City of Grand Junction.  
ASSESSMENT.....\$636.00

TAX SCHEDULE NO.: 2945-114-14-021 LEGAL DESCRIPTION: LOT 3, Amended  
Kennedy Subdivision, City of Grand Junction.  
ASSESSMENT.....\$636.00

TAX SCHEDULE NO.: 2945-114-14-022 LEGAL DESCRIPTION: LOT 4, Amended  
Kennedy Subdivision, City of Grand Junction.  
ASSESSMENT.....\$636.00

TAX SCHEDULE NO.: 2945-114-14-023 LEGAL DESCRIPTION: LOT 5, Amended  
Kennedy Subdivision, City of Grand Junction.  
ASSESSMENT.....\$636.00

TAX SCHEDULE NO.: 2945-114-14-024 LEGAL DESCRIPTION: LOT 6, Amended  
Kennedy Subdivision, City of Grand Junction.  
ASSESSMENT.....\$610.56

TAX SCHEDULE NO.: 2945-114-14-025 LEGAL DESCRIPTION: LOT 7, Amended  
Kennedy Subdivision, City of Grand Junction.  
ASSESSMENT.....\$610.56

TAX SCHEDULE NO.: 2945-114-14-026 LEGAL DESCRIPTION: LOT 8, Amended  
Kennedy Subdivision, City of Grand Junction.  
ASSESSMENT.....\$610.56

TAX SCHEDULE NO.: 2945-114-14-027 LEGAL DESCRIPTION: LOT 9, Amended  
Kennedy Subdivision, City of Grand Junction.  
ASSESSMENT.....\$610.56



TAX SCHEDULE NO.: 2945-114-14-028 LEGAL DESCRIPTION: LOT 10, Amended Kennedy Subdivision, City of Grand Junction.

ASSESSMENT.....\$610.56

TAX SCHEDULE NO.: 2945-114-14-029 LEGAL DESCRIPTION: LOT 11, Amended Kennedy Subdivision, City of Grand Junction.

ASSESSMENT.....\$610.56

TAX SCHEDULE NO.: 2945-114-14-030 LEGAL DESCRIPTION: LOT 12, Amended Kennedy Subdivision, City of Grand Junction.

ASSESSMENT.....\$590.29

**8TH STREET TO CANNELL AVE, MESA AVE TO HALL AVE**  
**ALLEY IMPROVEMENT ST-04 PHASE B**

TAX SCHEDULE NO.: 2945-114-10-001 LEGAL DESCRIPTION: Lot 1 plus the west 11 ft. of Lot 2, Block 3, Mesa Sub, City of Grand Junction

ASSESSMENT.....\$1,185.19

TAX SCHEDULE NO.: 2945-114-10-002 LEGAL DESCRIPTION: East 22.63 ft. of Lot 3 and the west 30 ft. of Lot 4, Block 3, Mesa Sub, City of Grand Junction

ASSESSMENT.....\$446.30

TAX SCHEDULE NO.: 2945-114-10-003 LEGAL DESCRIPTION: East 31 ft. of Lot 4 and the west 19 ft. of Lot 5, Block 3, Mesa Sub, City of Grand Junction

ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-114-10-004 LEGAL DESCRIPTION: East 42 ft. of Lot 5 and the west 8 ft. of Lot 6, Block 3, Mesa Sub, City of Grand Junction

ASSESSMENT.....\$424.00

TAX SCHEDULE NO.: 2945-114-10-005 LEGAL DESCRIPTION: East 53 ft. of Lot 6, Block 3, Mesa Sub, City of Grand Junction

ASSESSMENT.....\$449.44

TAX SCHEDULE NO.: 2945-114-10-006 LEGAL DESCRIPTION: Lot 7, Block 3, Mesa Sub, City of Grand Junction

ASSESSMENT.....\$517.28

TAX SCHEDULE NO.: 2945-114-10-007 LEGAL DESCRIPTION: Lot 8, Block 3, Mesa Sub, City of Grand Junction

ASSESSMENT.....\$517.28

TAX SCHEDULE NO.: 2945-114-10-008 LEGAL DESCRIPTION: Lot 9, Block 3, Mesa Sub, City of Grand Junction

ASSESSMENT.....\$517.28

TAX SCHEDULE NO.: 2945-114-10-009 LEGAL DESCRIPTION: North 50 ft. Lots 12 & 13, Block 3, Mesa Sub, City of Grand Junction ASSESSMENT.....\$1,034.56

TAX SCHEDULE NO.: 2945-114-10-010 LEGAL DESCRIPTION: Lot 10, Block 3, Mesa Sub, City of Grand Junction ASSESSMENT.....\$517.28

TAX SCHEDULE NO.: 2945-114-10-011 LEGAL DESCRIPTION: Lot 11, Block 3, Mesa Sub, City of Grand Junction ASSESSMENT.....\$538.82

TAX SCHEDULE NO.: 2945-114-10-014 LEGAL DESCRIPTION: East 50 ft. of Lot 2 and the west 38.37 ft. of Lot 3, Block 3, Mesa Sub, City of Grand Junction ASSESSMENT.....\$1,405.08

TAX SCHEDULE NO.: 2945-114-10-951 LEGAL DESCRIPTION: Lots 15 through 22, inclusive, except the east 4.53 ft. of Lot 14, Block 3, Mesa Sub, City of Grand Junction ASSESSMENT.....\$18,407.91

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

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

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

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

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

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

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

Section 7. That the monies remaining in the hands of the City Finance Director as the result of the operation and payments under Alley Improvement Districts No. ST-04 and ST-04 Phase B shall be retained by the Finance Director and shall be used thereafter for the purpose of further funding of past or subsequent improvement districts which may be or may become in default.

Section 8. That all provisions of Ordinance No. 178 of the City of Grand Junction, as amended, being Chapter 28 of the Code of Ordinances of the City of Grand Junction, Colorado, shall govern and be taken to be a part of this Ordinance with respect to the creation of said Alley Improvement Districts No. ST-04 and ST-04 Phase B, the construction of the improvements therein, the apportionment and assessment of the cost thereof and the collection of such assessments.

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

after the date of such final publication, except as otherwise provided by the Charter of the City of Grand Junction.

Introduced on First Reading this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

Passed and Adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 2004

Attest:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
President of the Council

**Attach 11**  
**Setting a Hearing on Sanitary Sewer Improvement District**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	1st Reading of a Proposed Assessing Ordinance for Sanitary Sewer Improvement District No. SS-46-04					
<b>Meeting Date</b>	September 15, 2004					
<b>Date Prepared</b>	September 9, 2004				<b>File #</b>	
<b>Author</b>	Mike Grizenko		Real Estate Technician			
<b>Presenter Name</b>	Mark Relph		Public Works and Utilities Director			
<b>Report results back to Council</b>	X	No		Yes	<b>When</b>	
<b>Citizen Presentation</b>		Yes	X	No	<b>Name</b>	
	<b>Workshop</b>	X	<b>Formal Agenda</b>	X	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** First Reading of a Proposed Assessing Ordinance for the apportionment of costs associated with Sanitary Sewer Improvement District No. SS-46-04.

**Budget:** Sufficient funds were transferred in 2003 from Fund 902 - the Sewer System General Fund, to Fund 906 – the Septic System Elimination Fund, to support expenses related to this project. Except for the 30% Septic System Elimination contribution, this fund will be reimbursed by assessments to be levied against the twenty-one benefiting properties. The estimated versus actual costs and assessments are as follows:

<b>Item</b>	<b>Original Estimate</b>	<b>Actual</b>	<b>Difference</b>
Total Project Costs*	\$173,015.00	\$161,317.93	- \$11, 697.07
30% Contribution	\$ 51,905.00	\$ 48,395.38	- \$ 3,509.62
Per Lot Assessment**	\$ 5,767.00	\$ 5,377.26	- \$ 389.74

\* Total Project Costs include design, construction, inspection and administration.

\*\*Assessments do not include Plant Investment Fees, Trunk Line Extension Fees and costs to connect to the sewer main, (see explanation under the Background section).

**Action Requested/Recommendation:** Review and Adopt a Proposed Ordinance on First Reading for Sanitary Sewer Improvement District No. SS-46-04.

**Attachments:** 1) Vicinity Map; 2) Ownership Summary Sheet;  
3) Proposed Ordinance.

**Background Information:** Improvement Districts are a cost-sharing program between the City and property owners who request the City's assistance in installing new or improved infrastructure to their neighborhood. People's Ordinance No. 33 authorizes the City Council to create Improvement Districts when petitioned by a majority of the property owners to be assessed. The petition for this Improvement District was signed by 95% of the property owners.

A summary of the process that follows submittal of the petition is provided below. Items preceded by a √ indicate steps already taken with this Improvement District and the item preceded by a ► indicates the step being taken with the current Council action.

11. √ City Council passes a Resolution declaring its intent to create an improvement district. The Resolution acknowledges receipt of the petition and gives notice of a public hearing.
12. √ Council conducts a public hearing and passes a Resolution creating the Improvement District.
13. √ Council awards the construction contract.
14. √ Construction.
15. √ After construction is complete, the project engineer prepares a Statement of Completion identifying all costs associated with the Improvement District.
16. √ Council passes a Resolution approving and accepting the improvements and gives notice of a public hearing concerning a proposed Assessing Ordinance.
17. ► Council conducts the first reading of the proposed Assessing Ordinance.
18. Council conducts a public hearing and second reading of the proposed Assessing Ordinance.
19. The adopted Ordinance is published for three consecutive days.
20. The property owners have 30 days from final publication to pay their assessment in full. Assessments not paid in full will be amortized over a ten-year period. Amortized assessments may be paid in full at anytime during the ten-year period.

Property owners are assessed for the actual costs of design, construction, inspection and administration. Under current policy adopted by a joint resolution between the City

and Mesa County, Persigo Septic System Elimination Funds pay 30% of the assessable costs.

In addition to assessments, the property owners are responsible for bearing the following expenses:

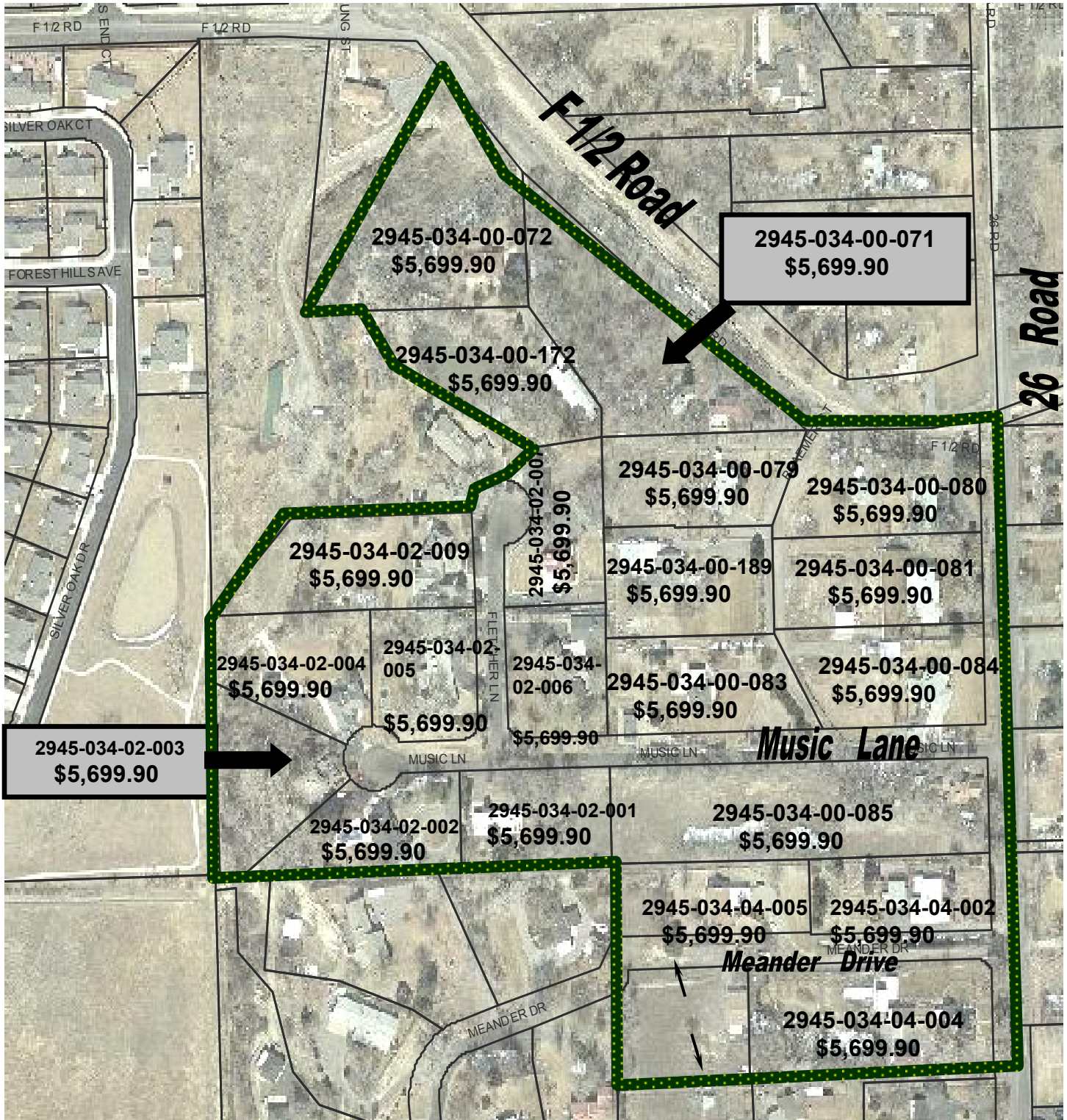
- ◆ Costs to physically connect their service line to the building to be sewerred;
- ◆ Plant Investment Fees;
- ◆ Trunk Line Extension Fees (where applicable).

The City is responsible for extending each service line from the sewer main to the property line. The property owner is responsible for extending the service line from their property line to the building to be sewerred.

The Plant Investment Fee is currently \$1,250 for each sewer connection. The Plant Investment Fee will be raised to \$1,500 in 2005.

The published assessable costs of \$5,699.90 per lot include a one-time charge of 6% for costs of collection and other incidentals. This fee will be deducted for assessments paid in full by November 8th, 2004. Assessments not paid in full will be turned over to the Mesa County Treasurer for collection under a 10-year amortization schedule with simple interest at the rate of 8% accruing against the declining principal balance.

## BOUNDARY OF THE MUSIC LANE AREA SANITARY SEWER IMPROVEMENT DISTRICT





## OWNERSHIP SUMMARY

### MUSIC LANE AREA SANITARY SEWER IMPROVEMENT DISTRICT No. SS-46-04

SCHEDULE NO.	OWNERSHIP	PROPERTY ADDRESS
2945-034-00-071	• Braden & Pamela Shafer	2597 F ½ Road
2945-034-00-072	Matthew Pirofalo (Trustee)	2585 F ½ Road
2945-034-00-079	• Georgia Watkins	631 Braemer Court
2945-034-00-080	• Dalton & Patsy Garlitz	631 26 Road
2945-034-00-081	• Robin & Miriam Peckham	629 26 Road
2945-034-00-083	• Robert & Margaret Leachman	627 Braemer Court
2945-034-00-084	• John & Donna Allbritton	2598 Music Ln.
2945-034-00-085	• Jack & Frances Rollaine	625 26 Road
2945-034-00-172	• Raymond & Judy Workman	2589 F ½ Road
2945-034-00-189	• Dale & Susan Hollingshead	629 Braemer Court
2945-034-02-001	• Stephen Meyer & Elizabeth Waters	2583 Music Ln.
2945-034-02-002	• Christine Gilmor	2577 Music Ln.
2945-034-02-003	• Mary Meyer (Trust)	2575 Music Ln.
2945-034-02-004	• Arlo & Phyllis Krueger	2584 Music Ln.
2945-034-02-005	• Brad & Joan Humphrey	627 Fletcher Ln.
2945-034-02-006	• James Bates	626 Fletcher Ln.
2945-034-02-007	• Wesley & Joan Lowe	630 Fletcher Ln.
2945-034-02-009	• Grant & Heidi Flaharty	629 Fletcher Ln.
2945-034-04-002	• Patricia & Chris Mahre	623 26 Rd
2945-034-04-004	• Albert & Terry LaSalle (POA)	617 26 Rd
2945-034-04-005	• Jesse & Anne Marie Dodd	621 26 Rd

- Indicates property owners who signed the petition = 20 of 21 or 95%.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE APPROVING THE ASSESSABLE COST OF THE IMPROVEMENTS MADE IN AND FOR SANITARY SEWER IMPROVEMENT DISTRICT NO. SS-46-04, IN THE CITY OF GRAND JUNCTION, COLORADO, PURSUANT TO ORDINANCE NO. 178, ADOPTED AND APPROVED THE 11<sup>TH</sup> DAY OF JUNE, 1910, AS AMENDED; APPROVING THE APPORTIONMENT OF SAID COST TO EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; ASSESSING THE SHARE OF SAID COST AGAINST EACH LOT OR TRACT OF LAND OR OTHER REAL ESTATE IN SAID DISTRICT; APPROVING THE APPORTIONMENT OF SAID COST AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENT**

WHEREAS, the City Council and the Municipal Officers of the City of Grand Junction, in the State of Colorado, have complied with all the provisions of law relating to certain improvements in Sanitary Sewer Improvement District No. SS-46-04, in the City of Grand Junction, pursuant to Ordinance No. 178 of said City, adopted and approved June 11, 1910, as amended, being Chapter 28 of the Code of Ordinances of the City of Grand Junction, Colorado, and pursuant to the various resolutions, orders and proceedings taken under said Ordinance; and

WHEREAS, the City Council has heretofore caused to be published the Notice of Completion of said local improvements in said Sanitary Sewer Improvement District No. SS-46-04, and the apportionment of cost thereof to all persons interested and to the owners of real estate which is described therein, said real estate comprising the district of land known as Sanitary Sewer Improvement District No. SS-46-04, in the City of Grand Junction, Colorado, which said Notice was caused to be published in the Daily Sentinel, the official newspaper of the City of Grand Junction (the first publication thereof appearing on August 20, 2004, and the last publication thereof appearing on August 22, 2004); and

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

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

WHEREAS, the City Council has fully confirmed the statement prepared by the City Engineer and certified by the President of the Council showing the assessable cost of said improvements and the apportionment thereof heretofore made as contained in that certain Notice to property owners in Sanitary Sewer Improvement District No. SS-46-04, duly published in the Daily Sentinel, the official newspaper of the City, and has duly ordered that the cost of said improvements in said Sanitary Sewer Improvement District No. SS-46-04 be assessed and apportioned against all of the real estate in said District in the portions contained in the aforesaid Notice; and

WHEREAS, from the statement made and filed with the City Clerk by the City Engineer, it appears that the assessable cost of the said improvements is \$119,697.90, said sum including a one-time charge of six percent (6%) for costs of collection and other incidentals; and

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

<b>TAX SCHEDULE NO.</b>	<b>LEGAL DESCRIPTION</b>	<b>ASSESSMENT</b>
2945-034-00-071	BEG 11.4FT E OF SW COR NE4NE4SE4 SEC 3 1S 1W N1DEG19MIN E 44.7FT N 36DEG45MIN W 197.5FT N 50MIN W206FT TO S ROW OF CO RD SELY ALG RD 620FT MORE OR LESS TO S LI SAID NE4NE4SE4 W344FT TO BEG, CITY OF GRAND JUNCTION	\$5,699.90
2945-034-00-072	BEG 11.4FT E OF SE COR NW4NE4SE4 SEC 3 1S 1W N1DEG19MIN E 44.7FT N 36DEG45MIN W 197.5FT FOR BEG W385FT N 32DEG21MIN E 439.1FT S 41DEG40MIN E 221FT S0DEG50' E 206FT TO BEG, CITY OF GRAND JUNCTION	\$5,699.90
2945-034-00-079	BEG 1965.7FT N + 303.6FT W OF SE COR SEC 3 1S 1W W358.4FT S 146FT E 118.5FT S 3FT E 163.7FT NELY ALGRD 168.9FT TO BEG, CITY OF GRAND JUNCTION	\$5,699.90
2945-034-00-080	BEG 1792.8FT N OF SE COR SEC 3 1S 1W N 172.9FT W303.6FT SWLY ALG RD 193.5FT E 384.8FT TO BEG EXC E30FT FOR RD, CITY OF GRAND JUNCTION	\$5,699.90
2945-034-00-081	BEG 1652.8FT N OF SE COR SEC 3 1S 1W N 140FT W 384.8FT SELY ALG RD 140.9FT E 381.2FT TO BEG, CITY OF GRAND JUNCTION	\$5,699.90

2945-034-00-083	BEG 1497.8FT N + 303.6FT W OF SE COR SEC 3 1S 1W W358.4FT N 149FT E 282.2FT SELY ALG RD 168.9FT TO BEG, CITY OF GRAND JUNCTION	\$5,699.90
2945-034-00-084	BEG 1497.8FT N OF SE COR SEC 3 1S 1W N 155FT W381.2FT SELY ALG RD 175.1FT E 303.6FT TO BEG EXC E30FT FOR RD, CITY OF GRAND JUNCTION	\$5,699.90
2945-034-00-085	S 2.25A OF SE4NE4SE4 SEC 3 1S 1W, CITY OF GRAND JUNCTION	\$5,699.90
2945-034-00-172	BEG 11.4FT E OF SE COR NW4NE4SE4 SEC 3 1S 1W N 1DEG19'E 44.7FT N 36DEG45' W 197.5FT W 300FT S 39DEG29'10" SEC E 135.7FT TO N COR LOT 8 HARWOOD-TOLMAN SUB S 61DEG E 230FT N 83DEG35' E 119.04FT E 11.4FT TO BEG, CITY OF GRAND JUNCTION	\$5,699.90
2945-034-00-189	BEG N 1646.8FT & W 662FT W OF SE COR SEC 3 1S 1W N 169.9FT E 282.2FT THENCE BEG WITH A BEARING OF S 13DEG39.5' W FOLL 360FT RAD CURVE TO LEFT 171.7FT TO APOINT 282.2FT E OF POB W 282.2FT TO BEG & ALSO BEG N 1965.7FT & W 303.6FT & ALG CVE TO LEFT WHOSE RAD IS 360FT 169FT & W 282.2FT FR SE COR SD SEC 3 N 3FT E 118.5FT S3FT W 118.5FT TO BEG, CITY OF GRAND JUNCTION	\$5,699.90
2945-034-02-001	LOT 1 HARWOOD-TOLMAN SUB SEC 3 1S1W, CITY OF GRAND JUNCTION	\$5,699.90
2945-034-02-002	LOT 2 HARWOOD-TOLMAN SUB SEC 3 1S1W, CITY OF GRAND JUNCTION	\$5,699.90
2945-034-02-003	LOT 3 HARWOOD-TOLMAN SUB SEC 3 1S1W, CITY OF GRAND JUNCTION	\$5,699.90
2945-034-02-004	LOT 4 HARWOOD-TOLMAN SUB SEC 3 1S1W, CITY OF GRAND JUNCTION	\$5,699.90
2945-034-02-005	LOT 5 HARWOOD-TOLMAN SUB SEC 3 1S1W, CITY OF GRAND JUNCTION	\$5,699.90
2945-034-02-006	LOT 6 HARWOOD-TOLMAN SUB SEC 3 1S1W, CITY OF GRAND JUNCTION	\$5,699.90
2945-034-02-007	LOT 7 HARWOOD-TOLMAN SUB SEC 3 1S1W, CITY OF GRAND JUNCTION	\$5,699.90
2945-034-02-009	LOT 9 HARWOOD-TOLMAN SUB SEC 3 1S1W, CITY OF GRAND JUNCTION	\$5,699.90
2945-034-04-002	LOT 4 BROWN SUB SEC 3 1S1W, CITY OF	\$5,699.90

	GRAND JUNCTION	
2945-034-04-004	LOT 1 BROWN SUB SEC 3 1S1W, CITY OF GRAND JUNCTION	\$5,699.90
2945-034-04-005	LOTS 2 & 3 INCLUSIVE BROWN SUB SEC 3 1S1W, CITY OF GRAND JUNCTION	\$5,699.90

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

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

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

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

Section 4. That in case of such election to pay in installments, the assessments shall be payable in ten (10) equal annual installments of the principal. The first of said installments of principal shall be payable at the time the next installment of general taxes, by the laws of the State of Colorado, is payable, and each annual installment shall be paid on or before the same date each year

thereafter, along with simple interest which has accrued at the rate of eight percent (8%) per annum on the unpaid principal, payable annually.

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

Section 6. That payment may be made to the City Finance Director at any time within thirty (30) days after the final publication of this Ordinance, and an allowance of the six percent (6%) added for cost of collection and other incidentals shall be made on all payments made during said period of thirty (30) days.

Section 7. That the monies remaining in the hands of the City Finance Director as the result of the operation and payments under Sanitary Sewer Improvement District No. SS-46-04 shall be retained by the Finance Director and shall be used thereafter for the purpose of further funding of past or subsequent improvement districts which may be or may become in default.

Section 8. That all provisions of Ordinance No. 178 of the City of Grand Junction, as amended, being Chapter 28 of the Code of Ordinances of the City of Grand Junction, Colorado, shall govern and be taken to be a part of this Ordinance with respect to the creation of said Sanitary Sewer Improvement District No. SS-46-04, the construction of the improvements therein, the apportionment and assessment of the cost thereof and the collection of such assessments.

Section 9. That this Ordinance, after its introduction and first reading, shall be published once in full in the Daily Sentinel, the official newspaper of the City, at least ten (10) days before its final passage, and after its final passage, it shall be numbered and recorded in the City ordinance record, and a certificate of such adoption and publication shall be authenticated by the certificate of the publisher and the signature of the President of the Council and the City Clerk, and shall be in

full force and effect on and after the date of such final publication, except as otherwise provided by the Charter of the city of Grand Junction.

Introduced on First Reading this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

Passed and Adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 2004

Attest:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
President of the Council

**Attach 12  
Public Hearing – Barker Annexation  
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Barker Annexation Resolution accepting the petition for annexation; and Hold a Public Hearing to Consider Final Passage of Proposed Ordinances.					
<b>Meeting Date</b>	September 15, 2004					
<b>Date Prepared</b>	September 7, 2004				File #ANX-2004-127	
<b>Author</b>	Lori V. Bowers		Senior Planner			
<b>Presenter Name</b>	Lori V. Bowers		Senior Planner			
<b>Report results back to Council</b>	X	No		Yes	<b>When</b>	
<b>Citizen Presentation</b>		Yes	X	No	<b>Name</b>	
	<b>Workshop</b>	X	<b>Formal Agenda</b>			<b>Consent</b> X <b>Individual Consideration</b>

**Summary:** The Barker Annexation is a serial annexation. The developable area is comprised of 8.89 acres, located at 172 Lantzer Avenue, 2934 Highway 50, and 2937 Jon Hall Drive. The annexation area includes portions of 29 ½ Road; Lantzer Avenue; Jon Hall Drive and Highway 50 rights-of-way. The applicants request approval of the Resolution accepting the annexation petition, and hold a public hearing to consider final passage of the Annexation Ordinance.

**Budget:** N/A

**Action Requested/Recommendation:** Approve the Resolution accepting a petition for annexation and hold a Public Hearing to Consider Final Passage of the annexation ordinances.

**Background Information:** See attached Staff Report/Background Information

**Attachments:**

31. Staff report/Background information
32. General Location Map
33. Aerial Photo
34. Growth Plan Map
35. Zoning Map
36. Annexation map
37. Zoning Ordinance
38. Resolution Accepting Petition



39. Annexation Ordinance

<i>STAFF REPORT / BACKGROUND INFORMATION</i>				
<b>Location:</b>		172 Lantzer Avenue; 2934 Hwy 50 and 2937 Jon Hall Drive		
<b>Applicants:</b>		MJB Construction, owner and developer; John Galloway, representative		
<b>Existing Land Use:</b>		Single family residence and vacant lots		
<b>Proposed Land Use:</b>		Single-family residential subdivision		
<b>Surrounding Land Use:</b>	<b>North</b>	Residential		
	<b>South</b>	Highway 50 & residential		
	<b>East</b>	Single-family residence w/ large lot		
	<b>West</b>	Residential		
<b>Existing Zoning:</b>		County RSF-4 & RSF-R		
<b>Proposed Zoning:</b>		RSF-4		
<b>Surrounding Zoning:</b>	<b>North</b>	County RSF-4		
	<b>South</b>	(Highway 50)		
	<b>East</b>	County RSF-R		
	<b>West</b>	County RSF-4		
<b>Growth Plan Designation:</b>		Residential Medium Low - 2 to 4 DU/AC		
<b>Zoning within density range?</b>		X	<b>Yes</b>	<b>No</b>

**Staff Analysis:**

**ANNEXATION:**

This annexation area consists of 10.88 acres of land and is comprised of two parcels. The property owners have requested annexation into the City as the result of their wish to rezone the property and create a residential subdivision. Under the 1998 Persigo Agreement all rezones require annexation and processing in the City.

It is staff's 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 Barker 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.

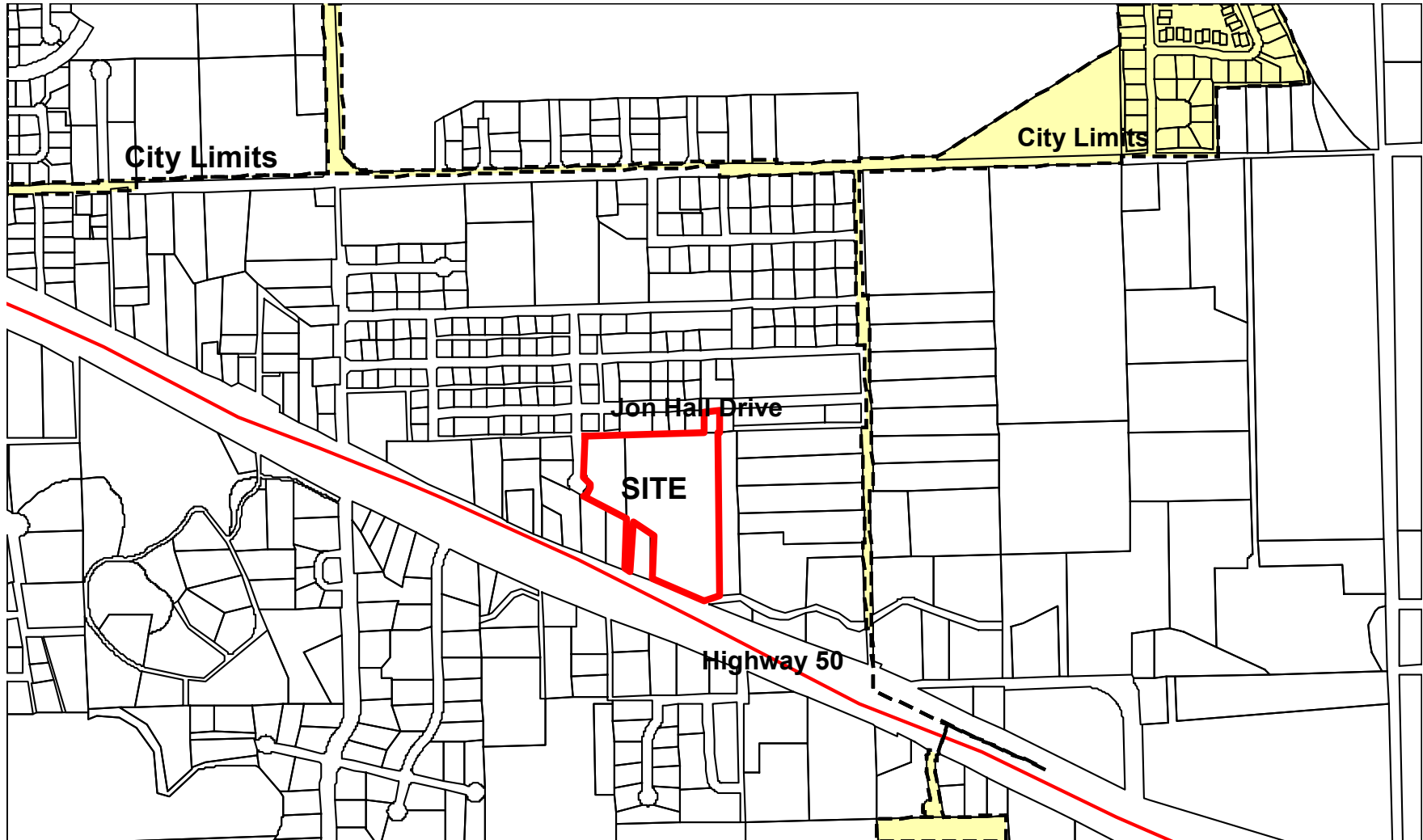
<i>ANNEXATION SCHEDULE</i>	
Aug 4	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
Aug 24	Planning Commission considers Zone of Annexation
Sept 1	Introduction Of A Proposed Ordinance on Zoning by City Council
Sept 15	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
Oct 17	Effective date of Annexation and Zoning

**BARKER ANNEXATION SUMMARY**

<b>File Number:</b>		ANX-2004-127
<b>Location:</b>		2934 Highway 50; 172 Lantzer Avenue; 2937 Jon Hall Drive
<b>Tax ID Numbers:</b>		2943-322-00-130 & 038
<b>Parcels:</b>		3
<b>Population:</b>		0
<b># of Parcels (owner occupied):</b>		0
<b># of Dwelling Units:</b>		1
<b>Acres land annexed:</b>		10.88
<b>Developable Acres Remaining:</b>		9.55
<b>Right-of-way in Annexation:</b>		Portions of Highway 50; Lantzer Avenue; Jon Hall Drive and 29 ½ Road
<b>Previous County Zoning:</b>		RSF-4 and RSF-R
<b>Proposed City Zoning:</b>		RSF-4
<b>Current Land Use:</b>		Single family residential
<b>Future Land Use:</b>		Residential subdivision
<b>Values:</b>	<b>Assessed:</b>	\$27,110
	<b>Actual:</b>	\$266,590
<b>Address Ranges:</b>		2934 Hwy 50; 170-174 Lantzer (even only) 2937 Jon Hall Street
<b>Special Districts:</b>	<b>Water:</b>	Ute
	<b>Sewer:</b>	Orchard Mesa Sanitation
	<b>Fire:</b>	Grand Junction Rural Fire
	<b>Irrigation/ Drainage:</b>	Orchard Mesa Irrigation
	<b>School:</b>	School District 51
	<b>Pest:</b>	N/A

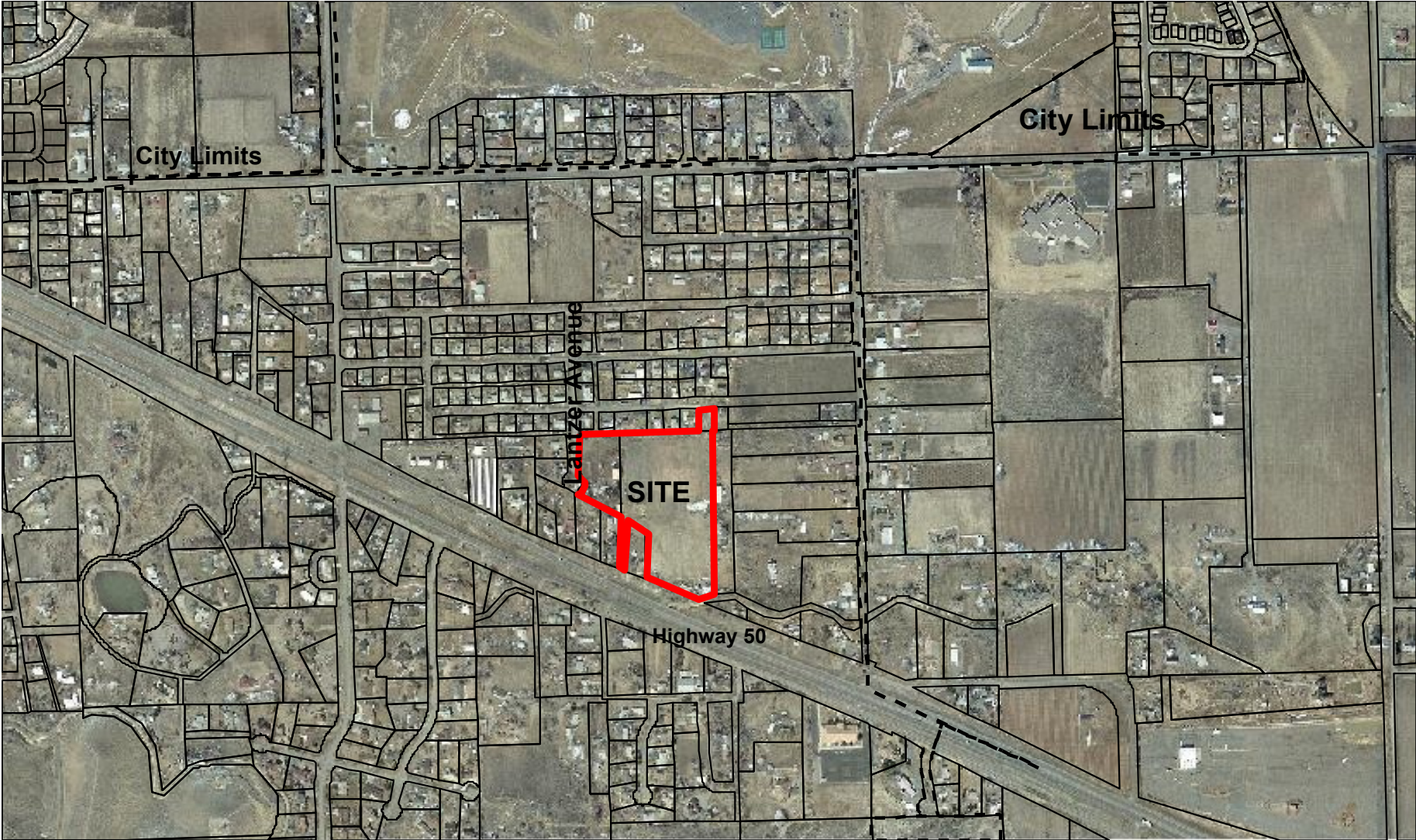
# Site Location Map

Barker Annexation / City Limits



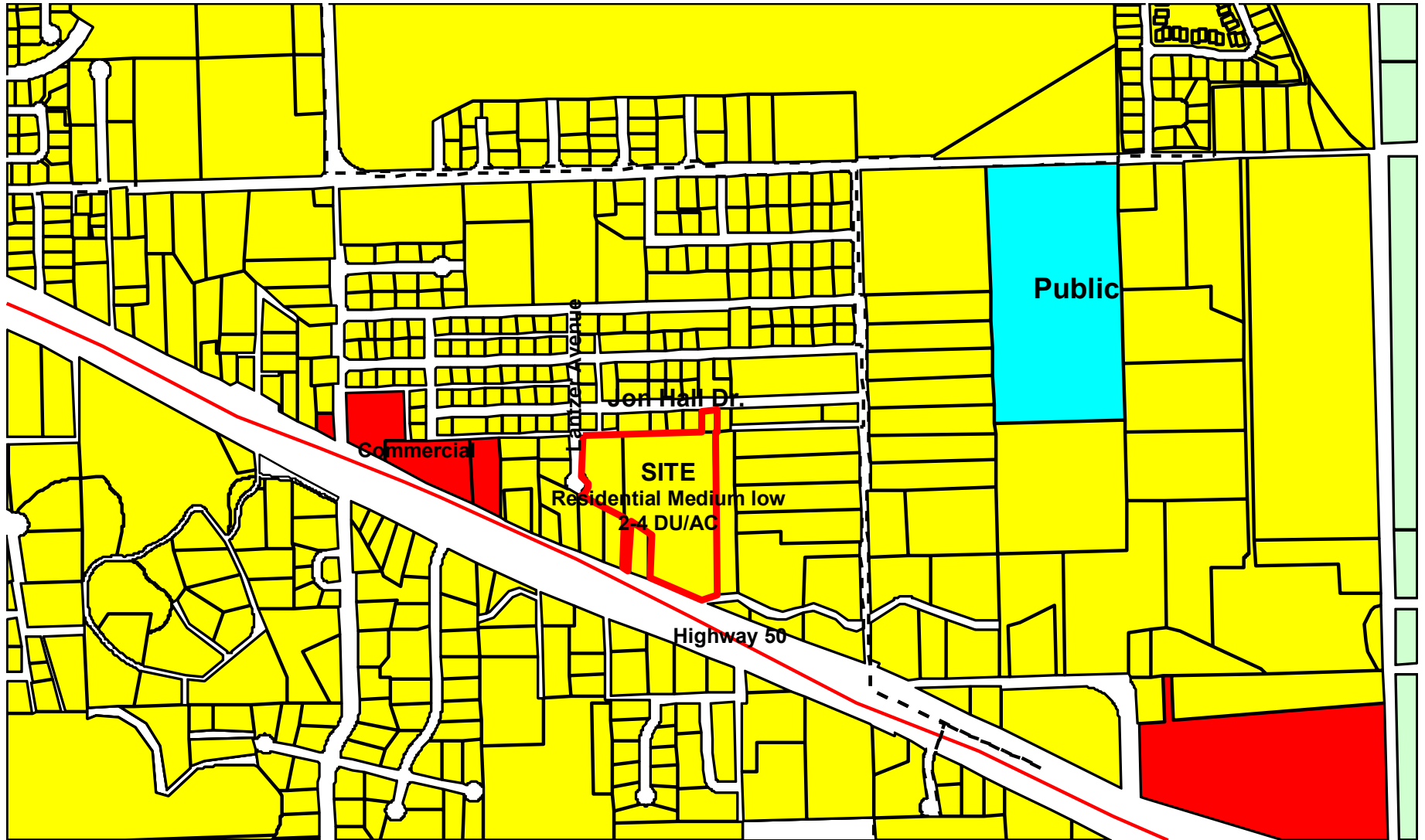
# Aerial Photo Map

## Barker Annexation



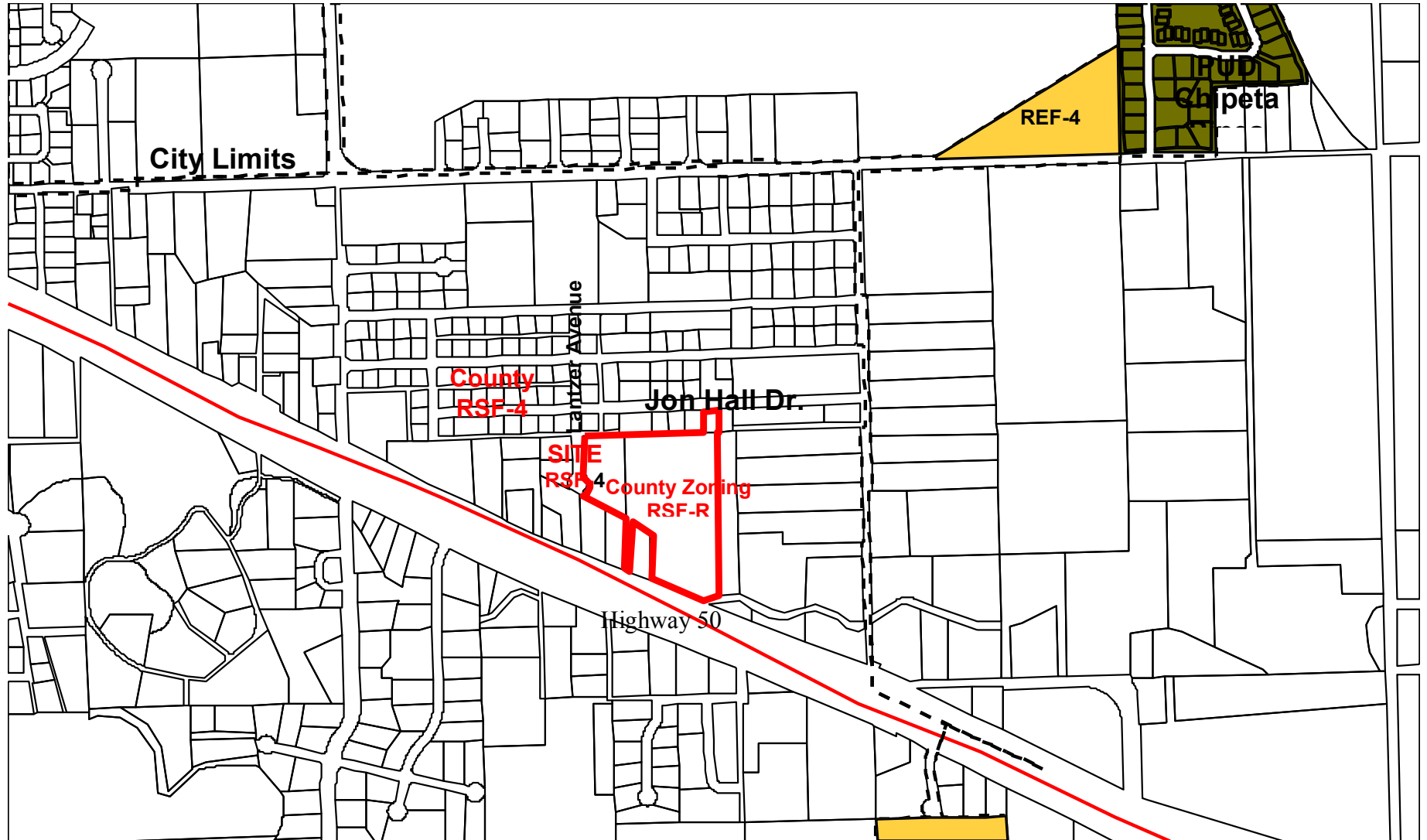
# Future Land Use Map

## Barker Annexation



# Existing City and County Zoning

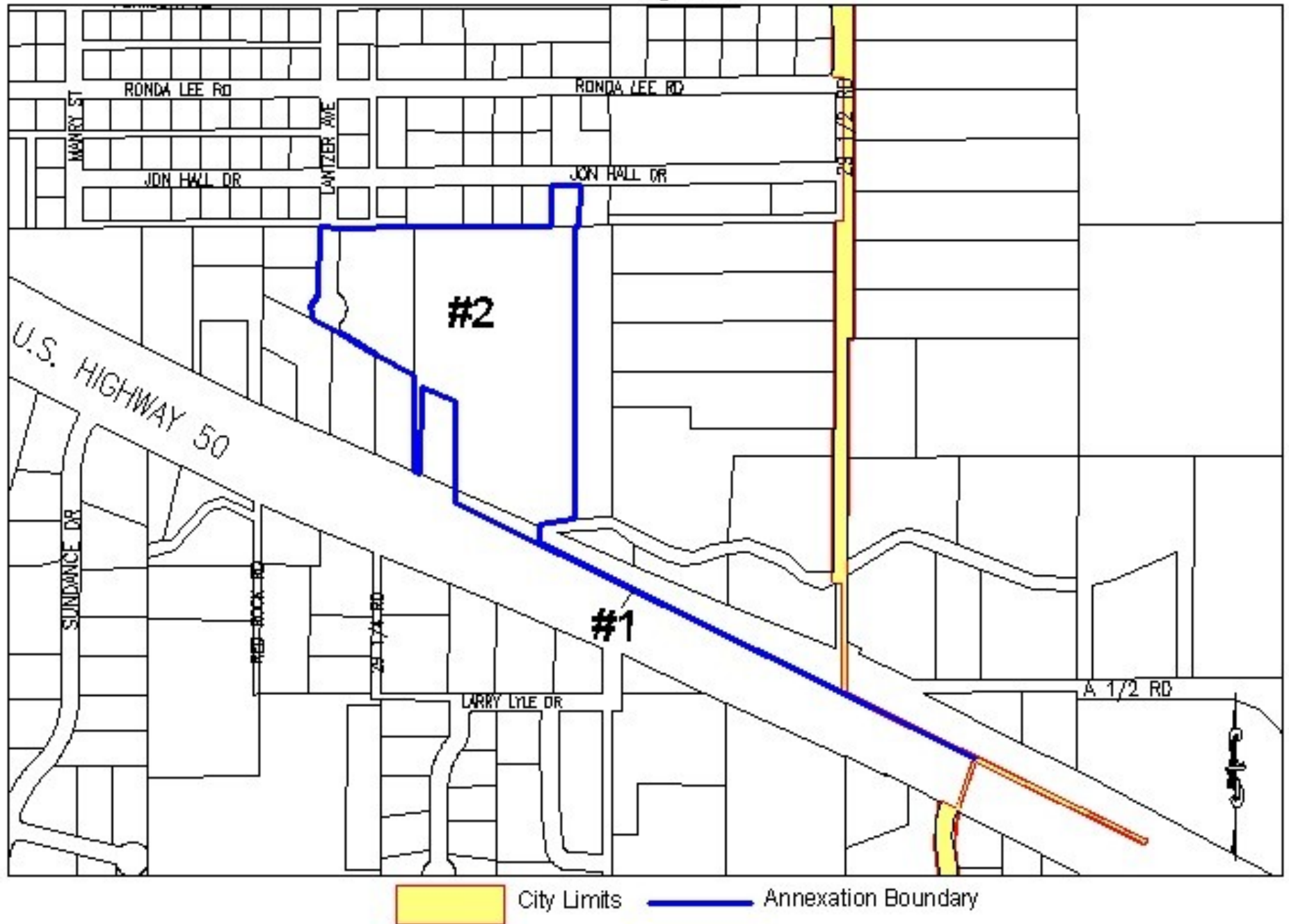
## Barker Annexation



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

# Barker Annexation No. 1 and 2

Figure 5





**RESOLUTION NO. \_\_\_\_\_**

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

**BARKER ANNEXATIONS, NO. 1 AND 2**

**IS ELIGIBLE FOR ANNEXATION**

**LOCATED AT 172 LANTZER AVENUE; 2934 HIGHWAY 50;  
2937 JON HALL DRIVE**

WHEREAS, on the 4<sup>th</sup> day of August, 2004, 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**

A serial Annexation comprising Barker Annexation No. 1 and Barker Annexation No. 2

**BARKER ANNEXATION NO. 1**

A certain parcel of land lying in Section 32, Township 1 South, Range 1 East of the Ute Principal Meridian, State of Colorado, County of Mesa and being more particularly described as follows:

BEGINNING at the Southeast corner of Lot 2, Replat of Lot 5 Country Home Estates, as same is recorded in Plat Book 13, Page 522, Public Records of Mesa County, Colorado and assuming the East Line of the Northwest Quarter (NW 1/4) of said Section 32 bears S 00°02'43" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°57'17" E a distance of 31.00 feet; thence S 00°02'43" E along a line 2.00 feet West of and parallel with, the East line of the NW 1/4 of said Section 32, a distance of 331.24 feet; thence S 63°44'41" E a distance of 2.23 feet; thence S 00°05'43" E a distance of 2.23 feet; thence S 63°44'41" E a distance of 415.51 feet; thence S 18°28'17" W a distance of 4.04 feet; thence N 63°44'41" W a distance of 1374.64 feet; thence N 00°00'00" E a distance of 4.46 feet; thence S 63°44'41" E a distance of 953.86 feet; thence N 00°02'43" E along a line 6.00 feet West of and parallel with, the East line of the NW 1/4 of said Section 32, a distance of 327.50 feet; thence S 89°57'17" W a distance of 27.00 feet; thence N 00°02'43" W a distance of 4.00 feet, more or less, to the Point of Beginning.

CONTAINING 0.16 Acres (6,944 Sq. Ft.), more or less, as described.

## BARKER ANNEXATION NO. 2

A certain parcel of land lying in Section 32, Township 1 South, Range 1 East of the Ute Principal Meridian, State of Colorado, County of Mesa and being more particularly described as follows:

BEGINNING at the Northwest corner of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 32 and assuming the North line of the SE 1/4 NW 1/4 of said Section 32 bears N 89°51'18" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°51'18" E along the North line of the SE 1/4 NW 1/4 of said Section 32, a distance of 494.71 feet to a point being the Southwest corner of Lot 2, Sunset Park, as same is recorded in Plat Book 9, Page 93, Public Records of Mesa County, Colorado; thence N 00°08'57" W along the West line of said Lot 2, a distance of 160.06 feet, more or less, to a point on the North right of way for Jon Hall Drive, as same is shown on said Sunset Park; thence N 89°51'27" E along said North right of way, a distance of 82.00 feet; thence S 00°08'57" E along the East line of said Lot 2, a distance of 160.06 feet, more or less, to the Southeast corner of said Lot 2; thence S 89°51'18" W along the North line of the SE 1/4 NW 1/4 of said Section 32, a distance of 15.94 feet to a point being the Northeast corner of that certain parcel of land described in Book 2276, Pages 610 and 611, Public Records of Mesa County, Colorado; thence S 00°42'37" E along the East line of said described parcel, a distance of 829.00 feet; thence S 83°04'23" W a distance of 116.60 feet, more or less, to a point on the North right of way for Highway 50; thence S 00°00'00" E a distance of 59.07 feet; thence S 63°44'41" E a distance of 1374.64 feet; thence S 18°28'17" W a distance of 4.04 feet; thence N 63°44'41" W a distance of 1636.81 feet; thence N 00°22'37" W along the East line, and the Southerly projection thereof, of that certain parcel of land described in Book 2736, Page 236, Public Records of Mesa County, Colorado, a distance of 241.53 feet; thence N 62°34'37" W, along the North line of said described parcel, a distance of 110.00 feet; thence S 00°22'37" E a distance of 200.48 feet, more or less, to a point on the North right of way for Highway 50; thence N 66°35'00" W, along said North right of way, a distance of 16.45 feet; thence N 00°12'09" W a distance of 273.21 feet; thence N 26°21'53" W a distance of 294.96 feet to a point being the beginning of a 50.00 foot radius curve, concave East, whose long chord bears N 01°16'42" E with a long chord length of 87.50 feet; thence 106.55 feet Northerly along the arc of said curve, through a central angle of 122°06'00", said line being the West right of way for Lantzer Avenue, as same is shown on Neff Subdivision, as same is recorded in Plat Book 9, Page 133, Public Records of Mesa County, Colorado; thence N 00°13'42" W, along said West right of way, a distance of 192.16 feet, more or less, to a point on the North line of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 32; thence N 89°47'10" E, along said North line, a distance of 159.10 feet, more or less, to the Point of Beginning.

CONTAINING 10.72 Acres (466,963 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:

5. That a hearing will be held on the 15<sup>th</sup> day of September, 2004, in the City Hall auditorium, located at 250 North 5<sup>th</sup> Street, City of Grand Junction, Colorado, at 7:30 PM 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.
6. 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 15<sup>th</sup> day of September, 2004.

\_\_\_\_\_  
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**

**BARKER ANNEXATION NO. 1**

**APPROXIMATELY 0.16 ACRES**

**LOCATED ALONG A PORTION OF 29 ½ ROAD AND HIGHWAY 50  
RIGHTS-OF-WAY**

**WHEREAS**, on the 4<sup>th</sup> day of August, 2004, 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 15<sup>th</sup> day of September, 2004; 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:

**BARKER ANNEXATION NO. 1**

A certain parcel of land lying in Section 32, Township 1 South, Range 1 East of the Ute Principal Meridian, State of Colorado, County of Mesa and being more particularly described as follows:

BEGINNING at the Southeast corner of Lot 2, Replat of Lot 5 Country Home Estates, as same is recorded in Plat Book 13, Page 522, Public Records of Mesa County, Colorado and assuming the East Line of the Northwest Quarter (NW 1/4) of said Section 32 bears S 00°02'43" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°57'17" E a distance of 31.00 feet; thence S 00°02'43" E along a line 2.00 feet West of and parallel with, the East line of

the NW 1/4 of said Section 32, a distance of 331.24 feet; thence S 63°44'41" E a distance of 2.23 feet; thence S 00°05'43" E a distance of 2.23 feet; thence S 63°44'41" E a distance of 415.51 feet; thence S 18°28'17" W a distance of 4.04 feet; thence N 63°44'41" W a distance of 1374.64 feet; thence N 00°00'00" E a distance of 4.46 feet; thence S 63°44 '41" E a distance of 953.86 feet; thence N 00°02'43" E along a line 6.00 feet West of and parallel with, the East line of the NW 1/4 of said Section 32, a distance of 327.50 feet; thence S 89°57'17 " W a distance of 27.00 feet; thence N 00°02'43" W a distance of 4.00 feet, more or less, to the Point of Beginning.

CONTAINING 0.16 Acres (6,944 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 4<sup>th</sup> day of August, 2004 and ordered published.

**ADOPTED** on second reading this \_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
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**

**BARKER ANNEXATION NO. 2**

**APPROXIMATELY 10.72 ACRES**

**LOCATED AT 172 LANTZER AVENUE; 2934 HIGHWAY 50 AND  
2937 JON HALL DRIVE**

**WHEREAS**, on the 4<sup>th</sup> day of August, 2004, 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 15<sup>th</sup> day of September, 2004; 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:

**BARKER ANNEXATION NO. 2**

A certain parcel of land lying in Section 32, Township 1 South, Range 1 East of the Ute Principal Meridian, State of Colorado, County of Mesa and being more particularly described as follows:

BEGINNING at the Northwest corner of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 32 and assuming the North line of the SE 1/4 NW 1/4

of said Section 32 bears N 89°51'18" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°51'18" E along the North line of the SE 1/4 NW 1/4 of said Section 32, a distance of 494.71 feet to a point being the Southwest corner of Lot 2, Sunset Park, as same is recorded in Plat Book 9, Page 93, Public Records of Mesa County, Colorado; thence N 00°08'57" W along the West line of said Lot 2, a distance of 160.06 feet, more or less, to a point on the North right of way for Jon Hall Drive, as same is shown on said Sunset Park; thence N 89°51'27" E along said North right of way, a distance of 82.00 feet; thence S 00°08'57" E along the East line of said Lot 2, a distance of 160.06 feet, more or less, to the Southeast corner of said Lot 2; thence S 89°51'18" W along the North line of the SE 1/4 NW 1/4 of said Section 32, a distance of 15.94 feet to a point being the Northeast corner of that certain parcel of land described in Book 2276, Pages 610 and 611, Public Records of Mesa County, Colorado; thence S 00°42'37" E along the East line of said described parcel, a distance of 829.00 feet; thence S 83°04'23" W a distance of 116.60 feet, more or less, to a point on the North right of way for Highway 50; thence S 00°00'00" E a distance of 59.07 feet; thence S 63°44'41" E a distance of 1374.64 feet; thence S 18°28'17" W a distance of 4.04 feet; thence N 63°44'41" W a distance of 1636.81 feet; thence N 00°22'37" W along the East line, and the Southerly projection thereof, of that certain parcel of land described in Book 2736, Page 236, Public Records of Mesa County, Colorado, a distance of 241.53 feet; thence N 62°34'37" W, along the North line of said described parcel, a distance of 110.00 feet; thence S 00°22'37" E a distance of 200.48 feet, more or less, to a point on the North right of way for Highway 50; thence N 66°35'00" W, along said North right of way, a distance of 16.45 feet; thence N 00°12'09" W a distance of 273.21 feet; thence N 26°21'53" W a distance of 294.96 feet to a point being the beginning of a 50.00 foot radius curve, concave East, whose long chord bears N 01°16'42" E with a long chord length of 87.50 feet; thence 106.55 feet Northerly along the arc of said curve, through a central angle of 122°06'00", said line being the West right of way for Lantzer Avenue, as same is shown on Neff Subdivision, as same is recorded in Plat Book 9, Page 133, Public Records of Mesa County, Colorado; thence N 00°13'42" W, along said West right of way, a distance of 192.16 feet, more or less, to a point on the North line of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 32; thence N 89°47'10" E, along said North line, a distance of 159.10 feet, more or less, to the Point of Beginning.

CONTAINING 10.72 Acres (466,963 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 4<sup>th</sup> day of August, 2004 and ordered published.

**ADOPTED** on second reading this \_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
President of the Council

Attest:

\_\_\_\_\_  
City Clerk



**Attach 13**  
**Public Hearing – Zoning the Barker Annexation**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
<b>Subject</b>	Zoning the Barker Annexation						
<b>Meeting Date</b>	September 15, 2004						
<b>Date Prepared</b>	September 7, 2004				File #ANX-2004-127		
<b>Author</b>	Lori V. Bowers		Senior Planner				
<b>Presenter Name</b>	Lori V. Bowers		Senior Planner				
<b>Report results back to Council</b>	X	No		Yes	<b>When</b>		
<b>Citizen Presentation</b>		Yes	X	No	<b>Name</b>		
	<b>Workshop</b>	X	<b>Formal Agenda</b>		X	<b>Consent</b>	<b>Individual Consideration</b>

**Summary:** Consider Final Passage of a proposed zoning ordinance to zone the Barker Annexation, located at 172 Lantzer Avenue, 2934 Highway 50 and 2937 Jon Hall Drive, to RSF-4 (Residential Single Family, not to exceed 4 dwelling units per acre).

**Budget:** N/A

**Action Requested/Recommendation:** Introduce a proposed zoning ordinance.

**Background Information:** See attached Staff Report/Background Information

**Attachments:**

- 40. Staff report/Background information
- 41. General Location Map
- 42. Aerial Photo
- 43. Future Land Use Map
- 44. Zoning Map
- 45. Annexation map
- 46. Zoning Ordinance

**BACKGROUND INFORMATION**

<b>Location:</b>		172 Lantzer Avenue; 2934 Hwy 50 and 2937 Jon Hall Drive			
<b>Applicant:</b>		MJB Construction, owner and developer; John Galloway, representative			
<b>Existing Land Use:</b>		Single family residence and vacant lots			
<b>Proposed Land Use:</b>		Residential			
<b>Surrounding Land Use:</b>	<b>North</b>	Residential			
	<b>South</b>	Highway 50 & residential			
	<b>East</b>	Single-family residence w/ large lot			
	<b>West</b>	Residential			
<b>Existing Zoning:</b>		County RSF-4 & RSF-R			
<b>Proposed Zoning:</b>		RSF-4 (Residential Single-Family, not to exceed 4 dwelling units per acre)			
<b>Surrounding Zoning:</b>	North	County RSF-4			
	South	(Highway 50)			
	East	County RSF-R			
	West	County RSF-4			
<b>Growth Plan Designation:</b>		Residential Medium Low – 2 to 4 dwelling units per acre			
<b>Zoning within density range?</b>		X	Yes		No

**STAFF ANALYSIS:** The requested zone of annexation to the RSF-4 district is consistent with the Growth Plan density of Residential Medium-low. The existing County zoning on the three parcels is RSF-4 and RSF-R. Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

**Zoning-** the applicant requests the zoning designation of RSF-4 (Residential Single-Family, not to exceed 4 dwelling units per acre). The zoning is consistent with the Growth Plan for this area, and is consistent with the current County zoning of RSF-4 and RSF-R. The minimum density for the RSF-4 zoning

designation is 2 units per acre. This zoning district allows for attached and detached single-family and duplex 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:

3. The existing zoning was in error at the time of adoption;  
Not applicable, this is a rezone from a county RSF-4 zoning to City RSF-4.
4. 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 area is experiencing a change from rural to urban residential. There are existing 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;  
All facilities and services are available in this area.
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)
9. 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 developed 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."

**STAFF RECOMMENDATION:**

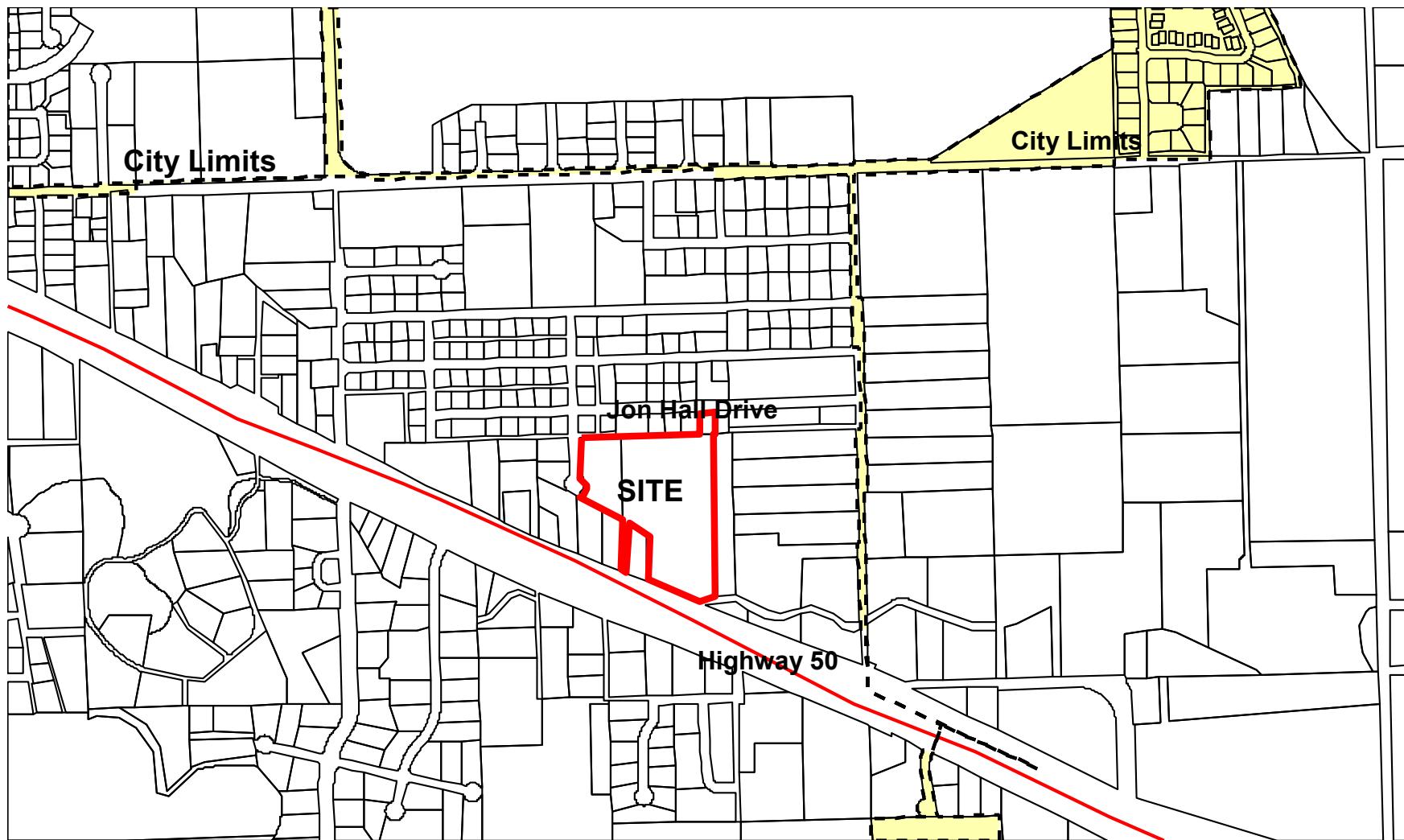
1). Staff recommends approval of the zone of RSF-4 (Residential Single-Family, not to exceed 4 dwelling units per acre) finding that the proposal is consistent with the Growth Plan, the Persigo Agreement and Section 2.6 of the Zoning and Development Code.

**PLANNING COMMISSION RECOMMENDATION:**

At their regularly scheduled meeting of August 24, 2004, the Planning Commission made the recommendation to the City Council to zone the Barker Annexation, located at 2934 Hwy 50; 172 Lantzer Avenue and 2937 Jon Hall Drive, to the designation of RSF-4 (Residential Single-family, not to exceed 4 units per acre) finding that the project is consistent with the Growth Plan, the Persigo Agreement and Section 2.6 of the Zoning and Development Code.

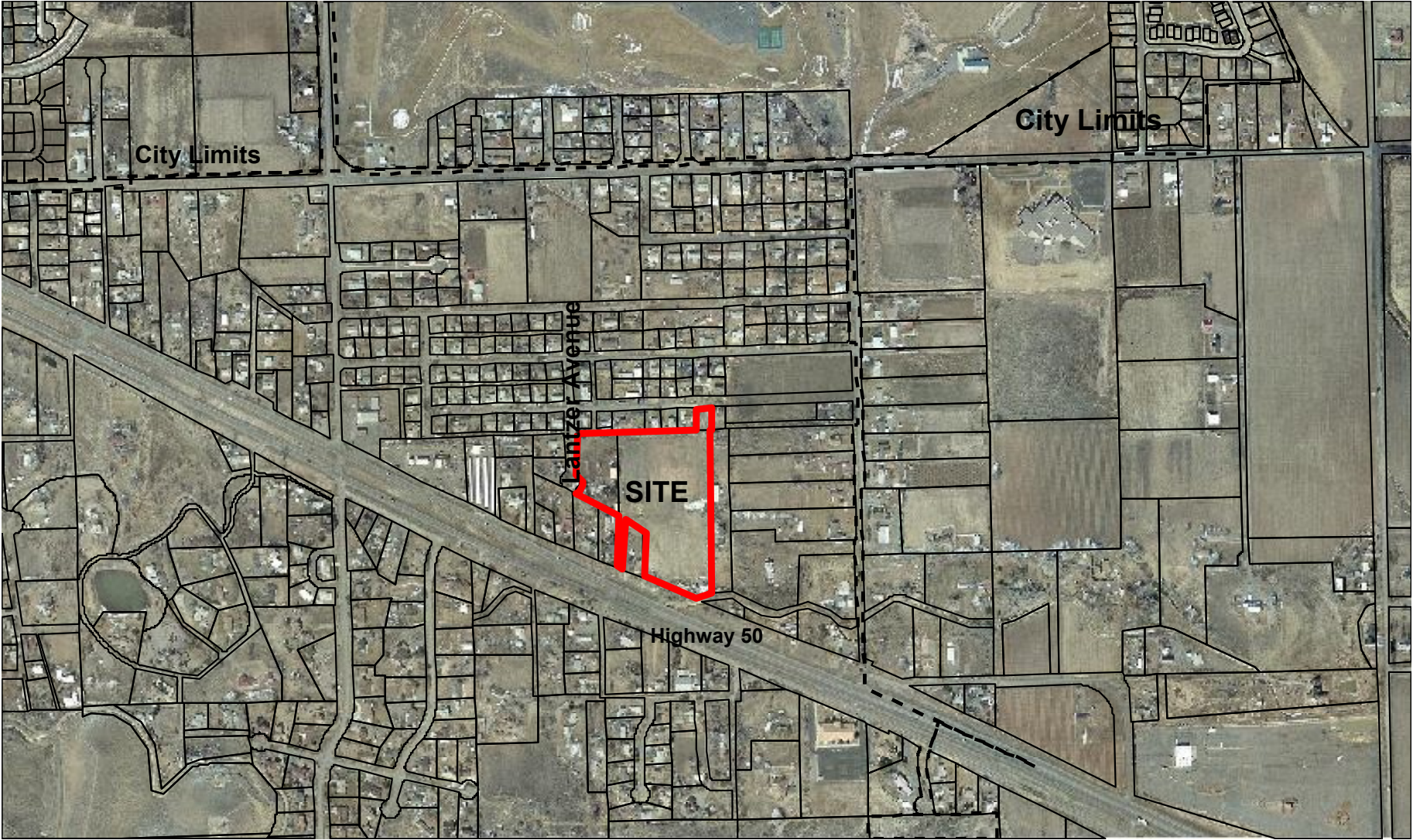
# Site Location Map

## Barker Annexation / City Limits



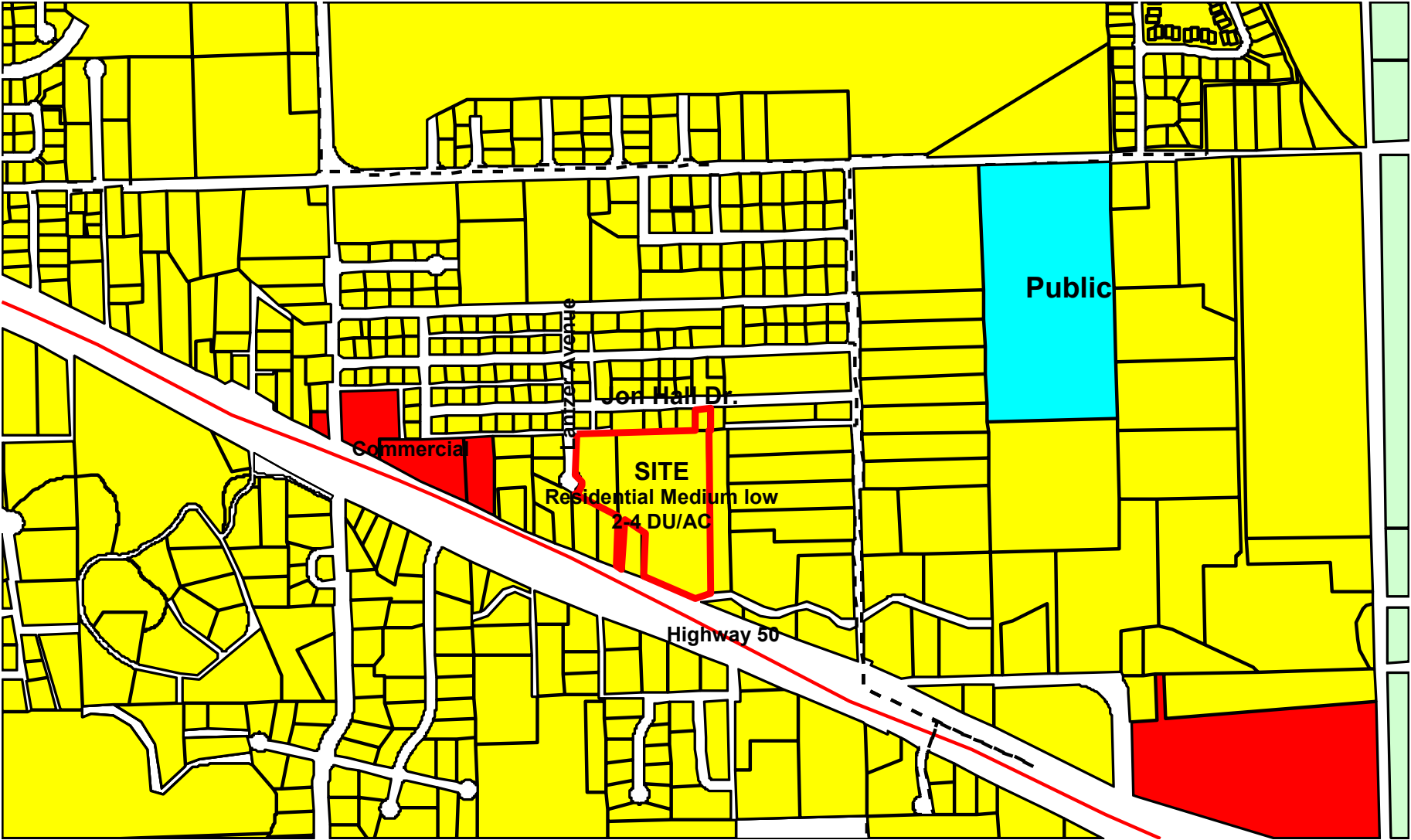
# Aerial Photo Map

## Barker Annexation



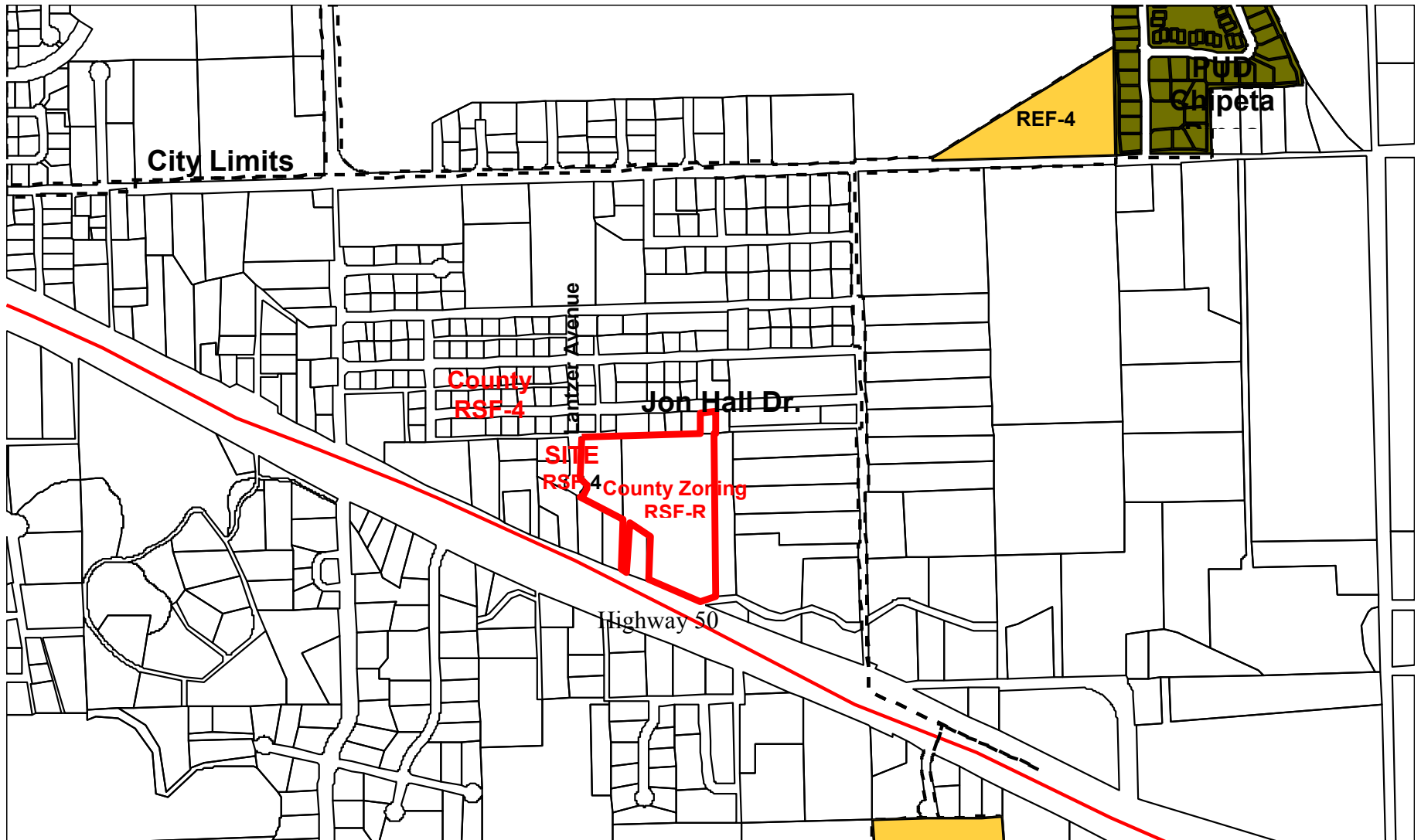
# Future Land Use Map

## Barker Annexation



# Existing City and County Zoning

## Barker Annexation

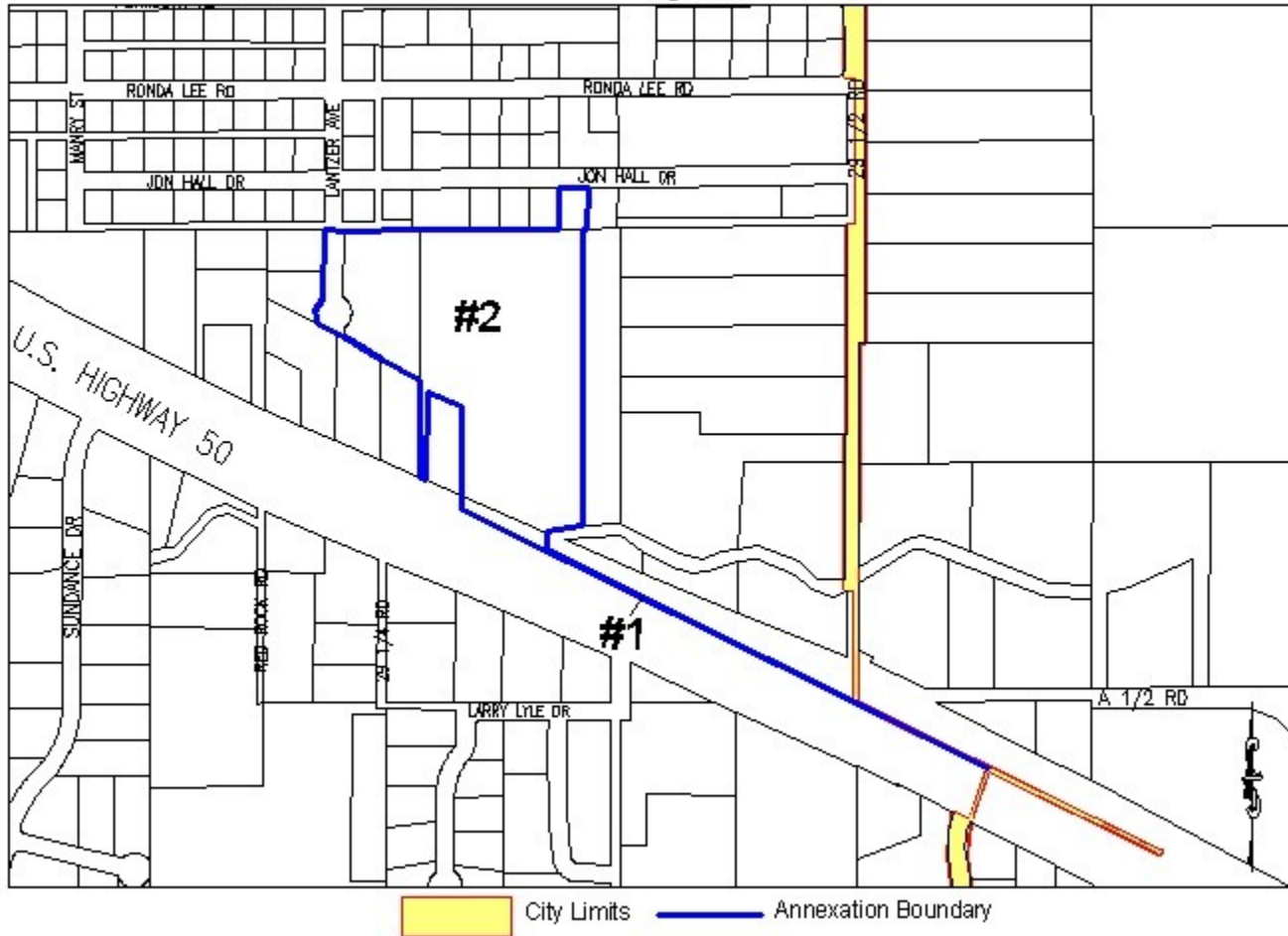


NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning



# Barker Annexation No. 1 and 2

Figure 5



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE ZONING THE BARKER ANNEXATION TO  
RSF-4**

**LOCATED AT 2934 HWY 50; 172 LANTZER AVENUE  
AND 2937 JON HALL 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 rezoning the Barker 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 land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After the 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 with a density not to exceed 4 units per acre.

**PERIMETER BOUNDARY LEGAL DESCRIPTION**

**A serial Annexation comprising Barker Annexation No. 1 and Barker Annexation No. 2**

**BARKER ANNEXATION NO. 1**

A certain parcel of land lying in Section 32, Township 1 South, Range 1 East of the Ute Principal Meridian, State of Colorado, County of Mesa and being more particularly described as follows:

BEGINNING at the Southeast corner of Lot 2, Replat of Lot 5 Country Home Estates, as same is recorded in Plat Book 13, Page 522, Public Records of Mesa County, Colorado and assuming the East Line of the Northwest Quarter (NW 1/4) of said Section 32 bears S 00°02'43" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°57'17" E a distance of 31.00 feet; thence S 00°02'43" E along a line 2.00 feet West of and parallel with, the East line of the NW 1/4 of said Section 32, a distance of 331.24 feet; thence S 63°44'41" E a distance of 2.23 feet; thence S 00°05'43" E a distance of 2.23 feet; thence S 63°44'41" E a distance of 415.51 feet; thence S 18°28'17" W a distance of 4.04 feet; thence N 63°44'41" W a distance of 1374.64 feet; thence N 00°00'00" E a distance of 4.46 feet; thence S 63°44'41" E a distance of 953.86 feet; thence N 00°02'43" E along a line 6.00 feet West of and parallel with, the East line of the NW 1/4 of said Section 32, a distance of 327.50 feet; thence S 89°57'17" W a distance of 27.00 feet; thence N 00°02'43" W a distance of 4.00 feet, more or less, to the Point of Beginning.

CONTAINING 0.16 Acres (6,944 Sq. Ft.), more or less, as described.

#### BARKER ANNEXATION NO. 2

A certain parcel of land lying in Section 32, Township 1 South, Range 1 East of the Ute Principal Meridian, State of Colorado, County of Mesa and being more particularly described as follows:

BEGINNING at the Northwest corner of the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of said Section 32 and assuming the North line of the SE 1/4 NW 1/4 of said Section 32 bears N 89°51'18" E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 89°51'18" E along the North line of the SE 1/4 NW 1/4 of said Section 32, a distance of 494.71 feet to a point being the Southwest corner of Lot 2, Sunset Park, as same is recorded in Plat Book 9, Page 93, Public Records of Mesa County, Colorado; thence N 00°08'57" W along the West line of said Lot 2, a distance of 160.06 feet, more or less, to a point on the North right of way for Jon Hall Drive, as same is shown on said Sunset Park; thence N 89°51'27" E along said North right of way, a distance of 82.00 feet; thence S 00°08'57" E along the East line of said Lot 2, a distance of 160.06 feet, more or less, to the Southeast corner of said Lot 2; thence S 89°51'18" W along the North line of the SE 1/4 NW 1/4 of said Section 32, a distance of 15.94 feet to a point being the Northeast corner of that certain parcel of land described in Book 2276, Pages 610 and 611, Public Records of Mesa County, Colorado; thence S 00°42'37" E along the East line of said described parcel, a distance of 829.00 feet; thence S 83°04'23" W a distance of 116.60 feet, more or less, to a point on the North right of way for Highway 50; thence S 00°00'00" E a distance of 59.07 feet; thence S 63°44'41" E a distance of 1374.64 feet; thence S 18°28'17" W a distance of 4.04 feet; thence N 63°44'41" W a distance of 1636.81 feet; thence N 00°22'37" W along the East line, and the Southerly projection thereof, of that certain

parcel of land described in Book 2736, Page 236, Public Records of Mesa County, Colorado, a distance of 241.53 feet; thence N 62°34'37" W, along the North line of said described parcel, a distance of 110.00 feet; thence S 00°22'37" E a distance of 200.48 feet, more or less, to a point on the North right of way for Highway 50; thence N 66°35'00" W, along said North right of way, a distance of 16.45 feet; thence N 00°12'09" W a distance of 273.21 feet; thence N 26°21'53" W a distance of 294.96 feet to a point being the beginning of a 50.00 foot radius curve, concave East, whose long chord bears N 01°16'42" E with a long chord length of 87.50 feet; thence 106.55 feet Northerly along the arc of said curve, through a central angle of 122°06'00", said line being the West right of way for Lantzer Avenue, as same is shown on Neff Subdivision, as same is recorded in Plat Book 9, Page 133, Public Records of Mesa County, Colorado; thence N 00°13'42" W, along said West right of way, a distance of 192.16 feet, more or less, to a point on the North line of the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of said Section 32; thence N 89°47'10" E, along said North line, a distance of 159.10 feet, more or less, to the Point of Beginning.

CONTAINING 10.72 Acres (466,963 Sq. Ft.), more or less, as described.

Introduced on first reading this 1<sup>st</sup> day of September, 2004 and ordered published.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**Attach 14  
Public Hearing – Vacating Right-of-Way within the Falls Filing One  
Subdivision**

**CITY COUNCIL AGENDA  
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL AGENDA</i>						
<b>Subject</b>	Right-of-Way Vacation – Southwest corner of Patterson Road and 28 ½ Road within the Falls Filing One Subdivision					
<b>Meeting Date</b>	September 15, 2004					
<b>Date Prepared</b>	September 7, 2004			File #VR-2004-133		
<b>Author</b>	Ronnie Edwards		Associate Planner			
<b>Presenter Name</b>	Ronnie Edwards		Associate Planner			
<b>Report results back to Council</b>	X	No		Yes	<b>When</b>	
<b>Citizen Presentation</b>		Yes	X	No	<b>Name</b>	
	<b>Workshop</b>	X	<b>Formal Agenda</b>			<b>Consent</b> X <b>Individual Consideration</b>

**Summary:** Adoption of a proposed ordinance to vacate the public right-of-way as dedicated in the Falls Filing No. One, as amended, except for F Road also known as Patterson Road, located at the southwest corner of Patterson Road and 28 ½ Road. The Planning Commission recommended approval of the right-of-way vacation on August 24, 2004, making the Findings of Fact/Conclusion identified in the staff report.

**Budget:** N/A

**Action Requested/Recommendation:** It is recommended that the City Council conduct the second reading of the ordinance to vacate the right-of-way and take formal action on the ordinance. The Planning Commission recommends that the City Council approve the ordinance vacating the requested right-of-way, contingent upon the dedication of the right-of-way as presented by the applicant with the recordation of a new subdivision plat.

**Attachments:**

1. Vicinity Map
2. Aerial Photo Map
3. Future Land Use Map
4. Existing Zoning Map

5. Ordinance and Exhibit Map

**Background Information:** See attached

<b>BACKGROUND INFORMATION</b>					
<b>Location:</b>		Southwest corner of the Patterson Road and 28 ½ Road intersection			
<b>Applicants:</b>		The Falls Homeowners Association			
<b>Existing Land Use:</b>		Residential Single Family			
<b>Proposed Land Use:</b>		Residential Single Family			
<b>Surrounding Land Use:</b>	<b>North</b>	Vacant			
	<b>South</b>	Open Space/Grand Valley Irrigation Canal			
	<b>East</b>	Residential Single Family			
	<b>West</b>	Residential Single Family/Heritage Falls Elder Care Facility			
<b>Existing Zoning:</b>		PD (density of 8 du/ac)			
<b>Proposed Zoning:</b>		PD (density of 8 du/ac)			
<b>Surrounding Zoning:</b>	<b>North</b>	CSR			
	<b>South</b>	RMF-8 & RMF-16			
	<b>East</b>	PD (density of 6.5 du/ac)			
	<b>West</b>	PD (density of 8 du/ac)			
<b>Growth Plan Designation:</b>		Residential Medium High (8-12 du/ac)			
<b>Zoning within density range?</b>		N/A	<b>Yes</b>		<b>No</b>

**PROJECT DESCRIPTION:** The proposal is to vacate the public right-of-way as dedicated in the Falls Filing No. One As Amended, except for F Road also known as Patterson Road, located at the southwest corner of Patterson Road and 28 ½ Road.

**ANALYSIS:**

1. Background:

This property was annexed in November of 1974. The Falls Subdivision was approved as a planned development and recorded November 20, 1979, included 55 residential lots, 4.598 acres of open space and 5.247 acres allocated for right-of-way. When originally platted, all the right-of-way was dedicated as 55' in width but was built to current local standards.

By allowing the vacation of the existing wider road sections, a re-plat of the subdivision can be recorded that will rededicate all the right-of-way at the appropriate local street width. The excess right-of-way will attach to the adjacent private lots and open space.

This request is being reviewed concurrently with a request to amend the Final Plan of the Falls to incorporate some of the area of existing common open space to respective property owners for private use. Much of the open space area to be transferred is already being used by the lot owners as part of their yard and landscaping.

2. Consistency with the Growth Plan:

Policy 10.2 states that the City will consider the needs of the community at large and the needs of the individual neighborhoods when making development decisions.

The right-of-way vacation will be subject to a new plat being recorded that rededicates the right-of-way to accommodate existing improvements and standards.

3. Section 2.11.c of the Zoning and Development Code:

Requests to vacate any public right-of-way or easement must conform to all of the following:

- g. The Growth Plan, major street plan and other adopted plans and policies of the City.

Granting the right-of-way vacation does not conflict with applicable Sections of the Growth Plan, major street plan and other adopted plans and policies of the City, as they are being rededicated with the recordation of a new subdivision plat.

- h. No parcel shall be landlocked as a result of the vacation.

No parcel will be landlocked by the requested vacation as the right-of-way will be rededicated by the recordation of a new plat.

- i. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive or reduces or devalues any property affected by the proposed vacation.

The right-of-way vacation and rededication will not restrict access to any parcel.

- j. There shall be no adverse impacts on the health, safety, and/or welfare of the general community and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g. police/fire protection and utility services).

There will be no adverse impacts to the general community and the quality of public facilities and services provided will not be reduced.

- k. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of the Zoning and Development Code.

Provision of adequate public facilities and services will not be inhibited to any property as required in Chapter 6 of the Code.

- l. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.

This proposal provides a benefit to the City as the road sections will be dedicated to the appropriate local street standards and the vacated area will be the responsibility of the owner of the abutting property to maintain.

#### FINDINGS OF FACT/CONCLUSIONS:

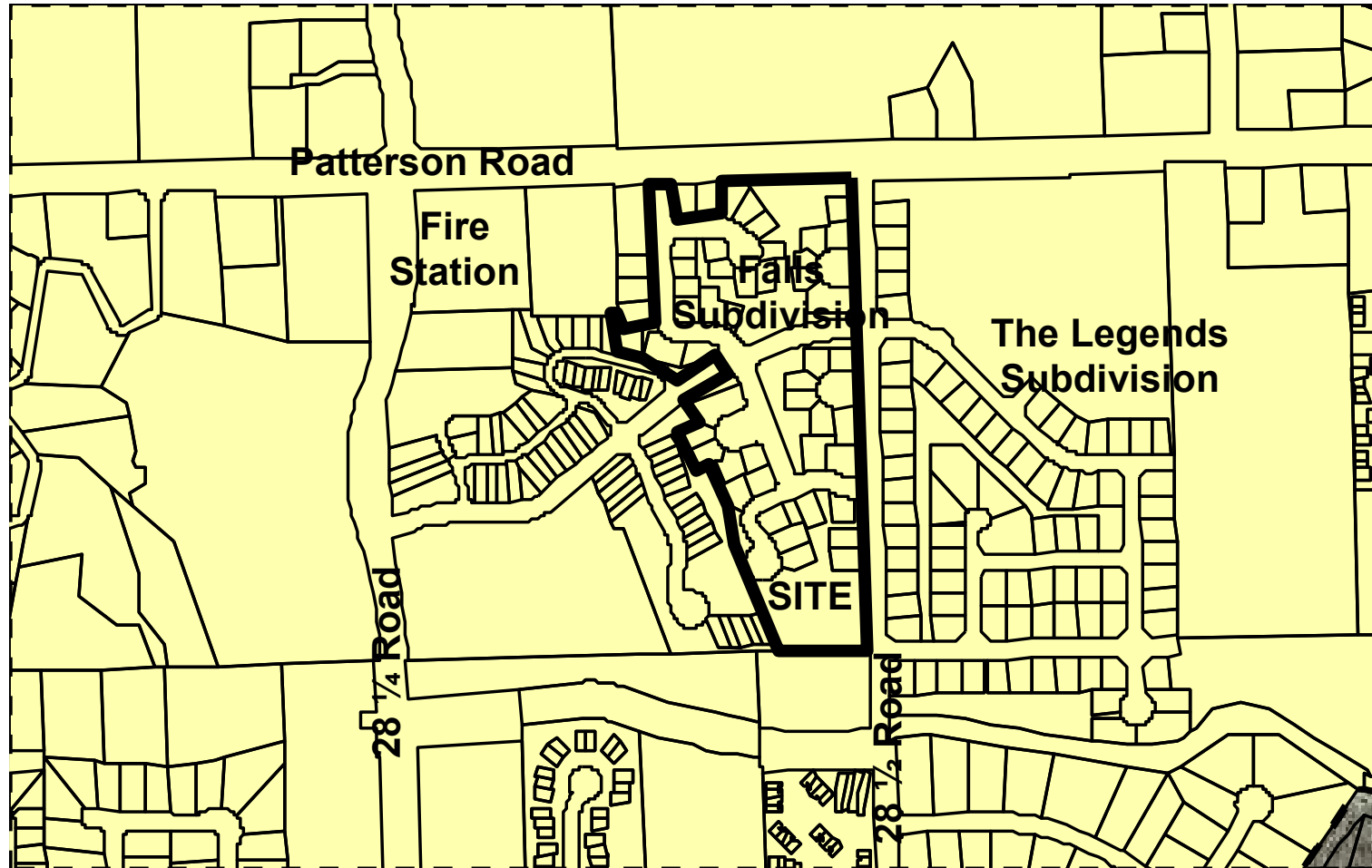
After reviewing the Right-of-Way Vacation application, VR-2004-133, for the vacation of right-of-way as dedicated in the Falls Filling No. One As Amended, except for F Road also known as Patterson Road, conditioned upon the dedication of the right-of-way as presented by the applicant with the recordation of a new subdivision plat, City Council makes the following findings of fact and conclusions:

- The requested right-of-way vacation is consistent with the Growth Plan.
- The review criteria in Section 2.11.C of the Zoning and Development Code have been satisfied.



# Site Location Map

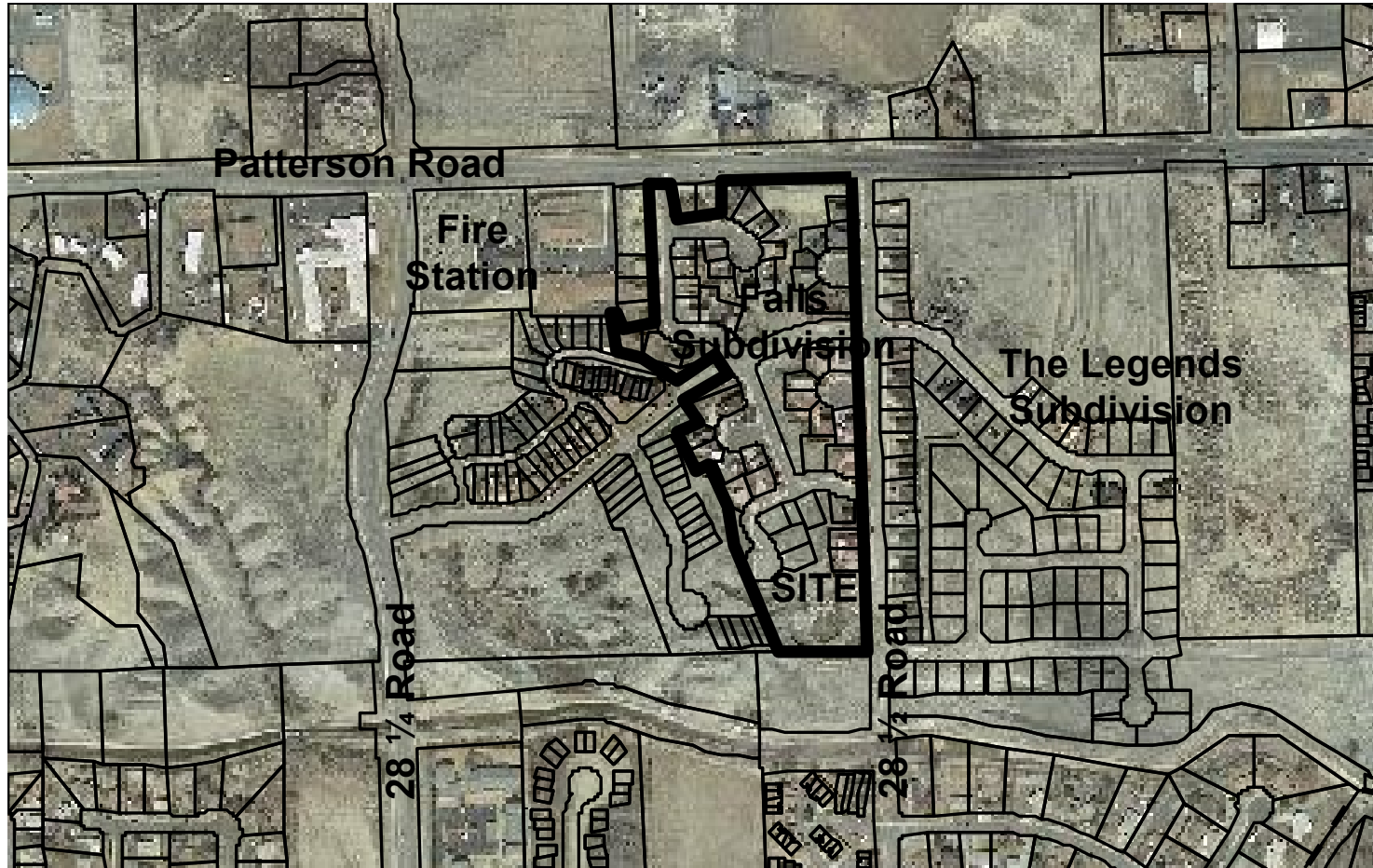
Figure 1





# Aerial Photo Map

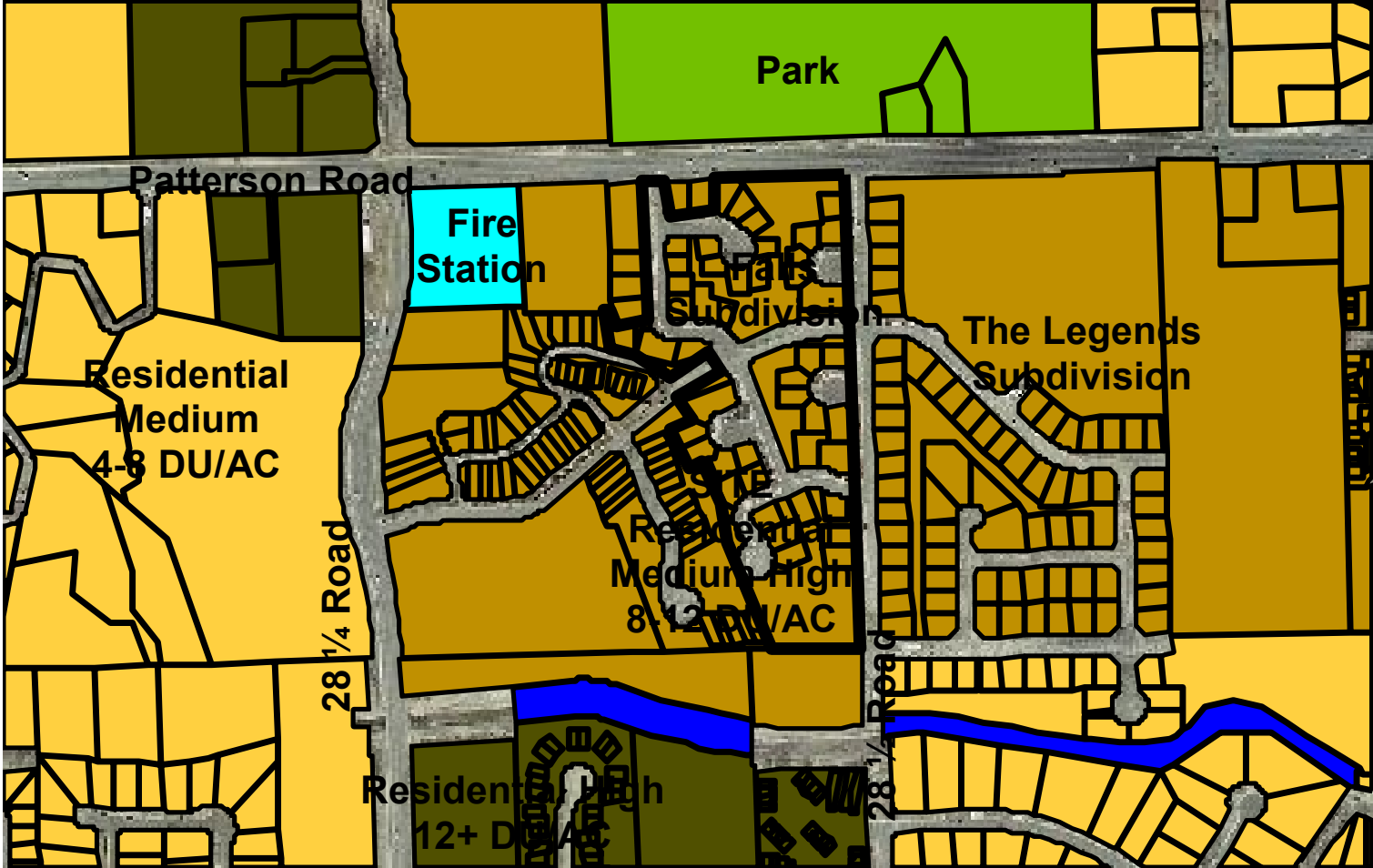
Figure 2





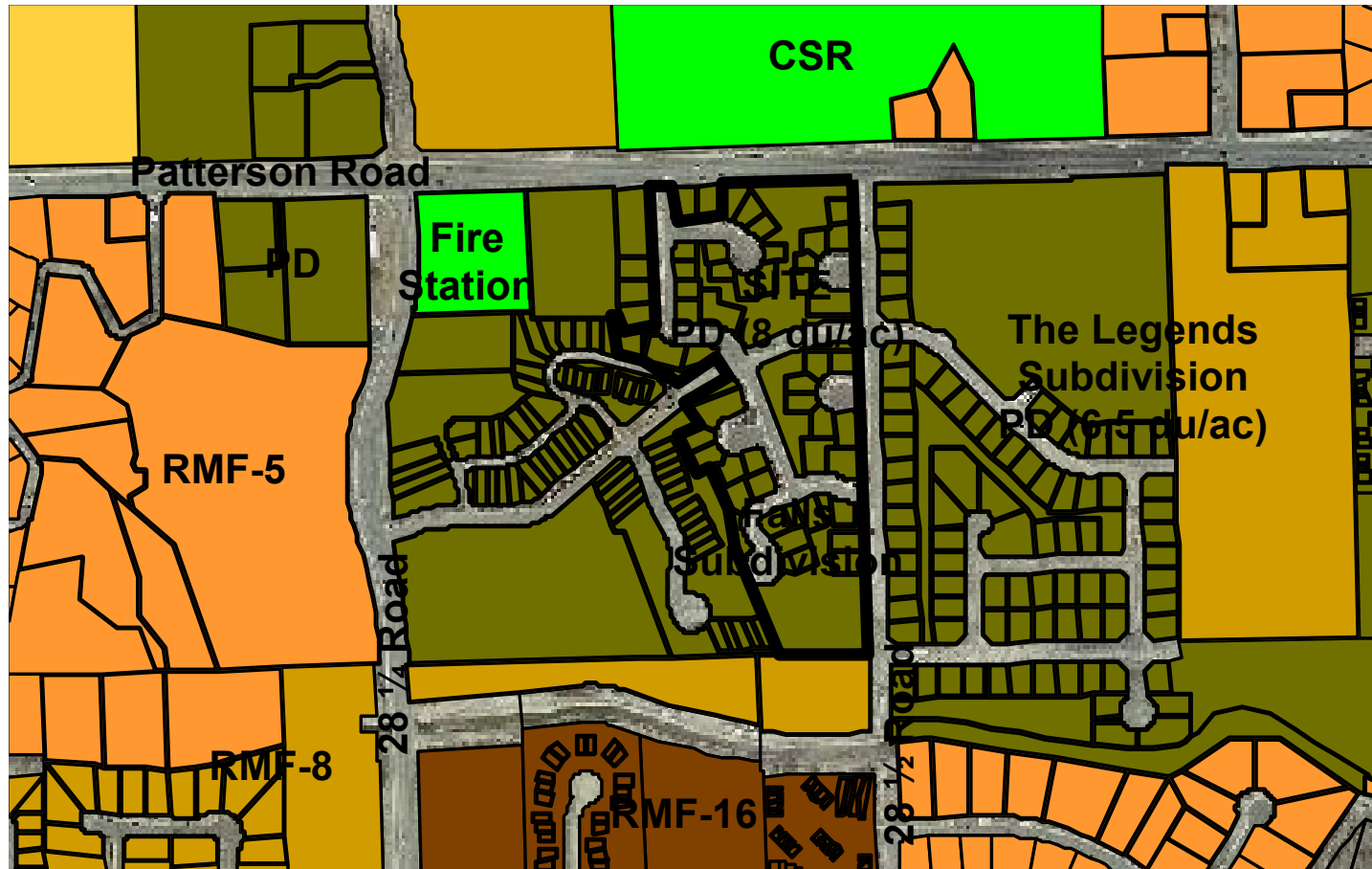
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."



**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE VACATING RIGHT-OF-WAY LOCATED IN THE  
FALLS FILING NO. ONE, AS AMENDED, SUBDIVISION ON THE SOUTHWEST  
CORNER OF PATTERSON ROAD AND 28 ½ ROAD**

Recitals:

A request to vacate the public right-of-way as dedicated in the Falls Filing No. One As Amended save and except for F Road also known as Patterson Road, located at the southwest corner of Patterson Road and 28 ½ Road, has been submitted by the Homeowners Association of said subdivision. The applicants will rededicate the right-of-way to the City by recording a new subdivision plat, which will reserve the appropriate local street width to current standards.

The City Council finds that the request to vacate the herein described right-of-way is consistent with the Growth Plan and Section 2.11 of the Zoning and Development Code.

The Planning Commission, having heard and considered the request, found the criteria of the Zoning Code to have been met, and recommends that the vacation be approved as requested subject to the condition that a new plat will be recorded rededicating the right-of-way to the City.

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

The following described right-of-way is hereby vacated:

That part of the Road Right-of-Way dedicated on the Falls Filing No. One As Amended subdivision recorded in Plat Book 12 Pages 216-217, Reception No. 1208645 of the Mesa County Records, lying South of "F" Road (Patterson) Right-of-Way as depicted on Exhibit "A".

Introduced for first reading on this 1<sup>st</sup> day of September, 2004.

PASSED and ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2004.

ATTEST:

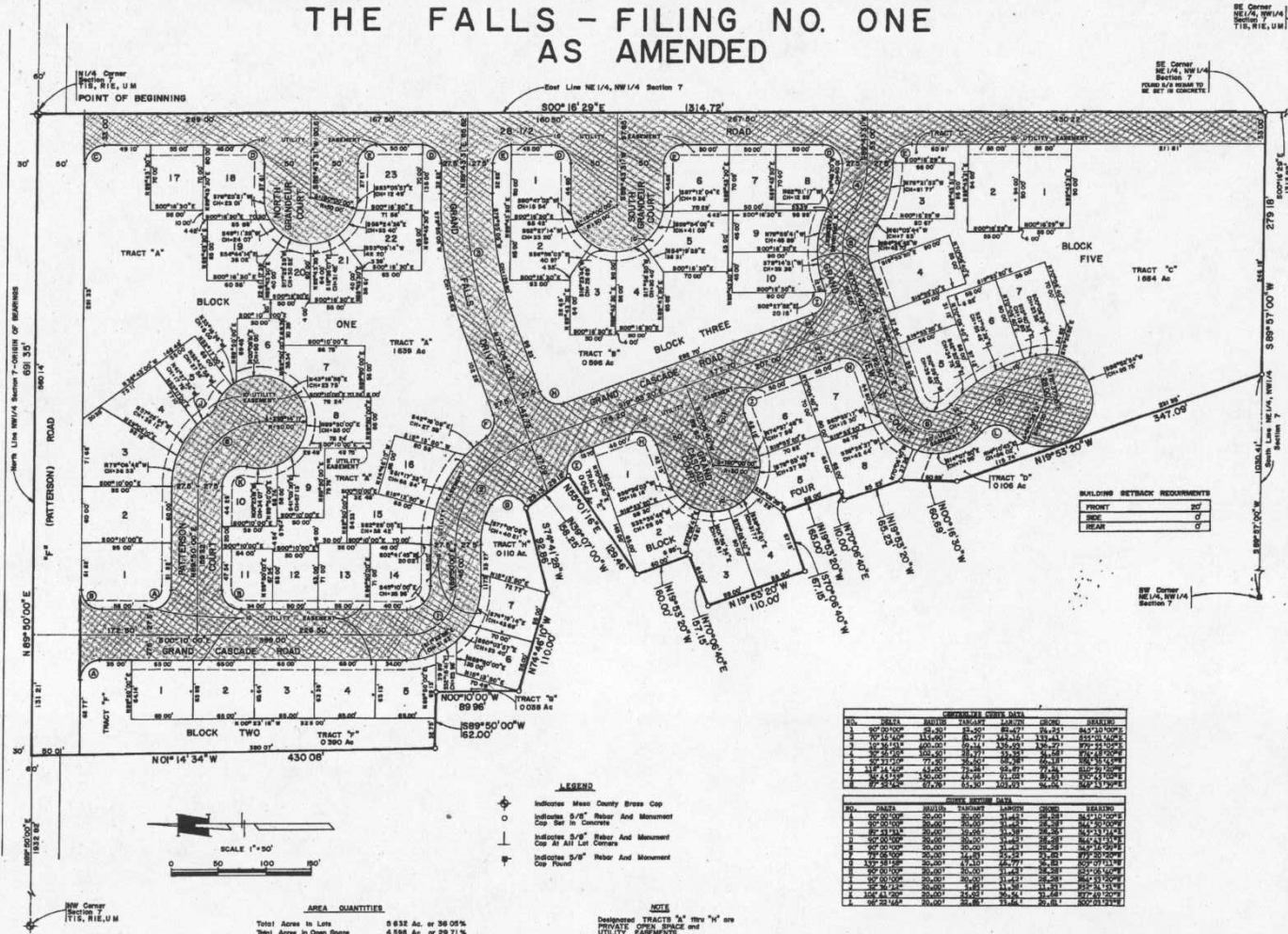
\_\_\_\_\_  
President of City Council

\_\_\_\_\_  
City Clerk



# EXHIBIT A

## THE FALLS - FILING NO. ONE AS AMENDED



**Attach 15**  
**Public Hearing – Growth Plan Amendment**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA									
<b>Subject</b>		Request approval of a Growth Plan Amendment from "Commercial / Industrial" to "Park" for five properties located at 2515 River Road							
<b>Meeting Date</b>		September 15, 2004							
<b>Date Prepared</b>		September 7, 2004				<b>File #</b> GPA-2004-125			
<b>Author</b>		Senta L. Costello		Associate Planner					
<b>Presenter Name</b>		Senta L. Costello		Associate Planner					
<b>Report results back to Council</b>		X	No		Yes	<b>When</b>			
<b>Citizen Presentation</b>			Yes	X	No	<b>Name</b>			
<b>Workshop</b>		X		<b>Formal Agenda</b>		<b>Consent</b>		X <b>Individual Consideration</b>	

**Summary:** Hold a public hearing and consider passage of the Resolution to change the Growth Plan designation from a Commercial / Industrial designation to a Park designation.

**Budget:** N/A

**Action Requested/Recommendation:** Hold a public hearing and consider final passage of the Resolution.

**Background Information:** See attached Staff Report/Background Information

**Attachments:**

- 47. Staff report/Background information
- 48. General Location Map
- 49. Aerial Photo
- 50. Resolution

AGENDA TOPIC: GPA-2004-125 Ice Skating Inc Growth Plan Amendment

ACTION REQUESTED: Request approval of a Growth Plan Amendment from "Commercial / Industrial" to "Park" for five properties located generally at 2515 River Road;

BACKGROUND INFORMATION				
Location:		2515 River Road		
Applicants:		Owners: Ice Skating Inc – Curt Maki; City of Grand Junction		
Existing Land Use:		Vacant and Riverfront Trail		
Proposed Land Use:		Ice Rink and Riverfront Trail		
Surrounding Land Use:	North	Truck depot		
	South	Industrial storage		
	East	River Road, Railroad, Rimrock shopping center		
	West	Colorado River		
Existing Zoning:		I-1		
Proposed Zoning:		CSR		
Surrounding Zoning:	North	C-2		
	South	I-2		
	East	C-2		
	West	CSR / County AFT (RSF-R)		
Growth Plan Designation:		Existing – Commercial / Industrial Proposed - Park		
Zoning within intensity range?		N/A	Yes	No

PROJECT DESCRIPTION: Consideration of an amendment to the Growth Plan Future Land Use Map to re-designate the properties located generally at 2515 River Road from "Commercial / Industrial" to "Park".

RECOMMENDATION: Staff recommends approval.

## ANALYSIS:

### 1. Background:

4 of the 5 properties involved in the Growth Plan Amendment are proposed for the location of a new ice skating rink. The 5<sup>th</sup> is the location of a section of the Riverfront Trail. The 4 properties proposed for the ice rink are the subject of a rezone request from the current zoning of I-1 (Light Industrial) to CSR (Community Services and Recreation). The trail section is currently zoned CSR. The request is to change all 5 properties from the Commercial / Industrial designation to Park so that the Future Land Use designation is consistent with the existing zoning of the trail section and with the requested rezone for the ice rink site.

The properties will be impacted by the alignment for the Riverside Parkway interchange with 25 Road. Due to this, the project had to be reconfigured by acquiring additional property. If the Growth Plan Amendment and Rezone are approved, the properties will then go through a Simple Subdivision and Site Plan Review process to replat the lots and finalized the layout of the ice rink project. The Planning Commission has already recommended approval of the requested rezone to CSR

### 2. Section 2.5.C of the Zoning and Development Code:

The Growth Plan can be amended if the City finds that the proposed amendment is consistent with the purpose and intent of the Plan and it meets the following criteria:

- a. There was an error such that then existing facts, projects or trends (that were reasonably foreseeable) were not accounted for.

The Commercial / Industrial designation on the property with the trail section is an error due the trail section being in place and the C/I designation still being placed on the property. The proposed use of the site (ice rink) is more appropriate for the Park designation than a Commercial / Industrial designation.

- b. Subsequent events have invalidated the original premises and findings.

The River Road corridor has traditionally been industrial type uses. However, with the opening of the new family recreation facility, Bananas Fun Park, the area is becoming less industrial in nature and more general commercial and recreational. Plans for the Riverside Parkway also create a gateway into the area that feels less industrial and is more pedestrian and bicycle friendly. Due to these events, the original premises are no longer valid.

- c. The character and/or condition of the area have changed enough that the amendment is acceptable.

The character of the neighborhood is in transition. With the opening of the new family recreation facility, Bananas Fun Park, the area is becoming less industrial in nature and more general commercial and recreational. Plans for the Riverside Parkway also create a gateway into the area that feels less industrial and is more pedestrian and bicycle friendly.

- d. The change is consistent with the goals and policies of the plan, including applicable special area, neighborhood and corridor plans.

The request implements the following Goals and Policies of the Growth Plan:

**Goal 11** – To promote stable neighborhoods and land use compatibility throughout the community.

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

**Goal 13** – To enhance the aesthetic appeal and appearance of the community's built environment.

**Policy 13.2** – The City and County will enhance the quality of development along key arterial corridors. The Urban Area Plan will prevail when existing corridor plans, adopted prior to 1996, are inconsistent with this plan.

**Goal 20** – To achieve a high quality of air, water and land resources.

**Policy 20.2** – The City and County will support efforts to maintain or improve the quality of green spaces along the Colorado and Gunnison Rivers. The intent of this policy is to reduce erosion and flood damage, retain the riverine vegetation and preserve the corridors for wildlife habitat. Recreational uses along the river corridors should be limited to low intensity uses such as trails and active recreation areas with limited improvements.

**Goal 23** – To foster a well-balanced transportation system that supports the use of a variety of modes of transportation, including automobile, local transit, pedestrian and bicycle use.

**Policy 23.8** – The City and County will require vehicular, bike and pedestrian connections between adjacent projects when such connections improve traffic flow and safety.

**Policy 23.10** – The City and County will identify and develop a coordinated trails system in cooperation with appropriate community interests.

- e. Public and community facilities are adequate to serve the type and scope of the land use proposed.

Adequate public facilities are currently available and can address the impacts of development consistent with a Park designation.

- f. An inadequate supply of suitably designated land is available in the proposed land use.

The "Park" designation exists in limited places within the City of Grand Junction and is specifically reserved to provide Active park and recreation sites with significant public access, whether publicly or privately owned. This site will further the purposes of the Park designation.

- g. The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.

The proposed designation and future use provide opportunities that the general public will benefit from at this location.

#### FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Ice Skating Inc application, GPA-2004-125 for a Growth Plan Amendment, staff recommends that the City Council make the following findings of fact and conclusions:

2. The proposed amendment is consistent with the purpose and intent of the Plan.
3. The review criteria in Section 2.5.C of the Zoning and Development Code have all been met.

#### PLANNING COMMISSION RECOMMENDATION:

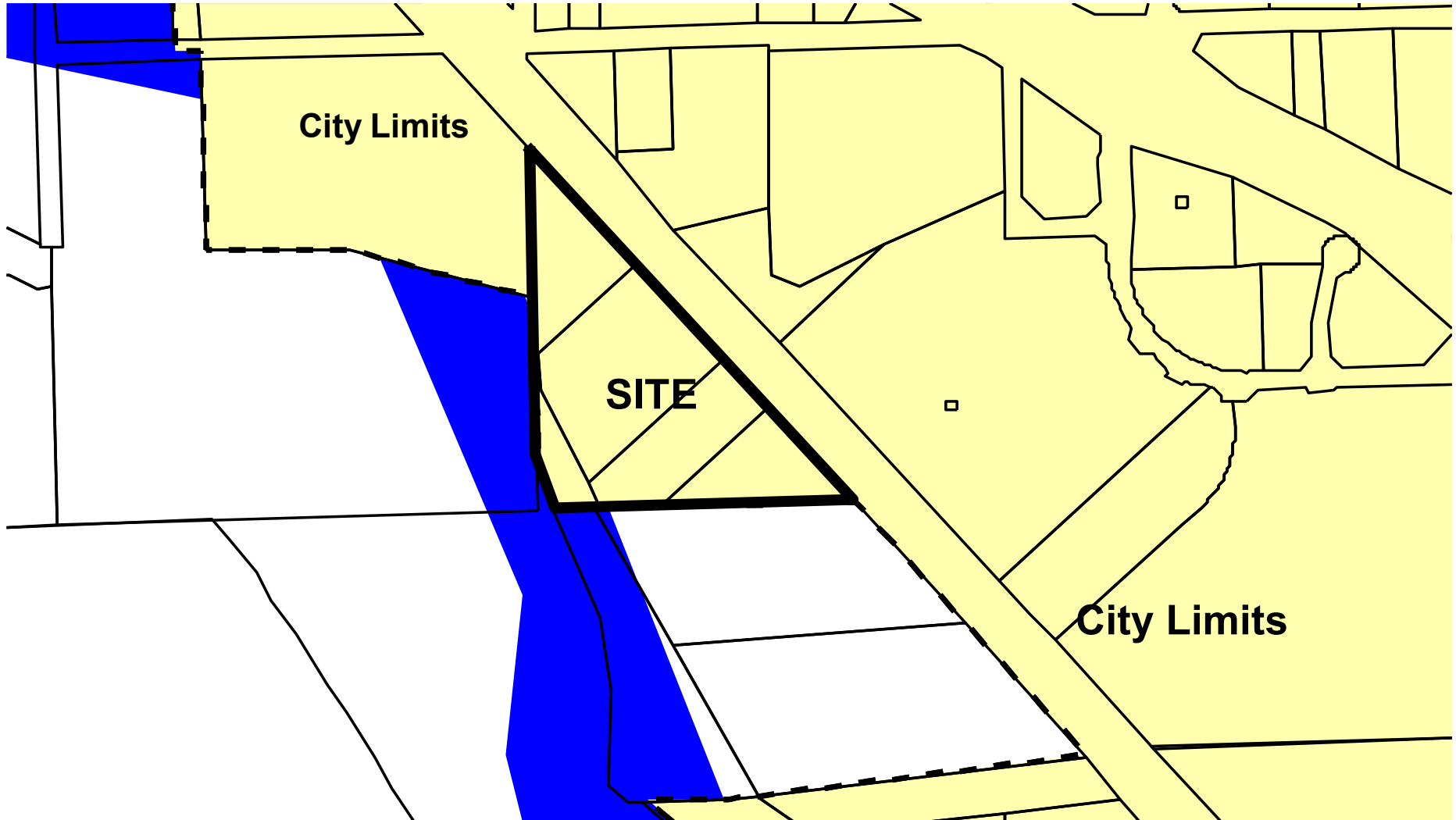
The Planning Commission recommended of approval of the requested Growth Plan Amendment, GPA-2004-125 to the City Council with the findings and conclusions listed above.

#### Attachments:

Vicinity Map  
Aerial Photo  
Growth Plan Map  
Resolution

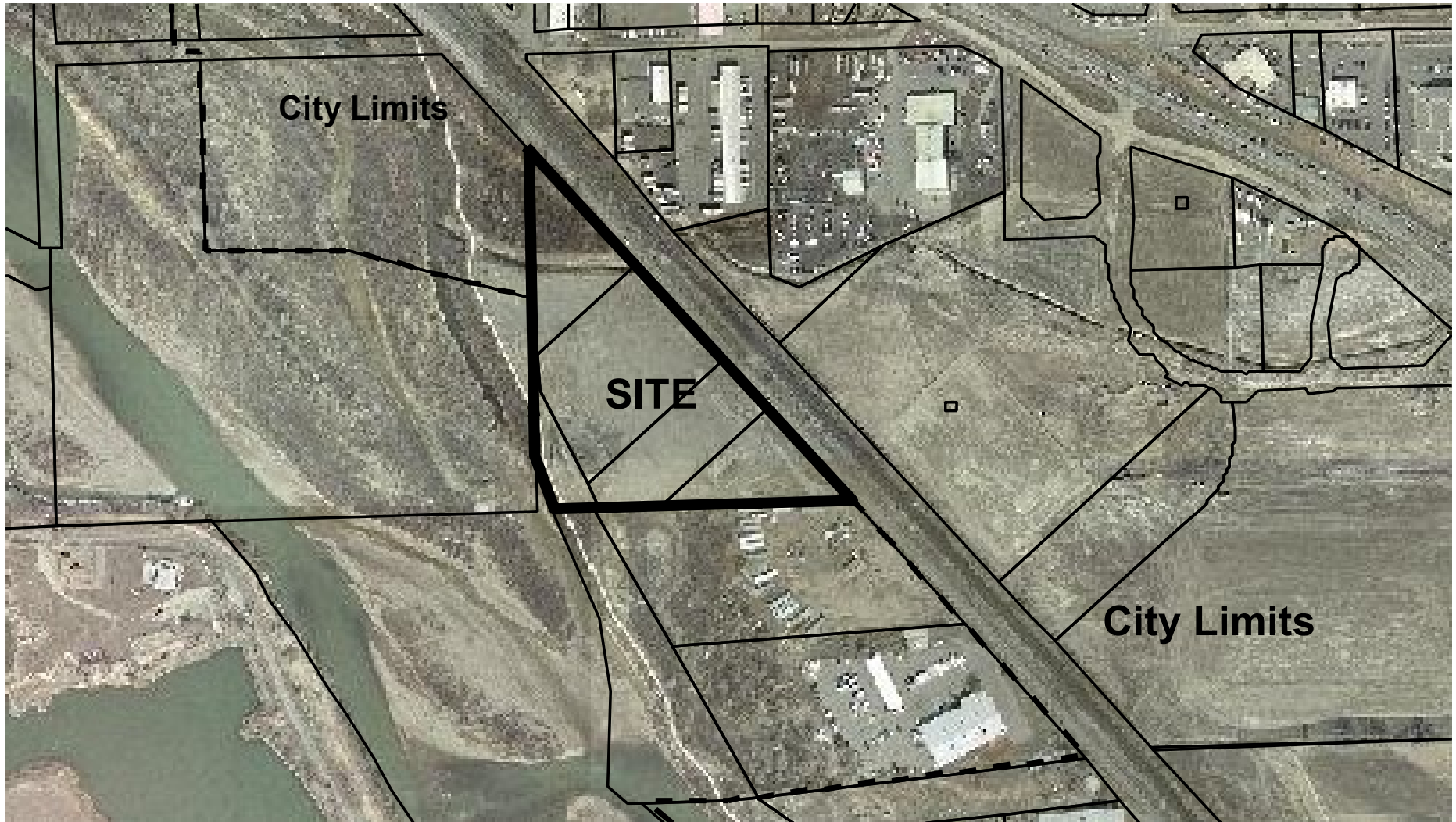
# Site Location Map

Figure 1



# Aerial Photo Map

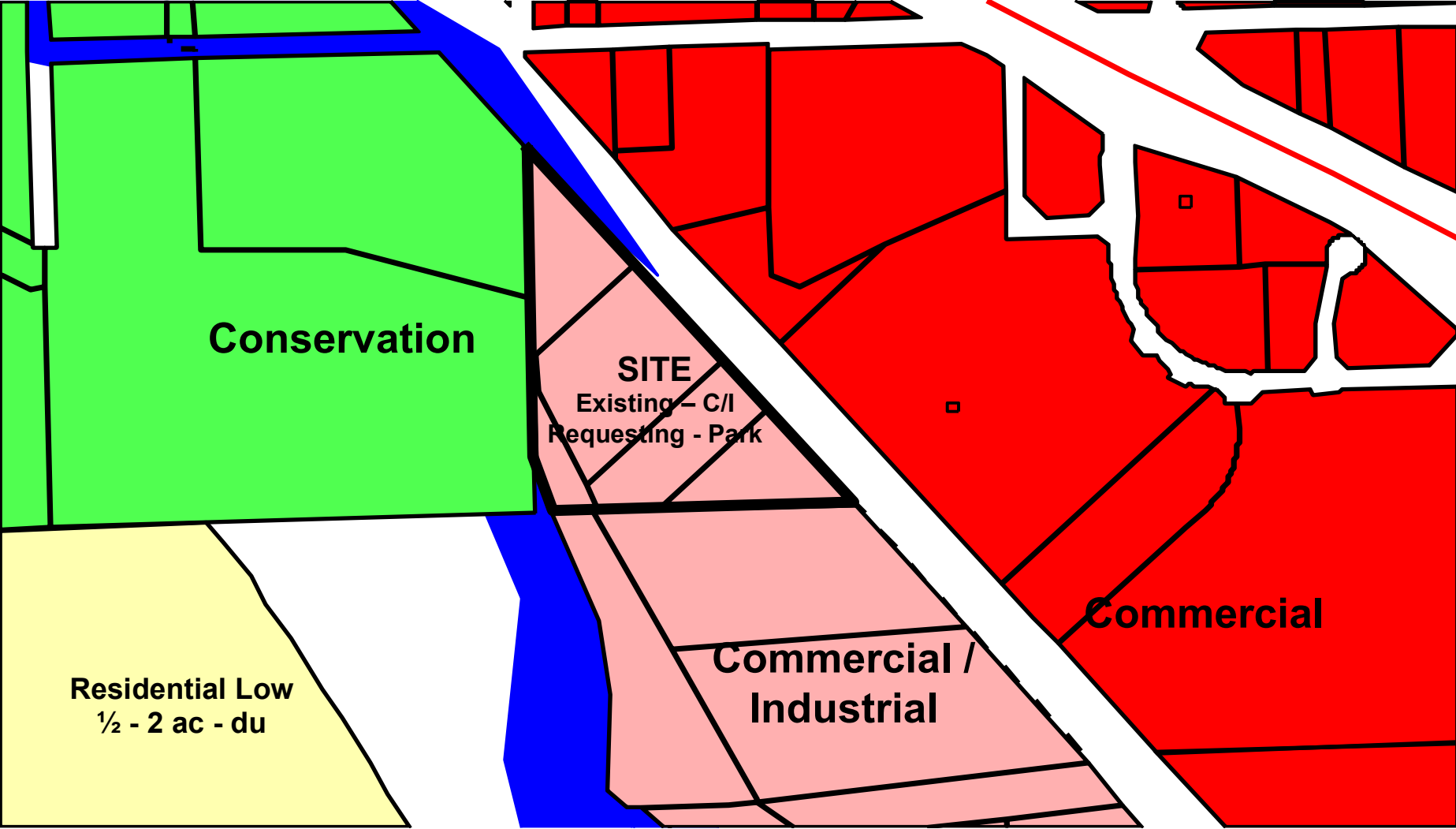
Figure 2





# Future Land Use Map

Figure 3



**CITY OF GRAND JUNCTION, COLORADO**

**RESOLUTION NO. \_\_-04**

**A RESOLUTION AMENDING THE CITY OF GRAND JUNCTION GROWTH PLAN  
FUTURE LAND USE MAP TO RE-DESIGNATE APPROXIMATELY 10 ACRES  
LOCATED GENERALLY AT 2515 RIVER ROAD FROM COMMERCIAL /  
INDUSTRIAL TO PARK**

Recitals:

A request for the Growth Plan amendment has been submitted in accordance with the Zoning and Development Code to the City of Grand Junction. The applicant has requested that approximately 10 acres located generally at 2515 River Road be designated as Park on the Future Land Use Map.

In a public hearing, the City Council reviewed the request for the proposed Growth Plan amendment and determined that it satisfied the criteria as set forth and established in Section 2.5.C of the Zoning and Development Code and the proposed amendment is consistent with the purpose and intent of the Growth Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE GRAND JUNCTION GROWTH PLAN IS AMENDED IN THE FOLLOWING WAY:

That approximately 10 acres of property, located generally at 2515 River Road, is designated as Park on the Future Land Use Map. The boundary description of the area being more fully described as follows:

Parcel No. 1: All of Lot 1 of Redco Industrial Park, situate in the SW 1/4 of the SW 1/4 of Section 10, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, as recorded in Plat Book 13 at Page 16 in the office of the Mesa County Clerk and Recorder, EXCEPT that parcel of land conveyed to the City of Grand Junction by instrument recorded in Book 2040 at Page 524, AND ALSO EXCEPT right-of-way for River Road conveyed to the City of Grand Junction by instrument recorded in Book 3670 at Pages 660 through 665; and also

Parcel No. 2: All of Lot 2 of Redco Industrial Park, situate in the SW 1/4 of the SW 1/4 of Section 10, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, as recorded in Plat Book 13 at Page 16 in the office of the Mesa County Clerk and Recorder, EXCEPT that parcel of land conveyed to the City of Grand Junction by instrument recorded in Book 2040 at Page 524 AND ALSO EXCEPT right-of-way for River Road conveyed to the City of Grand Junction by instrument recorded in Book 3670 at Pages 660 through 665; and also

Parcel No. 3: All of Lot 3 of Redco Industrial Park, situate in the SW 1/4 of the SW 1/4 of Section 10, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, as recorded in Plat Book 13 at Page 16 in the office of the Mesa County Clerk and Recorder, EXCEPT that parcel of land conveyed to the City of Grand Junction by instrument recorded in Book 2040 at Page 524 AND ALSO EXCEPT right-of-way for River Road conveyed to the City of Grand Junction by instrument recorded in Book 3670 at Pages 660 through 665; and also

Parcel No. 4: All of Lot 4 of Redco Industrial Park, situate in the SW 1/4 of the SW 1/4 of Section 10, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, as recorded in Plat Book 13 at Page 16 in the office of the Mesa County Clerk and Recorder, EXCEPT right-of-way for River Road conveyed to the City of Grand Junction by instrument recorded in Book 3670 at Pages 660 through 665; and also

Parcel No. 5: A parcel of land situated in the SW 1/4 SW 1/4 of Section 10, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado, being more particularly described as follows: Commencing at a found Mesa County Survey Marker for the S 1/16 corner on the West boundary of said Section 10; thence S 00o02'41" E along the West line of said Section 10 a distance of 294.66 feet to the Point of Beginning; thence leaving the West line of said Section 10, S 41o18'34" E along the Southerly right-of-way line for River Road a distance of 437.42 feet to the Northernmost corner of Redco Industrial Park as recorded in Plat Book 13 at Page 16 in the office of the Mesa County Clerk and Recorder; thence S 49o05'00" W along the Northerly boundary line of Redco Industrial Park a distance of 381.52 feet to the Northwest corner of Redco Industrial Park, said point being on the West line of said Section 10; thence N 00o02'41" W along the West line of said Section 10 a distance of 578.45 feet to the Point of Beginning, EXCEPT right-of-way for River Road conveyed to the City of Grand Junction by instrument recorded in Book 3670 at Pages 660 through 665; and also

that part of SW1/4, SW1/4 of SEC 10, T1S, R1W, lying South & West of a line described in Book 2040, Pages 524 & 525, Mesa County, Colorado Records.

PASSED on this \_\_\_\_ day of \_\_\_\_\_, 2004.

---

President of Council

ATTEST:

\_\_\_\_\_  
City Clerk

**Attach 16**  
**Public Hearing – Rezoning the Ice Skating Inc. Property**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Rezoning the Ice Skating Inc property, located at 2515 River Road, from I-1 (Light Industrial) to CSR (Community Services & Recreation)					
<b>Meeting Date</b>	September 15, 2004					
<b>Date Prepared</b>	September 7, 2004				File #RZ-2004-125	
<b>Author</b>	Senta L. Costello		Associate Planner			
<b>Presenter Name</b>	Senta L. Costello		Associate Planner			
<b>Report results back to Council</b>	X	No		Yes	<b>When</b>	
<b>Citizen Presentation</b>		Yes	X	No	<b>Name</b>	
	<b>Workshop</b>	X	<b>Formal Agenda</b>			<b>Consent</b> X <b>Individual Consideration</b>

**Summary:** Hold a public hearing and consider final passage of the zoning ordinance to rezone the Ice Skating Inc property from I-1 (Light Industrial) to CSR (Community Services & Recreation), located at 2515 River Rd.

**Budget:** N/A

**Action Requested/Recommendation:** Hold a public hearing and consider final passage of the zoning ordinance.

**Background Information:** See attached Staff Report/Background Information

**Attachments:**

- 51. Staff report/Background information
- 52. General Location Map
- 53. Aerial Photo
- 54. Growth Plan Map
- 55. Zoning Map
- 56. Annexation map
- 57. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION				
<b>Location:</b>		2515 River Road		
<b>Applicants:</b>		Owner: Ice Skating, Inc – Curt Maki Representative: Blythe Design – Roy Blythe		
<b>Existing Land Use:</b>		Vacant		
<b>Proposed Land Use:</b>		Ice Skating Rink		
<b>Surrounding Land Use:</b>	<b>North</b>	Truck depot		
	<b>South</b>	Industrial storage		
	<b>East</b>	River Road, Railroad, Rimrock shopping center		
	<b>West</b>	Colorado River		
<b>Existing Zoning:</b>		I-1		
<b>Proposed Zoning:</b>		CSR		
<b>Surrounding Zoning:</b>	<b>North</b>	C-2		
	<b>South</b>	I-2		
	<b>East</b>	C-2		
	<b>West</b>	CSR / County AFT (RSF-R)		
<b>Growth Plan Designation:</b>		Park		
<b>Zoning within intensity range?</b>		<b>X</b>	<b>Yes</b>	<b>No</b>

**Staff Analysis:**

**Rezoning:** The requested rezone to the CSR district is consistent with the Growth Plan Goals and Policies and the Future Land Use Map. The existing zoning is I-1.

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

Response: The zoning was not in error at time of adoption with the conditions that existed at the time. However, the Riverside Parkway was not planned at the time the zoning was put in place. Had it been, a different zoning category might have been chosen for this area.

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 transition, etc

Response: The character of the neighborhood is in transition. With the opening of the new family recreation facility, Bananas Fun Park, the area is becoming less

industrial in nature and more general commercial and recreational. Plans for the Riverside Parkway also create a gateway into the area that feels less industrial and is more pedestrian and bicycle friendly.

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

Response: 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 CSR 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 this Code and other City regulations and guidelines

Response: The requested CSR zone district implements Goal 11, Policy 11.2; Goal 13, Policy 13.2; Goal 20, Policy 20.2; and Goal 23, Policies 23.8, 23.10 of the Growth Plan and conforms with other adopted plans, Codes, 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

Response: Adequate public facilities are currently available and can address the impacts of development consistent with the CSR zone district.

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

Response: The CSR zone district exists in limited places within the City of Grand Junction and is specifically reserved to provide public and private recreational facilities, schools, fire stations, libraries, fairgrounds, and other public/institutional uses and facilities. This site will further the purposes of the CSR zone district.

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

Response: The CSR zone district exists in limited places within the City of Grand Junction and is specifically reserved to provide public and private recreational facilities, schools, fire stations, libraries, fairgrounds, and other public/institutional uses and facilities. This site will further the purposes of the CSR zone district.

## **STAFF RECOMMENDATION**

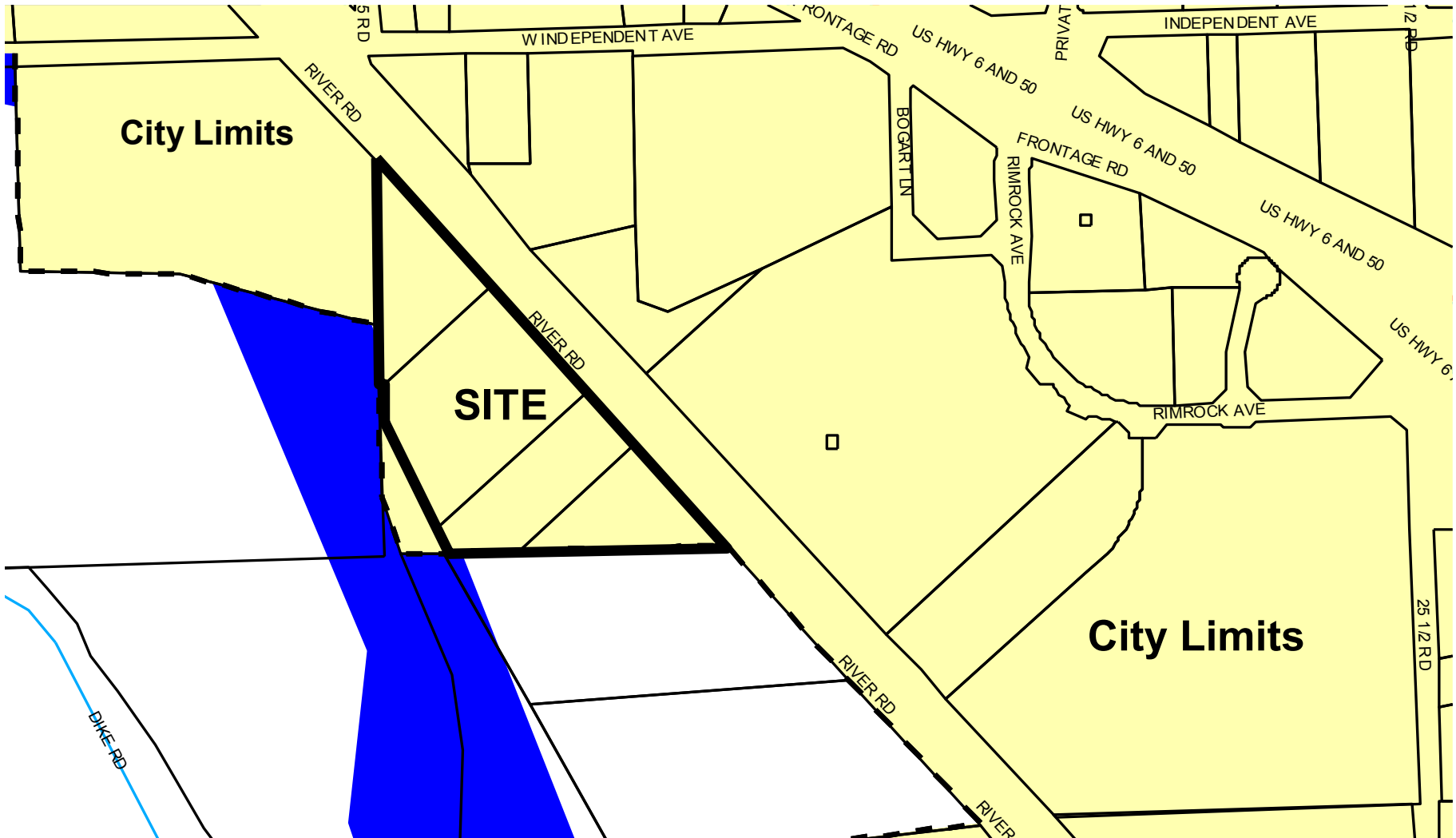
Staff recommends approval of the CSR zone district, with the finding that the proposed zone district is consistent with the Growth Plan and with Section 2.6 of the Zoning and Development Code.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission recommended approval of the requested rezone to the City Council, finding the zoning to the CSR district to be consistent with the Growth Plan and Section 2.6 the Zoning and Development Code.



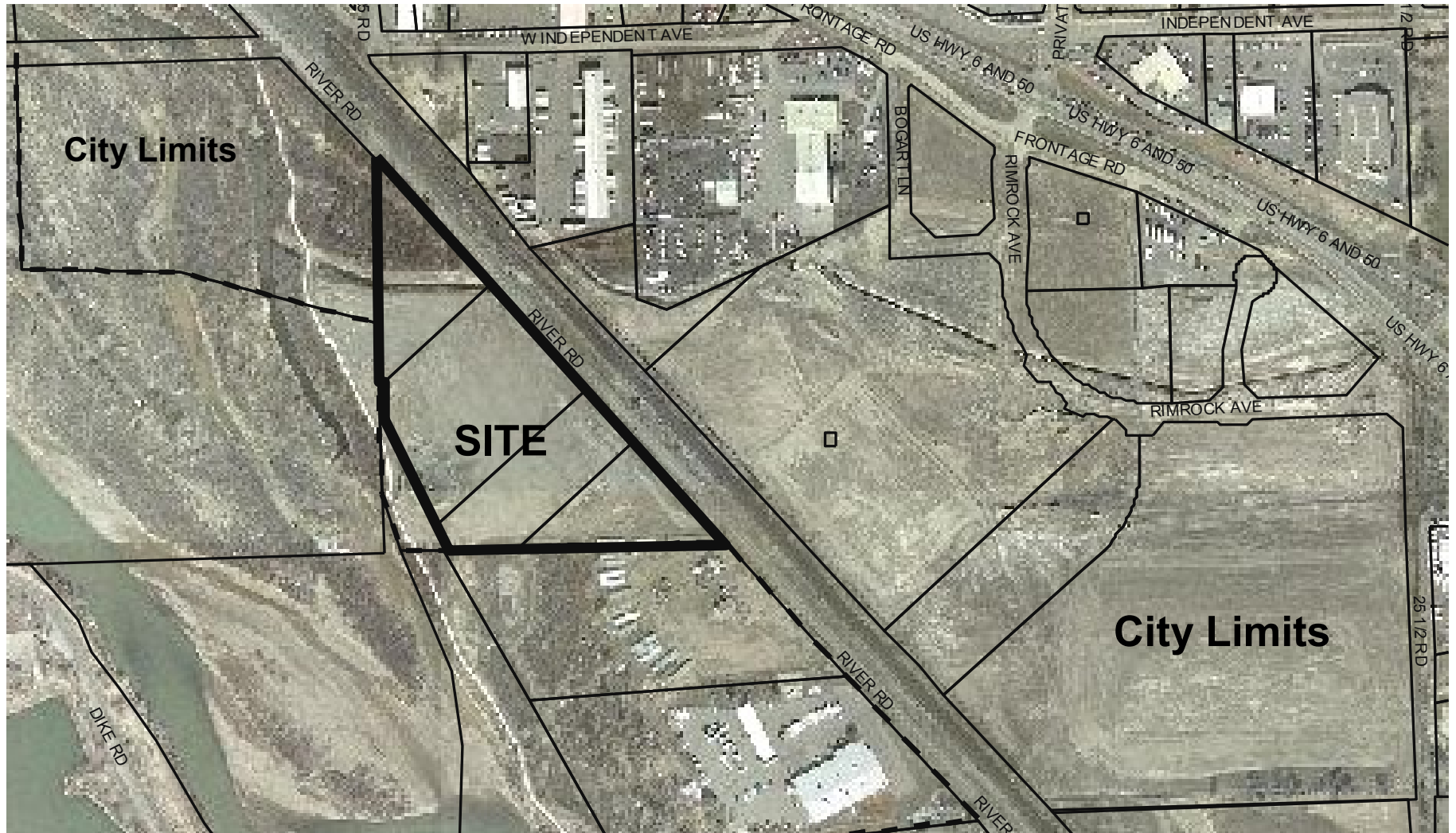
# Site Location Map

Figure 1



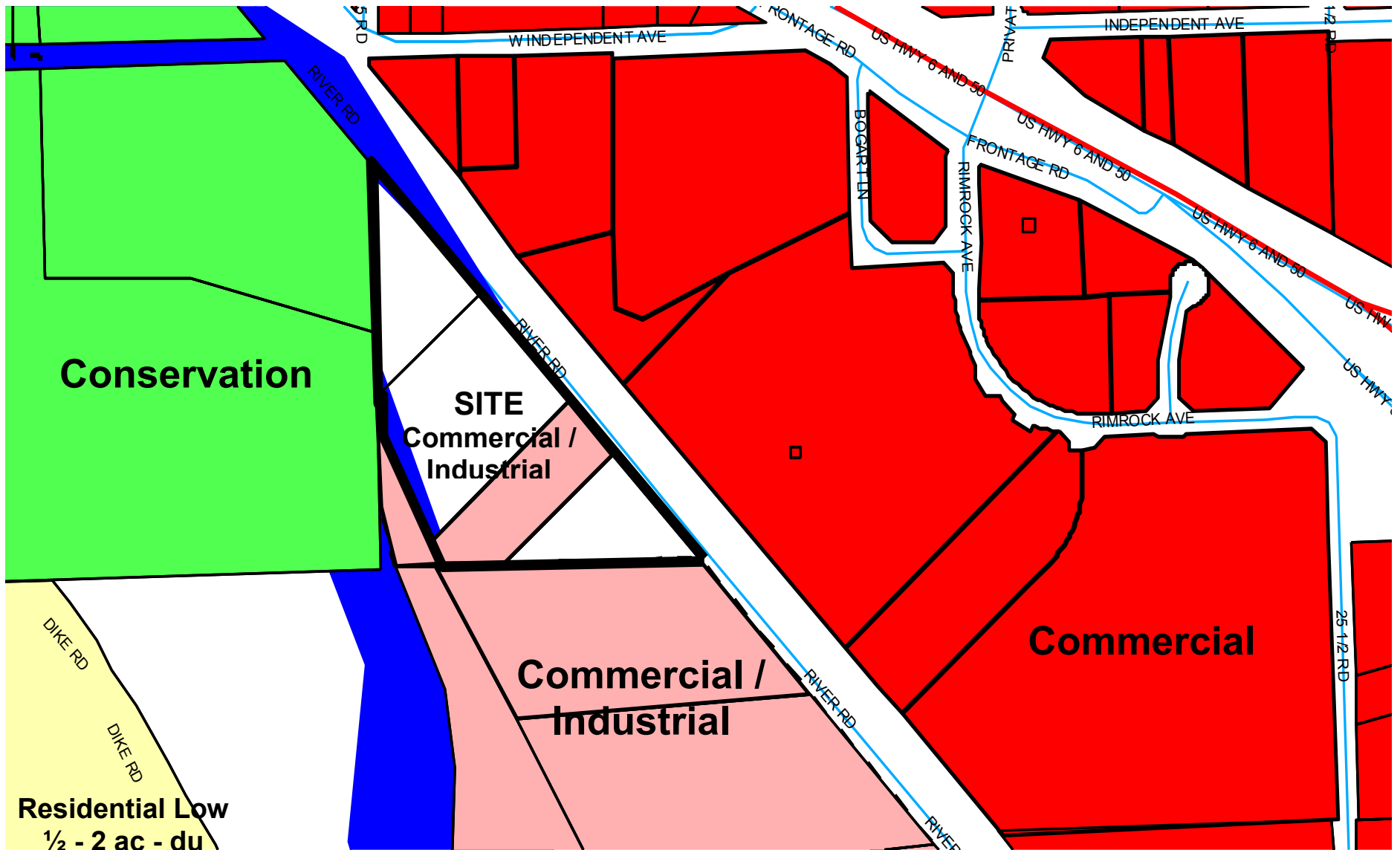
# Aerial Photo Map

Figure 2



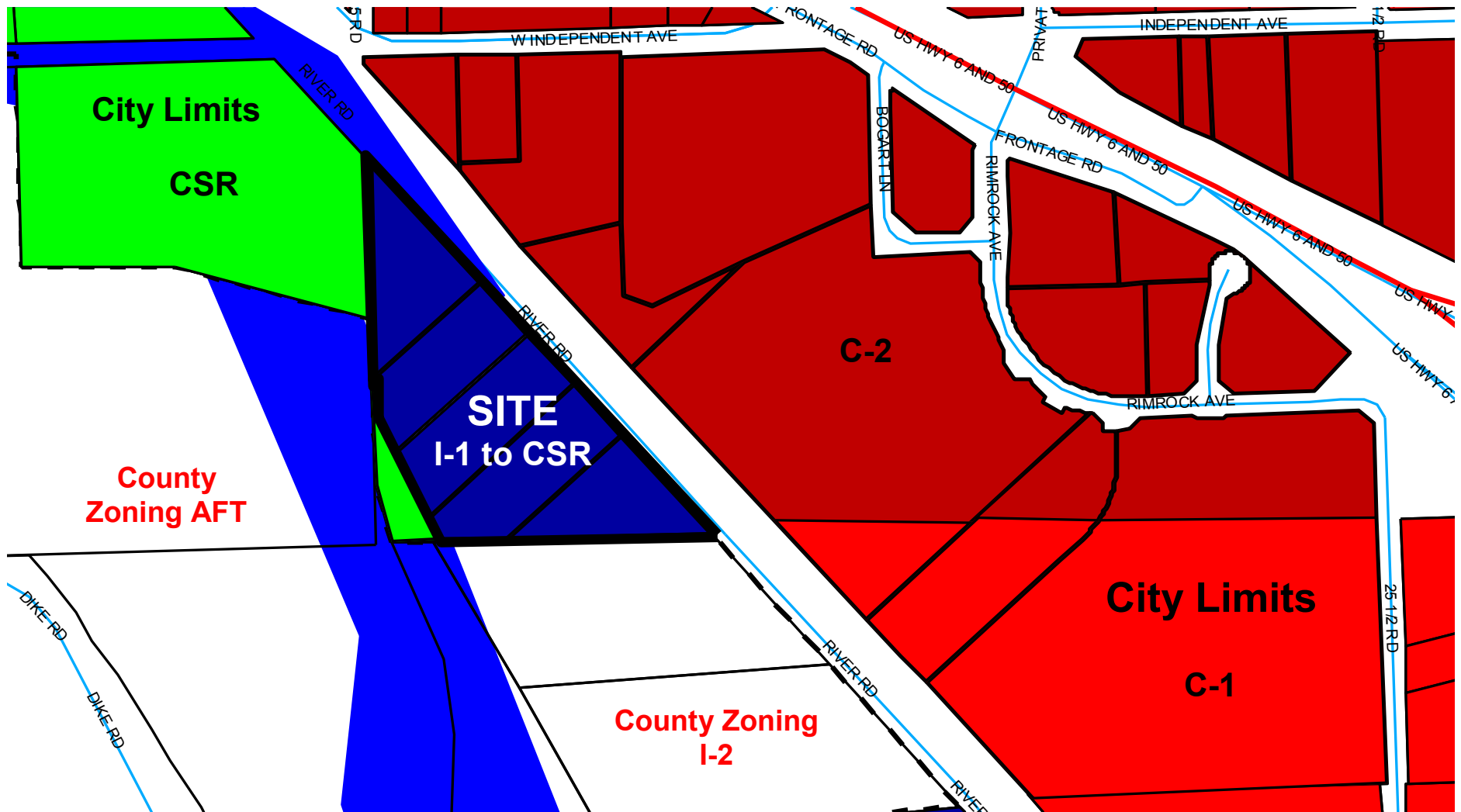
# Future Land Use Map

Figure 3



# Existing City and County Zoning

Figure 4



NOTE: Mesa County is currently in the process of updating their zoning map. Please contact Mesa County directly to determine parcels and the zoning thereof."

**CITY OF GRAND JUNCTION, COLORADO**

**ORDINANCE NO.**

**AN ORDINANCE REZONING THE ICE SKATING INC PROPERTY TO  
CSR (COMMUNITY SERVICES AND RECREATION)**

**LOCATED AT 2515 RIVER 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 Ice Skating Inc to the CSR 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 land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

The Planning Commission and City Council find that the CSR 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 **CSR (Community Services and Recreation)**.

**Parcel No. 1:** All of Lot 1 of Redco Industrial Park, situate in the SW ¼ of the SW ¼ of Section 10, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, as recorded in Plat Book 13 at Page 16 in the office of the Mesa County Clerk and Recorder, EXCEPT that parcel of land conveyed to the City of Grand Junction by instrument recorded in Book 2040 at Page 524, AND ALSO EXCEPT right-of-way for River Road conveyed to the City of Grand Junction by instrument recorded in Book 3670 at Pages 660 through 665; and also

**Parcel No. 2:** All of Lot 2 of Redco Industrial Park, situate in the SW ¼ of the SW ¼ of Section 10, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, as recorded in Plat Book 13 at Page 16 in the office of the Mesa County Clerk and Recorder, EXCEPT that parcel of land

conveyed to the City of Grand Junction by instrument recorded in Book 2040 at Page 524 AND ALSO EXCEPT right-of-way for River Road conveyed to the City of Grand Junction by instrument recorded in Book 3670 at Pages 660 through 665; and also

**Parcel No. 3:** All of Lot 3 of Redco Industrial Park, situate in the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 10, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, as recorded in Plat Book 13 at Page 16 in the office of the Mesa County Clerk and Recorder, EXCEPT that parcel of land conveyed to the City of Grand Junction by instrument recorded in Book 2040 at Page 524 AND ALSO EXCEPT right-of-way for River Road conveyed to the City of Grand Junction by instrument recorded in Book 3670 at Pages 660 through 665; and also

**Parcel No. 4:** All of Lot 4 of Redco Industrial Park, situate in the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 10, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, County of Mesa, State of Colorado, as recorded in Plat Book 13 at Page 16 in the office of the Mesa County Clerk and Recorder, EXCEPT right-of-way for River Road conveyed to the City of Grand Junction by instrument recorded in Book 3670 at Pages 660 through 665; and also

**Parcel No. 5:** A parcel of land situated in the SW  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 10, Township 1 South, Range 1 West of the Ute Meridian, Mesa County, Colorado, being more particularly described as follows: Commencing at a found Mesa County Survey Marker for the S  $\frac{1}{16}$  corner on the West boundary of said Section 10; thence S  $00^{\circ}02'41''$  E along the West line of said Section 10 a distance of 294.66 feet to the Point of Beginning; thence leaving the West line of said Section 10, S  $41^{\circ}18'34''$  E along the Southerly right-of-way line for River Road a distance of 437.42 feet to the Northernmost corner of Redco Industrial Park as recorded in Plat Book 13 at Page 16 in the office of the Mesa County Clerk and Recorder; thence S  $49^{\circ}05'00''$  W along the Northerly boundary line of Redco Industrial Park a distance of 381.52 feet to the Northwest corner of Redco Industrial Park, said point being on the West line of said Section 10; thence N  $00^{\circ}02'41''$  W along the West line of said Section 10 a distance of 578.45 feet to the Point of Beginning, EXCEPT right-of-way for River Road conveyed to the City of Grand Junction by instrument recorded in Book 3670 at Pages 660 through 665.

CONTAINING 9.4 Acres (409,464 Sq. Ft.), more or less, as described.

Introduced on first reading this 18<sup>th</sup> day of August, 2004 and ordered published.

Adopted on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**Attach 17**

**Appeal of the Record of a Variance Request for Palace Pointe  
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA									
<b>Subject</b>		Appeal of the Record of a Planning Commission Decision Regarding the Denial of a Variance Request – 2938 North Avenue – Palace Pointe Market Place							
<b>Meeting Date</b>		September 15, 2004							
<b>Date Prepared</b>		September 7, 2004			<b>File #VAR-2004-056</b>				
<b>Author</b>		Scott D. Peterson		Associate Planner					
<b>Presenter Name</b>		Scott D. Peterson		Associate Planner					
<b>Report results back to Council</b>		X	No		Yes	When			
<b>Citizen Presentation</b>			Yes	X	No	Name			
	<b>Workshop</b>	X		<b>Formal Agenda</b>			<b>Consent</b>	X	<b>Individual Consideration</b>

**Summary:** The appellant, North Avenue Center, LLC, wishes to appeal the Planning Commission’s decision of May 11, 2004 regarding the denial of their variance request of the Zoning & Development Code’s requirement to provide a six foot (6’) masonry wall between a C-1, Light Commercial and a RMF-8, Residential Multi-Family – 8 units/acre (County) Zoning District. This appeal is per Section 2.18 E. of the Zoning & Development Code which specifies that the City Council is the appellant body of the Planning Commission.

**Action Requested/Recommendation:** Review the appeal of the appellant.

**Background Information:** See attached Background Information.



## **Background Information:**

As part of the approval of the Palace Pointe site plan for property located at 2938 North Avenue, the applicant was required to build a masonry wall on the property line between the subject property and adjoining residential development to the north. The masonry wall was required consistent with Section 6.5.F.1 and Table 6.5 of the Zoning and Development Code even though a fence currently exists:

Section 6.5.F,1:

**Fences and Walls.** Nothing in this Code shall require the “back-to-back” placement of fences and /or walls. If an existing fence or wall substantially meets the requirements of this section, an additional fence on the adjacent developing property shall not be required.

Note that Table 6.5 specifically requires a Type A Buffer (an 8 foot wide landscape strip with trees and shrubs) and a wall between C-1, Light Commercial and a RMF-8, Residential Multi-Family – 8 units/acre (County) Zoning District

On May 11, 2004 the Planning Commission conducted a Public Hearing to consider the request for a Variance to the above requirement. At the Public Hearing, the Planning Commission received testimony from City staff, the applicant, North Avenue Center, LLC, and also residents from the adjacent residential condominium properties who voiced their opposition to the granting of the variance request (see transcript and Planning Commission background materials). The Planning Commission denied the variance request.

This appeal hearing is in accordance with Section 2.18 E. 4. h., of the Zoning & Development Code which states that the City Council shall review the record of the Planning Commission’s action. No new evidence or testimony may be presented, except that City staff may be asked to interpret materials contained in the record.

If the City Council would grant the appeal, the following approval criteria as expressed in Section 2.18 E. 1. of the Zoning & Development Code would have to be found:

- (1) The decision maker may have acted in a manner inconsistent with the provisions of this Code.
- (2) The decision maker may have made erroneous findings of fact based on the evidence and testimony on the record; or
- (3) The decision maker may have failed to fully consider mitigating measures or revisions offered by the applicant that would have brought the proposed project into compliance; or
- (4) The decision maker may have acted arbitrarily, acted capriciously, and/or abused its discretion; or

(5) In addition to one or more of the above findings, the appellate body shall find the appellant was present at the hearing during which the original decision was made or was otherwise on the official record concerning the development application.

Council received copies of the appeal and Planning Commission meeting transcript on August 12, 2004. In addition, a complete copy of the record for this project was made available for both Council and public review on August 11, 2004.

**Attach 18**  
**Adopting the Implementation of the Infill/Redevelopment Program**  
**CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
<b>Subject</b>	Implementation of the Infill / Redevelopment Program					
<b>Meeting Date</b>	September 15, 2004					
<b>Date Prepared</b>	December 16, 2011				<b>File #</b>	
<b>Author</b>	Bob Blanchard			<b>Community Development Director</b>		
<b>Presenter Name</b>	Bob Blanchard			<b>Community Development Director</b>		
<b>Report results back to Council</b>	X	<b>No</b>		<b>Yes</b>	<b>When</b>	
<b>Citizen Presentation</b>		<b>Yes</b>	X	<b>No</b>	<b>Name</b>	
	<b>Workshop</b>	X		<b>Formal Agenda</b>		<b>Consent</b> X <b>Individual Consideration</b>

**Summary:** In September, 2002, City Council approved an infill / redevelopment policy which consisted of definitions of “Infill,” “Redevelopment,” and “Redevelopment Area.” Early in 2003, the policy was formally adopted as part of the Growth Plan update.

Following that, Leslie Bethel Design and Planning was contracted to develop an implementation program. Working with Council and the Planning Commission, the final implementation report was completed in March, 2004. This proposed resolution adopts Council’s direction provided at the July 19, 2004 workshop at which time the definitions were reaffirmed and the proposed infill and redevelopment area maps, proposed incentives and the information required of applicants were approved.

**Action Requested/Recommendation:** Adopt the proposed resolution, adopting an infill/redevelopment implementation program, the boundaries of the proposed infill and redevelopment areas, the proposed incentives and the list of application information.

**Background Information:** See attached Staff Report/Background Information

**Attachments:**

- Proposed Infill Area map – **Attachment 2**
- Proposed Redevelopment Area map – **Attachment 3**
- Proposed Incentives (forms of City involvement) – **Attachment 4**
- Proposed information to be provided by applicants (review criteria) – **Attachment 5**
- Citizen Comments (Jody Kole, Grand Junction Housing Authority; Tom Dixon, Rolland Engineering; John Elmer) – **Attachment 6**
- Proposed Resolution adopting an infill/redevelopment implementation program

## **Background:**

In early 2003, as part of the Growth Plan Update, Council formally adopted the Infill and Redevelopment Policy that had been prepared by Clarion Associates. The policy includes definitions, policies and supporting guidelines. Following that, Leslie Bethel Design and Planning was contracted to develop implementation recommendations. Three work sessions with City Council and the Planning Commission resulted in implementation recommendations contained in a report titled: Infill And Redevelopment Policy Implementation, Final Report. Based on Council direction at a July 19, 2004 workshop, the attached resolution, maps, list of possible incentives and a list of required applicant information were prepared for adoption.

## Definitions

Primary to the development of implementation recommendations are definitions. Council approved the following definitions for “Infill”, “Redevelopment” and “Redevelopment Area” with the acceptance of the original policy document:

“**Infill**” development means: The development of a vacant parcel, or an assemblage of vacant parcels, within an established area of the City, and which is bordered along at least three-quarters of the parcel’s, or combined parcels’, perimeter by developed land. In addition, such parcel generally has utilities and street access available adjacent to the parcel, and has other public services and facilities available near-by. Generally, these sites are vacant because they were once considered of insufficient size for development, because an existing building(s) located on the site was demolished, or because there were other, more desirable or less costly sites for development. (For purposes of this definition, ‘developed land’ shall not include land used for agriculture, as “agriculture” is described in Section 9.27 of the Grand Junction Zoning and Development Code.)

“**Redevelopment**” means: Any development within a **Redevelopment Area**, including—in whole or in part—clearance, replanning, reconstruction, or rehabilitation, and the provision for industrial, commercial, residential, or public spaces and any incidental or appurtenant facilities, as appropriate.

A “**Redevelopment Area**” means: An area in transition, the boundaries of which may be more specifically defined and/or mapped by the City. Such area shall be comprised of not less than two acres, and shall contain buildings, improvements, or vacant lots that fail to exhibit an appropriate use of land or fail to generate housing, retail, or employment opportunities

commensurate with the area's physical capacity and the planned use of the area as defined by Growth Plan.

## **Maps**

Attachments 2 and 3 are the proposed maps that identify the specific boundaries of the infill and redevelopment areas. The adopted policies and implementation measures will only apply within these areas. Boundaries for both maps are parcel specific.

## **Options For City Involvement (Incentives)**

Nine possible incentives are being recommended at this time (see Attachment 4). These range from an expedited review process with a single point of contact (one individual within the City to monitor the progress of the development review process) to the City assisting with assemblage of land for redevelopment. Applicants would request one or more incentives for a specific development proposal with Council reviewing detailed information from the applicant (see Attachment 5).

Two incentives are process based: expedited development review (regardless of the complexity of the application) and providing assistance to ensure timely City agency review of a proposed development via a single point of contact. At the Council workshop, staff was recommending that these incentives be automatic for any application within the mapped areas, even without application. However, based on the ongoing development review workload, it is not recommended that these be grouped with the other incentives and be the subject of an application.

## **Submittal and Review Process**

Because the proposed boundaries are specific, it will be clear whether potential developments are within eligible areas or not. If they are, information will be provided by Community Development staff during initial discussions with developers. That information will include the adopted policy, the list of evaluation criteria and information requirements to be provided by the applicant, and the list of possible incentives. It will be incumbent on the applicant to make application through the Community Development Department.

A review team including representatives from the following Departments will be formed:

- City Manager's Office
- Community Development Department
- Public Works and Utilities
- Administrative Services

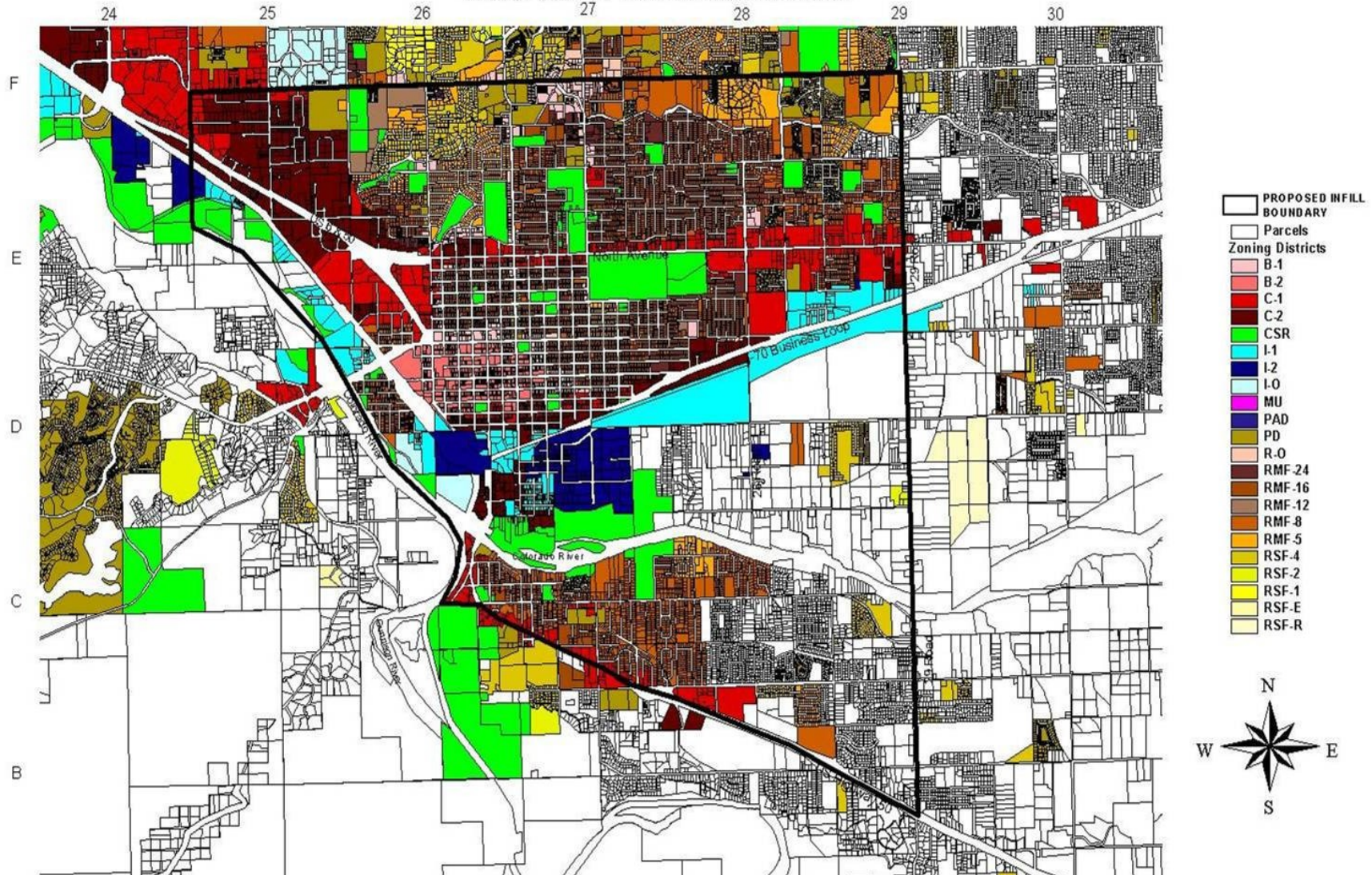
This team will review information provided by an applicant and make a recommendation to the City Council regarding the provision of a requested incentive.

An applicant may apply before or during development review or within a specified time period after a project has been approved.

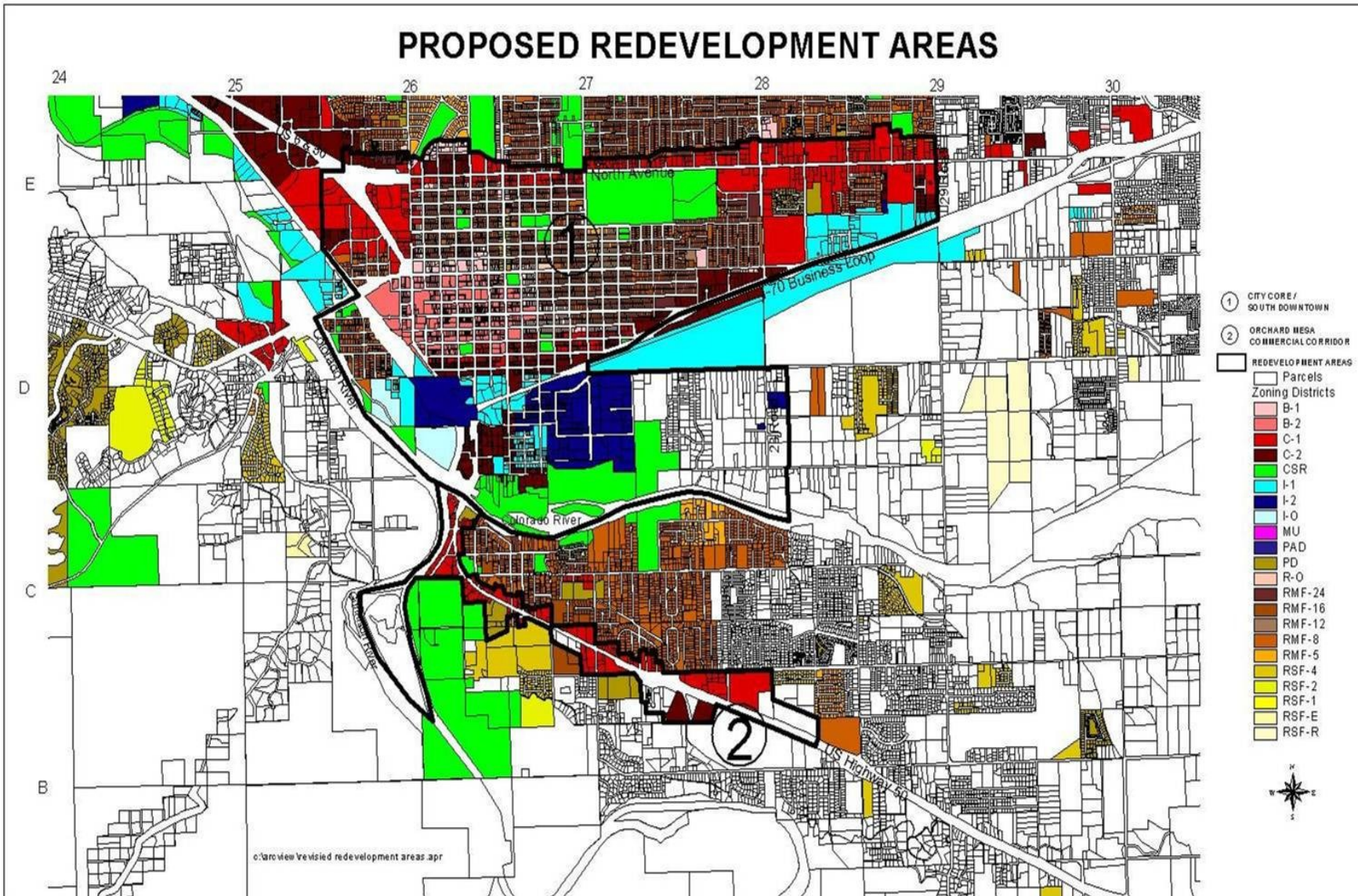
### **Public Review and Comment**

Two opportunities for public review of the Infill and Redevelopment Policy Implementation Report were provided: during March and April of this year prior to the Council workshop and during August. Three comments were received and are included in Attachment 6.

### PROPOSED INFILL BOUNDARY



# PROPOSED REDEVELOPMENT AREAS





## Potential Forms of City Involvement

1. Expedited development review process
2. Assistance with city agency review
3. Deferral of fees (examples may include permitting fees, tap fees and impact fees)
4. Density bonuses for residential projects
5. Proactive city improvements – i.e. “prime the pump” by investing in various city improvements prior to any private development commitment
  - a. Targeting the use of the Transportation Capacity Payment (TCP) funds
  - b. City initiated Limited Improvement District (LID), Business Improvement District (BID), General Improvement District (GID)
  - c. Reimbursement agreements either with the developer or the City (based on incremental development)
  - d. Shuffling priorities within the CIP (within a 3 year bracket, example: storm drainage improvements)
6. Financial participation - because many desired projects are not viable without city participation and/or to reduce the relative land cost for redevelopment versus vacant property
7. Contribution to enhancements / upgrades versus typical standards (for instance upgrading a split face block building treatment to a stone building treatment.)
8. Off-site city improvements required by Code – access, under grounding of utilities, streetscape, etc.
9. City assemblage of development parcels for redevelopment bids

## Criteria for Evaluating Potential City Involvement in Infill and Redevelopment Projects

- 1) Is the site within City's geographically mapped area?
- 2) Does the site meet the definition of "Infill" or "Redevelopment?"
- 3) Describe how the site is compatible with the surrounding area and meets community values including compatibility with surrounding quality of design and site planning.
- 4) Describe the project's feasibility. This should include the developer's resume of experience, whether project financing is in place and, for non-residential projects, what tenant commitments are in place.
- 5) Within a distance of 1,000 feet, list any specific infrastructure projects planned and/or funded) by the City or any proposed off-site contributions anticipated by the proposed project that address existing deficiencies as defined by the City.
- 6) What is the level of sharing of City vs. private participation for specific enhancement request or code requirements?
- 7) Does the proposed project include a mixture of uses? If so, describe the types and percentage.
- 8) Is the proposed project part of an economic development recruitment.
- 9) Will the proposed project preserve or enhance any historic structure or site? Has the structure / site been inventoried by the City?
- 10) Does the proposed project include an affordable housing element? If so, provide details including how the project meets different HUD definitions for affordable housing.
- 11) Does the proposed project go beyond current Code requirements and provide enhanced architectural and design elements?

**From:** "Jody Kole" <jkole@gjha.org>  
**To:** <bobbl@gjcity.org>  
**Date:** 4/2/04 2:39PM  
**Subject:** Infill & Redevelopment Policy Implementation

Bob -

Thanks for sharing with me the Proposed Policy Implementation documents. I appreciate the opportunity for input.

Overall, I like it, though it looks like a "soft" policy document that retains maximum flexibility & discretion to City Council. My concern in this area, particularly as it may relate to affordable housing, is the apparent lack of predictability. Typically, in the affordable housing arena, a local commitment needs to be on the table first, to be able to leverage outside resources. Providers of grants, loans, and equity for these developments want first to see evidence of a strong local government investment prior to their review of a request. Timing can be critical. Infill & redevelopment projects already have significant hurdles. If a proposed development needs to make its way 95% through the development review process before serious consideration is given to City incentives, the policy will not provide a significant incentive, in my opinion.

In the Criteria for evaluating Potential City Involvement in Infill & Redevelopment Projects, Tier III --- What is anticipated in the Affordable Housing Bonus Criteria? How might that play into the overall consideration?

In Infill developments, I'd encourage consideration of reducing the connectivity standards. Our experience with the TEDS was not a happy one. It added considerable cost to our development ( over \$100,000 ), with minimal benefit to the neighborhood, in my opinion.

I like the concept of an expedited review. Again, our most recent experience, even with an honest attempt on the part of most City staff to expedite the reviews, consumed nearly a year.

Might you look at any improvements in the area of defining "compatibility"? It seems that an existing neighbor with a zoning or use that is even slightly different from a new proposed use has wide latitude in claiming incompatibility, & working to derail any new development. Perhaps there are clear definitions of "compatible" somewhere within the code, but I have not seen them.

That's all that comes to mind on the first review. If anything else surfaces, I'll let you know.

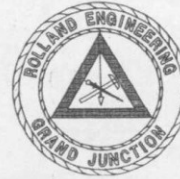
Thanks,

Jody Kole  
Grand Junction Housing Authority

---

# ROLLAND ENGINEERING

405 RIDGES BOULEVARD, SUITE A  
GRAND JUNCTION, COLORADO 81503  
Phone: (970) 243-8300 • Fax (970) 241-1273  
E-Mail: rolleng@bresnan.net



August 11, 2004

Bob Blanchard, AICP  
Community Development Director  
City of Grand Junction  
250 North 5<sup>th</sup> Street  
Grand Junction, CO 81501

RECEIVED

AUG 11 2004

COMMUNITY DEVELOPMENT  
DEPT.

Subject: Comments on Infill & Redevelopment Policy

Dear Bob:

As a private sector professional involved with the City's development and growth, I offer the following perspectives on the Infill and Redevelopment Policy Implementation document being considered for adoption by the City Council. I believe the City's commitment to encouraging and accommodating infill and redevelopment opportunities is a mature and progressive effort to address a long neglected issue in Grand Junction. As you well know, this has been an enduring subject within the land use and planning profession for many years and for the numerous communities that have engaged in some form of infill program, there is a mixed record of successes and failures. The effort to maintain such a policy will have to be a long-term commitment on the part of the City and particularly the Community Development Department. Otherwise, there will be waning support over time to promote such a policy due to the many challenges and difficulties infill and redevelopment efforts can involve. The following comments are my assessments and opinions.

## Criteria for Evaluating Potential City Involvement in Infill and Redevelopment Projects

Tier I – The map covers the urban core and beyond. However, there are numerous sites just north of Patterson Road and in the Redlands that could or should be considered with equivalent regard for infill. Although these sites may not need to qualify for financial assistance, issues such as compatibility, especially when creative design efforts such as attached housing or mixed housing types are introduced, often create issues for nearby neighbors. A commitment to truly promoting flexibility in design and a wider range of housing types is important for infill to occur in these fringe areas. Despite neighboring residents' claims of decreased property values for creative design and development, this has rarely been the case in Grand Junction based on appraisal records. The most relevant factor here is ensuring an appropriate level of quality more than the type of housing. As far as providing financial incentives, the mapped area appears to be proper.

Infill & Redev letter.doc

Tier II – The project feasibility description is somewhat vague. What is being looked for in the developer's resume of experience? If previous development of infill sites is required, then the pool of available local developers is going to be quite small. In most instances of available infill opportunities, sites are often constrained and have inherent problems. There should be a real effort to encourage local builders and developers to take on such sites. This may involve City staff working in closer association with the local development community than would typically be the case, at least on selective sites. However, the long-term success of the proposed infill policy is more likely to occur if an assortment of local builders and other interests can undertake infill development and gain experience in this kind of construction. An outside developer with infill development experience may come in on a one-time basis but it is in the City's interest to help create, or at least assist, local development expertise in this type of program. The ultimate result could produce a segment of the local development community specializing in infill projects. Redevelopment sites are a different situation and out-of-area developers would probably be equally or more inclined to take on such sites especially if they are commercial or industrial.

Tier III – Enhanced architecture is always a value-added component to a project and can potentially reduce issues that arise with neighborhood compatibility. But, if this is a bonus criteria then superior landscaping design should also be given consideration for bonus criteria. A landscaped project that is clearly distinctive is also a value-added component for integration into an existing neighborhood and has the ability to become a distinctive addition to the area.

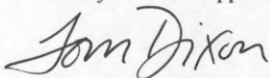
#### Potential Forms of City Involvement

1. The concern here is, if an expedited process is available for review of infill projects, why isn't such a process available for other projects that have value for the City's development? In my experience, an expedited review process is less important to a project than the element of certainty and knowing that something will be able to happen without a lot of surprises.
2. Assistance with city agency review should be part of every project not just infill or other "special" development situations.
3. Reducing and/or subsidizing development costs, particularly tap fees or impacts fees, are an enormous incentive to attract infill and redevelopment projects. The development community is usually (or at least sometimes) supportive of this notion when it is done in a specified area, as has been delineated on the infill boundary map, or for a restricted type of development such as affordable housing.
4. Density bonuses, while theoretically an added incentive, often fall apart when neighbors

protest. Unless density bonuses can be absolutely guaranteed at the start of a project, it should not be suggested. Several local developers have encountered difficulties with getting approvals in the past when seeking increased densities and are probably not inclined to pursue such an option in the future without evidence that the approach to getting density increases has truly changed. For some, this will take an approval track record of several years.

5. Proactive city improvements are probably most valuable for redevelopment sites especially if access limitations or drainage problems affect the value and potential for re-working a site. Proactive city improvements projecting future development trends, however, do not always pan out as other cities have discovered. Helping to secure improved access to a site, whether an infill or redevelopment site, can usually give the greatest opportunity for attracting interest, other factors being equal. This may sometimes require the city staff to facilitate access issues between neighboring properties to increase the possibility of a site being redeveloped.
6. The City's assistance in assembling parcels into developable units may be required in some instances and should occur when necessary for prospective projects that otherwise would not occur.
7. Financial participation is always a great incentive but there is probably limited resources for such a program. This type of assistance may need to be restricted to certain types of development such as affordable housing or specific locations (Orchard Mesa, Riverside, etc.).
8. Any type of contribution that results in enhanced development needs to be specified and known up front for a project. In some cases, it may add to a project's design but probably will not be a significant inducement for infill or redevelopment projects relative to other possibilities such as a reduction or elimination of tap fees.
9. Other than access improvements, other off-site improvements may not reap the expected incentives and benefits for infill and redevelopment sites unless it is in conjunction with an actual development project.
10. A "private tax" will be viewed as an additional tax and will probably not get widespread support from the community.

Thank you for the opportunity to share my thoughts.



Tom Dixon, AICP

Infill & Redev letter.doc

**Bob Blanchard - Fw: Comments on Infill and Redevelopment Policy**

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**From:** "l.elmer" <l.elmer@bresnan.net>  
**To:** "bob BLANCHARD" <bobbl@gjcity.org>  
**Date:** 8/25/2004 9:56 PM  
**Subject:** Fw: Comments on Infill and Redevelopment Policy

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I'll try sending it again.  
----- Original Message -----

**From:** l.elmer  
**To:** bobbl@gjcity.or  
**Sent:** Friday, August 20, 2004 3:09 PM  
**Subject:** Comments on Infill and Redevelopment Policy

Bob, thanks for the reminder to look at the Policy. I'm not sure I really read through it back in March.

My comments are as follows:

General-The policy as stated basically treats redevelopment and infill the same. If I read it correctly, the whole purpose is to define when the city will become more involved and/or use incentives. If this is the case, I think the city should have more specific goals to pursue when supporting a project, such as though listed in Tier III matrix listed on page 4. These are all types of projects (except item 13) which would enhance city goals and justify incentives.

What isn't clear to me, is if someone applies with a standard subdivision, and meets the general criteria in the definition of infill, would the city actually consider some incentive or form of involvement? If so, this seems totally inconsistent with current development trends located on the infill map. Why would the city want to encourage any more development on D road or Highway 6 and 50 west of First Street?

page 1-The definition of infill seems too broad. The use of the word "generally" means to me that the criteria might have to be met or not.

page 4- It's not clear to me the purpose of having 3 tiers of criteria for evaluating city involvement. Are all three tiers considered on all projects? The first are obviously go/no-go requirements (required).

-If the city is just expediting the process or just assisting in city review (the first two potential forms of city involvement), why would the city care about the developer's resume or finances (as stated in Tier 2), if all other city code criteria are met. The counter argument of course is what guarantees would the city ask for (which I don't see), if the city committed dollar resources. I would think you would want some payback guarantee like the economic development council requires.

-I think in Tier 3 it would make sense to have another item for meeting other city needs, as defined by the city, such as high density housing. Although this may go hand in hand with affordable housing, it isn't always the same. My point being if there is a real need for apartments or other form of zoning in the city, and it's a compatible use, wouldn't it also be worthy of city involvement?

-I also have a hard time seeing city involvement in enhanced architecture unless it was combined with other virtues on the list, and would help make a project more compatible. Although I don't personally object, and would love to see more than a metal building with a brick facade in this town, it seems contrary to how most people see how government funds should be used.

pg.5-I don't understand how the city will expedite the process without changing the code. If it's possible without changing the code, can it really happen? It seems like most projects will carry enough controversy that it will be hard to eliminate staff reviews or public meetings. (Despite public criticism, the process is already fairly streamlined!)

pg. 5- I don't understand Item 2 and how the city will assist in city agency review. You might elaborate. Does this mean more coordination between agencies, resolving differences between hearings, etc.?

Infill Map-It seems with the hotbed of activity west of First St. on Hwy 6 & 50, that infill development is occurring without city assistance. Why would the city want to encourage more development in these areas that are already rapidly developing? Are there particular parcels the staff has in mind? If so, you might want to target specific parcels, versus large geographic areas.

page 10-It seems like many developers will misinterpret and take advantage of the goals and policies although they are promoting standard developments, meeting straight zones, etc.

In closing, I support the idea of city involvement in targeted areas of redevelopment. I have a harder time with city involvement on infill. It seems in most cases infill development already has economic advantages because of existing infrastructure. If the city really wants to promote infill, it should have clearer priorities in mind, such as the type listed in Tier III matrix.

Call me or e-mail me back if you have any questions. Thanks for considering my comments.

John Elmer  
248-6356 (Work)



**CITY COUNCIL, CITY OF GRAND JUNCTION  
RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION ADOPTING AN INFILL/REDEVELOPMENT  
IMPLEMENTATION PROGRAM**

**Recitals:**

In September, 2002 the City Council reviewed and approved the framework of an infill and redevelopment program. At that time the Council considered definitions of the terms infill and redevelopment. This Resolution furthers that work by and through the adoption of an incentive program that will foster Infill and redevelopment projects as defined by the Council.

In accordance with the adopted definitions, "Infill" relates to vacant parcels partially encircled by development. "Redevelopment" or a "Redevelopment Area" is defined as land/land uses that are in transition and comprise at least two acres containing or consisting of improvements that do not meet current socioeconomic potential.

Implementation of a program to encourage development of Infill parcels and redevelopment of underutilized land within certain areas of the City of Grand Junction is beneficial for several reasons. Such development:

- Makes more efficient use of existing infrastructure including streets, water and sewer lines and other public facilities and services;
- Provides opportunities to reduce commuting distance/automobile dependency;
- May help to provide affordable housing within the City; and
- Reduces the demand for and impact from "end of the road" suburban sprawl.

Additionally, there are other plans and policies of the City that support and encourage the development of an Infill and Redevelopment strategy. Those include:

- The City Council's Strategic Plan 2002 -2012, Shelter and Housing Solution, which encourages affordable housing through infill and redevelopment policies. The objective of this goal was to create infill and redevelopment policies which were accomplished with the adoption of the Growth Plan update (Objective 32). This implementation program furthers the Strategic Plan Objective by providing several incentives that will

encourage the development of affordable housing by possible financial and processing assistance.

- Adoption of an Infill and Redevelopment Policy as part of the City of Grand Junction Growth Plan as amended in May, 2003. The Growth Plan element includes definitions, framework policies and supporting guidelines.

In furtherance of those goals both the City Council and the Planning Commission have:

- Developed a map outlining the boundaries of “Infill areas” within the City;
- Developed a map outlining the boundaries of “Redevelopment areas” within the City;
- Considered a list of criteria for evaluating potential City involvement in Infill and Redevelopment Projects; and
- Considered a list of potential forms of City involvement including possible incentives for private applicants in infill and redevelopment projects.

The City Council has concluded its review and has given direction to the Staff to implement a program so that there may be some flexibility when approached by a project, some opportunity for exploration of incentives and establishment of criteria for City involvement and/or participation on a case by case basis.

By adopting this resolution the Council adopts the attached policies and guidelines and affirms its direction that the Staff follow through with implementation.

Furthermore, the Council instructs the Staff to develop an application process for potential applicants in order that an applicant knows that the City has a plan in place for identifying areas for Infill and Redevelopment ,so that those owners know what is planned or possible and such that consistency and flexibility will be maintained in the policy.

For the reasons stated in the foregoing recitals, the City Council of the City of Grand Junction does hereby adopt the program to implement the infill and redevelopment portion of the Growth Plan including the attached Infill Area Map, Redevelopment Area Map, list of potential forms of City involvement (incentives) and list of criteria for evaluating potential City involvement in infill and redevelopment projects (review criteria).

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

The program for implementing the infill and redevelopment policies as outlined in the recitals and guidelines of the City of Grand Junction Growth Plan are hereby adopted.

PASSED AND ADOPTED this \_\_\_\_ day of September 2004 by the City Council of the City of Grand Junction.

ATTEST:

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Bruce Hill  
Mayor

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Stephanie Tuin  
City Clerk

**Attach 19**  
**EXECUTIVE SESSION**

**THE ATTACHMENT FOR THE  
EXECUTIVE SESSION  
IS LOCATED  
IN THE FRONT POCKET  
OF THE COUNCIL BINDERS**

**Attach 20**  
**Revolving Loan Fund of the Business Incubator Center**

**CITY OF GRAND JUNCTION**

<b>CITY COUNCIL AGENDA</b>						
<b>Subject</b>	Authorizing Support for the Revolving Loan Fund of the Business Incubator Center					
<b>Meeting Date</b>	September 15, 2004					
<b>Date Prepared</b>	September 14, 2004				<b>File #</b>	
<b>Author</b>	Ron Lappi			Administrative Services Director		
<b>Presenter Name</b>	Ron Lappi			Administrative Services Director		
<b>Report results back to Council</b>		<b>No</b>	<input checked="" type="checkbox"/>	<b>Yes</b>	<b>When</b>	Periodically
<b>Citizen Presentation</b>		<b>Yes</b>	<input checked="" type="checkbox"/>	<b>No</b>	<b>Name</b>	
	<b>Workshop</b>	<input checked="" type="checkbox"/>	<b>Formal Agenda</b>		<b>Consent</b>	<input checked="" type="checkbox"/> <b>Individual Consideration</b>

**Summary:** A Resolution of the City of Grand Junction that authorizes the expenditure of \$300,000 from the Economic Development Fund to help recapitalize the Business Incubator Revolving Loan Fund.

**Budget:** Sufficient funds are available in the current appropriations of the Economic Development of \$765,394 to fund this transfer to the Revolving Loan Fund.

**Action Requested/Recommendation:** Consider Approval of the proposed resolution.

**Attachments:** Proposed Resolution

**Background Information:** The Revolving Loan Fund of Mesa County has been assisting both startup and expanding businesses here in Mesa County since 1985. They have assisted usually with “gap” financing in coordination and cooperation with local banks. They have made 204 loans totaling \$9.5 million, while helping to retain or create 1329 jobs for our community. Because of strong loan demand locally they have asked the City to help partially recapitalize the Revolving Loan fund to allow them to continue to assist new and expanding local businesses. This is a very successful local economic development program and another tool available to assist small businesses.

**RESOLUTION NO \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE EXPENDITURE OF ECONOMIC DEVELOPMENT FUNDS TO RECAPITALIZE THE REVOLVING LOAN FUND OF MESA COUNTY**

**WHEREAS:** The Business Incubator Center has requested that the City of Grand Junction assist with the recapitalization of the Revolving Loan Fund (RLF) of Mesa County; and

**WHEREAS:** The RLF has been a very important and successful program in assisting startup and expanding local businesses; and

**WHEREAS:** The City's Economic Development Fund has available resources that could be used to assist the RLF to continue to make successful loans to small businesses; and

**WHEREAS:** The Chamber of Commerce and the Grand Junction Economic Partners support this request from the RLF.

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

- a) An expenditure to the Business Incubator Center of \$300,000 for the RLF is hereby approved.
- b) The Finance Director and City Manager are hereby directed to use funds available in the Economic Development Fund of the City for this expenditure.

**ADOPTED AND APPROVED THIS: 15<sup>TH</sup> day of September, 2004**

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President of the City Council

ATTEST:

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City Clerk