

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

WEDNESDAY, OCTOBER 20, 2004, 7:30 P.M.

CALL TO ORDER

Pledge of Allegiance
Invocation – Reverend Michael Torphy, Religious Science
Church of Grand Junction

PROCLAMATIONS / RECOGNITIONS

PROCLAIMING NOVEMBER, 2004 AS “HOSPICE MONTH” IN THE CITY OF GRAND
JUNCTION

PRESENTATION OF TWO AWARDS TO THE STREETS DIVISION FROM THE
COLORADO AMERICAN PUBLIC WORKS ASSOCIATION

PRESENTATION OF THE GOLD MEDAL AWARD TO THE PARKS AND RECREATION
DEPARTMENT FROM THE NATIONAL PARKS ASSOCIATION

PRESENTATION OF CERTIFICATES OF APPOINTMENTS

TO THE COMMISSION ON ARTS AND CULTURE

TO THE PLANNING COMMISSION

*****CITIZEN COMMENTS**

David Berry wants to address City Council about the landscaping requirements for
parking lots.

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

1. **Minutes of Previous Meetings**

[Attach 1](#)

*Action: Approve the Summary of the October 4, 2004 Workshop and the Minutes
of the October 6, 2004 Regular Meeting*

2. **Vacating a Portion of an Existing Utility and Irrigation Easement Located at 2860 North 15th Street (Treehaven Townhomes Subdivision)** [File # PP-2004-160] [Attach 2](#)

A resolution to vacate a portion of an existing utility and irrigation easement, located at 2860 North 15th Street.

Resolution No. 99-04 – A Resolution Vacating a Portion of a Utility and Irrigation Easement Located at 2860 North 15th Street

®Action: *Adopt Resolution No. 99-04*

Staff presentation: Bob Blanchard, Community Development Director

3. **Vacating a Portion of an Existing Drainage and Utility Easement Located at 641 29 ½ Road (Forrest Run Subdivision)** [File #PP-2003-186] [Attach 3](#)

A resolution to vacate the northern 15' portion of an existing 35' drainage and utility easement, located at 641 29 ½ Road.

Resolution No. 100-04 – A Resolution Vacating 15' of an Existing Drainage and Utility Easement Located at 641 29 ½ Road

®Action: *Adopt Resolution No. 100-04*

Staff presentation: Bob Blanchard, Community Development Director

4. **Setting a Hearing to Create Alley Improvement District 2005** [Attach 4](#)

Successful petitions have been submitted requesting a Local Improvement District be created to reconstruct the following seven alleys:

- East/West Alley from 1st to 2nd, between Ouray Avenue and Chipeta Avenue
- East/West Alley from 9th to 10th, between Rood Avenue and White Avenue
- East/West Alley from 9th to 10th, between Ouray Avenue and Chipeta Avenue
- East/West Alley from 11th to 12th, between Teller Avenue and Belford Avenue
- North/South Alley from 18th to 19th, between Ouray Avenue and Chipeta Avenue
- North/South Alley from 18th to 19th, between Chipeta Avenue and Gunnison Avenue

- North/South Alley from 23rd to 24th, between Ouray Avenue and Gunnison Avenue

Resolution No. 101-04 – A Resolution Declaring the Intention of the City Council of the City of Grand Junction, Colorado, to Create Within Said City Alley Improvement District No. ST-05 and Authorizing the City Engineer to Prepare Details and Specifications for the Same

®Action: *Adopt Resolution No.101-04 and Set a Hearing for December 1, 2004*

Staff presentation: Mark Relph, Public Works and Utilities Director

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

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

5.*** **Change Order to CSEP Basin 9, 13 & 14 Construction Contract** **Attach 13**

Approve a change order to the Basin 9, 13 & 14 CSEP Contract with Mendez, Inc., in the Amount of \$222,530.25 for repair and replacement of a 24” water line crossing the Colorado River.

Action: *Authorize the City Manager to Execute a Construction Contract Change Order in the Amount of \$222,530.25 with Mendez, Inc.*

Staff presentation: Mark Relph, Public Works and Utilities Director

6. **Agreement with Public Service Company of Colorado to Relocate a Transmission Line** **Attach 5**

The construction of the 25 Road connection to Riverside Parkway will require the relocation of the 230 kV power transmission line which is owned by Public Service Company of Colorado and is located in a private easement. This agreement between the City of Grand Junction and Public Service Company sets the terms including the City paying \$345,000 for the relocation.

Action: *Authorize City Manager to Enter into an Agreement with Public Service Company of Colorado to Relocate the Existing 230 kV Transmission Line, including 5 poles in the Vicinity of 25 Road and Riverside Parkway*

Staff presentation: Mark Relph, Public Works and Utilities Director

7. **Public Hearing – Walker Field Airport Property Master Plan and Zoning Located Generally between 27 Road and 30 Road, North of I-70** [File # PLN-2003-237] [Attach 6](#)

A request to approve the Walker Field Airport Master Plan and final passage of a proposed ordinance to establish the zoning requirements for future development on property owned by Walker Field Airport Authority.

Resolution No. 102-04 – A Resolution Approving the Master Plan for Walker Field Airport

Ordinance No. 3679 - An Ordinance Establishing Standards for the Planned Development (PD) Zone District for Property Owned by the Walker Field Airport Authority

®Action: Approve Resolution No. 102-04 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3679

Staff presentation: Kathy Portner, Planning Manager

8. **Public Hearing – Woodridge Subdivision Planned Development (PD) Zoning Located South of G-1/2 Road and West of 26 Road** [File # PP-2003-042] [Attach 7](#)

The Woodridge Subdivision is a 29-lot proposal for both attached and detached single family housing on the remaining parcels of land (total 7.8 acres) that were originally part of the Wilson Ranch Planned Development. This proposal requires consideration of a Planned Development zoning ordinance to establish the underlying zoning for this plan and a Preliminary Development Plan.

Ordinance No. 3680 - An Ordinance Amending Ordinance No. 2644 Zoning Wilson Ranch Planned Residential Development to Include More Specific Information for a Portion of the Original Wilson Ranch to be Known as the Woodridge Subdivision Located South of G-1/2 Road and West of 26 Road

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3680

Staff presentation: Kristen Ashbeck, Senior Planner

9. **Public Hearing – Kronvall Annexation Located at 2263 Greenbelt Drive** [File # ANX-2004-175] [Attach 8](#)

Resolution for acceptance of petition to annex and to hold a public hearing and consider final passage of the annexation ordinance for the Kronvall Annexation, located at 2263 Greenbelt Drive. The 4.274 acre Kronvall Annexation consists of 2 parcels.

a. Accepting Petition

Resolution No. 103-04 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Kronvall Annexation Located at 2263 Greenbelt Drive is Eligible for Annexation

®Action: *Adopt Resolution No. 103-04*

b. Annexation Ordinance

Ordinance No. 3681 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Kronvall Annexation, Approximately 4.274 Acres, Located at 2263 Greenbelt Drive

®Action: *Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3681*

Staff presentation: Senta L. Costello, Associate Planner

10. **Public Hearing – Growth Plan Amendment from Residential Low to Residential Medium for Two Properties Located at 2263 Greenbelt Drive** [File # GPA-2004-207] [Attach 9](#)

Hold a public hearing and consider passage of a resolution to change the Growth Plan designation from Residential Low ½ - 2 ac/du to Residential Medium Low 2-4 du/ac.

Resolution No. 104-04 – A Resolution Amending the City of Grand Junction Growth Plan Future Land Use Map to Re-designate Approximately 4.2 Acres Located at 2263 Greenbelt Drive from “Residential Low ½ - 2 ac/du” to Residential Medium Low 2-4 du/ac”

®Action: *Adopt Resolution No. 104-04*

Staff presentation: Senta L. Costello, Associate Planner

11. **Public Hearing – Rezoning a Portion of the Laurel Subdivision, Located at 575 28 ¼ Road from RMF-8 to RMF-5** [File # RZ-2004-082] [Attach 10](#)

Hold a public hearing and consider a proposed ordinance to rezone a portion of the Laurel Subdivision from RMF-8 to RMF-5, located at 575 28 ¼ Road.

Ordinance No. 3682 - An Ordinance Rezoning a Portion of the Laurel Subdivision from RMF-8 to RMF-5 Located at 575 28 ¼ Road

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3682

Staff presentation: Bob Blanchard, Community Development Director

12. **Public Hearing – D Road Storage Annexation Located at 2755 D Road** [File # ANX-2004-182] [Attach 11](#)

Resolution for acceptance of petition to annex and to hold a public hearing and consider final passage of the annexation ordinance for the D Road Storage Annexation, located at 2755 D Road. The 0.985 acre annexation consists of three (3) parcels of vacant land and adjoining right-of-way. The existing three parcels will become one (1) parcel through a Simple Subdivision Plat process in the near future. The petitioner's intent is to annex and then develop the properties in anticipation of future industrial development.

a. Accepting Petition

Resolution No. 105-04 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the D Road Storage Annexation Located at 2755 D Road and Including a Portion of the D Road Right-of-Way is Eligible for Annexation

®Action: Adopt Resolution No. 105-04

b. Annexation Ordinance

Ordinance No. 3683 - 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

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3683

Staff presentation: Scott D. Peterson, Associate Planner

13. **Public Hearing – Zoning the D Road Storage Annexation, Located at 2755 D Road** [File # ANX-2004-182] [Attach 12](#)

The D Road Storage Annexation consists of 0.985 acres of land that is located at 2755 D Road and consists of three (3) parcels of vacant land and adjoining right-of-way that will become one (1) parcel through a Simple Subdivision Plat process in the near future. The petitioner's intent is to annex and then develop the properties in anticipation of future industrial development. The Planning Commission recommended approval at its September 28, 2004 meeting.

Ordinance No. 3684 - An Ordinance Zoning the D Road Storage Annexation to I-2, General Industrial Located at 2755 D Road

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3684

Staff presentation: Scott D. Peterson, Associate Planner

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

15. **OTHER BUSINESS**

16. **ADJOURNMENT**

**Attach 1
Minutes of Previous Meetings October 4, 2004 Workshop and October 6, 2004
Regular Meeting**

**GRAND JUNCTION CITY COUNCIL
WORKSHOP SUMMARY**

OCTOBER 4, 2004

The City Council of the City of Grand Junction, Colorado met on Monday, October 4, 2004 at 6:30 p.m. in the City Hall Auditorium to discuss workshop items. Those present were Councilmembers 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. **GJEP INCENTIVE REQUEST:** The Grand Junction Economic Partnership is recruiting a California company and is asking for the City's participation through the economic development fund. Ann Driggers, President of GJEP, and Denny Granum, GJEP Board member, addressed the City Council on the recruitment of this company that manufactures industrial gases for a variety of uses. The company is looking to move their manufacturing operation to Grand Junction. The company has been in operation since 1971. The average wage without benefits is \$16.59 per hour and all ten employees proposed will be from the local market. They will be investing in a new facility in the amount of \$775,000. Others are being asked to participate in this recruitment. The incentive being requested from Grand Junction City Council is a total of \$15,500, that is, \$1,550 per job. Mr. Granum advised that GJEP has visited the California facility and they have been working with the company for a couple of years. It is anticipated that more of the operations will be moved here and eventually the owner will also relocate to Grand Junction. Councilmember Spehar asked about time frame. Mr. Granum thought construction of the facility would occur before the end of the year.

Action summary: The City Council was supportive of the request which will be brought back to Council for formal approval at the appropriate time.

**The City Council adjourned to Mesa County Multi-Purpose Room -
First Floor, Administrative Annex of Old Courthouse, 544 Rood Ave
at 6:55**

2. **JOINT MEETING CONCERNING THE MESA COUNTY COOPERATIVE
PLANNING AGREEMENT WITH FRUITA, PALISADE AND MESA**

COUNTY: County Staff will review the current Intergovernmental Agreement and present the annual update of the program.

The meeting convened in the Old Courthouse at 7:05 p.m.

Those present from the City included Councilmembers Harry Butler, Cindy Enos-Martinez, Dennis Kirtland, Bill McCurry, Gregg Palmer, Jim Spehar and President of the Council Bruce Hill. City Staff also present was City Manager Kelly Arnold, City Attorney John Shaver, Assistant City Manager David Varley, Community Development Director Bob Blanchard, Assistant to the City Manager Sheryl Trent, Management Intern Seth Hoffman, Communications Coordinator Sam Rainquet, Planning Manager Kathy Portner and City Clerk Stephanie Tuin.

Those present from the County were County Commissioners Tilman Bishop, Jim Baughman and Chair Doralyn Genova. County staff present was County Administrator Bob Jasper, Assistant County Attorney Valerie Robinson, Planning Director Kurt Larson, Director of Long Rang Planning Keith Fife, Long Range Planner Michael Warren and Clerk to the Board Bert Raley.

From the Town of Palisade was Trustee Galen Wallace and from the City of Fruita were Councilmembers Nick Kohls, David Karisny and Mayor Jim Adams. Also from Fruita was City Manager Clint Kinney.

Tom Latousek, Land Protection Specialist with the Mesa Land Trust, was also present.

Commission Chair Doralyn Genova called the meeting to order and asked for introductions. Then she turned the meeting over to the County Director of Long Range Planning Keith Fife.

Overview of Review Process/ Outcomes

Mr. Fife reviewed the Cooperative Planning/Buffer Area/PDR program and how it came to be, including the development of the Cooperative Planning Agreements. He reviewed the objectives and went over the work that has occurred recently. The idea of area separators between the valley municipalities came about in the 1990's and was formally adopted via intergovernmental agreements in 1998, after the adoption of the two Growth Plans by the City of Grand Junction and Mesa County. Although the agreements have no sunset provision, they do call for a five year review which is the purpose of this meeting. In the agreements with both Fruita and Palisade, with the City and the County have the following goals – cooperative land use planning, orderly transition between communities,

discourage commercial strips in those areas and minimize taxpayer expense to serve those outlying areas. Prior to the Persigo Agreement, providing sewer and annexation were linked. This led to one of the key provisions in the agreements. Such provisions are: cities will not annex, municipal and sewer service will not be extended, land use decisions will enhance the rural character of the area, and rezoning must be consistent with the Master Plan or approved by the County and cities.

Mr. Fife listed some of the awards and recognitions that the program has received so far. The program has also been presented at various conferences.

He noted that this is not a no-growth agreement – it allows development where the zoning allows such.

Purchase of Development Rights Program

The purchase of development rights program was put into place in 2002 and it has been very successful. Last year the transfer of development rights was used in Fruita. In the public meetings that have occurred they found that most folks support the program and think more should be done. Several volunteered to participate in creating design guidelines in order to preserve rural character. A consistent guideline for defining “rural” was one of the main comments that was expressed.

Under the PDR program, if all pending projects close this year, a total of 769 total acres will be protected. That includes 12 properties in Palisade and 5 in Fruita.

Virtual Tour of Program

Michael Warren, Long Range Planner for the County, gave a virtual tour of the properties now under protection. He identified the various properties, size and owners, noting there were some donations as well as purchases. Mr. Warren said in Palisade, the majority of the acquisitions were orchards but there are some ranches, farms and wildlife areas. The Orchard Mesa Reserve includes existing orchards and dry lands to be converted back to orchards. Here acquisitions, when combined with public lands already owned by public entities, make a pretty good corridor of a preserved area along the Colorado River.

2004 Update

Tom Latousek, Land Protection Specialist with the Mesa Land Trust, which handles the financial component of the PDR Project, addressed the members present. This review takes the place of the Annual Report. He then reviewed all projects completed since last fall. The Palmer property, along with Williams, Basher and Cordova properties make for about 123 acres protected in Fruita. Funds for these purchases come from a variety of sources including GOCO and Farm Bill Fund as well as the buffer zone partners. Next there is the Miller property, 32 acres in Palisade, the Franklin property in Fruita, 118 acres, which is at the north end of the buffer zone. There has been interest expressed from surrounding owners and they hope more area will be acquired. There are five pending acquisitions; four are under contract, which will mean another 369 acres will be protected. These properties include the Likes-Durnell, the Stecher property, the Talbott Farms, Inc., the Avant Farm and the Arnett property which includes an opportunity for trail easement acquisition. The trail acquisition will allow the extension of the river trail east from 32 Road. An incentive for landowners to donate an easement is that the Mesa Land Trust helps out with the transaction costs. Those fees are more than regular title costs, since there are IRS requirements and other legal costs, and costs for an environmental hazard assessment.

Regarding budget for this year, Mesa County contributed \$162,000, the City \$151,800, \$10,000 from Fruita, and Palisade contributed \$3,000. The remaining balance for Mesa County and Grand Junction is \$26,175 if all projects close. The value of the protected acreage is \$6 million, purchased for about \$3.2 million. Next year four more easement purchases are planned along with one donation being anticipated. That will complete 1000 acres, actually that will be one tenth of the area in the buffer area.

Other issues, besides making a dent in the backlog of eligible properties, is funding when the program has now gained momentum. Now they are starting to have protected properties be sold, the effect of that is that easement values are going down, so the result may be a little less interest in the program in the next year or two. The remaining land owners will be offered less money, because it affects the comparables that have been sold.

City Manager Arnold asked if this program is still a priority of GOCO. Mr. Latousek responded that so far, particularly since this program has been successful, there have been bigger grant cycles and larger amounts available. The grant administrators do like to see the local support. Also local funds can be used to leverage funds with the Farm Fund Bill. Mr. Latousek added that this board of reviewers select areas partially based on urgency and partially on cost.

Issues, Alternatives, and Recommendations

Mr. Keith Fife said discussions are ongoing with the Clifton Sanitation District #2 to keep them from annexing into the buffer area. There have also been discussions with Fruita on removing the buffer area from their 201 sewer service boundary. Fruita City Manager Kinney assured the group that will happen.

It is recommended that Staff be directed to develop amendments to the Mesa County Land Development Code that will address rural character and design guidelines for the roadways along the buffers.

Regarding revisions to the boundaries – in the Palisade buffer it has been discussed that perhaps more of East Orchard Mesa should be removed or perhaps all of East Orchard Mesa should be removed since they are not in danger of development.

On the Fruita side, in the Redlands area specifically, some owners have expressed interest whereas some owners have never been interested, so perhaps those properties should be removed. Also there are some areas that are no longer rural and were placed in the buffer area because the owners were opposed to annexation. Since that is no longer an issue, perhaps they should be removed from the buffer area.

Commissioner Bishop noted that Clifton Sanitation District #1 may merge with Clifton Sanitation District #2.

Next steps

Mr. Fife summarized the next steps: an IGA with Clifton Sanitation District #2 to include working with Palisade and the Sanitation District to ensure no connections to sewer are done in the buffer area, remove the Fruita buffer areas from Fruita's 201 sewer service areas, exclude the buffer area from the Fruita Community Plan, clarify agreements that rezones must be consistent with Mesa County Master Plan. Mr. Fife also asked that Staff be directed to work with residents, landowners and Mesa County Planning Commission on boundary revisions, developing overlay zoning districts, design guidelines and standards along highway corridors, and rezones of undeveloped properties to be consistent with Master Plan.

Mr. Fife also asked for direction to work on amendments to the Mesa County Development Code including a definition of rural character, compliance with the Master Plan, incentives for voluntary rezones and

replats, consistency with Cooperative Planning Agreements, rural development standards, and handling municipal review comments.

Other next steps include coordinating expansion of Transfer of Development Rights program, more outreach, and to explore funding. Mr. Fife noted that even with doubling the entities' contributions, the program will still be short in funding.

County Administrator Bob Jasper made a pitch for combining the PDR and TDR, using leverage for development rights with the transfer of development rights. That way they can give the property owners both money and paper. He said the incentives will have to be greater to interest people to participate in the program.

Chair Genova directed Staff to look at that option. Councilmember Jim Spehar suggested Fruita could be the pilot for that project since they are already in the process. County Administrator Jasper advised that it would be more valuable if all governments were involved.

Chair Genova requested that Staff work with Clifton Sanitation on who might want sewer service in the buffer area. She said the question left is the "no man's land" area where the District wants to expand. She would like to see one sewer treatment plant in that area. Commissioner Baughman noted that even if Palisade has no interest in margining with Clifton Sanitation now, Clifton Sanitation is interested and wants information from Palisade.

Mayor Jim Adams expressed that he is not inclined to remove any areas from the buffer areas. Palisade Trustee Wallace agreed.

Chair Genova directed Keith Fife to make formal requests to each entity for funding.

Grand Junction Council President Bruce Hill stated he is pleased with the program, 10% of the lands protected is a huge step forward. He noted that the program, after five years, only needs fine tuning. He would like to see guidelines along roadways so there is a visual impact of the buffer area. He agreed that the "no man's land" area needs to be firmly defined.

Commission Baughman suggested that the Dyer property be considered for removal since the owner is against being in buffer zone and the nearby Deer Park subdivision has been developed at 2 acre lots and is too dense to be in buffer zone. Chair Genova disagreed and suggested that further discussions of these issues take place among the individual entities.

Chair Genova adjourned the meeting at 8:40 p.m.

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

October 6, 2004

The City Council of the City of Grand Junction convened into regular session on the 6th day of October 2004, at 7:30 p.m. in the City Auditorium. Those present were Councilmembers Harry Butler, Cindy Enos-Martinez, Bill McCurry, Gregg Palmer, Jim Spehar and President of the Council Bruce Hill. Absent was Councilmember Dennis Kirtland. Also present were City Manager Kelly Arnold, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Hill called the meeting to order. The colors were posted by the Webelos of Pack 353 who also led the pledge of allegiance. The audience remained standing for the invocation by Pastor Scott Hogue, First Baptist Church.

PROCLAMATIONS / RECOGNITIONS

INTRODUCING DEPUTY CHIEF EXECUTIVE OFFICER/DIRECTOR CORPORATE SERVICES BRADLEY DUKE FROM ROCKHAMPTON, QUEENSLAND, AUSTRALIA

City Manager Kelly Arnold introduced Mr. Duke. Mr. Duke addressed the City Council and described some of his experiences.

PROCLAIMING THE MONTH OF OCTOBER, 2004 AS "PHYSICAL THERAPY MONTH"

PROCLAIMING THE MONTH OF OCTOBER, 2004 AS "MESA COUNTY READS MONTH"

PROCLAIMING OCTOBER 7, 2004 AS "COMMUNITIES IN MOTION DAY"

PROCLAIMING OCTOBER 1, 2004 THROUGH OCTOBER 31, 2004 AS "KNIGHTS OF COLUMBUS DAYS FOR THE MENTALLY HANDICAPPED"

RECOGNIZING THE CITY'S WATER TREATMENT FACILITY AND WATER LABORATORY FOR RECEIVING THE "OUTSTANDING WATER TREATMENT PLANT" AND "OUTSTANDING WATER LABORATORY" FROM THE ROCKY MOUNTAIN SECTION OF THE AMERICAN WATER WORKS ASSOCIATION (RMSAWWA)

Terry Franklin, Water Services Superintendent and Chair of the Conference, explained the composition of the Association and the awards being received. Public Works staff members were recognized as was Mr. Franklin.

APPOINTMENTS

TO THE COMMISSION ON ARTS AND CULTURE

Councilmember Palmer moved to appoint Terra Anderson to the Commission on the Arts and Culture filing an unexpired term until February 2006. Councilmember Enos-Martinez seconded. Motion carried.

TO THE PLANNING COMMISSION

Councilmember Spehar moved to reappoint Paul Dibble and Tom Lowrey to the Planning Commission for four-year terms until October, 2008, and appoint Lyn Pavelka-Zarkesh to the Planning Commission and Reginald Wall as First Alternate to the Planning Commission with four-year terms also expiring October, 2008. Councilmember McCurry seconded. Motion carried.

RESOLUTION OF SUPPORT

Resolution No. 98-04 – A Resolution Supporting Ballot Issue 5T

Council President Hill read the resolution.

Councilmember Enos-Martinez moved to adopt Resolution No. 98-04. Councilmember McCurry seconded. Motion carried by roll call vote.

CITIZEN COMMENTS

There were none.

CONSENT CALENDAR

It was moved by Councilmember Palmer, seconded by Councilmember McCurry and carried by roll call vote to approve Consent Items #1 through #13.

1. **Minutes of Previous Meetings**

Action: Approve the Summary of the September 13, 2004 Workshop and the Minutes of the September 15, 2004 Regular Meeting

2. **Setting a Hearing on Zoning Walker Field Airport Property Located Generally between 27 Road and 30 Road, North of I-70** [File # PLN-2003-237]

Introduction of a proposed ordinance to establish the zoning requirements for future development on property owned by Walker Field Airport Authority. A

Resolution approving a Civic Facility Master Plan for Walker Field Airport will be considered with final passage of the zoning ordinance.

Proposed Ordinance Establishing Standards for the Planned Development (PD) Zone District for Property Owned by the Walker Field Airport Authority

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

3. **Setting a Hearing on Zoning the D Road Storage Annexation, Located at 2755 D Road** [File # ANX-2004-182]

Introduction of a proposed zoning ordinance to zone the D Road Storage Annexation I & 2, General Industrial, located at 2755 D Road. The Annexation consists of 0.985 acres and currently consists of three (3) parcels of vacant land and adjoining right-of-way that will become one (1) parcel through a Simple Subdivision Plat process in the near future. The petitioner's intent is to annex and then develop the properties in anticipation of future industrial development.

Proposed Ordinance Zoning the D Road Storage Annexation to I-2, General Industrial Located at 2755 D Road

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

4. **Setting a Hearing on Woodridge Subdivision Planned Development (PD) Zoning and Preliminary Development Plan Located South of G-1/2 Road and West of 26 Road** [File # PP-2003-042]

The Woodridge Subdivision is a 29 lot proposal for both attached and detached single family housing on the remaining parcels of land (total 7.8 acres) that were originally part of the Wilson Ranch Planned Development. This proposal requires consideration of a Planned Development zoning ordinance to establish the underlying zoning for this plan and a Preliminary Development Plan.

Proposed Ordinance Amending Ordinance No. 2644 Zoning Wilson Ranch Planned Residential Development to Include More Specific Information for a Portion of the Original Wilson Ranch to be known as the Woodridge Subdivision Located South of G-1/2 Road and West of 26 Road

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

5. **Vacating a Portion of an Existing Sewer Easement Located on the Property at 2587 G ½ Road in the Blue Heron Meadows Subdivision** [File # PP-2004-046]

The applicant proposes to vacate a portion of an existing sewer easement on the property located at 2587 G ½ Road, known as the Paradise Hills Interceptor Sewer Easement No. 4. A new sewer easement will be created in a new location with the filing of the final plat for the project. The Planning Commission recommended approval to the City Council on September 14, 2004.

Resolution No. 89-04 – A Resolution Vacating a Portion of the Paradise Hills Interceptor Sewer Easement No. 4, Located in the Proposed Blue Heron Meadows Subdivision, Located at 2587 G ½ Road

Action: Adopt Resolution No. 89-04

6. **Setting a Hearing on the Fisher Annexation Located at 104 29 ¾ Road** [File # GPA-2004-191]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 18.013 acre Fisher Annexation consists of 1 parcel.

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

Resolution No. 90-04 – 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, Fisher Annexation, Located at 104 29 ¾ Road

Action: Adopt Resolution No. 90-04

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado Fisher Annexation #1, Approximately 0.127 Acres, Located Within US Hwy 50 and 29 ¾ Road Rights-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Fisher Annexation #2, Approximately 17.886 Acres, Located at 104 29 ¾ Road

Action: Introduction of Proposed Ordinances and Set a Hearing for November 17, 2004

7. **Setting a Hearing on the Meyers/Steele Annexation Located at 3020 E ½ Road and Portions of 30 Road and Orchard Avenue Rights-of-Way** [File # ANX-2004-206]

Resolution referring a petition for Meyers/Steele Annexation and introduction of a proposed ordinance. The 2.7559 acre Meyers/Steele Annexation consists of 1 parcel of land and portions of 30 Road and Orchard Avenue rights-of-way.

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

Resolution No. 91-04 – 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, Meyers/Steele Annexation, Located at 3020 E ½ Road and Portions of 30 Road and E ½ Road Rights-of-Way

Action: Adopt Resolution No. 91-04

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado Meyers/Steele Annexation #1, Approximately .2559 Acres, Located Within 30 Road Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Meyers/Steele Annexation #2, Approximately 2.500 Acres, Located at 3020 E ½ Road and Including Portions of 30 Road and E ½ Road Rights-of-Way

Action: Introduction of Proposed Ordinances and Set a Hearing for November 17, 2004

8. **Setting a Hearing on the Manor Annexation Located at the NE Corner of 26 ½ Road & I Road** [File # GPA-2004-205]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 11.753 acre Manor Annexation consists of 1 parcel.

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

Resolution No. 92-04 – 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, Manor Annexation, Located on the NE Corner of 26 ½ Road and I Road

Action: Adopt Resolution No. 92-04

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Manor Annexation, Approximately 11.753 Acres, Located on the NE Corner of 26 ½ Road and I Road

Action: Introduction of Proposed Ordinance and Set a Hearing for November 17, 2004

9. **Setting a Hearing on Rezoning a Portion of the Laurel Subdivision, Located at 575 28 ¼ Road from RMF-8 to RMF-5** [File # RZ-2004-082]

Introduction of a proposed rezoning ordinance to rezone a portion of the Laurel Subdivision from RMF-8 to RMF-5, located at 575 28 ¼ Road.

Proposed Ordinance Rezoning a Portion of the Laurel Subdivision from RMF-8 to RMF-5 Located at 575 28 ¼ Road

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

10. **Pole License Agreement with Xcel Energy**

A pole license agreement with Xcel Energy that will allow the City to place fiber optic cable on the power poles on Patterson Road for the Signal Communications project is required to be executed prior to placing the cable on the poles.

Action: Authorize the City Manager to Sign the Pole Lease Agreement with Xcel Energy

11. **Purchase of Document Imaging Software, Service and Maintenance for the Police Department Records Division**

Approval to purchase a new Document Imaging System from Alpha Corporation for the Police Department Records Division.

Action: Authorize the Purchasing Manager to Procure the Document Imaging System from Alpha Corporation, which Includes Hardware, Software, Service and Maintenance, in the Amount of \$74,754

12. **Purchase of an InfoTrak Upgrade for the Police Departments Law Records Management System**

The Police Department is seeking City Council approval to purchase an InfoTrak upgrade for their Law Records Management System.

Action: Authorize the City Purchasing Manager to Purchase the InfoTrak Upgrade from Printrak for the Law Records Management System in the Amount of \$73,550

13. **Purchase Inductively Coupled Plasma Mass Spectrometer (ICP-MS) for the Persigo Waste Water Environmental Laboratory**

Approval to purchase a new Inductively Coupled Argon Plasma Mass Spectrometer from Agilent Technologies, Inc. for the Persigo Waste Water Environmental Laboratory.

Action: Authorize the Purchasing Division to Procure the ICP-MS from Agilent Technologies, Inc., which Includes Hardware, Software, Service and Maintenance, in the Amount of \$162,853.83

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

Three Subrecipient Contracts for Projects within the City's 2004 Program Years Community Development Block Grant (CDBG) Program [File #CDBG-2004-06, CDBG-2004-07, CDBG-2004-10]

The Subrecipient Contracts formalize the City's award of a total of \$59,500 to various non-profit organizations and agencies allocated from the City's 2004 Program Year CDBG funds as previously approved by Council.

David Varley, Assistant City Manager, reviewed this item. The award of the CDBG funds was previously approved, and these Subrecipient Contracts will formalize that award. He explained the three programs which are the Radio Reading Services of the Rockies, the Mesa County Health Department, and Housing Resources of Western Colorado.

Councilmember Spehar asked for confirmation that these organizations meet the guidelines for award. Mr. Varley assured the Council that the organizations do meet the guidelines.

Councilmember Spehar moved to authorize the City Manager to sign the three (3) Subrecipient Contracts. Councilmember Palmer seconded. Motion carried.

Contract for Concession Services at Tiara Rado and Lincoln Park Golf Courses

Contract Approval for the professional management of the Tiara Rado and Lincoln Park Golf concession services per the terms and conditions specified in the Request for Proposal.

Joe Stevens, Parks and Recreation Director, reviewed this item. He explained the bid review process and stated the recommendation of the review committee. One condition of the contract being required is that all the management staff goes through the City's customer service training program, and that the firm provides excellent customer service throughout the term of the contract. The other two bidders were also very well qualified.

Councilmember Palmer asked if the criteria is the same criteria that has been used in the past. Mr. Stevens said the criteria has been modified slightly, and has a more detailed approach.

Council President Hill lauded the Department's inclusion of the user groups in the review process.

Councilmember Palmer moved to authorize the City Manager to sign a Contract with Pinon Grill, Inc. for Concession Services at Tiara Rado and Lincoln Park Golf Courses commencing January 1, 2005 for a period of 3 Years, with a one 2 year renewal option. Councilmember Enos-Martinez seconded. Motion carried.

Purchase of Property at 635 W. Grand Avenue for the Riverside Parkway Project

The City has entered into a contract to purchase the property at 635 West Grand Avenue from Robert K. Sacco and James A. Holmes, Jr. for the Riverside Parkway Project. The City's obligation to purchase this property is contingent upon Council's ratification of the purchase contract.

Mark Relph, Public Works and Utilities Director, reviewed this item. He explained the reason the property is needed for the project. Two appraisals were performed and there was also a first option for the tenant. The owner wants to remove the building himself and will deal with any asbestos in the building so that is a positive for the City. The seller will have until the end of March, 2005 to complete the demolition.

Councilmember Spehar asked how the property acquisitions portion of the Parkway project is going. Mr. Relph said \$13 million is budgeted for right-of-way acquisition. Since the 1601 process is still ongoing, no acquisitions have taken place in lower downtown. Therefore acquisitions have been concentrated on each end of the project. They are on schedule. Hopefully the Environmental Assessment will be approved the end of the month and Colorado Department of Transportation will approve the alignment in December. The design team will hopefully be hired by March with construction starting in May, 2005.

Councilmember Palmer explained that the policy is for the owners to receive a fair price, the City will not take advantage of any owners nor will the City be taken advantage of.

Mr. Relph noted that the owner's considerations are taken into account.

Resolution No. 93-04 – A Resolution Authorizing the Purchase of Real Property at 635 W. Grand Ave. from Robert K. Sacco and James A. Holmes, Jr.

Councilmember Palmer moved to adopt Resolution No. 93-04. Councilmember Spehar seconded. Motion carried by roll call vote.

Purchase of Property at 526 25 Road for the Riverside Parkway Project

The City has entered into a contract to purchase the property at 526 25 Road from 25 Road LLC for the Riverside Parkway Project. The City's obligation to purchase this property is contingent upon Council's ratification of the purchase contract.

Mark Relph, Public Works and Utilities Director, reviewed this item. He described the location for reference. Again two appraisals were performed. The building used to be the Art Depot building. It is currently used by the Denver Post and they will be given adequate time to relocate. The building is 6300 square feet. This is the location of the 25 Road overpass.

Resolution No. 94-04 – A Resolution Authorizing the Purchase of Real Property at 526 25 Road from 25 Road LLC

Councilmember Enos-Martinez moved to adopt Resolution No. 94-04. Councilmember McCurry seconded. Motion carried by roll call vote.

Adopting the Mesa County, Colorado Pre-Disaster Mitigation Plan

The Mesa County pre-disaster mitigation plan identifies hazards that affect Mesa County and plan participants. The Plan includes general mitigation activities that are appropriate for various hazards.

Mark Relph, Public Works and Utilities Director, introduced Kimberly Bullen, Mesa County's Emergency Manager and reviewed this item. One of the issues is the drainage issue that the City has been trying to resolve in and around Mesa Mall. The scope of the project is \$6.5 million. The size of the drainage is 3 - 78 inch pipes. In order for FEMA to consider the project, a Pre-Disaster Mitigation Plan must be in place.

Kimberly Bullen, Emergency Manager for the County, reviewed the history of the plan. FEMA wants to place more emphasis on mitigation and have mandated Counties to approve such plans. Hazards are identified and then mitigation projects are developed. It

allows communities to be eligible for FEMA disaster funds. They are seeking adoption by all the other entities in the County.

Council President Hill identified other entities that may be involved in water and fire issues. By adding reference to those entities, it might need to be added to the document. Ms. Bullen said the document can be updated and some other comments along with those can be added prior to submittal to FEMA.

Councilmember Palmer noted the detail in the report and that the reality is that Mesa County has been subject to tornadoes and earthquakes, which is not well-known.

Councilmember Enos-Martinez commended the cooperation between the two entities, the City and the County.

Resolution No. 95-04 – A Resolution Adopting the Mesa County, Colorado Pre-Disaster Mitigation Plan

Councilmember Spehar moved to Adopt Resolution No. 95-04. Councilmember Palmer seconded. Motion carried by roll call vote.

Change Order No. 2 for 25 ½ Road Reconstruction Phase II Streets (Independent Avenue to Patterson Road)

Approval of Change Order No. 2 for the 25 ½ Road Reconstruction Phase II Streets to M. A. Concrete Construction in the amount of \$295,678.33. Change Order No. 2 will complete construction of the Pomona Parking Lot that was approved by Change Order No. 1. Change Order No. 2 includes irrigation, landscaping, lighting, and additional subgrade stabilization required to construct the lot. Change Order No. 2 will also reconstruct West Pinyon Avenue from Westgate Drive to 25 Road. A temporary extension was constructed during the 25 ½ Road Reconstruction project. To make the extension permanent, a storm drain will be installed along with the curbing, gutters, and sidewalk will be constructed. Also, a base course and asphalt will be placed.

Mark Relph, Public Works and Utilities Director, reviewed this item. He explained the items to be included in the change order. One element is the completion of the joint project with the School District as well as the completion of Pinyon Avenue, which was initially just to be a temporary bypass for construction. The bypass became popular and so City Council decided to make it permanent.

Councilmember Spehar asked if the parking lot cost includes the School District's participation. Mr. Relph said no, it is the total cost. City Manager Arnold said the final negotiations on the partnering is taking place and the School District will reimburse the City with their contribution.

Council President Hill commended the work of the contractor to complete the work with all the changes before school started and the new road, Pinyon Avenue, really acts as a relief valve for traffic, including emergency traffic from the Fire Station.

Councilmember McCurry moved to authorize the City Manager to sign Change Order No. 2 for the 25 ½ Road Reconstruction Phase II Streets with M. A. Concrete Construction in the amount of \$295,678.33. Councilmember Enos-Martinez seconded. Motion carried.

Public Hearing – Alley Improvement District No. ST-04 and ST-04 Phase B Assessments

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

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

The public hearing was opened at 8:38 p.m.

Mark Relph, Public Works and Utilities Director, reviewed this item. He noted the popularity of the program for alley improvements. He detailed the costs per abutting foot. Six percent is added for administration and collection of the costs. That amount is waived if the assessment is paid by November 8, 2004. The City works with the utility companies because the opportunity is taken to upgrade any utilities in the alley during the construction.

Councilmember Palmer noted the reallocation identified in the staff report. Mr. Relph and City Manager Kelly Arnold said they will get the answer to Mr. Palmer.

There were no public comments.

The public hearing was closed at 8:44 p.m.

Ordinance No. 3670 – 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

Councilmember Spehar moved to adopt Ordinance No. 3670 on second reading and order it published. Councilmember Palmer seconded the motion. Motion carried by a roll call vote.

Public Hearing – Sanitary Sewer Improvement District No. SS-46-04 Assessments

Improvements have been completed for the Music Lane area Sanitary Sewer Improvement District #SS-46-04 as petitioned by the majority of the property owners.

The public hearing was opened at 8:45 p.m.

Mark Relph, Public Works and Utilities Director, reviewed this item. He located the area of the improvement district and noted that this project is part of the Septic System Elimination Project (SSEP). There was a petition for this improvement district that was signed by 95% of the property owners. The cost to be assessed is \$5,699.90 per property owner. In addition to the assessed fee of \$5,699.90, there is a 6% one time charge for the costs of collection and other incidentals which will be waived if the assessed amount due is paid by November 8, 2004.

There were no public comments.

The hearing was closed at 8:47 p.m.

Ordinance No. 3671 – 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 11th Day of June, 1910, as Amended; Approving the Apportionment of Said Cost to Each Lot or Tract of Land or Other Real Estate in Said District; Assessing the Share of Said Cost Against Each Lot or Tract of Land or Other Real Estate in Said District; Approving the Apportionment of Said Cost and Prescribing the Manner for the Collection and Payment of Said Assessment

Councilmember Palmer moved to adopt Ordinance No. 3671 on second reading and ordered it published. Councilmember Enos-Martinez seconded the motion. Motion carried by roll call vote.

Public Hearing – Prairie View Annexations No. 1 and 2, and Zoning Located at 474 Dodge Street and 3038 Mohawk Avenue; and Vacating a Portion of the D ³/₄ Road Right-of-Way, Located East of Dodge Street and Southwest of Mohawk Avenue [File # ANX-2004-141]

Resolution for acceptance of petition to annex and to hold a public hearing and consider final passage of the annexation ordinance, the zoning ordinance, and the vacation ordinance for the Prairie View Annexation No. 1 and 2, located at 474 Dodge Street and 3038 Mohawk. The 8.929 acre annexation consists of two parcels of land.

The public hearing was opened at 8:50 p.m.

Senta Costello, Associate Planner, reviewed this item. She described the location and the current use. The Future Land Use Designation is medium density. The applicant is requesting RMF-5 zoning. She noted that it is a two part annexation. The public right-of-way runs along the south, the property to the east is already developed so there is no chance of it being extended. The criteria for the Growth Plan, the Zoning and Development Code and the criteria for right-of way vacation has been met.

Tom Dixon, Rolland Engineering, was present representing the applicant. He stated that the Planning Commission has recommended approval and he can answer questions.

There were no public comments.

The public hearing was closed at 8:52 p.m.

a. Accepting Petition

Resolution No. 96-04 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Prairie View Annexation No. 1 and 2, Located at 474 Dodge Street and 3038 Mohawk Avenue is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3672 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Prairie View Annexation No. 1, Approximately 4.117 Acres, Located at 474 Dodge Street

Ordinance No. 3673 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Prairie View Annexation No. 2, Approximately 4.812 Acres, Located at 3038 Mohawk Avenue

c. Zoning Ordinance

Ordinance No. 3674 – An Ordinance Zoning the Prairie View Annexation No. 1 and 2 to RMF-5 Located at 474 Dodge Street and 3038 Mohawk Avenue

d. Vacation Ordinance

Ordinance No. 3675 – An Ordinance Vacating a Portion of D $\frac{3}{4}$ Road Right-of-Way Located East of Dodge Street and Southwest of Mohawk Avenue

Councilmember Spehar moved to adopt Resolution No. 96-04, Ordinance No. 3672, No. 3673, No. 3674 and No. 3675 on second reading and order them published. Councilmember McCurry seconded the motion. Motion carried by roll call vote.

Public Hearing – Indian Road Annexation and Zoning Located between C $\frac{1}{2}$ Road and D Road at Indian Road [File # ANX-2004-137]

Resolution for acceptance of a petition for annexation, and to hold a public hearing to consider final passage of the annexation ordinance and the zoning ordinance for Indian Road Annexations #1 & #2. The 34.806 acre Indian Road Annexation consists of 49 parcels. Indian Road Annexation is a two part annexation.

The public hearing was opened at 8:55 p.m.

Senta Costello, Associate Planner, reviewed this item. She described the location and the previous uses. She said the Growth Plan designation is Industrial on the north, and Commercial/Industrial on the southern portion. The applicant is requesting Light Industrial. She described the surrounding zoning.

Council President Hill asked about the two different land use designations. Ms. Costello said Industrial allows I -1 or I -2, the Commercial/Industrial can be I -1, C-1, or C-2.

The applicant was not present.

There were no public comments.

The public hearing was closed at 8:57 p.m.

a. Accepting Petition

Resolution No. 97-04 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Indian Road Annexation Located Between C $\frac{1}{2}$ Road and D Road at Indian Road is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3676 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Indian Road Annexation #1, Approximately 1.017 Acres, Located at C $\frac{1}{2}$ Road and Indian Road

Ordinance No. 3677 – An 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

c. Zoning Ordinance

Ordinance No. 3678 – An Ordinance Zoning the Indian Road Annexation to I -1 Located Between C ½ Road and D Road at Indian Road

Councilmember Spehar moved to adopt Resolution No. 97-04, Ordinances No. 3676, No. 3677 and No. 3678 on second reading and order them published. Councilmember McCurry seconded the motion. Motion carried by roll call vote.

NON-SCHEDULED CITIZENS & VISITORS

There were none.

OTHER BUSINESS

The City Council discussed scheduling for the Strategic Plan. The morning of November 16, 2004 was set.

ADJOURNMENT

The meeting adjourned at 9:00 p.m.

Stephanie Tuin, MMC
City Clerk

Attach 2

Vacating a Portion of an Existing Utility & Irrigation Easement Located at 2860 North 15th Street

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Vacate a portion of an existing utility and irrigation easement located at 2860 North 15 th Street					
Meeting Date		October 20, 2004					
Date Prepared		October 1, 2004			File #PP-2004-160		
Author		Lisa E. Cox, AICP		Senior Planner			
Presenter Name		Bob Blanchard		Community Development Director			
Report results back to Council		X	No		Yes	When	
Citizen Presentation			Yes	X	No	Name	
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: A resolution to vacate a portion of an existing utility and irrigation easement, located at 2860 North 15th Street.

Budget: N/A

Action Requested/Recommendation: Adoption of the proposed resolution.

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. Resolution to Vacate

STAFF REPORT/BACKGROUND INFORMATION				
Location:		2860 N. 15 th Street		
Applicants:		John and Maurice Moore (owners) and Garden Grove LLC (developers)		
Existing Land Use:		Residential		
Proposed Land Use:		Residential		
Surrounding Land Use:	North	Residential		
	South	Residential		
	East	Residential		
	West	Residential		
Existing Zoning:		RMF-8		
Proposed Zoning:		N/A		
Surrounding Zoning:	North	PD		
	South	RMF-8		
	East	RMF-8 and PD		
	West	RO and RMF-8		
Growth Plan Designation:		Residential Medium, 4-8 DU/AC		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: Request approval to vacate a portion of an existing utility and irrigation easement located at 2860 N. 15th Street.

RECOMMENDATION: Planning Commission recommended approval of the vacation request.

ANALYSIS:

1. Background

The subject property was annexed into the City on August 10, 1970 as a part of the Treehaven Subdivision Annexation. The property consists of five parcels which have been proposed for development as a 23 lot subdivision with a density of 6.57 dwelling units per acre to be known as the Treehaven Townhomes Subdivision.

The applicant has requested approval to vacate a portion of an existing utility and irrigation easement. The 10' utility and irrigation easement was created with the original subdivision in 1967, but has never been utilized. Existing utilities that serve the area are currently located on the perimeter of existing lots. Because the easement has never been used, the applicant has requested approval to vacate that portion of the easement which is located within the area proposed for development. (See attached exhibit for graphic detail.) The portion of the easement to be vacated is located on Lots 1, 2, 3, 4, and 6 of the original Treehaven Subdivision.

The Planning Commission considered the applicant's request to vacate a portion of the existing easement and determined that the request meets the goals and policies of the Growth Plan and Section 2.11.C of the Zoning and Development Code. The Planning Commission recommended approval of the request to vacate.

2. Consistency with the Growth Plan

The request to vacate a portion of the existing utility and irrigation easement is consistent with the goals and policies of the Growth Plan.

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 existing utility and irrigation easement 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 more efficient location of required utility easements.*

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Treehaven Townhomes Subdivision application, PP-2004-160, request to vacate a portion of an existing utility easement, the Planning Commission made the following findings of fact and conclusions:

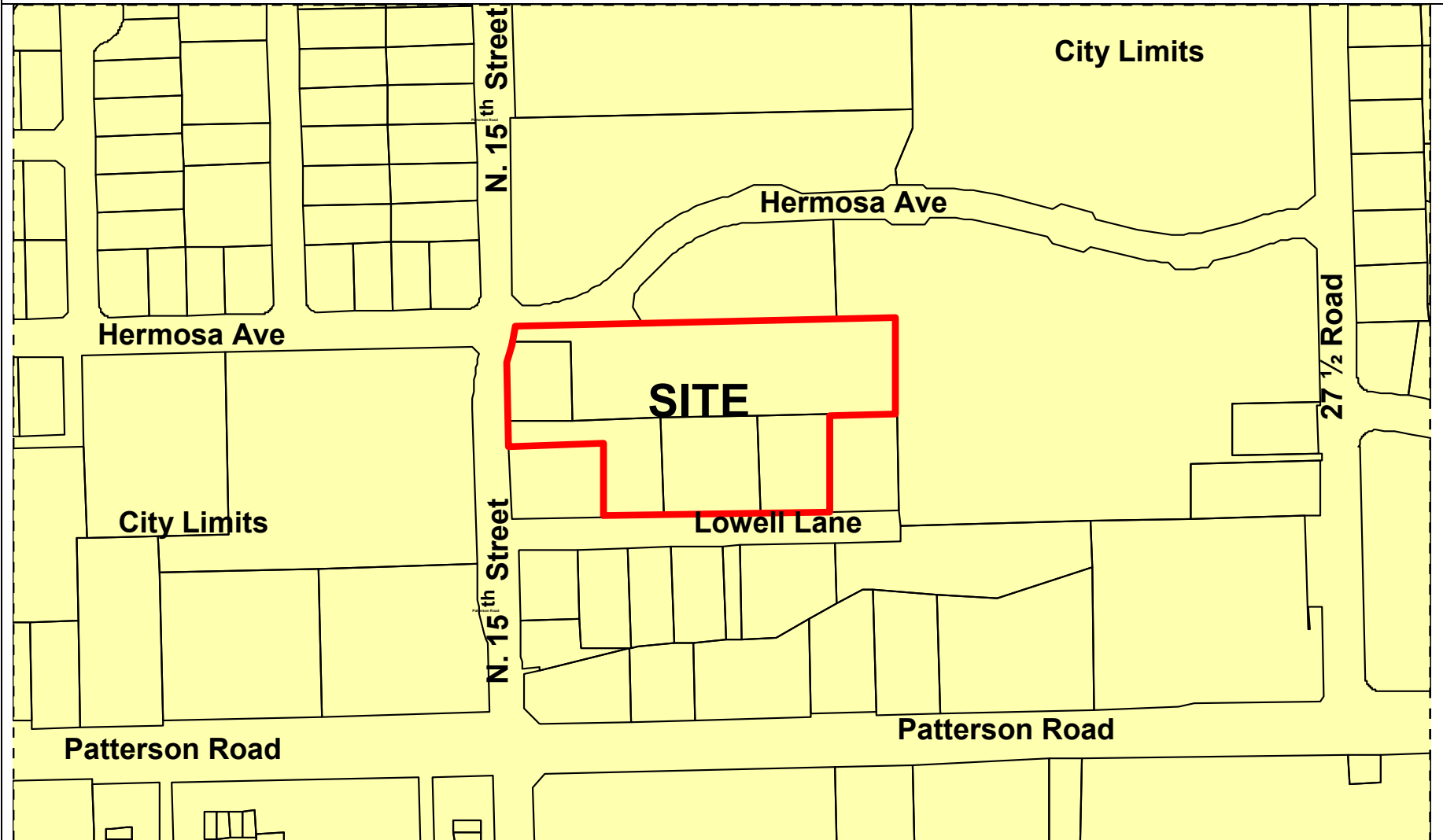
1. The proposed request to vacate is consistent with the goals and policies of the Growth Plan.
2. The review criteria in Section 2.11.C of the Zoning and Development Code have all been met.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission made a recommendation of approval of the request to vacate a portion of the existing utility easement with the findings and conclusions listed above

Site Location Map

Figure 1



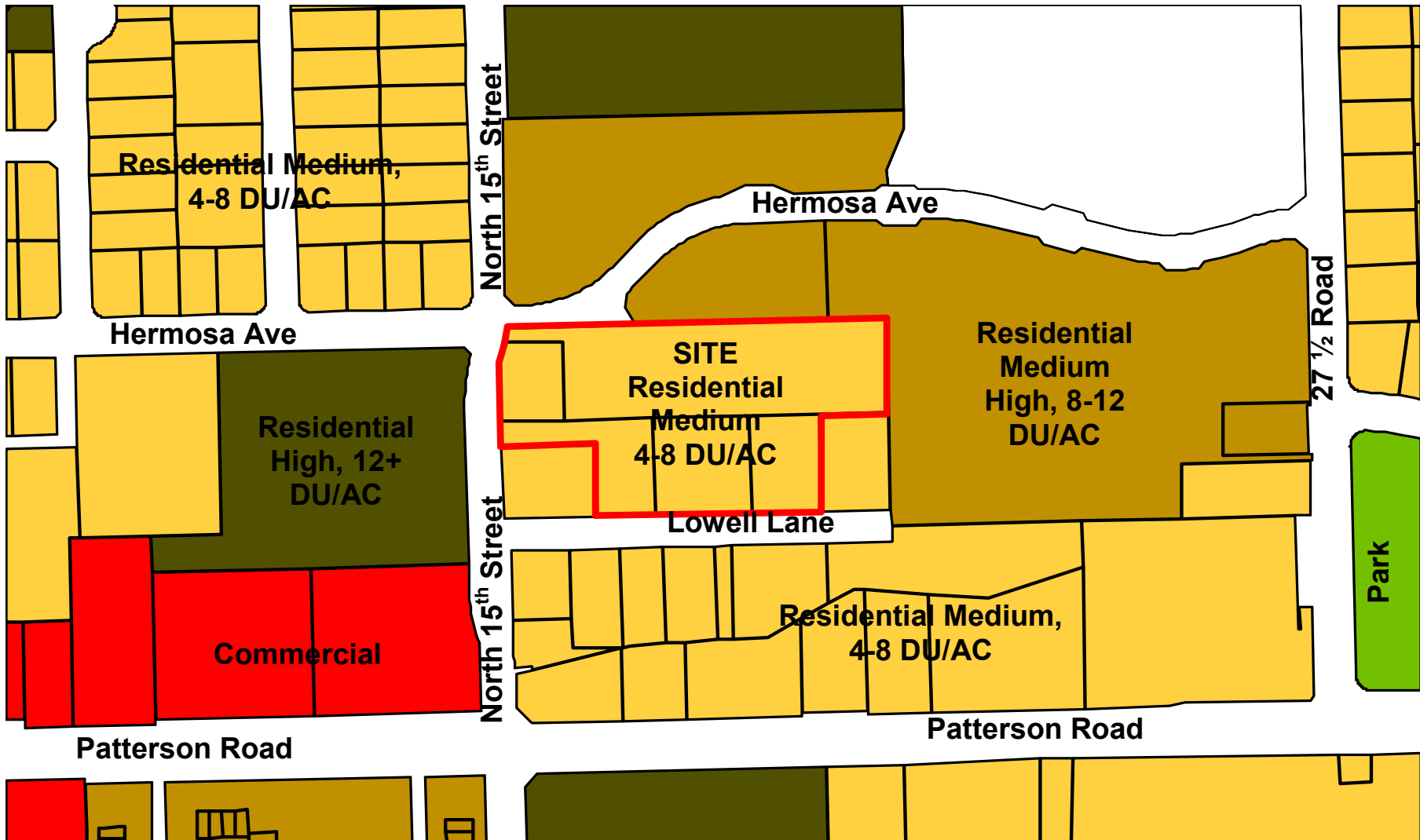
Aerial Photo Map

Figure 2



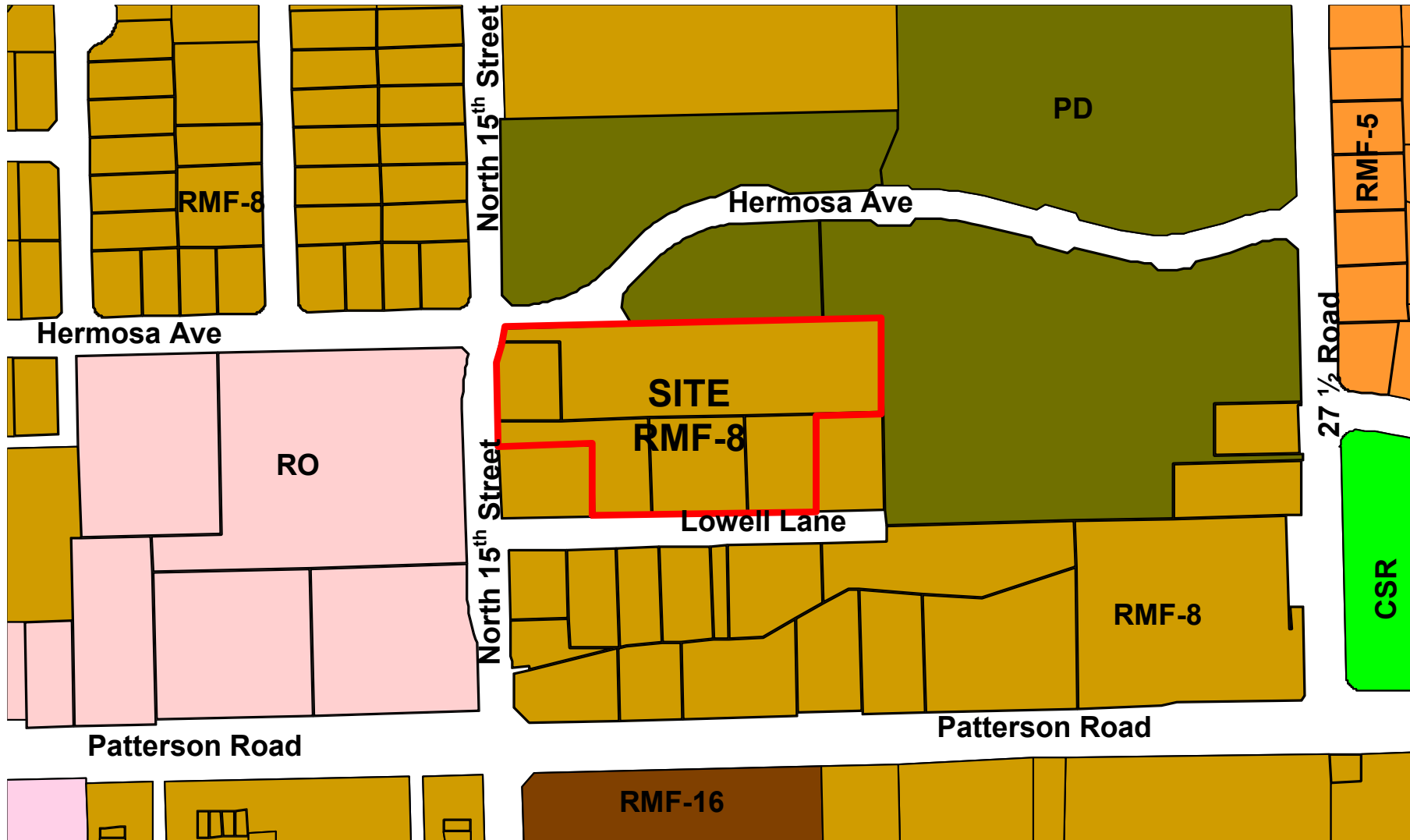
Future Land Use Map

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

Resolution No. _____

A Resolution Vacating a Portion of a Utility and Irrigation Easement Located at
2860 North 15th Street

RECITALS:

This resolution vacates a portion of an existing utility and irrigation easement described in a document recorded at Plat Book 10, Page 48 of the Mesa County records, located at 2860 North 15th Street. The portion of the easement to be vacated is located on Lots 1, 2, 3, 4 and 6 of the Treehaven Subdivision, recorded in 1967. The 10' utility easement has never been utilized and is no longer necessary due to anticipated development of the property upon which it is located. A new utility easement will be dedicated upon recordation of the final plat for the future development on said property.

The Planning Commission, having heard and considered the request and found the criteria of Section 2.11.C of the Zoning Code to have been met, recommend that the vacation be approved.

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

The following described easement is hereby vacated subject to the listed conditions:

1. Applicant shall pay all recording/documentation fees for the Vacation Resolution, any easement documents and dedication documents.
2. Any required utility easement(s) be dedicated concurrently with the recordation of the final plat with the first filing of development.

EASEMENT VACATION DESCRIPTION:

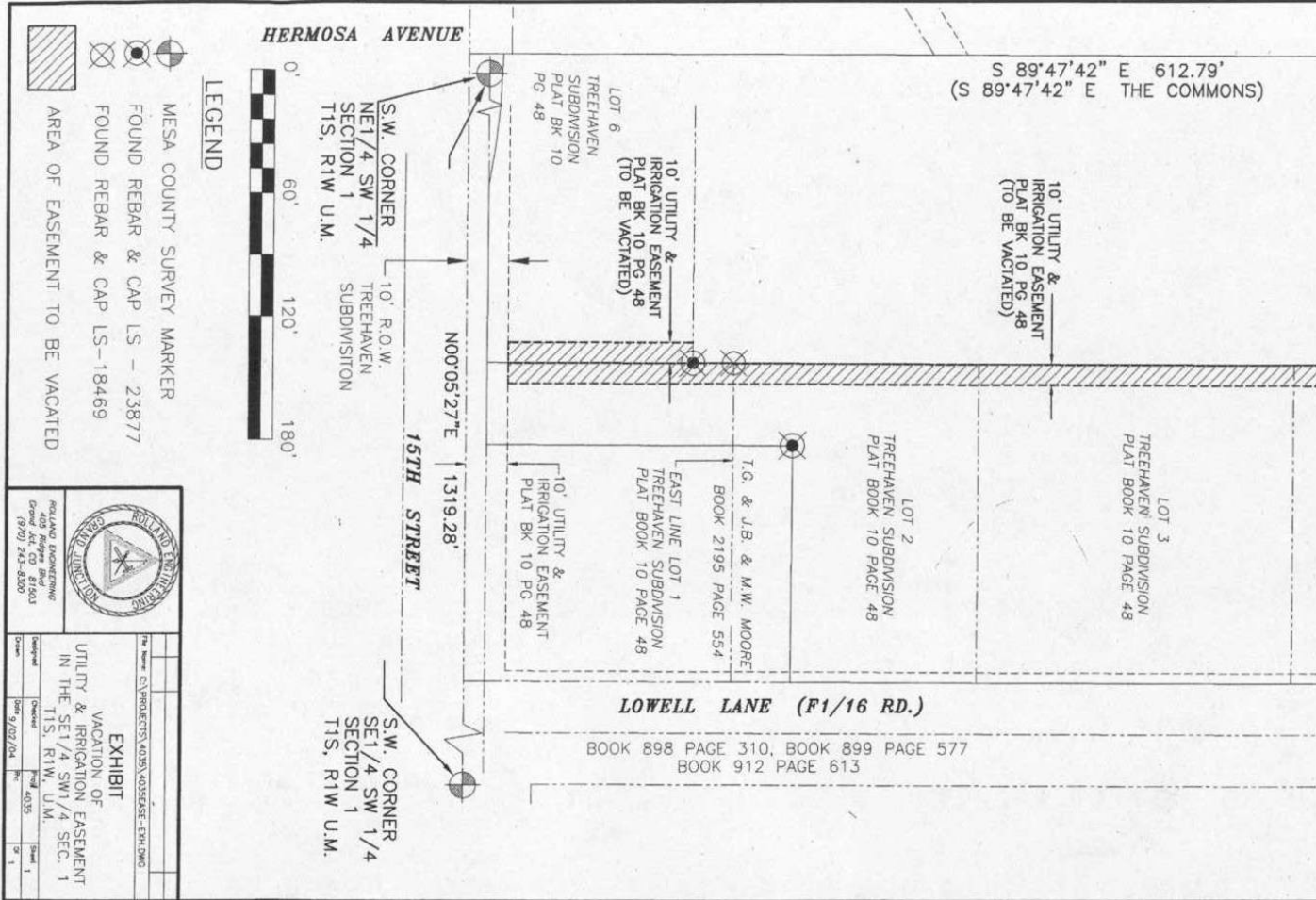
That portion of the easement described in a document recorded in Plat Book 10 at Page 48 of the Mesa County records for Lots 1, 2, 3, 4, and 6 of the Treehaven Subdivision, and as shown on the attached Exhibit.

PASSED and ADOPTED this _____ day of _____, 2004.

ATTEST:

President of City Council

City Clerk



LEGEND

- MESA COUNTY SURVEY MARKER
- FOUND REBAR & CAP LS - 23877
- FOUND REBAR & CAP LS-18469
- AREA OF EASEMENT TO BE VACATED



EXHIBIT

VACATION OF
UTILITY & IRRIGATION EASEMENT
IN THE SE 1/4 SW 1/4 SEC. 1
T1S, R1W, U.M.

Date: 9/02/04

Sheet 1 of 1

ROLLING ENGINEERING

Professional Engineer
No. 10153
Colorado
1979, 2-3-8003

Attach 3

Vacating a Portion of an Existing Drainage & Utility Easement Located at 641 29 ½ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Vacate a portion of an existing drainage and utility easement located at 641 29 ½ Road						
Meeting Date	October 20, 2004						
Date Prepared	October 1, 2004				File #PP-2003-186		
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: A resolution to vacate the northern 15' portion of an existing 35' drainage and utility easement, located at 641 29 ½ Road.

Budget: N/A

Action Requested/Recommendation: Adoption of the proposed resolution.

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. Resolution to Vacate

STAFF REPORT/BACKGROUND INFORMATION				
Location:		641 29 ½ Road		
Applicants:		Maxwell and Carole Sneddon, owners		
Existing Land Use:		Residential/Vacant		
Proposed Land Use:		Residential		
Surrounding Land Use:	North	Proposed Residential		
	South	Residential		
	East	Residential		
	West	Proposed Residential		
Existing Zoning:		RMF-5		
Proposed Zoning:		N/A		
Surrounding Zoning:	North	RMF-8		
	South	Mesa County RSF-4		
	East	Mesa County RSF-4		
	West	RMF-5		
Growth Plan Designation:		Residential Medium, 4-8 du/ac		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: Request approval to vacate the northern 15' portion of an existing 35' drainage and utility easement located at 641 29 ½ Road in the proposed Forrest Run Subdivision.

RECOMMENDATION: Planning Commission recommended approval of the vacation request.

ANALYSIS:

1. Background

The proposed Forrest Run Subdivision property was annexed into the City on November 16, 2003 as part of the Holton Annexation. The current zoning is Residential Multi-Family 5 (RMF-5) which is consistent with the Growth Plan Land Use classification and density range.

The developer is proposing a 21 lot subdivision with a density of 3.4 dwelling units per acre. Access will be provided through extensions of F ¼ Road and Sylvia Lane which originate from the west in the Forrest Estates, Filing 1 development. Access to the north will be provided by extending Mount Julian Drive from the Summit View Estates development.

There is an existing 35' drainage and utility easement located along the southern property line of the proposed development. The applicant has requested approval to vacate the northern 15' portion of the existing easement with a resulting 20' easement. The existing easement is excessively wide and not needed for drainage or utilities as it is currently dedicated. The applicant intends to vacate the northern 15' portion of the easement and rededicate the easement to include use for irrigation needs with the final plat.

2. 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. *The request to vacate a portion of the existing drainage and utility easement is not in conflict with the Growth Plan or other City plans or policies.*
- h. 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.*
- 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. *Access shall not be impacted as a result of the request to vacate.*
- 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). *No adverse impacts have been identified. The applicant intends to include the right to use the easement for irrigation purposes with the final plat.*

- 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. *The provision of services shall be not be inhibited. All required services shall be provided to the proposed new development and/or adjacent properties.*
- l. 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 maintenance of drainage, utility and irrigation facilities.*

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Forrest Run application, PP-2003-186, for recommendation of approval to vacate the northern 15' portion of an existing 35' drainage and utility easement, the Planning Commission made the following findings of fact and conclusions:

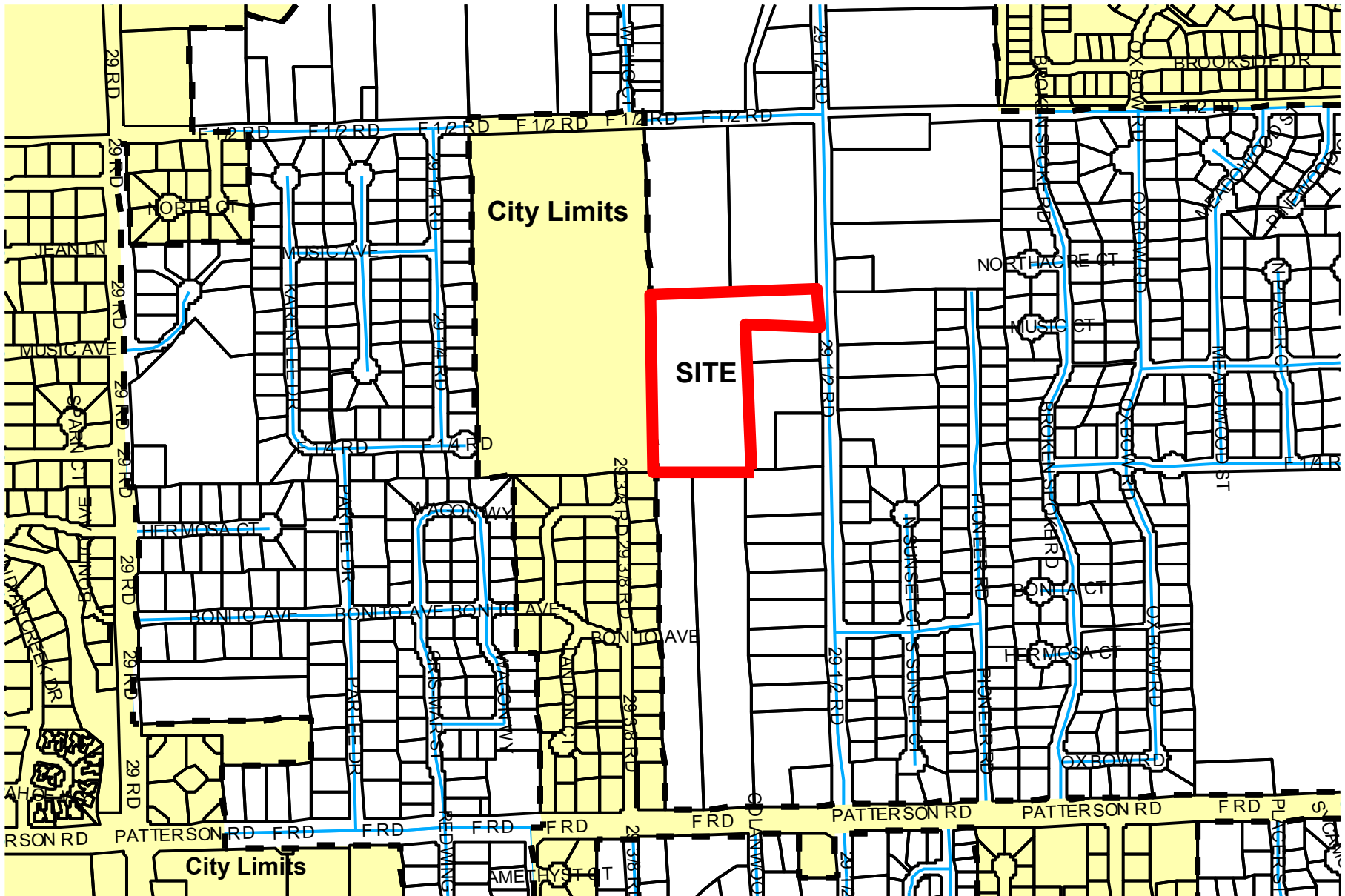
- 3. The request to vacate is consistent with the goals and policies of the Growth Plan and Future Land Use Map.
- 4. The review criteria in Section 2.11.C of the Zoning and Development Code have all been met.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission forwarded a recommendation of approval to vacate the northern 15' portion of an existing 35' drainage and utility easement with the findings and conclusions as outlined above.

Site Location Map

Figure 1



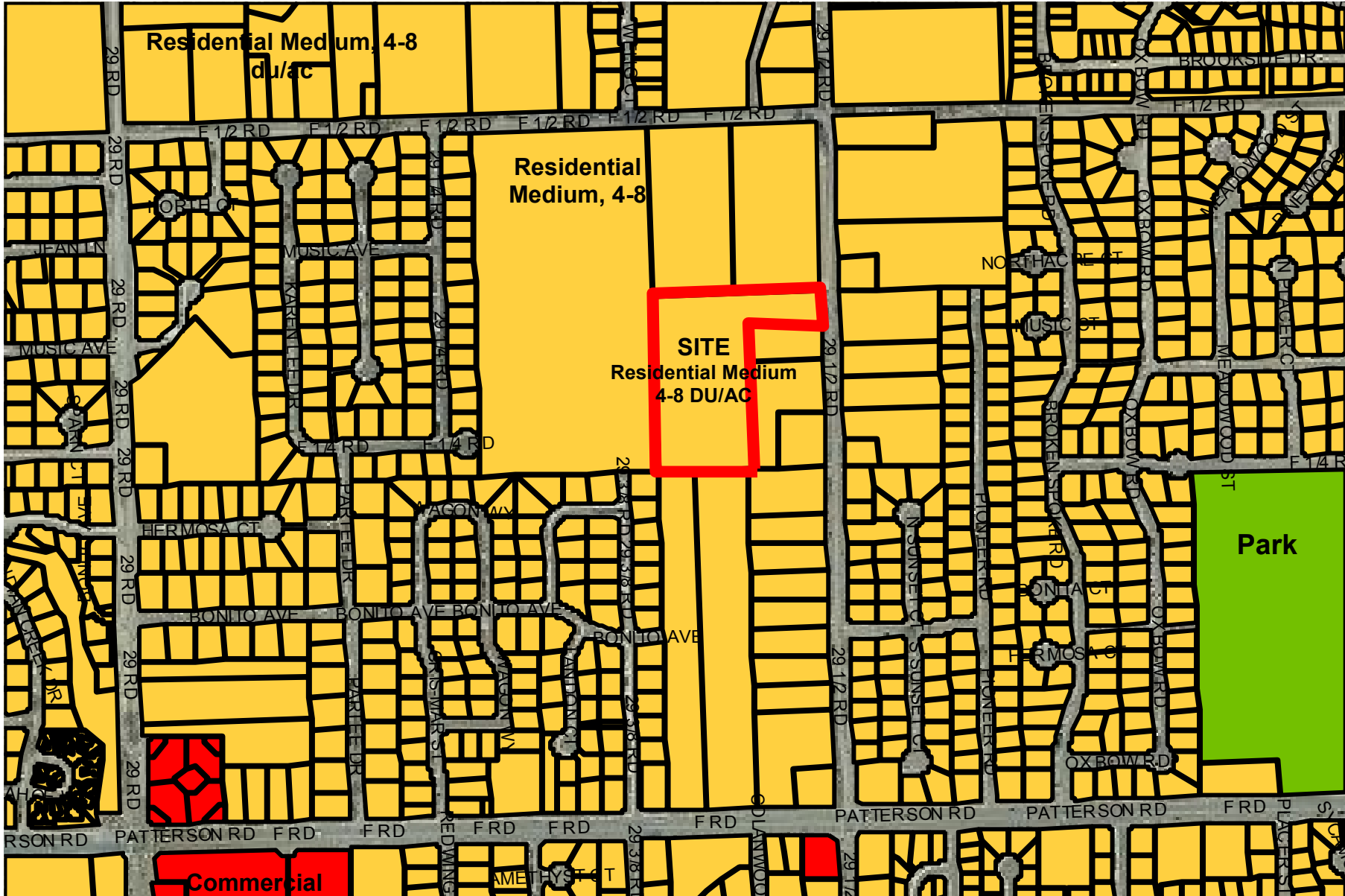
Aerial Photo Map

Figure 2



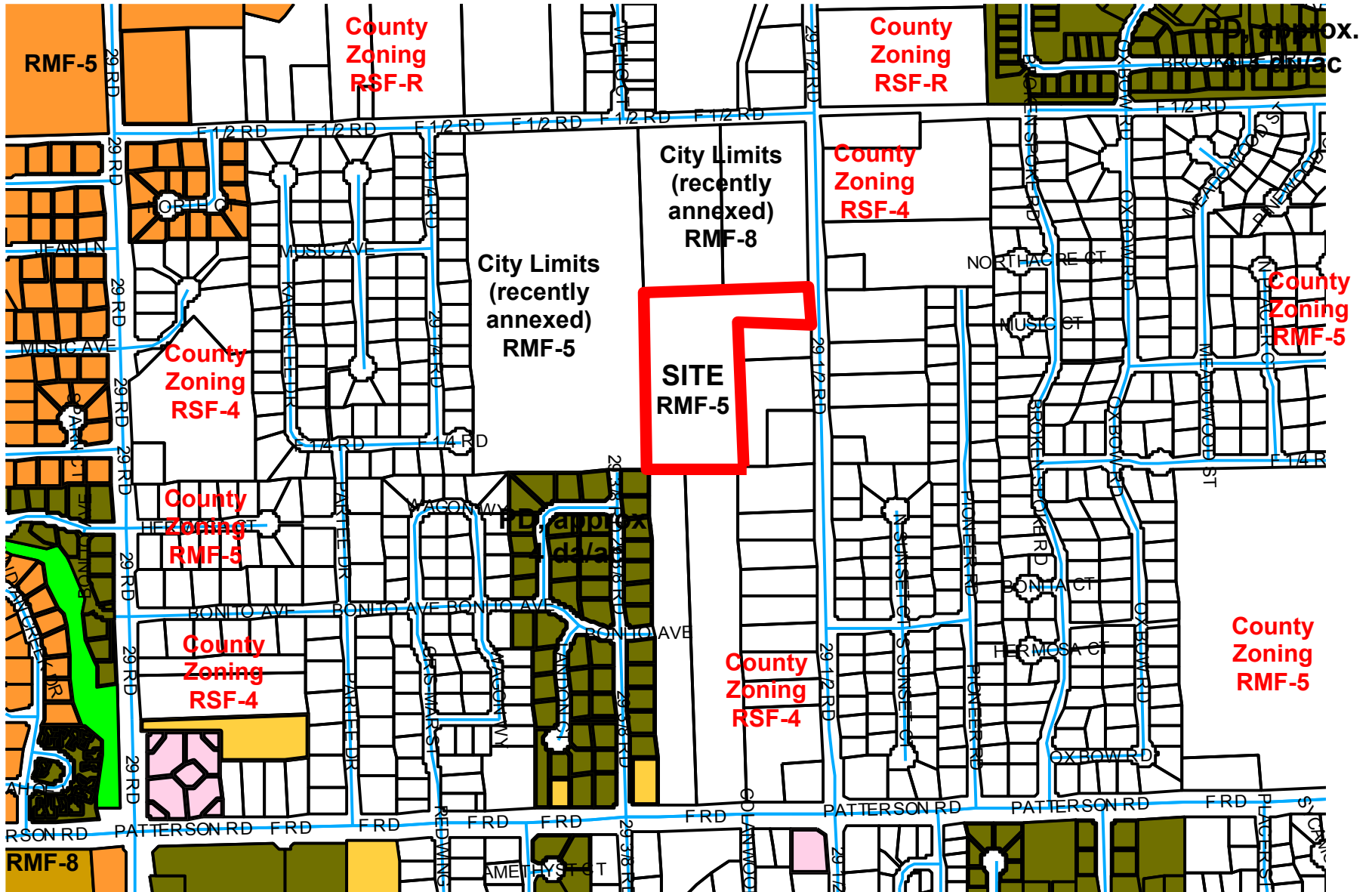
Future Land Use Map

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

Resolution No. _____

A RESOLUTION VACATING 15' OF AN EXISTING DRAINAGE AND UTILITY EASEMENT
LOCATED AT 641 29 ½ Road

RECITALS:

This resolution vacates the northern 15' portion of an existing 35' drainage and utility easement described in a document recorded at Plat Book 13, Page 485 of the Mesa County records, located at 641 29 ½ Road. Only the southern 20' portion of the existing easement will be required for the development of the property, therefore the northern 15' portion of the easement is to be vacated.

The Planning Commission, having heard and considered the request and found the criteria of Section 2.11.C of the Zoning Code to have been met, recommend that the vacation be approved.

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

The following described easement is hereby vacated subject to the listed conditions:

1. Applicant shall pay all recording/documentation fees for the Vacation Resolution, any easement documents and dedication documents.
2. Any required utility easement(s) be dedicated concurrently with the recordation of the final plat with the first filing of development.

EASEMENT VACATION DESCRIPTION:

The northern 15' portion of the easement described in a document recorded in Plat Book 13 at Page 485 of the Mesa County records, and as shown on the attached Exhibit.

PASSED and ADOPTED this _____ day of _____, 2004.

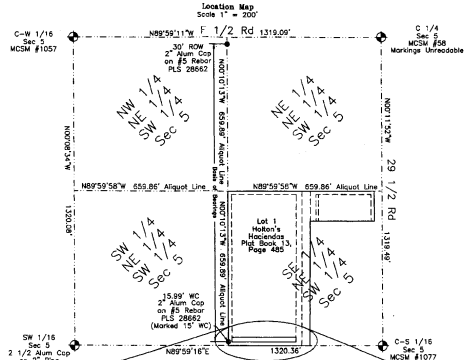
ATTEST:

President of City Council

City Clerk

Lot 1, Holton's Haciendas Utility & Drainage Easement Vacation

in the SE 1/4 NE 1/4 SW 1/4 Section 5
Township 1 South, Range 1 East of the Ute Meridian, Mesa County, Colorado



Utility and Drainage Easement Vacation Description

A strip of land to be vacated in the southern portion of Lot 1, Holton's Haciendas, a subdivision in the SE 1/4 NE 1/4 SW 1/4 Section 5, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, as recorded in the records of said Mesa County of Plat Book 13, Page 485, said strip being 15 feet in width measured at right angles to a 35-foot Utility and Drainage Easement in said Lot 1, said 15-foot strip being more particularly described as follows:

Commencing at the southeast corner of Lot 1, Holton's Haciendas in the SE 1/4 NE 1/4 SW 1/4 Section 5, Township 1 South, Range 1 East of the Ute Meridian, whence the southeast corner of said Lot 1 bears N89°59'16"E, 248.62 feet with all other bearings contained herein being relative thereto; thence, N00°10'13"W along the west line of said Lot 1, 30.00 feet; thence, N89°59'16"E, 15.00 feet to the east line of a 15-foot Utility and Irrigation Easement in said Lot 1 and the POINT OF BEGINNING; thence, N89°59'16"E, along the north line of an existing 30-foot Utility and Drainage Easement in said Lot 1, a distance of 273.83 feet to the west line of a 25-foot Easement for Operation and Maintenance Road in said Lot 1; thence, S00°10'13"W along said east-west line, 15.00 feet; thence, S89°59'16"W, 273.74 feet to the east line of a 15-foot Utility and Irrigation Easement in said Lot 1; thence, N00°10'13"W along said east line, 15.00 feet to the POINT OF BEGINNING.

CITY PLANNING COMMISSION'S CERTIFICATE

Approved this _____ day of _____ A.D. 20____ by the
Planning Commission, City of Grand Junction, County of Mesa, State of Colorado.

Chairperson

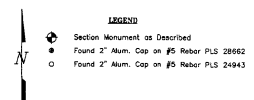
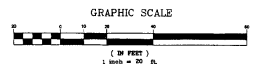
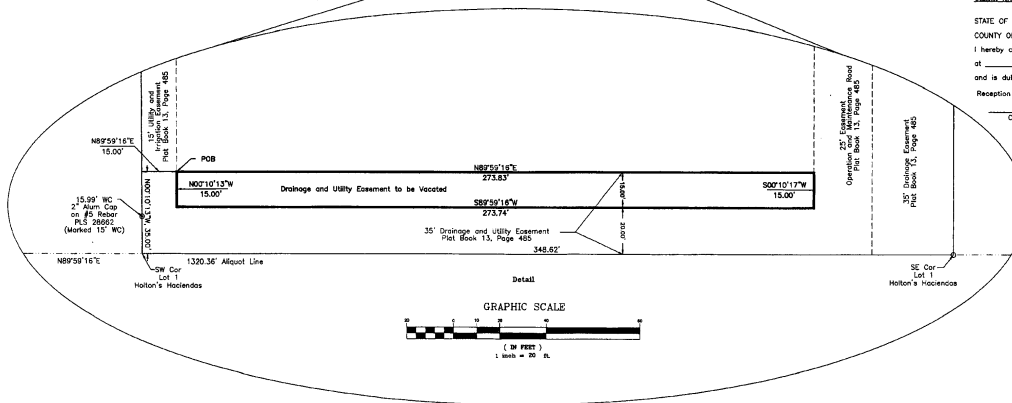
CITY COUNCIL'S CERTIFICATE

Approved this _____ day of _____ A.D. 20____ by the
City Council of the City of Grand Junction, County of Mesa, State of Colorado.

Mayor, City of Grand Junction City Manager

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO)
COUNTY OF MESA) SS
I hereby certify that this instrument was filed in my office
at _____ o'clock _____ M. this _____ day of _____ A.D. 20____
and is duly recorded in Plat Book No. _____ Page _____
Reception No. _____ Drawer No. _____
Clerk and Recorder Deputy Fees



NOTICE

According to Colorado Law you must commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

BASE OF BEARING:

The bearing between the found 2" Alum. Cap on #5 rebar, LS 28662 marked W 15' located on the east aliquot line of the W 1/2 NE 1/4 SW 1/4 Sec 5, T. 1 S., R. 1 E., U. M. near the SW corner of this surveyed property and the 2" Alum. Cap on #5 rebar, LS 28662 at the intersection of the 30' ROW line for 1/2 Road and the east aliquot line of the W 1/2 NE 1/4 SW 1/4 of said Sec 5 is assumed to be N00°10'13"W to correspond to the bearing of the aliquot line as shown on the plot of the Forrest Estates Sub-division.

SURVEYOR'S STATEMENT:

I, Robert A. Larson, a Registered Professional Land Surveyor in the State of Colorado, do hereby certify that the plot of Lot 1, Holton's Haciendas Drainage and Utility Vacation, was prepared from a survey performed by me or under my direct supervision, and is correct to the best of my knowledge and information.

Preliminary for City Review

Robert A. Larson, PLS 31160 Date _____

Merritt LS, L.L.C.
743 Horizon Ct., Suite 1008, Grand Junction, CO, 81506
PHONE (970) 255-7366 FAX (970) 255-7368

Lot 1, Holton's Haciendas
Utility & Drainage Easement Vacation
in the SE 1/4 NE 1/4 SW 1/4 Section 5
Township 1 South, Range 1 East,
Ute Meridian,
Mesa County, Colorado

DATE: October 8, 2004	SCALE: 1" = 20'
DRAWN: MRS. L. SANC. 244	PROJECT NO. 0323
REVISED: -	SHEET 1 OF 1

C:\w\Documents\NEW\0303232323.doc 8/11/04 11:07 AM 36 2004 Merritt LS, L.L.C., Grand Junction, CO 81501

**Attach 4
Setting a Hearing to Create Alley Improvement District 2005**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Declaring the Intent to Create Alley Improvement District 2005						
Meeting Date	October 20, 2004						
Date Prepared	October 14, 2004				File #		
Author	Michael Grizenko		Real Estate Technician				
Presenter Name	Mark Relph		Public Works and Utilities Director				
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Successful petitions have been submitted requesting a Local Improvement District be created to reconstruct the following seven alleys:

- East/West Alley from 1st to 2nd, between Ouray Avenue and Chipeta Avenue
- East/West Alley from 9th to 10th, between Rood Avenue and White Avenue
- East/West Alley from 9th to 10th, between Ouray Avenue and Chipeta Avenue
- East/West Alley from 11th to 12th, between Teller Avenue and Belford Avenue
- North/South Alley from 18th to 19th, between Ouray Avenue and Chipeta Avenue
- North/South Alley from 18th to 19th, between Chipeta Avenue and Gunnison Avenue
- North/South Alley from 23rd to 24th, between Ouray Avenue and Gunnison Avenue

A public hearing is scheduled for the December 1st, 2004 City Council meeting.

Budget:

2005 Alley Budget	\$360,000
Estimated Cost to construct 2005 Alleys	\$280,250
Estimated Balance	\$ 79,750*

* Petitions are circulating which, if successful, will encumber a portion of the estimated balance and will be used to create a Phase B Improvement District.

Action Requested/Recommendation: Review and adopt the proposed resolution.

Attachments: 1) Summary Sheets 2) Maps 3) Resolution 4) Notice

Background Information: Peoples Ordinance No. 33 authorizes the City Council to create improvement districts and levy assessments when requested by a majority of the owners of the property to be assessed. Council may also establish assessment rates by resolution. The present rates for alleys are \$8.00 per abutting foot for residential single-family uses, \$15.00 per abutting foot for residential multi-family uses, 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. The public hearing is for questions regarding validity of the submitted petitions.
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, gives notice of a public hearing concerning a proposed Assessing Ordinance, and conducts a first reading of a proposed Assessing Ordinance.
7. Council conducts a public hearing and second reading of the proposed Assessing Ordinance. The public hearing is for questions about the assessments.
8. The adopted Ordinance is published for three consecutive days.
9. 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.

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT 1ST STREET TO 2ND STREET OURAY AVE TO CHIPETA AVE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
• Ronald & Mary Eisenman	50	31.50	\$1,575.00
• Ted Munkres	50	31.50	\$1,575.00
• Christeen Fredericks	31.25	8.00	\$250.00
• Marlene Tucker	31.25	8.00	\$250.00
• Richard Jones	50	15.00	\$750.00
• Richard Jones	37.5	15.00	\$562.50
Evangelina Balerio Estate c/o Esther Lujan	50	8.00	\$400.00
• Michael Drissel & Steven Hagedorn	50	31.50	\$1,575.00
• Stephen & Kellie Gearhart	46	31.50	\$1,449.00
Mark Gamble	54	31.50	\$1,701.00
Terry Coutee	50	31.50	\$1,575.00
Theresa Arnold	<u>100</u>	15.00	<u>\$1,500.00</u>
TOTAL ASSESSABLE FOOTAGE	600		\$13,162.50

Estimated Cost to Construct	\$ 31,350.00
Absolute Cost to Owners	<u>\$ 13,162.50</u>
Estimated Cost to City	\$ 18,187.50

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 owners who signed in favor of improvements 8/12 or 67% and 58% of assessable footage.

SUMMARY SHEET

**PROPOSED ALLEY IMPROVEMENT DISTRICT
9th STREET TO 10th STREET
ROOD AVENUE TO WHITE AVENUE**

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
• Debra Jacobson	50	15.00	\$750.00
• Cynthia & Nels Werner	50	8.00	\$400.00
• Judith Vanderleest	50	8.00	\$400.00
• Lisa Loerzel	50	8.00	\$400.00
• Douglas & Gaynell Colaric	50	8.00	\$400.00
• Don Ingram	50	8.00	\$400.00
• 951 White LLC	50	15.00	\$750.00
• Steven O'Donnell, et al	50	15.00	\$750.00
• Robert Tracy	50	8.00	\$400.00
• Robert Tracy	50	15.00	\$750.00
• Robert Tracy	50	8.00	\$400.00
Michael & Irma Adcock	50	8.00	\$400.00
• Betsy Black	50	15.00	\$750.00
• Dennis Svaldi	50	8.00	\$400.00
• Rebecca Ann McCreery	50	8.00	\$400.00
• Nicole & Stephen Clarke	50	15.00	<u>\$750.00</u>
ASSESSABLE FOOTAGE	TOTAL	800	\$8,500.00

Estimated Cost to Construct	\$ 41,800.00
Absolute Cost to Owners	<u>\$ 8,500.00</u>
Estimated Cost to City	\$ 33,300.00

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 owners in favor of improvements = 15/16 or 94% and 94% of the assessable footage.

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT 9th STREET TO 10th STREET OURAY AVE TO CHIPETA AVE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
• Timothy Palmquist	50	8.00	\$400.00
• Melba Youker	50	8.00	\$400.00
H Allan Amos	50	8.00	\$400.00
• Dane Meisenheimer	50	8.00	\$400.00
• Marvin & Eleanore Walworth	50	8.00	\$400.00
Terry & Sandra McGovern	50	8.00	\$400.00
Ami Purser, and George & Linda Turner	50	8.00	\$400.00
• Tonya & Darren Cook	50	8.00	\$400.00
• Wayne & Katherine Petefish	50	15.00	\$750.00
• Denise & Mark McKenney	50	8.00	\$400.00
• Cheryl DeGaia	50	8.00	\$400.00
• David & Cynthia Dennison-Jones	50	8.00	\$400.00
• Frank & Teresa Coons	50	8.00	\$400.00
Vinje Lawson	50	8.00	\$400.00
• Charles & Colleen Meyer	50	8.00	\$400.00
• Karl & Jan Antwine	50	<u>15.00</u>	<u>\$750.00</u>
TOTAL			
ASSESSABLE FOOTAGE	800		\$7,100.00

Estimated Cost to Construct	\$ 41,800.00
Absolute Cost to Owners	<u>\$ 7,100.00</u>
Estimated Cost to City	\$ 34,700.00

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 owners signing in favor of improvements = 12/16 or 75% and 75% of the assessable footage.

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT 11TH STREET TO 12TH STREET TELLER AVE TO BELFORD AVE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
• Ted D Munkres	50	8.00	\$400.00
• Mary Jo Good	50	8.00	\$400.00
• Shoberg Diversified Services**	50	15.00	\$750.00
Fast Lion LLP	100	15.00	\$1,500.00
• William & Janet Pomrenke	128.6	15.00	\$1,929.00
West Pearson LLC	393.2	15.00	\$5,898.00
• Michael & Deanna Hines	60	15.00	\$900.00
• Stephen Good	<u>50</u>	8.00	<u>\$400.00</u>
TOTAL ASSESSABLE FOOTAGE	881.8		\$12,177.00

Estimated Cost to Construct	\$ 46,550.00
Absolute Cost to Owners	\$ <u>12,177.00</u>
Estimated Cost to City	\$ 34,373.00

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 owners signing in favor of improvements 6/8 or 75% and 44% of the assessable footage.

** Indicates POA for alley improvements exists for this property (Book 3677 Pg 981, Mesa County records) and is invoked by this petition.

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT 18th STREET TO 19th STREET OURAY AVE TO CHIPETA AVE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
• Michael & Susan Bowser	50	8.00	\$400.00
• Molly Shores	50	8.00	\$400.00
• Karen Menzies	50	8.00	\$400.00
• Matthew & Crystal Vagts	50	8.00	\$400.00
• Ulrike Metzner	50	8.00	\$400.00
Lois Renfrow	50	8.00	\$400.00
• Larry Vaughn	62.5	8.00	\$500.00
• KG & MM McConnell	50	8.00	\$400.00
• Lawrence & Ruthmary Allison	62.5	8.00	\$500.00
• Thomas Church	50	8.00	\$400.00
• Clara Nelson	<u>75</u>	8.00	<u>\$600.00</u>
TOTAL ASSESSABLE FOOTAGE	600		\$4,800.00

Estimated Cost to Construct	\$ 30,400.00
Absolute Cost to Owners	\$ <u>4,800.00</u>
Estimated Cost to City	\$ 25,600.00

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 owners signing in favor of improvements are 10/11 or 91 % and 92% of the assessable footage.

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT 18th STREET TO 19th STREET CHIPETA AVE TO GUNNISON AVE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
Lynn Swanson & James McNew**	60.41	8.00	\$483.28
Warren & Sally Wilcox**	40	8.00	\$320.00
Donald & Beverly Aust**	40	8.00	\$320.00
Irvin & Joyce Effinger**	40	8.00	\$320.00
• HEH Investments LLC**	40	8.00	\$320.00
• Andrew & Mary Raggio**	40	8.00	\$320.00
• Steven & Sonja Cook**	60.40	8.00	\$483.20
• Carl & Betty Wahlberg	70	15.00	\$1,050.00
• Doris Greenwood	92.5	15.00	\$1,387.50
• James Rankin & Family Limited Partnership	92.5	15.00	\$1,387.50
• Kenneth Wilson	<u>70</u>	15.00	<u>\$1,050.00</u>
TOTAL ASSESSABLE FOOTAGE	645.81		\$7,441.48

Estimated Cost to Construct	\$ 32,300.00
Absolute Cost to Owners	<u>\$ 7,441.48</u>
Estimated Cost to City	\$ 24,858.52

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 owners signing in favor of improvements = 7/11 or 64% and 72% of the assessable footage.

** Indicates POA for alley improvements exists for these properties (Book 2112 Pg 196, Mesa County records) and is invoked by the petition process. The City Clerk is authorized to sign for those properties which have not already done so (5 total).

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT 23rd STREET TO 24th STREET OURAY AVENUE TO GUNNISON AVENUE

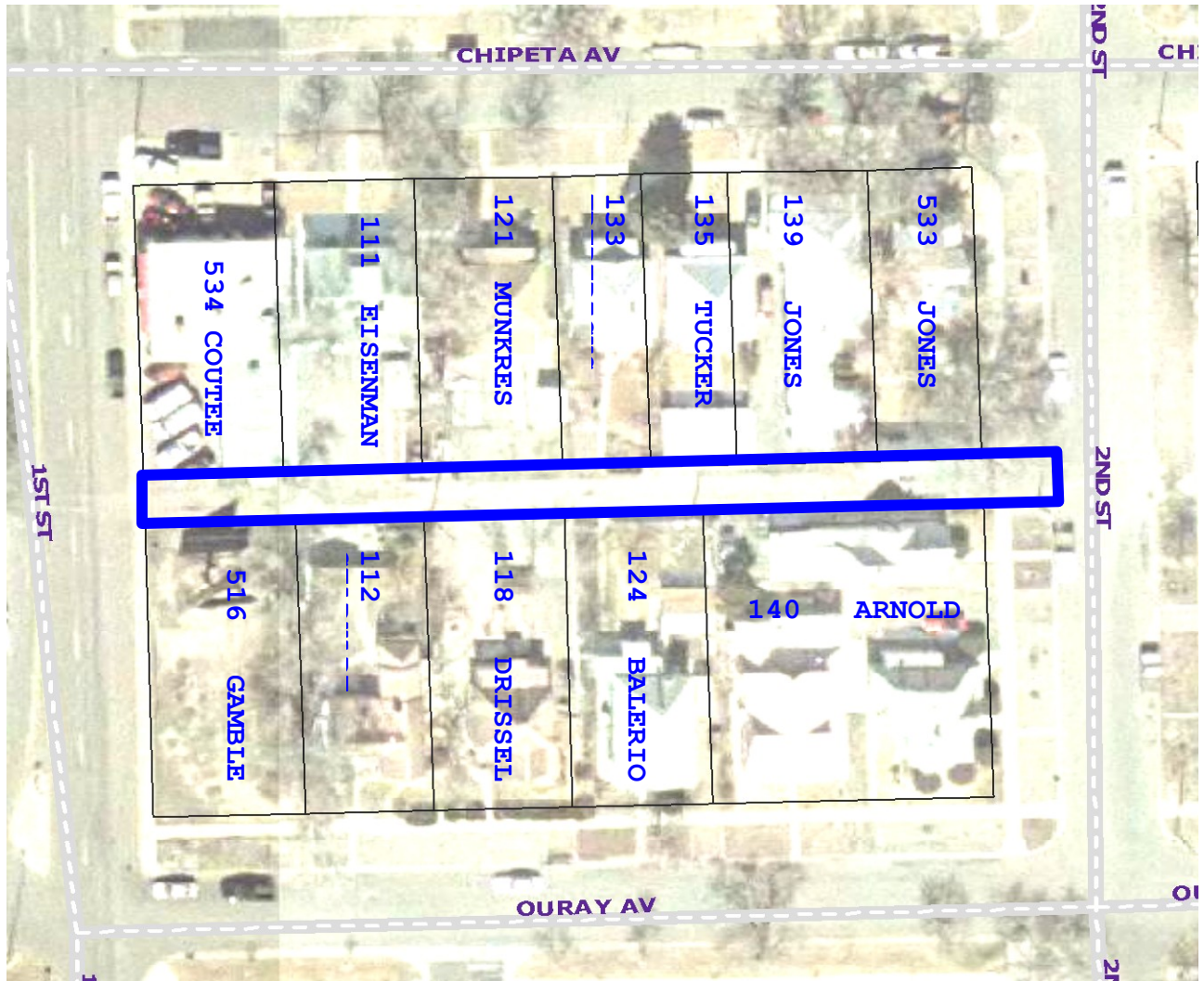
OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
• Thomas & Lori Sheldon	63	8.00	\$504.00
• Michael Whittington	63	8.00	\$504.00
• Donald Saddoris	63	8.00	\$504.00
• Terry Catlin	63	8.00	\$504.00
• Alfredo Magallon & Veronica Diego Moreno	63	8.00	\$504.00
Chad & Danielle Daniel	63	8.00	\$504.00
• Gilbert Mata	63	8.00	\$504.00
• Robert & Judy Silbernagel	63	8.00	\$504.00
• Leslie & Marilyn Freeouf, Trustees	63	8.00	\$504.00
• Kenneth & Cary Perino	63	8.00	\$504.00
Stancyn Enterprises, LLLP	63	8.00	\$504.00
Laura Bradford	63	8.00	\$504.00
William Carton & Adam Lind, Trustees	63	8.00	\$504.00
• Lori Ann Morgan	63	8.00	\$504.00
• Marvin & Eleanore Walworth	63	8.00	\$504.00
Joaquin Guerra & Rosa Hernandez	63	8.00	\$504.00
Donald Ciriacks	62.25	8.00	\$498.00
Susan Britton	62.25	8.00	\$498.00
TOTAL ASSESSABLE FOOTAGE	1,132.50		\$9,060.00

Estimated Cost to Construct	\$ 56,050.00
Absolute Cost to Owners	<u>\$ 9,060.00</u>
Estimated Cost to City	\$ 46,990.00

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 owners signing in favor of improvements are 11/18 or 61% and 61% of the assessable footage.

PROPOSED ALLEY IMPROVEMENT DISTRICT 1ST STREET TO 2ND STREET OURAY AVE TO CHIPETA AVE



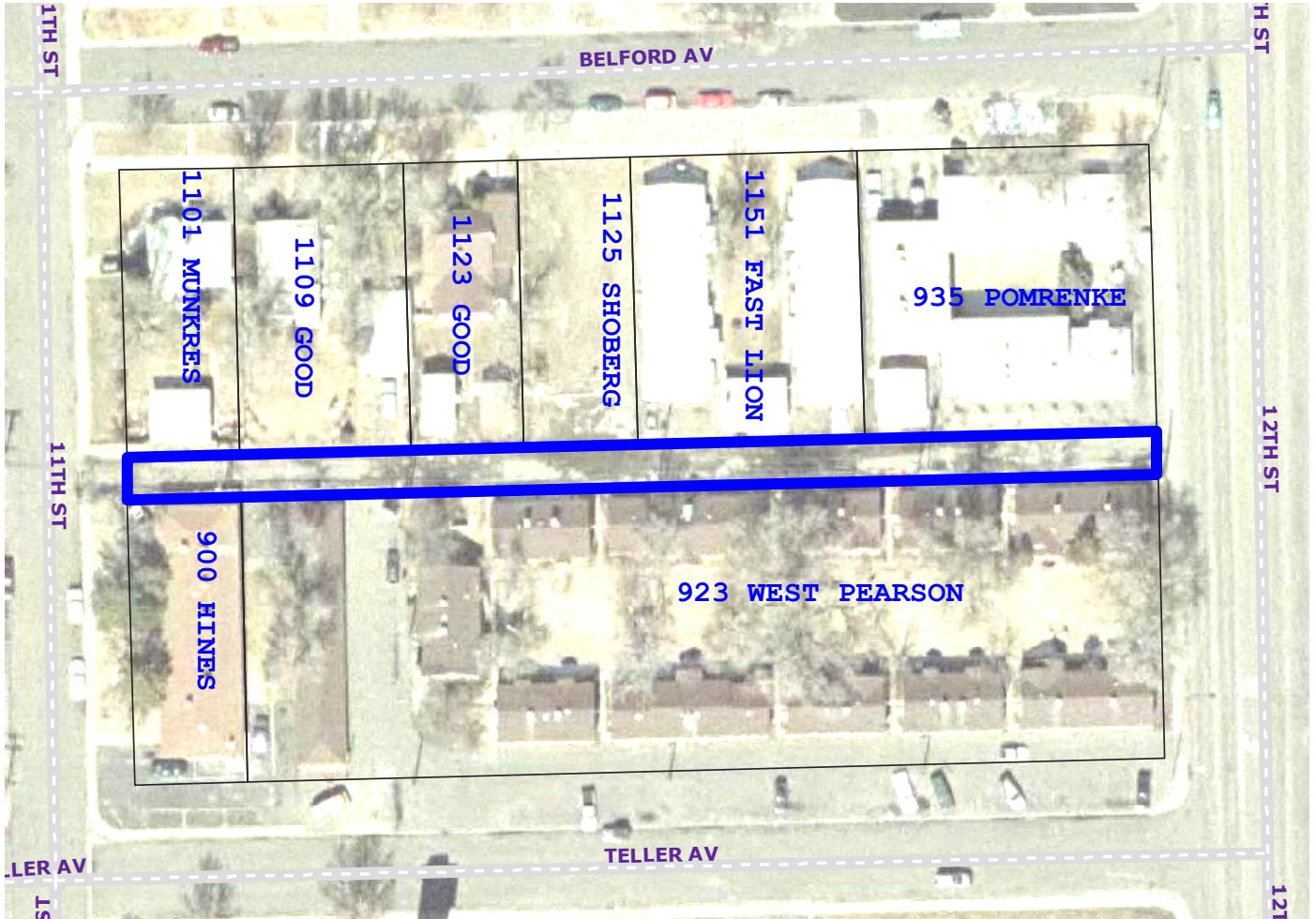
PROPOSED ALLEY IMPROVEMENT 9TH STREET TO 10TH STREET ROOD AVENUE TO WHITE AVENUE



**PROPOSED ALLEY IMPROVEMENT
9TH STREET TO 10TH STREET
OURAY AVENUE TO CHIPETA AVENUE**



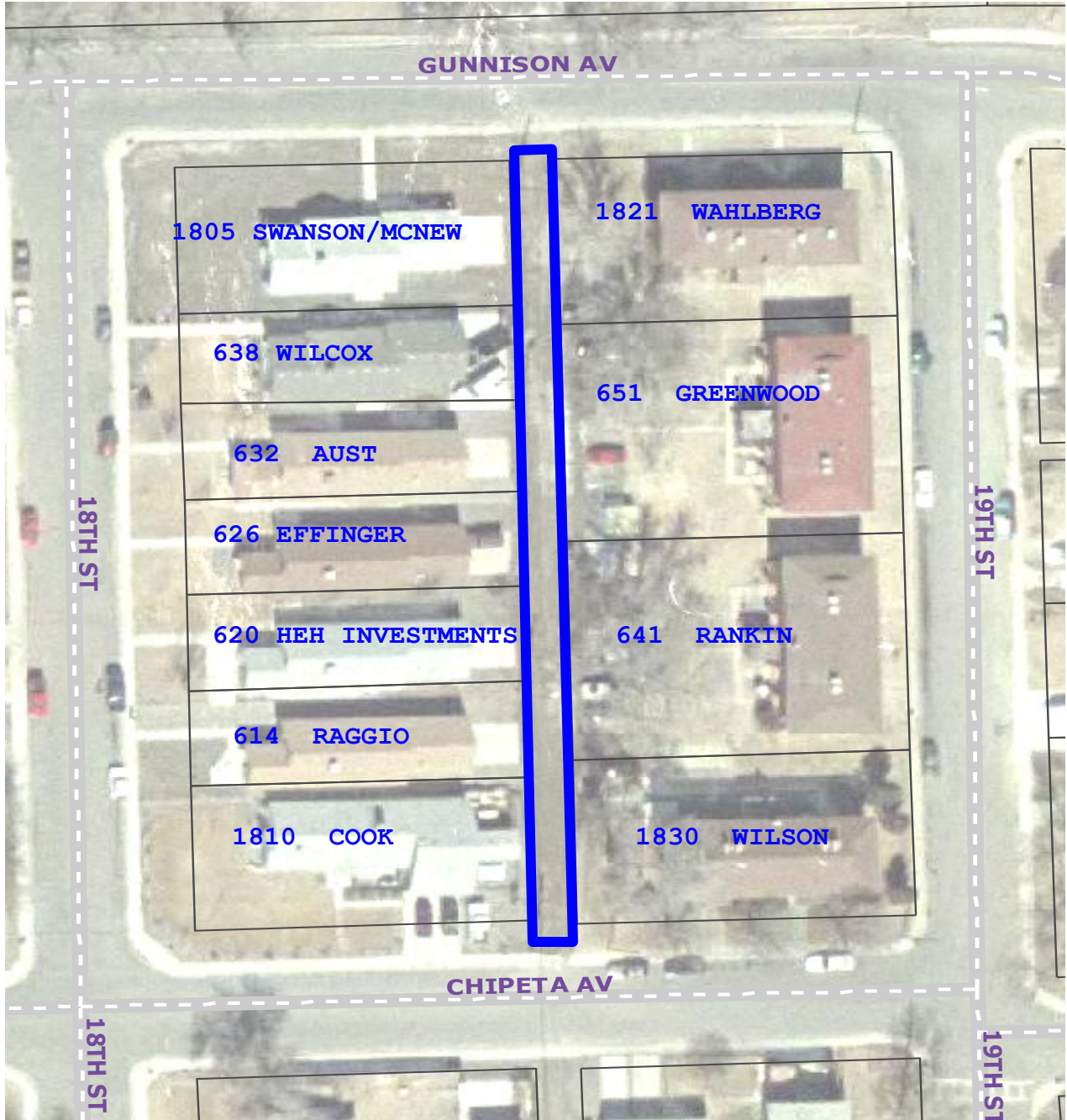
**PROPOSED ALLEY IMPROVEMENT
11TH ST TO 12TH ST, TELLER AVE TO BELFORD AVE**



**PROPOSED ALLEY IMPROVEMENT
18TH STREET TO 19TH STREET
OURAY AVENUE TO CHIPETA AVENUE**



**PROPOSED ALLEY IMPROVEMENT
18TH STREET TO 19TH STREET
CHIPETA AVENUE TO GUNNISON AVENUE**



**ALLEY IMPROVEMENT
23RD STREET TO 24TH STREET
OURAY AVENUE TO GUNNISON AVENUE**



RESOLUTION NO. _____

**A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL
OF THE CITY OF GRAND JUNCTION, COLORADO, TO CREATE
WITHIN SAID CITY ALLEY IMPROVEMENT DISTRICT NO. ST- 05 AND
AUTHORIZING THE CITY ENGINEER TO PREPARE
DETAILS AND SPECIFICATIONS FOR THE SAME.**

WHEREAS, a majority of the property owners to be assessed have petitioned the City Council, under the provisions of Chapter 28 of the City of Grand Junction Code of Ordinances, as amended, and People's Ordinance No. 33, that an Alley Improvement District be created for the construction of improvements as follows:

Location of Improvements:

- East/West Alley from 1st to 2nd, between Ouray Avenue and Chipeta Avenue
- East/West Alley from 9th to 10th, between Rood Avenue and White Avenue
- East/West Alley from 9th to 10th, between Ouray Avenue and Chipeta Avenue
- East/West Alley from 11th to 12th, between Teller Avenue and Belford Avenue
- North/South Alley from 18th to 19th, between Ouray Avenue and Chipeta Avenue
- North/South Alley from 18th to 19th, between Chipeta Avenue and Gunnison Avenue
- North/South Alley from 23rd to 24th, between Ouray Avenue and Gunnison Avenue

Type of Improvements - To include base course material under a mat of Concrete Pavement and construction or reconstruction of concrete approaches as deemed necessary by the City Engineer; and

WHEREAS, the City Council deems it advisable to take the necessary preliminary proceedings for the creation of a Local Improvement District.

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

1. That the District of lands to be assessed is described as follows:

Lots 1-24, inclusive, Block 56, City of Grand Junction; and also,
Lots 1-30, inclusive, and the North 42 feet 10 1/2 inches of Lots 31 and 32, Block 91,
City of Grand Junction; and also,
Lots 1-32, inclusive, Block 64, City of Grand Junction; and also,
Lots 1-34, inclusive, Block 22, City of Grand Junction; and also,
Lots 1-24, inclusive, Block 5, Slocomb's Addition to Grand Junction; and also,
Lots 14-26, inclusive, Block 12, Slocomb's Addition to Grand Junction; and also,

Lots 1-7, inclusive, Greenwood Subdivision; and also,
Lots 1 through 18, inclusive, Block 4, Mesa Gardens Subdivision.
All in the City of Grand Junction, and Mesa County, Colorado.

2. That the assessment levied against the respective properties will be as follows per each linear foot directly abutting the alley right-of-way:

Properties located within any zone other than residential and properties which are used and occupied for any purpose other than residential shall be assessed \$31.50 per abutting foot; provided, however, that existing multi-family uses within a non-residential zone shall be assessed at the multi-family rate of \$15.00 per abutting foot; further provided, that any single-family uses within a non-residential zone shall be assessed at the single family rate of \$8.00 per abutting foot.

Properties located in a residential multi-family zone shall be assessed at the residential multi-family rate of \$15.00 per abutting foot; provided, however, that any single family uses within a multi-family zone shall be assessed at the single family rate of \$8.00 per abutting foot.

Properties located in a single family residential zone shall be assessed at \$8.00 per abutting foot; provided, however, that existing multi-family uses within a residential zone shall be assessed at the multi-family rate of \$15.00 per abutting foot.

Properties having alley frontage on more than one side shall be assessed the applicable assessment rate for the frontage on the longest side only.

If the use of any property changes, or if a property is rezoned any time prior to the assessment hearing, the assessment shall reflect that change.

The total amount of assessable footage for properties receiving the single-family residential rate is estimated to be 3,515.81 feet and the total amount of assessable footage for properties receiving the multi-family residential rate is estimated to be 1,644.3 feet; and the total amount of assessable footage receiving the non-residential rate is 300 feet.

3. That the assessments to be levied against the properties in said District to pay the cost of such improvements shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such costs becomes final, and, if paid during this period, the amount added for costs of collection and other incidentals shall be deducted; provided, however, that failure by any owner(s) to pay the whole assessment within said thirty (30) day period shall be conclusively considered as an election on the part of said owner(s) to pay the assessment, together with an additional six percent (6%) one-time charge for cost of collection and other incidentals, as required by the Mesa County Treasurer's office, which shall be added to the principal payable in ten (10) annual installments, the first of which 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.

4. That the City Engineer is hereby authorized and directed to prepare full details, plans and specifications for such paving; and a map of the district depicting the real property to be assessed from which the amount of assessment to be levied against each individual property may be readily ascertained, all as required by Ordinance No. 178, as amended, City of Grand Junction, Colorado.

5. That Notice of Intention to Create said Alley Improvement District No. ST-05, and of a hearing thereon, shall be given by advertisement in one issue of The Daily Sentinel, a newspaper of general circulation published in said City, which Notice shall be in substantially the form set forth in the attached "**NOTICE**".

NOTICE

DECLARING THE INTENTION TO CREATE ALLEY IMPROVEMENT DISTRICT NO. ST-05, IN THE CITY OF GRAND JUNCTION, COLORADO, AND OF A HEARING THEREON

PUBLIC NOTICE IS HEREBY GIVEN, pursuant to the request of a majority of the affected property owners, to the owners of real estate in the district hereinafter described and to all persons generally interested that the City Council of the City of Grand Junction, Colorado, intends to create Alley Improvement District No. ST-05, in said City for the purpose of reconstructing and paving certain alleys to serve the property hereinafter described which lands are to be assessed with the cost of the improvements, to wit:

That the District of lands to be assessed is described as follows:

Lots 1-24, inclusive, Block 56, City of Grand Junction; and also,
Lots 1-30, inclusive, and the North 42 feet 10 1/2 inches of Lots 31 and 32, Block 91, City of Grand Junction; and also,
Lots 1-32, inclusive, Block 64, City of Grand Junction; and also,
Lots 1-34, inclusive, Block 22, City of Grand Junction; and also,
Lots 1-24, inclusive, Block 5, Slocomb's Addition to Grand Junction; and also,
Lots 14-26, inclusive, Block 12, Slocomb's Addition to Grand Junction; and also,
Lots 1-7, inclusive, Greenwood Subdivision; and also,
Lots 1 through 18, inclusive, Block 4, Mesa Gardens Subdivision.
All in the City of Grand Junction, and Mesa County, Colorado.

Location of Improvements:

- East/West Alley from 1st to 2nd, between Ouray Avenue and Chipeta Avenue
- East/West Alley from 9th to 10th, between Rood Avenue and White Avenue
- East/West Alley from 9th to 10th, between Ouray Avenue and Chipeta Avenue
- East/West Alley from 11th to 12th, between Teller Avenue and Belford Avenue
- North/South Alley from 18th to 19th, between Ouray Avenue and Chipeta Avenue
- North/South Alley from 18th to 19th, between Chipeta Avenue and Gunnison Avenue
- North/South Alley from 23rd to 24th, between Ouray Avenue and Gunnison Avenue

Type of Improvements: To include base course material under a mat of Concrete Pavement and construction or reconstruction of concrete approaches as deemed necessary by the City Engineer.

2. That the assessment levied against the respective properties will be as follows per each linear foot directly abutting the alley right-of-way:

Properties located within any zone other than residential and properties which are used and occupied for any purpose other than residential shall be assessed \$31.50 per

abutting foot; provided, however, that existing multi-family uses within a non-residential zone shall be assessed at the multi-family rate of \$15.00 per abutting foot;

Properties located in a residential multi-family zone shall be assessed at the residential multi-family rate of \$15.00 per abutting foot.

Properties located in a single-family residential zone shall be assessed at \$8.00 per abutting foot.

Properties having alley frontage on more than one side shall be assessed the applicable assessment rate for the frontage on the longest side only.

If the use of any property changes, or if a property is rezoned any time prior to the assessment hearing, the assessment shall reflect that change.

The total amount of assessable footage for properties receiving the single-family residential rate is estimated to be 3,515.81 feet and the total amount of assessable footage for properties receiving the multi-family residential rate is estimated to be 1644.3 feet; and the total amount of assessable footage receiving the non-residential rate is 300 feet.

To the total assessable cost of \$62,240.98 to be borne by the property owners, there shall be, as required by the Mesa County Treasurer's Office, added six (6) percent for costs of collection and incidentals. The said assessment shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such cost shall have become final, and if paid during such period, the amount added for costs of collection and incidentals shall be deducted; provided however, that failure by any owner(s) to pay the whole assessment within said thirty (30) day period shall be conclusively considered as an election on the part of said owner(s) to pay the assessment, together with an additional six percent (6%) one-time charge for cost of collection and other incidentals, as required by the Mesa County Treasurer's Office, which shall be added to the principal payable in ten (10) annual installments which shall become due upon the same date upon which general taxes, or the first installment thereof, are by the laws of the State of Colorado, made payable. Simple interest at the rate of eight (8) percent per annum shall be charged on unpaid installments.

On December 1st, 2004, at the hour of 7:30 o'clock P.M. in the City Council Chambers in City Hall located at 250 North 5th Street in said City, the Council will consider testimony that may be made for or against the proposed improvements by the owners of any real estate to be assessed, or by any person interested.

A map of the district, from which the share of the total cost to be assessed upon each parcel of real estate in the district may be readily ascertained, and all proceedings of the Council, are on file and can be seen and examined by any person interested therein in the office of the City Clerk during business hours, at any time prior to said hearing.

Dated at Grand Junction, Colorado, this _____ day of _____, 2004.

BY ORDER OF THE CITY COUNCIL

CITY OF GRAND JUNCTION, COLORADO

By: _____
City Clerk

PASSED and **ADOPTED** this ____ day of _____, 2004.

President of the Council

Attest:

City Clerk

Attach 5

Agreement with Public Service Company of CO to Relocate a Transmission Line

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Agreement with Public Service Company of CO to Relocate 230 kV Transmission Line					
Meeting Date	October 20, 2004					
Date Prepared	October 13, 2004				File #	
Author	Jim Shanks		Riverside Pkwy Project Manager			
Presenter Name	Mark Relph		Public Works and Utilities Director			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary: The construction of the 25 Road connection to Riverside Parkway will require the relocation of the 230 kV power transmission line which is owned by Public Service Company of Colorado and is located in a private easement. This agreement between the City of Grand Junction and Public Service Company sets the terms including the City paying \$345,000 for the relocation.

Budget: The table below summarizes the budget for the relocation of this kV power transmission line.

2004 Right-of-Way Budget	\$5,680,548
2004 Right-of-Way Related Expenses to Date:	\$2,554,437
Costs Related to this Property Purchase:	
Relocation Cost	\$345,000
Total Costs Related to This Request	\$345,000
2004 Remaining Right-of-Way Funds	\$2,781,111
Total Project Budget	\$75,000,000
Estimated Project Costs:	
Prelim. Engineering / 1601 Process	\$4,001,612
Other Prelim. Engineering	\$1,483,627
Construction Engineering	\$5,329,193
Construction	\$48,447,206
Right-of-Way & Land Purchases	\$10,387,822
Relocation Expenses	\$2,906,500
Total Estimated Project Costs	\$72,555,960
Remaining Funds / Contingency	\$2,444,040

Action Requested/Recommendation: Authorize City Manager to Enter into an Agreement with Public Service Company of Colorado to Relocate the Existing 230 kV transmission line, including 5 poles, in the Vicinity of 25 Road and Riverside Parkway.

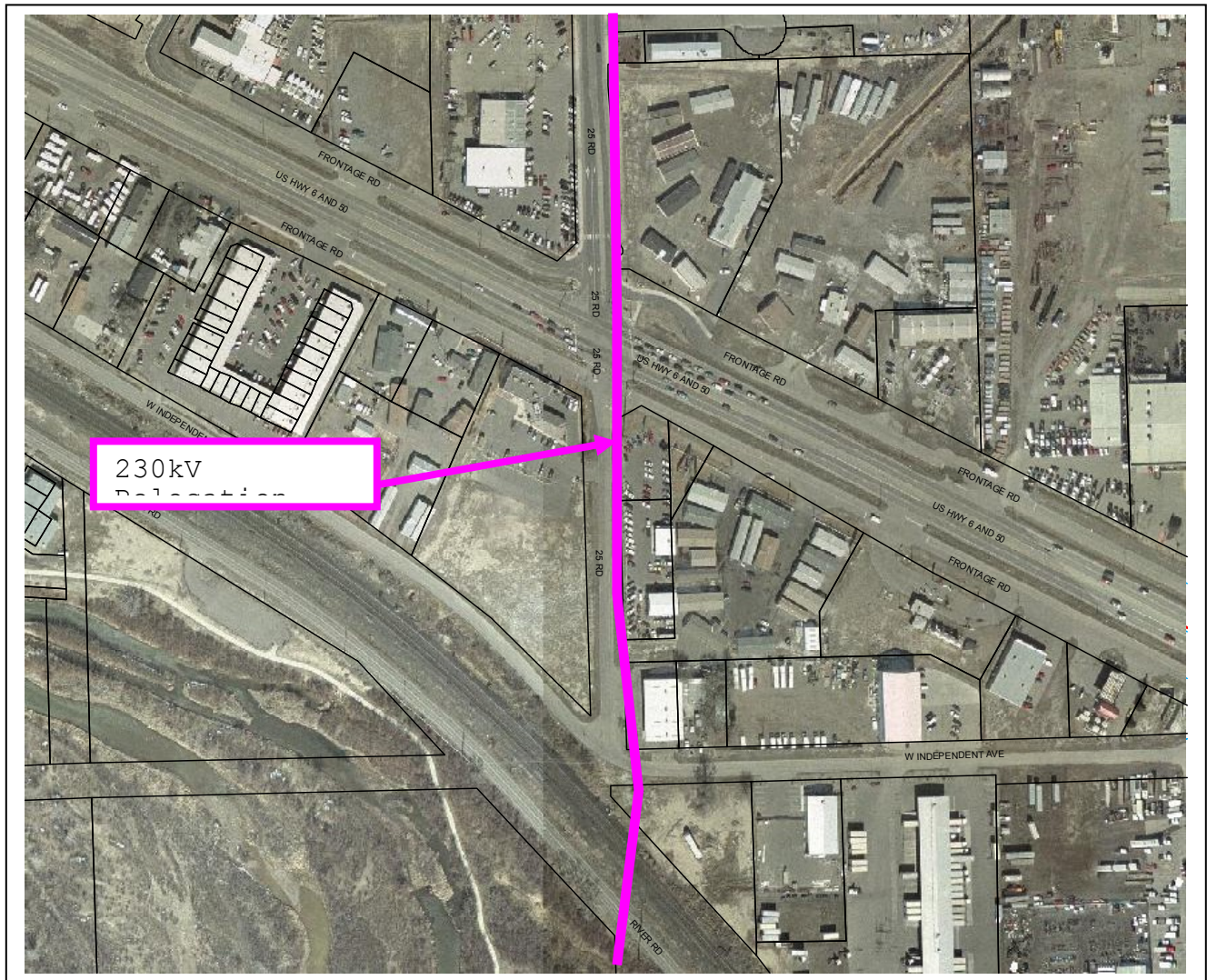
Attachments:

1. Proposed Agreement

Background Information: On November 4, 2003, a majority of the City electorate voted to authorize the City to issue \$80 million in bonds to fund the Riverside Parkway. The authorized funding will expedite the design, property acquisition and construction of this transportation corridor.

The construction of the connection of Riverside Parkway to 25 Road and the adjacent grade separation over the Union Pacific Railroad and Independent Avenue will necessitate the relocation of the existing Public Service Company 230 kV electric transmission line along 25 Road. This existing line is located in a privately held easement by Public Service Company (a.k.a. Xcel Energy). The agreement sets out the terms of the relocation including the City paying PSCO the cost of the relocation which is estimated to be \$345,000 (which equates to \$69,000 per pole). This work is expected to be completed by spring of 2005 in time for the construction of Riverside Parkway.

VICINITY MAP



AGREEMENT

This agreement is made and entered into this 5th day of October, 2004, by and between City of Grand Junction, hereinafter referred to as City, and Public Service Company of Colorado, a Colorado Corporation, hereinafter referred to as PSCo, and concerns the relocation and/or modification of the existing Horizon-Grand Junction 230kV overhead electric transmission line as found in Section 10, Township 1 South, Range 1 West, of the Ute Principal Meridian City of Grand Junction, County of Mesa, State of Colorado.

STATEMENT OF WORK

In order to accommodate Riverside Parkway, at the sole expense of City, PSCo shall furnish or cause to be furnished, all equipment, labor, and materials necessary to relocate or modify fixtures 15,16,17,18, and 19, located on the existing Horizon-Grand Junction 230kV overhead electric transmission line, but not to include site cleanup and any necessary restoration of the right-of-way after the construction work is complete. This work is referred to as the "Project."

COMPENSATION

City shall compensate PSCo for all costs of the Project, including, but not limited to, the cost of engineering the Project, the cost of labor, materials, loss of revenue, and any other losses which may be suffered by PSCo to the extent that those losses are a direct or proximate result of the work specified herein, and not the result of PSCo's negligence. The estimated cost of the Project is \$345,000. This amount is due upon execution of this agreement, and shall be paid to PSCo before commencement of the construction of the Project. Necessary changes in the scope of the Project may result in a difference between the estimate and the actual cost of the Project.

PSCo shall account for costs, using PSCo's method of charging costs of jobs as approved by the Colorado Public Utilities Commission (PUC). Upon completion of the work, PSCo shall provide a "Statement of Charges" to City, which will contain an itemization of all actual costs charged to the Project. If the total cost of the construction is less than the estimated amount for the Project, the balance shall be returned to City on or before one hundred twenty (120) days following completion of the work.

If the total cost of the construction exceeds the estimated amount for the Project, City agrees to compensate PSCo for the excess amount. Full payment by City for the Project shall be made within thirty (30) working days upon receipt of the "Statement of Charges."

In the event City abandons its plan for the Project, for any reason whatsoever, this agreement shall terminate. Upon termination, City shall reimburse PSCo for any and all expenses incurred by PSCo pursuant to this agreement. PSCo shall provide a "Statement of Charges" to City, which will contain an itemization of all actual costs incurred due to the termination. The same provisions above shall apply if the total cost is less than or exceeds the estimated amount for the Project.

PERFORMANCE OF WORK

In consideration of the compensation referred to above, PSCo and City mutually agree to the following:

PSCo shall complete the work necessary to relocate or modify fixtures 15,16,17,18, and 19, located on the existing Horizon-Grand Junction 230kV overhead electric transmission line, in a safe, efficient, and economical manner as conditions permit, giving due regard to soil and weather conditions, and other matters affecting the construction which are beyond the reasonable control of PSCo.

City shall prepare certified legal descriptions and drawings as deemed necessary by PSCo for easement(s) for the new facilities throughout the entire area of City's property or adjacent property as needed, and shall grant such easements(s) to PSCo or obtain the same in favor of PSCo in the form shown on Exhibit B attached hereto and incorporated herein. Such grant(s) shall be made to PSCo before commencement of the construction of the Project.

PSCo and City shall coordinate the work in order to avoid conflict with any other contractors who may be working in the immediate area. City agrees that no construction will interfere with or detour the progress of the Project.

City shall cooperate with PSCo to obtain such permission and permits as may be necessary to accomplish the Project.

City agrees and understands that if PSCo has constructed natural gas gathering, storage, transmission, distribution, or related facilities on the right-of-way, City has been fully advised by PSCo that such natural gas facilities may now transport and may continue to transport natural gas at significant pressures. City shall advise all of its employees, agents, contractors, and other persons who enter upon the right-of-way, pursuant to the provisions of this agreement, of the existence and nature of such natural gas facilities and the danger and risk involved.

City has been fully advised by PSCo that the natural gas facilities of PSCo, if located on the right-of-way, may be subject to cathodic protection by rectifier and related anode beds. PSCo shall not be liable for stray current or interfering signals induced in the right-of-way as a result of the operating of PSCo's cathodic protection system.

City agrees and understands that if PSCo has constructed electric power generation, transmission, distribution, or related facilities on the right-of-way, City has been fully advised by PSCo that such electric facilities may now transmit and may continue to transmit electric current at significant voltages, and that the conductors on electric lines may not be insulated. City shall advise all of its employees, agents, contractors, and other persons who enter upon the right-of-way, pursuant to the provisions of this agreement, of the existence and nature of such electric facilities and the potential danger and risk involved.

As used in this agreement, the term "Claims" means (1) losses, liabilities, and expenses of any sort, including attorneys' fees; (2) fines and penalties; (3) environmental costs, including, but not limited to, investigation, removal, remedial, and restoration costs, and consultant and other fees and expenses; and (4) any and all other costs or expenses.

As used in this agreement, the term "Injury" means (1) death, personal injury, or property damage; (2) loss of profits or other economic injury; (3) disease or actual or threatened health effect; and (4) any consequential or other damages.

To the extent permitted by law, City covenants and agrees to at all times protect, indemnify, hold harmless, and defend PSCo, its directors, officers, agents, employees, successors, assigns, parents, subsidiaries, and affiliates from and against any and all Claims arising from, alleged to arise from, or related to any Injury allegedly or actually occurring, imposed as a result of, arising from, or related to (1) this agreement; (2) the construction, existence, maintenance, operation, repair, inspection, removal, replacement, or relocation of the electric power generation, transmission, or distribution; natural gas gathering, storage, transmission, or distribution; or any other utility facilities; or (3) City's or any other person's presence at the right-of-way as a result of or related to this agreement.

City's duty to protect, indemnify, hold harmless, and defend hereunder shall apply to any and all Claims and Injury, including, but not limited to:

Claims asserted by any person or entity, including, but not limited to, employees of City or its contractors, subcontractors, or their employees;

Claims arising or alleged to be arising in any way out of the existence at or near the right-of-way due to this agreement of (1) electric power generation, transmission, distribution, or related facilities; (2) electricity or electromagnetic fields; (3) natural gas gathering, storage, transmission, distribution, or related

facilities; (4) asbestos or asbestos containing materials; (5) any Hazardous Materials, regardless of origin; or

Claims arising from, or alleged to be arising in any way from, the acts or omissions of City, its sub lessees, invitees, agents, or employees.

By agreeing to indemnification hereunder, City does not waive any provisions of the Colorado Governmental Immunity Act.

This agreement may be executed in two original counterparts, each of which shall be deemed an original of this instrument.

This agreement shall inure to the benefit of and be binding upon the successors and assigns of the parties hereto as allowed herein.

IN WITNESS WHEREOF, this instrument has been executed the day and year first above written.

PUBLIC SERVICE COMPANY OF COLORADO

By: _____

Agreed to and accepted by City this _____ day of _____, 2004.

City of Grand Junction
NAME OF CITY

NAME AND TITLE OF SIGNEE (Type or Print)

SIGNATURE

Street Address

City, State Zip

Area Code and Telephone Number

**Attach 6
Public Hearing Walker Field Airport Master Plan and Zoning**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Walker Field Airport Master Plan and Zoning					
Meeting Date	October 20, 2004					
Date Prepared	October 12, 2004				File # PLN-2003-237	
Author	Kathy Portner		Planning Manager			
Presenter Name	Kathy Portner		Planning Manager			
Report results back to Council	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When	
Citizen Presentation	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Name	
	Workshop	<input checked="" type="checkbox"/>		Formal Agenda		Consent <input checked="" type="checkbox"/> Individual Consideration

Summary: A request to approve the Walker Field Airport Master Plan and final passage of a proposed ordinance to establish the zoning requirements for future development on property owned by Walker Field Airport Authority.

Budget: NA

Action Requested/Recommendation: Consideration of a Resolution approving the Walker Field Airport Master Plan and final passage of a proposed zoning ordinance. Staff and Planning Commission recommend approval.

Attachments:

Staff Report
Vicinity Map
Growth Plan Map
Zoning Map
Resolution
Ordinance

Background Information:

See attached.

AGENDA TOPIC: PLN-2003-237 Walker Field Airport Master Plan and Zoning

ACTION REQUESTED: Consideration of a Resolution approving the Walker Field Airport Master Plan and final passage of a proposed zoning ordinance. Staff and Planning Commission recommend approval.

BACKGROUND INFORMATION			
Location:		Generally between 27 Road and 30 Road, North of I-70	
Applicants:		Walker Field Public Airport Authority	
Existing Land Use:		Airport facilities and accessory uses	
Proposed Land Use:		Expansion of Airport facilities and accessory uses	
Surrounding Land Use:	North	Public Land (BLM)	
	South	Residential and Commercial	
	East	Residential and Rural	
	West	Residential and Rural	
Existing Zoning:		Planned Development	
Proposed Zoning:		Planned Development	
Surrounding Zoning:	North	AFT (Agricultural, Forestry, Transitional)	
	South	I-O, C-1, RSF-1, RSF-4, RSF-5, PD	
	East	PD, RSF-R, AFT	
	West	AFT	
Growth Plan Designation:		Public	
Zoning within density range?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Yes	No

PROJECT DESCRIPTION: A request to approve the Walker Field Airport Master Plan and final passage of a proposed ordinance to establish the zoning requirements for future development on property owned by Walker Field Airport Authority.

RECOMMENDATION: Staff and Planning Commission recommend approval of the Master Plan and PD zoning ordinance.

ANALYSIS

1. Background

Walker Field Airport Authority was created in 1971 under the Public Airport Authority Act of 1965. Walker Field Airport currently consists of approximately 2370 acres, including three types of use areas: 1. Aeronautical, 2. Aeronautical/Commercial, and 3. Non-Aeronautical/Commercial. There are two active runways capable of handling commercial, military, propeller and general aviation traffic into the Grand Junction area.

Over the years a Planned Development zone was established for the airport properties. Various versions of the Zoning and Development Code have included an airport overlay zoning district that included use restrictions in the various airport subdistricts, including Area of Influence, Noise Zone, Critical Zone and Clear Zone. The overlay district applies additional standards and requirements to properties, and includes properties not owned or controlled by Walker Field Public Airport Authority. The overlay district does not include specific standards for development of the Walker Field Airport PD (Planned Development).

Section 2.20 of the Zoning and Development Code outlines the requirements for an Institutional and Civic Facility Master Plan process. The purpose of the Master Plan review process is to provide an opportunity for the early review of major institutional and civic facilities that provide a needed service to the community, but might impact the surrounding community. The Master Plan review allows the City, through a public process, to assess any impacts early in the review process and direct the applicant on how best to address the impacts.

Walker Field has had Master Plans for the development of the airport over the years, but the plans have never gone through a formal land use review process with the City. In addition, there have never been specific standards applied to the PD zoning of the airport property to guide the review of proposed projects. This review of the Master Plan and adoption of a PD zoning ordinance will establish the standards and requirements for development on the airport property.

Walker Field Airport is divided into three types of development: Aeronautical, Aeronautical/Commercial and Non-Aeronautical/Commercial. Aeronautical includes facilities or property from which aircraft operations are conducted subject to Federal Aviation Administration regulations. Aeronautical/Commercial includes facilities or properties that are used to provide commercial aeronautical services or aeronautical related services to the public. Non-Aeronautical/Commercial includes any non-aeronautical commercial business on airport property. The areas encompassed by the three types of uses are depicted on the attached map of airport property.

The Walker Field Planned Development shall be as follows:

Aeronautical:

Allowed Uses:

This zone is primarily for, but not limited to:

- Aircraft Maintenance, Storage, Tie-Down, and Sales
- Aircraft and Aircraft Parts Manufacturer
- Aircraft Charter and Taxi
- Fixed Base Operator (FBO)
- Commercial Airline Operation
- Federal Aviation Administration (FAA)
- Governmental Aeronautical Activities
- Fire Protection and Medical Operation
- BLM Fire Suppression Center
- Pilot and Emergency Personnel Temporary Quarters While on Duty
- Civil Air Patrol
- Flight Club
- Flight School
- Pilot Supply Shop
- Food Service for Aeronautical Customers
- Fly-in Hotel, Bed and Breakfast, or Inn
- Air Cargo Operation
- Private Hangar
- Taxiway
- Runway
- Run-up area
- Passenger Terminal Building
- Aircraft Safety Areas
- Navigation and Landing Aids
- Aeronautical Related Activities Approved by the FAA

Street Improvements:

- All roads located on AUTHORITY property are owned and maintained by AUTHORITY in fee simple absolute.
- Any additional or existing street improvements will be determined by AUTHORITY and FAA.
- Minimum paved street width will be twenty-four (24) feet with a minimum of five (5) foot gravel shoulder on each side of the paved street. Total right-of-way will be a minimum of sixty (60) feet. Street specifications will be determined by AUTHORITY for each project. On-street parking is allowed subject to AUTHORITY rules and regulations.
- Transportation Capacity Payment (TCP) will be determined by the number of daily trips estimated for the specific proposal.

Drainage/Stormwater Management:

- Review by Grand Junction Community Development relative to the Airport's stormwater drainage system. City of Grand Junction stormwater drainage fees will not apply if all runoff is directed to AUTHORITY detention basins.
- Refer to the AUTHORITY's Colorado Discharge Permit System Stormwater Management Plan, as amended from time to time.

Utilities:

- Additional and existing utilities located on AUTHORITY property determined by AUTHORITY.
- All other utilities located off airport property to be determined by utility provider.
- Fire hydrants and water main extensions to be determined by the Grand Junction Fire Department.

Site Development:

a. bulk requirements

- TENANT must establish compatible grading and drainage relationships between building, parking areas, ramps, taxiways, and adjacent properties consistent with the AUTHORITY's master plan for grading and drainage and the City of Grand Junction drainage requirements. Tenant shall be responsible for assuring that any proposed alteration of grading or drainage does not result in damage to any other real or personal property surrounding, or in the vicinity of, the subject property.
- Building setback from all lease lines is zero (0) feet.
- Building construction and materials must be non-glare and must not interfere with aircraft operations.
- Enclosed hangars must have a floor consisting of a minimum of 4 inches of concrete.
- Exterior building colors will be soft colors similar to those found in nature in soil, rocks, and vegetation within the region. Any structure color existing prior to the adoption of these Covenants shall be exempt

from the exterior building color requirements. Upon request, manufacturer's standard color chart will be provided to the AUTHORITY for review and approval of the exterior building trim and wall colors.

- Aircraft movement areas must consist of a minimum of 4 inches of asphalt or concrete and must meet the design criteria for the aircraft weight contemplated.
- Compliance with the adopted Fire and Building Codes.
- Approved FAA FORM 7460-1 for the improvements.

b. parking and traffic circulation

- TENANT may be subject to adequate parking space regulations as required by the AUTHORITY's Requirements and Minimum Standards for Commercial Aeronautical Services and Activities.
- No review by Grand Junction Community Development.

c. landscaping (street frontages, parking areas)

- Landscaping not required.
- TENANT must eliminate weeds on a regular basis and must comply with all FAA requirements pursuant to FAR Part 139, as amended from time to time.

d. screening and buffering

- Additional and existing to be determined by AUTHORITY.

e. lighting

- Lights must be placed or shielded so they do not cause glare or excessive light spillage onto adjacent properties, runways, taxiways, taxilanes, ramp areas, roadways, and the air traffic control tower.

f. signage

- TENANT must comply with the City of Grand Junction Zoning and Development Code, as amended from time to time, and Federal Aviation Regulations, as amended from time to time, for signage requirements. All lighted signs must be approved in writing, in advance, by the AUTHORITY. Furthermore, final approval of signage will be at the sole discretion of the AUTHORITY.

g. pedestrian circulation

- Required pedestrian circulation will be at the sole discretion of the AUTHORITY.

h. review process

- Minor Site Plan Review by City of Grand Junction

- Grading and Drainage review by City of Grand Junction
- Approved FAA FORM 7460-1 for the improvements provided to City of Grand Junction prior to issuance of a Planning Clearance.
- Sign permits required. Signage must meet standards of the City of Grand Junction and AUTHORITY, whichever is more restrictive.

Aeronautical/Commercial:

Allowed Uses:

This zone is primarily for but not limited to:

- Pilot Supply Shop
- Car Rental
- Restaurant
- Aeronautical Support Manufacturer]
- Courier Service
- Parking Infrastructure
- Gift Shop
- Service Business
- Weather Service
- Transportation Security Administration
- Ground Handling Service
- Aircraft Sales
- Multi-modal Transportation Systems
- Aeronautical Related Activities Approved by the FAA

Requirements:

- Compliance with all requirements of the C-1 (Light Commercial) zone district of the City of Grand Junction.
- Review process in accordance with the Zoning and Development Code
- All required fees and permits in accordance with the City of Grand Junction.
- An approved FAA FORM 7460-1 for the improvements prior to issuance of a Planning Clearance.
- Compliance with adopted Building and Fire Codes.
- Review by Grand Junction Community Development relative to the Airport's stormwater drainage system. City of Grand Junction stormwater drainage fees will not apply if all runoff is directed to AUTHORITY detention basins.

Non-Aeronautical/Commercial:

Allowed Uses:

This zone is primarily for, but not limited to:

- Motel, Hotel, Bed & Breakfast, Inn, etc.
- Restaurant
- Convenience Store
- Car Wash
- Museum
- Theater
- Office Complex
- Multi-modal Transportation Complex
- AUTHORITY may consider any other uses allowed in the C-1 zone district.

Requirements:

- Compliance with all requirements of the C-1 (Light Commercial) zone district of the City of Grand Junction.
- Review process in accordance with the Zoning and Development Code
- All required fees and permits in accordance with the City of Grand Junction.
- An approved FAA FORM 7460-1 for the improvements prior to issuance of a Planning Clearance.
- Compliance with adopted Building and Fire Codes.
- Review by Grand Junction Community Development relative to the Airport's stormwater drainage system. City of Grand Junction stormwater drainage fees will not apply if all runoff is directed to AUTHORITY detention basins.

2. Consistency with the Growth Plan

The Walker Field Airport properties are designated as "Public" on the Future Land Use Map of the Growth Plan. The following goals and policies are specific to the airport development:

Goal 8: To support the long-term vitality of existing centers of community activity (which includes the Airport and Horizon Drive).

Policy 8.4: The City will encourage the development of uses that are compatible with the airport and the image of this area as a gateway into Grand Junction, particularly: office/warehousing; and light industrial/indoor manufacturing near the airport; and highway-oriented commercial development serving tourists and visitors (e.g. lodging, recreation and restaurants) along Horizon Drive between Crossroads Blvd. and G Road.

Policy 8.5: The City will prohibit inappropriate development within the airport's noise and approach zones.

Goal 25: To obtain improved ground and air access to the community.

Policy 25.1: The City will support efforts to enhance passenger and air freight service to Walker Field.

The proposed Master Plan and Planned Development zoning for Walker Field is consistent with the Growth Plan.

3. Section 2.20.C of the Zoning and Development Code

In reviewing a Master Plan, the decision-making body shall consider the following:

- a. Conformance with the Growth Plan and other area, corridor or neighborhood plans.

The Master Plan is in conformance with the Future Land Use Map and Goals 8 and 25, as well as Policies 8.4, 8.5 and 25.1.

- b. Conformance with the master street plan and general transportation planning requirements.

The Master Plan maintains the major access points shown on the Grand Valley Circulation Plan.

- c. Compatibility with the surrounding neighborhood in terms of capacity of safety of the street network, site access, adequate parking, adequate storm water and drainage improvements, minimization of water, air or noise pollution, limited nighttime lighting and adequate screening and buffering potential.

The Master Plan maintains compatibility with the surrounding area with provisions for safe access, adequate parking, adequate stormwater and drainage improvements, and adequate screening and buffering through the Airport Environs Overlay Zoning District.

- d. Adequacy of public facilities and services.

Public facilities and services are adequate or will be provided with development.

- e. Community benefits from the proposal.

Future improvement and expansion of Walker Field Airport provides many benefits to the community.

The proposed Master Plan addresses each of the above criteria and is in conformance.

1. Section 2.6.A of the Zoning and Development Code

Although this property has been zoned PD (Planned Development) for a number of years, specific development standards were never defined. Establishment of those standards is essentially a rezone and must comply with the following criteria:

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

The existing zoning was not in error, but did not include development standards.

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

Not Applicable.

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

The proposed PD ordinance includes development standards that will adequately mitigate any adverse impacts to the surrounding area. Additionally, the Airport Environs Overlay Zoning District further mitigates impacts to the surrounding area.

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

The PD zoning ordinance is in conformance with the Future Land Use Map and Goals 8 and 25, as well as Policies 8.4, 8.5 and 25.1.

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

Adequate public facilities and services are available or will be provided concurrent with development.

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

This zoning ordinance is meeting the very specific and unique needs of Walker Field Airport.

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

Future improvements and expansion of Walker Field Airport provides many benefits to the community.

The Walker Field Airport Master is presents a very general description of the future uses and development of the property. It is more of a conceptual Master Plan, rather than a very detailed development plan. While it meets the minimum requirements set forth in the Zoning and Development Code, it is recognized that future development in the Aeronautical/Commercial and Non-Aeronautical/Commercial, as well as any modifications to internal circulation and access points or major expansions of the Aeronautical facilities, will require an update to the Master Plan. In addition, development proposed in the Aeronautical/Commercial and Non-Aeronautical/Commercial will require review and approval by the Planning Commission consistent with the requirements for a Planned Development zone district.

FINDINGS OF FACT/CONCLUSIONS

After reviewing PLN-2003-237 for an Institutional and Civic Facility Master Plan and Planned Development ordinance for Walker Field Airport, staff makes the following findings of fact and conclusions:

5. The requested Institutional and Civic Facility Master Plan and PD zoning ordinance are consistent with the Growth Plan.
6. The review criteria in Sections 2.20.C and 2.6.A of the Zoning and Development Code have all been met.
7. The Planned Development implements the Master Plan.

RECOMMENDATION:

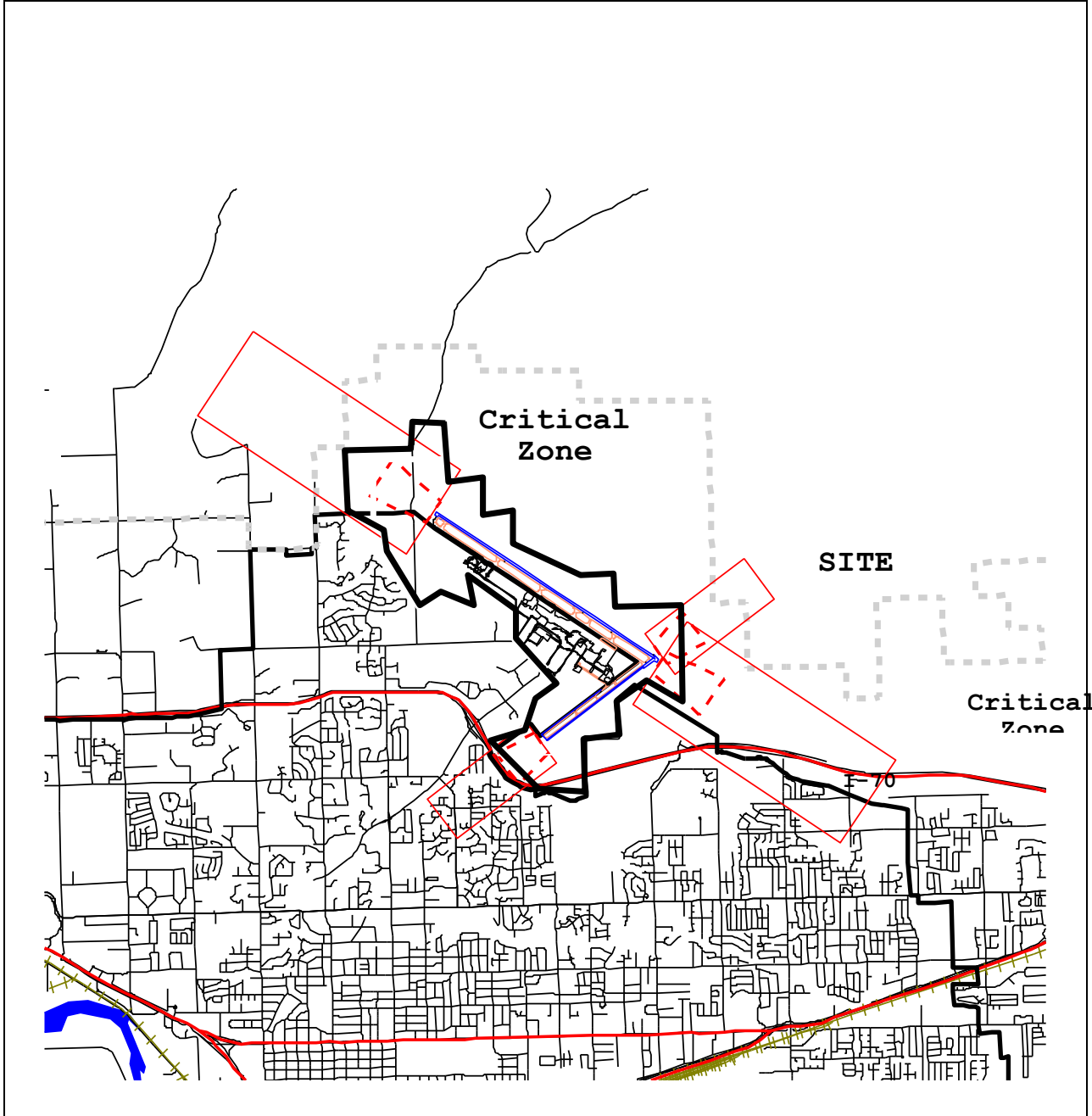
Staff and Planning Commission recommend approval of the requested Institutional and Civic Facility Master Plan and Planned Development for Walker Field Airport, PLN-2003-237, to the City Council with the findings and conclusions listed above.

Attachments:

Vicinity Map
Growth Plan Map
Zoning Map
Resolution
Ordinance

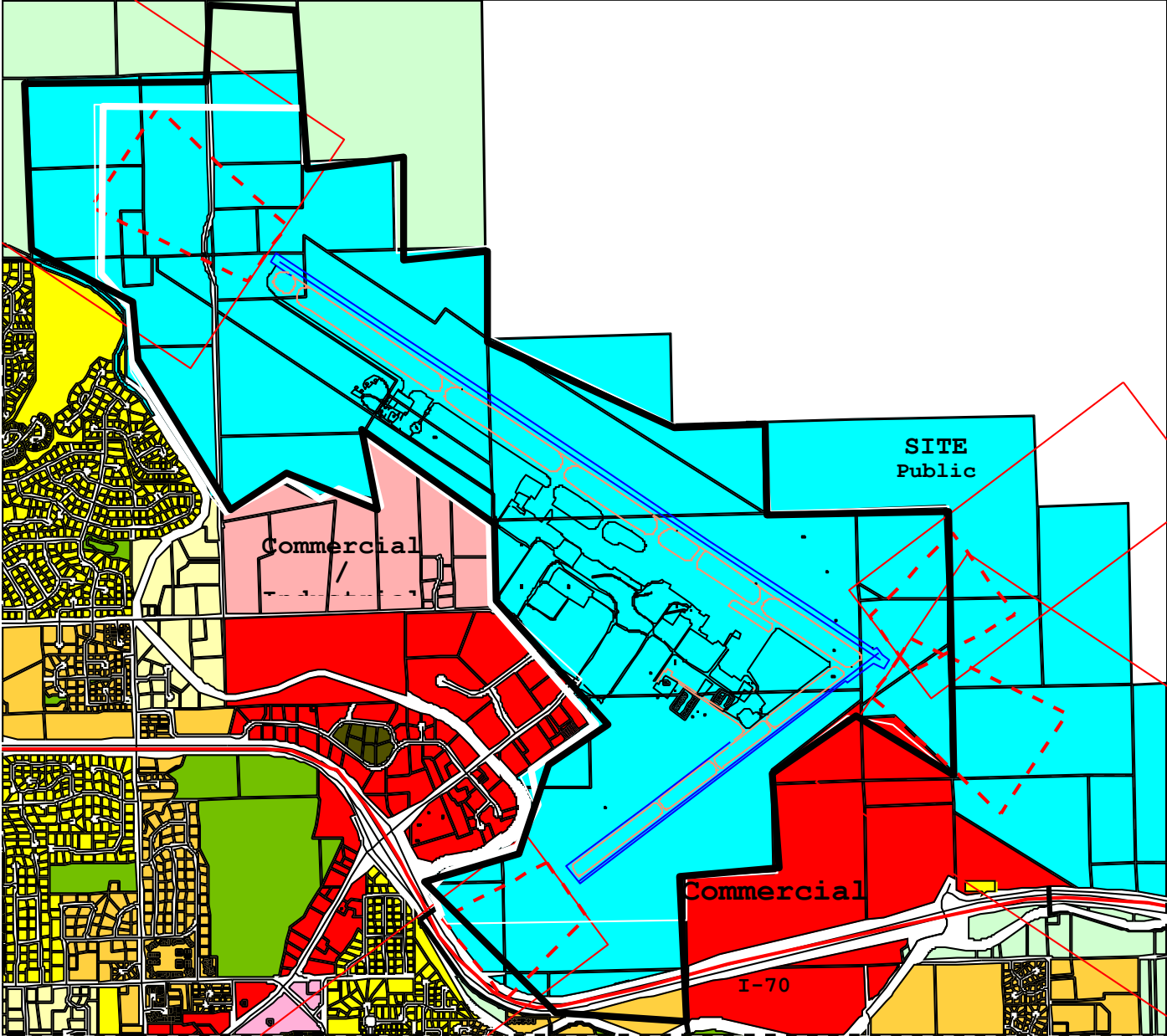
Site Location Map

Figure 1



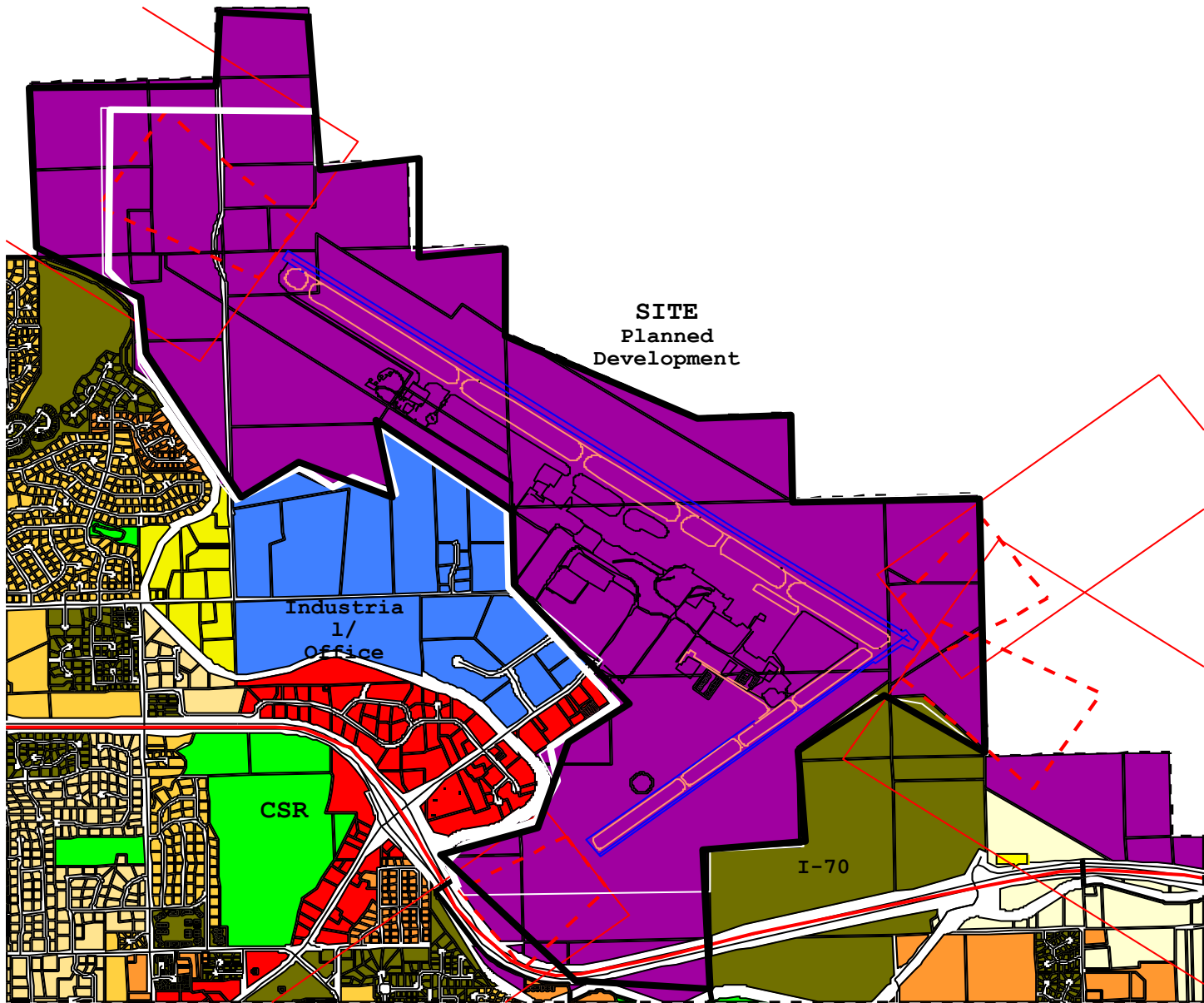
Future Land Use Map

Figure 2



Existing City and County Zoning

Figure 3



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

RESOLUTION NO.

A RESOLUTION APPROVING THE MASTER PLAN FOR WALKER FIELD AIRPORT

WHEREAS, on the 10th day of August, 2004, a public hearing was held by the City of Grand Junction Planning Commission, Grand Junction, Colorado, to consider the Master Plan for Walker Field Airport. The Planning Commission recommended approval of the Master Plan, and

WHEREAS, on the ___ day of _____, 2004, the City Council held a public hearing and determined that the Walker Field Airport Master Plan complies substantially with the provisions of the Growth Plan and Section 2.20 of the Zoning and Development Code;

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

- That the Master Plan is hereby approved for the Walker Field Airport property (see attachment A).
- The approved Master Plan shall be valid for a minimum of five years unless otherwise established and all projects shall be developed in conformance with the approved plan.
- An amended Master Plan is required when development is identified and/or proposed for the Aeronautical/Commercial and Non-Aeronautical/Commercial areas or if significant changes are proposed to internal circulation and access points; as well as for major expansions of the Aeronautical facilities.

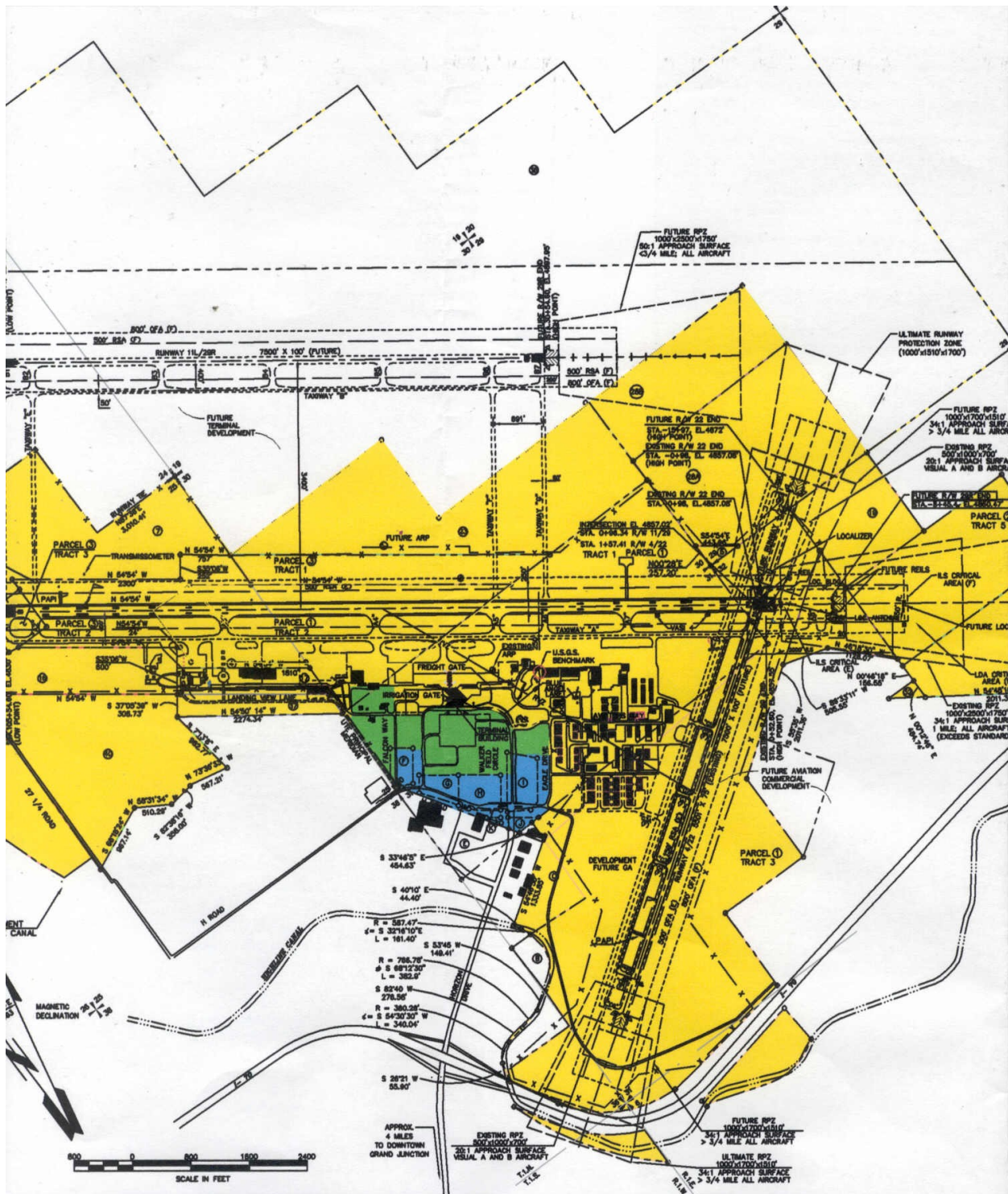
ADOPTED this ___ day of _____, 2004.


Attest:

Council

President of the

City Clerk




WALKER FIELD AIRPORT
 GRAND JUNCTION, COLORADO

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING STANDARDS FOR THE PLANNED DEVELOPMENT (PD) ZONE DISTRICT FOR PROPERTY OWNED BY THE WALKER FIELD AIRPORT AUTHORITY

Recitals:

Walker Field Airport Authority was created in 1971 under the Public Airport Authority Act of 1965. Walker Field Airport currently consists of approximately 2370 acres, including three types of use areas: 1. Aeronautical, 2. Aeronautical/Commercial, and 3. Non-Aeronautical/Commercial. There are two active runways capable of handling commercial, military, propeller and general aviation traffic into the Grand Junction area.

Over the years a Planned Development zone was established for the airport properties. Various versions of the Zoning and Development Code have included an airport overlay zoning district that included use restrictions in the various airport subdistricts, including Area of Influence, Noise Zone, Critical Zone and Clear Zone. The overlay district applies additional standards and requirements to properties, and includes properties not owned or controlled by Walker Field Public Airport Authority. The overlay district does not include specific standards for development of the Walker Field Airport PD (Planned Development). This PD ordinance will establish the standards and requirements for development on the airport property.

The Planning Commission has recommended approval of the PD ordinance. The City Council finds that the request meets the goals and policies set forth in the Growth Plan and the requirements of the Zoning and Development Code.

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

The property owned by Walker Field Airport Authority and zoned PD, as shown on the attached Exhibit A, shall be consistent with the adopted Walker Field Airport Master Plan and shall be subject to the following:

Aeronautical:

Allowed Uses:

This zone is primarily for, but not limited to:

- Aircraft Maintenance, Storage, Tie-Down, and Sales
- Aircraft and Aircraft Parts Manufacturer

- Aircraft Charter and Taxi
- Fixed Base Operator (FBO)
- Commercial Airline Operation
- Federal Aviation Administration (FAA)
- Governmental Aeronautical Activities
- Fire Protection and Medical Operation
- BLM Fire Suppression Center
- Pilot and Emergency Personnel Temporary Quarters While on Duty
- Civil Air Patrol
- Flight Club
- Flight School
- Pilot Supply Shop
- Food Service for Aeronautical Customers
- Fly-in Hotel, Bed and Breakfast, or Inn
- Air Cargo Operation
- Private Hangar
- Taxiway
- Runway
- Run-up area
- Passenger Terminal Building
- Aircraft Safety Areas
- Navigation and Landing Aids
- Aeronautical Related Activities Approved by the FAA

Street Improvements:

- All roads located on AUTHORITY property are owned and maintained by AUTHORITY in fee simple absolute.
- Any additional or existing street improvements will be determined by AUTHORITY and FAA.
- Minimum paved street width will be twenty-four (24) feet with a minimum of five (5) foot gravel shoulder on each side of the paved street. Total right-of-way will be a minimum of sixty (60) feet. Street specifications will be determined by AUTHORITY for each project. On-street parking is allowed subject to AUTHORITY rules and regulations.
- Transportation Capacity Payment (TCP) will be determined by the number of daily trips estimated for the specific proposal.

Drainage/Stormwater Management:

- Review by Grand Junction Community Development relative to the Airport's stormwater drainage system. City of Grand Junction stormwater drainage fees will not apply if all runoff is directed to AUTHORITY detention basins.
- Refer to the AUTHORITY's Colorado Discharge Permit System Stormwater Management Plan, as amended from time to time.

Utilities:

- Additional and existing utilities located on AUTHORITY property determined by AUTHORITY.
- All other utilities located off airport property to be determined by utility provider.
- Fire hydrants and water main extensions to be determined by the Grand Junction Fire Department.

Site Development:

bulk requirements

- TENANT must establish compatible grading and drainage relationships between building, parking areas, ramps, taxiways, and adjacent properties consistent with the AUTHORITY's master plan for grading and drainage and the City of Grand Junction drainage requirements. Tenant shall be responsible for assuring that any proposed alteration of grading or drainage does not result in damage to any other real or personal property surrounding, or in the vicinity of, the subject property.
- Building setback from all lease lines is zero (0) feet.
- Building construction and materials must be non-glare and must not interfere with aircraft operations.
- Enclosed hangars must have a floor consisting of a minimum of 4 inches of concrete.
- Exterior building colors will be soft colors similar to those found in nature in soil, rocks, and vegetation within the region. Any structure color existing prior to the adoption of these Covenants shall be exempt from the exterior building color requirements. Upon request, manufacturer's standard color chart will be provided to the AUTHORITY for review and approval of the exterior building trim and wall colors.
- Aircraft movement areas must consist of a minimum of 4 inches of asphalt or concrete and must meet the design criteria for the aircraft weight contemplated.
- Compliance with the adopted Fire and Building Codes.
- Approved FAA FORM 7460-1 for the improvements.

parking and traffic circulation

- TENANT may be subject to adequate parking space regulations as required by the AUTHORITY's Requirements and Minimum Standards for Commercial Aeronautical Services and Activities.
- No review by Grand Junction Community Development.

landscaping (street frontages, parking areas)

- Landscaping not required.

- TENANT must eliminate weeds on a regular basis and must comply with all FAA requirements pursuant to FAR Part 139, as amended from time to time.

screening and buffering

- Additional and existing to be determined by AUTHORITY.

lighting

- Lights must be placed or shielded so they do not cause glare or excessive light spillage onto adjacent properties, runways, taxiways, taxilanes, ramp areas, roadways, and the air traffic control tower.

signage

- TENANT must comply with the City of Grand Junction Zoning and Development Code, as amended from time to time, and Federal Aviation Regulations, as amended from time to time, for signage requirements. All lighted signs must be approved in writing, in advance, by the AUTHORITY. Furthermore, final approval of signage will be at the sole discretion of the AUTHORITY.

pedestrian circulation

- Required pedestrian circulation will be at the sole discretion of the AUTHORITY.

review process

- Minor Site Plan Review by City of Grand Junction
- Grading and Drainage review by City of Grand Junction
- Approved FAA FORM 7460-1 for the improvements provided to City of Grand Junction prior to issuance of a Planning Clearance.
- Sign permits required. Signage must meet standards of the City of Grand Junction and AUTHORITY, whichever is more restrictive.

Aeronautical/Commercial:

Allowed Uses:

This zone is primarily for but not limited to:

- Pilot Supply Shop
- Car Rental
- Restaurant
- Aeronautical Support Manufacturer]
- Courier Service
- Parking Infrastructure
- Gift Shop

- Service Business
- Weather Service
- Transportation Security Administration
- Ground Handling Service
- Aircraft Sales
- Multi-modal Transportation Systems
- Aeronautical Related Activities Approved by the FAA

Requirements:

- Compliance with all requirements of the C-1 (Light Commercial) zone district of the City of Grand Junction.
- Review process in accordance with the Zoning and Development Code—Planned Development. All projects will require review and approval of the Planning Commission.
- All required fees and permits in accordance with the City of Grand Junction.
- An approved FAA FORM 7460-1 for the improvements prior to issuance of a Planning Clearance.
- Compliance with adopted Building and Fire Codes.
- Review by Grand Junction Community Development relative to the Airport's stormwater drainage system. City of Grand Junction stormwater drainage fees will not apply if all runoff is directed to AUTHORITY detention basins.

Non-Aeronautical/Commercial:

Allowed Uses:

This zone is primarily for, but not limited to:

- Motel, Hotel, Bed & Breakfast, Inn, etc.
- Restaurant
- Convenience Store
- Car Wash
- Museum
- Theater
- Office Complex
- Multi-modal Transportation Complex
- AUTHORITY may consider any other uses allowed in the C-1 zone district.

Requirements:

- Compliance with all requirements of the C-1 (Light Commercial) zone district of the City of Grand Junction.
- Review process in accordance with the Zoning and Development Code—Planned Development. All projects will require review and approval of the Planning Commission.

- All required fees and permits in accordance with the City of Grand Junction.
- An approved FAA FORM 7460-1 for the improvements prior to issuance of a Planning Clearance.
- Compliance with adopted Building and Fire Codes.
- Review by Grand Junction Community Development relative to the Airport's stormwater drainage system. City of Grand Junction stormwater drainage fees will not apply if all runoff is directed to AUTHORITY detention basins.

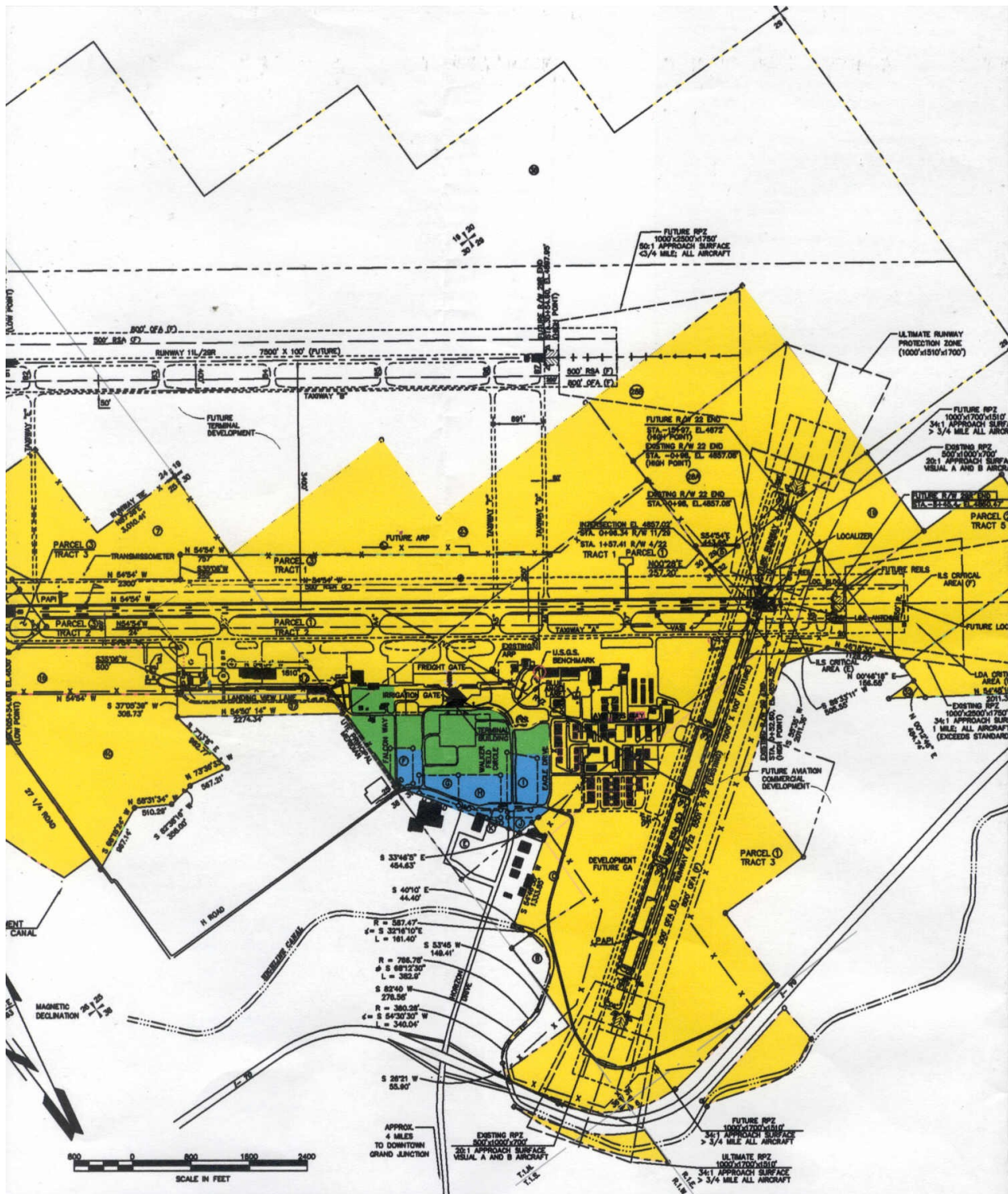
INTRODUCED for FIRST READING and PUBLICATION this 6th day of October, 2004.


PASSED on SECOND READING this ____ day of _____, 2004.

ATTEST:

City Clerk

President of Council




WALKER FIELD AIRPORT
 GRAND JUNCTION, COLORADO

Attach 7

Public Hearing – Woodridge Subdivision PD Zoning Located S of 6 ½ Rd and W of 26 Rd

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA									
Subject		Woodridge Subdivision Planned Development (PD) Zoning Located South of G ½ Road and West of 26 Road							
Meeting Date		October 20, 2004							
Date Prepared		October 14, 2004				File # PP-2003-042			
Author		Kristen Ashbeck			Senior Planner				
Presenter Name		Kristen Ashbeck			Senior Planner				
Report results back to Council		X	No		Yes	When			
Citizen Presentation		X	Yes		No	Name			
	Workshop	X	Formal Agenda				Consent	X	Individual Consideration

Summary: The Woodridge Subdivision is a 29-lot proposal for both attached and detached single family housing on the remaining parcels of land (total 7.8 acres) that were originally part of the Wilson Ranch Planned Development. This proposal requires consideration of a Planned Development zoning ordinance to establish the underlying zoning and the Preliminary Development Plan.

Budget: N/A

Action Requested/Recommendation: Hear and approve the proposed Planned Development (PD) zoning ordinance/Preliminary Development Plan for the Woodridge Subdivision.

Attachments:

- Vicinity Map
- Aerial Photo
- Growth Plan Map
- Zoning Map
- Proposed Preliminary Development Plan
- Planned Development Zoning Ordinance

BACKGROUND INFORMATION				
Location:		2561 G-1/2 Road		
Applicants: Prop owner, developer, representative		Owner: GNT Development Developer: Tierra Ventures Representative: Phil Hart, LANDesign		
Existing Land Use:		Vacant		
Proposed Land Use:		19 detached single family units 10 attached single family units		
	North	Interstate 70 and Large Lot Single Family Residential		
	South	Grand Valley Canal, Large Lot Single Family Residential and Single Family Residential (Wilson Ranch)		
	East	Large Lot Single Family Residential and Commercial (Bookcliff Gardens)		
	West	Grand Valley Canal and Single Family Residential (Wilson Ranch)		
Existing Zoning:		Planned Development (PD)		
Proposed Zoning:		Same		
Surrounding Zoning:	North	County Zoning: Agricultural Forestry Transition (AFT)		
	South	Planned Development (Wilson Ranch)		
	East	Residential 2 units per acre (RSF-2) and		
	West	Planned Development (PD-Wilson Ranch)		
Growth Plan Designation:		Residential Medium 4-8 du/ac		
Zoning within density range?		X	Yes	No

ANALYSIS:

1. Project Description/Background:

The Woodridge Subdivision is a 29-lot proposal for both attached and detached single family housing on the remaining parcels of land (total 7.8 acres) that were

originally part of the Wilson Ranch Planned Development. This plan requires consideration of a Planned Development zoning ordinance to establish the underlying zoning and a Preliminary Development Plan.

The Wilson Ranch Subdivision was initially developed in the County and then annexed to the City in the early 1990s – later filings were developed in the City. The entire subdivision was zoned Planned Residential 4.3 units per acre at the time of annexation. The detached single family phases have all been built out but the remaining areas proposed as the Woodridge Subdivision were initially planned to be developed as a multifamily residential project. Several plans for multifamily development were proposed for the site during the mid-1990s but none of them were approved. The land remains vacant, with the property split by the existing G-1/2 Road alignment.

The Woodridge Subdivision site is located at 2561 G-1/2 Road just west of Bookcliff Gardens. The Wilson Ranch subdivision is located to the south and west across the Grand Valley Canal, and Interstate 70 is located directly to the north. The project plans for the development of 19 single-family detached units and 10 single-family attached units, for a total of 29 dwelling units on the 7.8 acre-site. The right-of-way for G-1/2 Road encompasses approximately 1.4 acres, which leaves 6.4 acres thus a resulting proposed density of 4.5 dwelling units per acre.

The plan involves the relocation/realignment of G-1/2 Road to eliminate substandard curves and create a configuration of land more conducive to residential development. The subdivision will be accessed from a single street (Woodridge Court) off of G-1/2 Road. The existing G-1/2 Road right-of-way through the development will be vacated at the time of Final Plat/Plan. (There is a portion of 25³/₄ Road that may need to be vacated but it must first be determined that it does exist.)

A portion of a sanitary sewer and the easement for the sanitary sewer will be relocated as part of the development by vacation of that portion of the existing easement, dedication of a new easement, and construction of the new sanitary sewer.

There are five parcels of land that will become tracts with this development. Tracts A and B will be used for detention/retention ponds. Tract C is a 20-foot wide pedestrian access easement from the end of the Woodridge Court cul-de-sac out to G-1/2 Road. Tract D consists of part of the Grand Valley Canal and its maintenance road and will have easements for use by both the Grand Valley Irrigation Company and the City for pedestrian access. Tract E is private open space that will surround the attached single family units within Block 3.

2. Consistency with the Growth Plan

The Future Land Use Map of the Growth Plan shows this area as Residential Medium 4 to 8 units per acre. The entire Wilson Ranch subdivision, including these vacant parcels, is zoned PD with a density of 4.3 units per acre. The proposed density of Woodridge Subdivision of 4.5 units per acre is lower than was originally

proposed for this portion of Wilson Ranch but is still consistent with the Future Land Use density and the overall density of the Wilson Ranch project.

3. Section 2.12.C.2 of the Zoning and Development Code

Requests for a Planned Development Preliminary Development Plan must demonstrate conformance with all of the following:

- 1) The Growth Plan, Grand Valley Circulation Plan and other adopted plans and policies.

See above discussion regarding consistency with the Growth Plan. The plan is consistent with the Circulation Plan which shows G-1/2 Road as a Minor Residential Collector street. Due to the applicant's willingness to improve the street by realigning it and the unique configuration of the parcel, the applicant has received approval for a TEDS exception to provide sidewalk on only the south side of G-1/2 Road. A TEDS exception has also been approved for geometry of the interior street.

- 2) The zoning criteria provided in Section 2.6 of the Zoning and Development Code.

- a. The proposed Planned Development zone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, stormwater or drainage problems, water, air or noise pollution, excessive nighttime lighting or other nuisances.

The applicant received approval of a TEDS exception for interior street geometry due to the difficult configuration of the parcel. These revisions will not affect the safety or function of the circulation within the project.

The additional traffic generated from this and 3 other projects in the vicinity will add to the need for improvements at the intersection of G-1/2 and 26 Roads, specifically, a northbound left-turn lane. The City has determined that existing traffic volumes warrant the turn lane and, thus, the City will be responsible for completing construction of the turn lane as these developments proceed.

Drainage from this project will be directed to two detention basins on the north side of the realigned G-1/2 Road at both the east and west ends of the development. Staff is in agreement with this approach and it will not create adverse impacts on the adjacent properties.

No other utility concerns have been identified with the exception of the sewer line/easement relocation mentioned on the previous page. The project will require appropriate extension of Ute water mains to the site from the north side of Interstate 70.

- b. The proposed revision to the existing PD zone is within the allowable density range recommended by the Growth Plan. This criterion must be considered in conjunction with the criterion 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 underlying RMF-8 zone district, therefore this criterion is met.

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

The Woodridge Subdivision plan offers several housing types and takes advantage of infill on a currently vacant site. This proposal is consistent with and furthers the goals and Policies of the Growth Plan. The plan is also consistent with the Circulation Plan as discussed above. An easement for public pedestrian access will be provided in a tract along the Grand Valley Canal consistent with the Urban Trails Plan.

- d. Adequate public facilities and services are currently available or will be made available and can address the impacts of development consistent with the proposed underlying RMF-8 zone district.

- 3) The proposed Woodridge Subdivision is consistent with the Development Standards of Section 5.4. The setback standards proposed as outlined in the Planned Development ordinance are consistent with the underlying zone of RMF-8. As allowable by Code definition, the front yard setbacks in the attached single family area (Block 3) shall be measured from the Woodridge Court right-of-way adjacent to Block 3. A few minor encroachments by Lots 1 and 10 within Block 3 into the front yard setback shall be eliminated with the Final Plat/Plan.

- 4) Appropriate screening and buffering of adjacent property and uses shall be provided. The Woodridge Subdivision is surrounded by features such as the Grand Valley Canal and the Interstate 70 right-of-way that provide buffering to adjacent areas and uses.

Per section 6.5.G. of the Zoning and Development Code, a perimeter subdivision enclosure may be required with approval of the Preliminary Development Plan. Due to several of the lots having two front yards, and the need to provide some screening for the homes from Interstate 70, staff recommends that such an enclosure be required. Since the current subdivision design does not afford the space for the option of a 5-foot landscape strip with a 6-foot fence, the requirement should be for the alternative option along the length of G-1/2 Road adjacent to the site. This option would be a four foot or less decorative wall or fence

with an open design. Details of the fence shall be provided with the Final Plan.

- 5) The proposed Woodridge Subdivision is consistent with the applicable preliminary plat criteria in Section 2.8.B of the Zoning and Development Code, including the zoning standards of Chapter 3, specifically the underlying zoning of RMF-8.
- 6) The area of the plan is at least five (5) acres in size. The Woodridge Subdivision Preliminary Plan includes 7.8 acres.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Woodridge Subdivision application, PP-2003-042 for a Planned Development zone and a Preliminary Development Plan, staff and Planning Commission made the following findings of fact and conclusions:

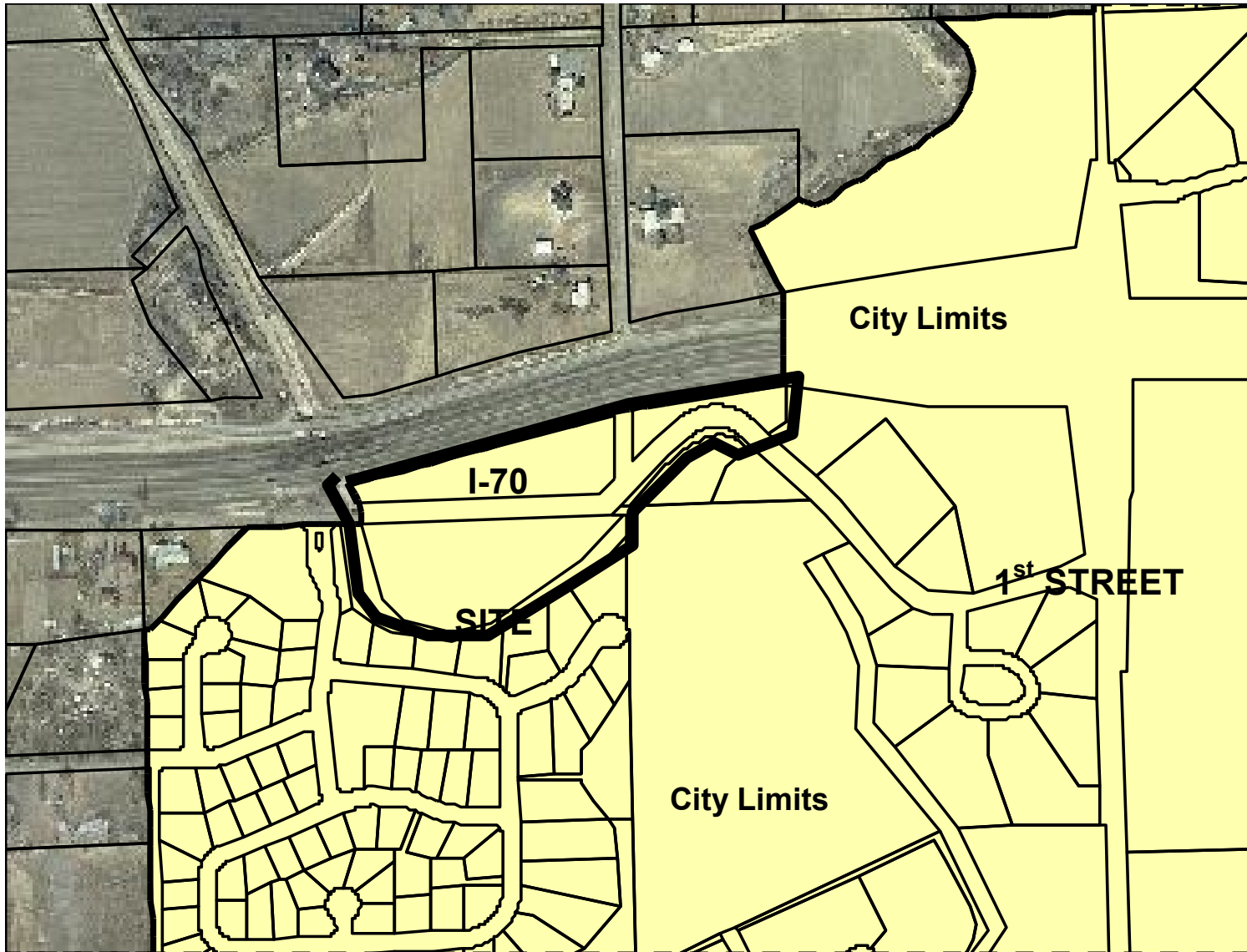
8. The requested Planned Development zoning ordinance and a Planned Development, Preliminary Development Plan is consistent with the Growth Plan.
9. The applicable review criteria in Section 2.12.C.2 of the Zoning and Development Code have been met.
10. The applicable review criteria in Section 2.8.B of the Zoning and Development Code have been met.

PLANNING COMMISSION RECOMMENDATION:

Approval of the Planned Development Zoning Ordinance and Preliminary Development Plan for the Woodridge Subdivision with the findings and conclusions and conditions listed above, including the requirement for a 4-foot decorative wall or fence along the length of G-1/2 Road adjacent to the site.

Site Location Map

Figure 1



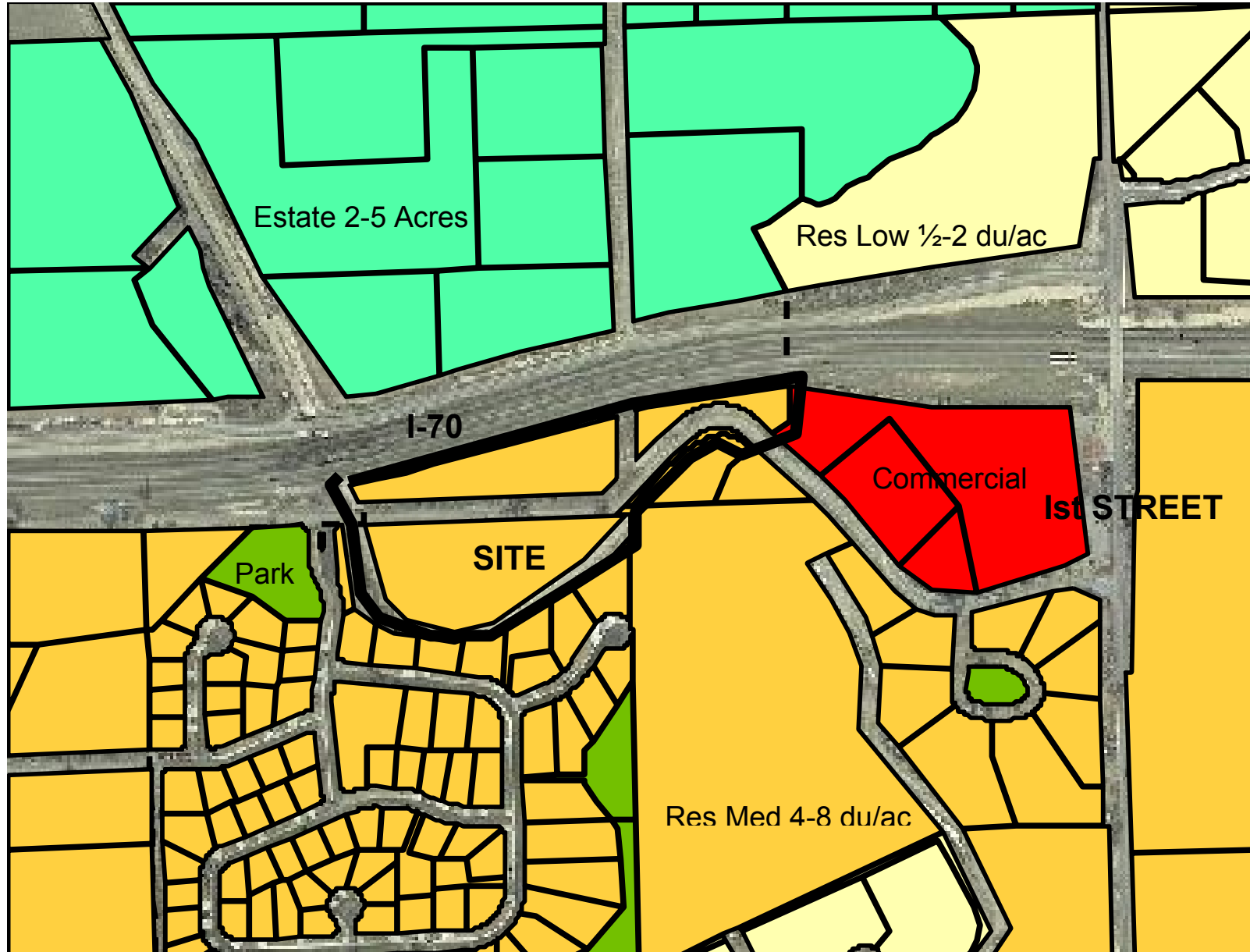
Aerial Photo Map

Figure 2



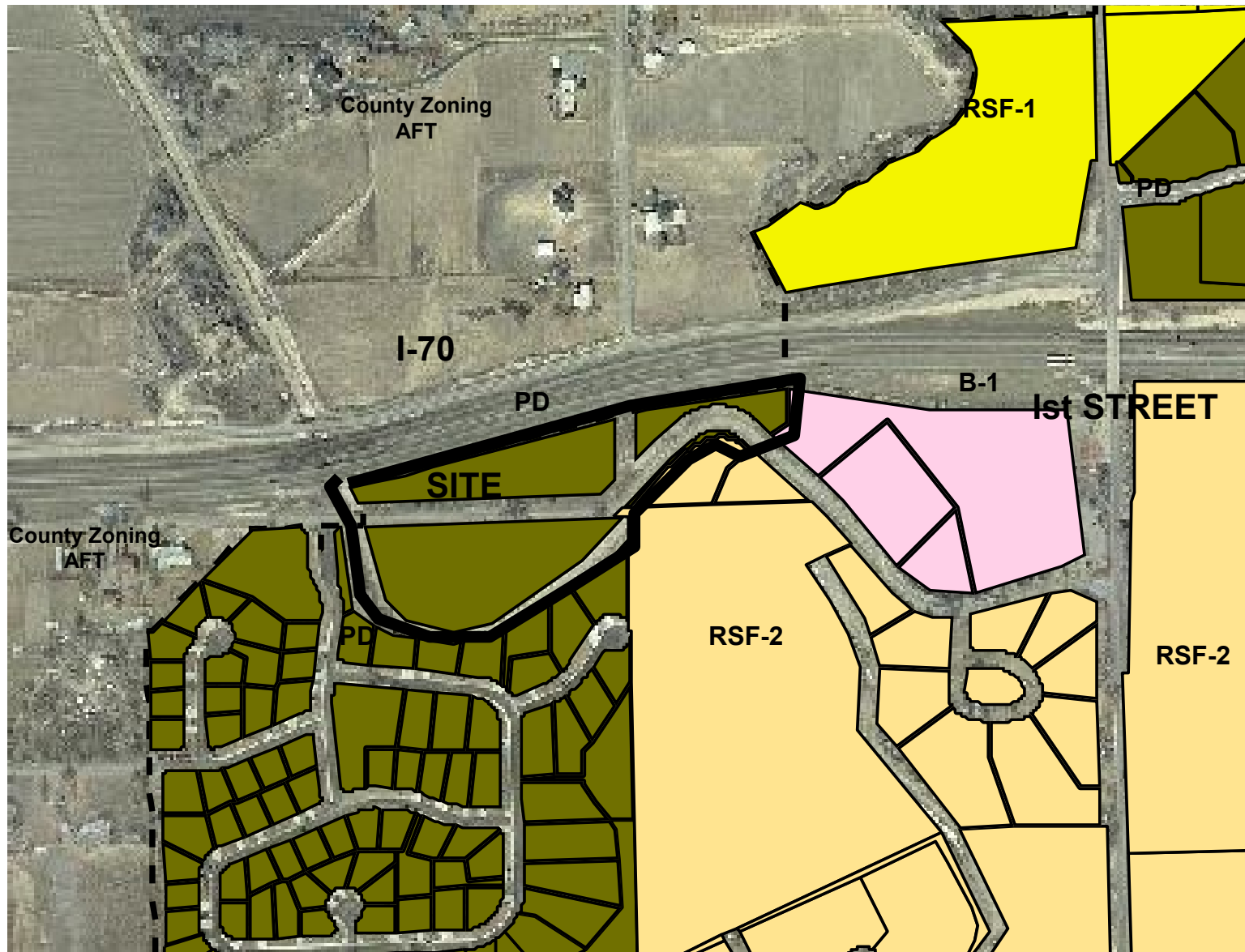
Future Land Use Map

Figure 3

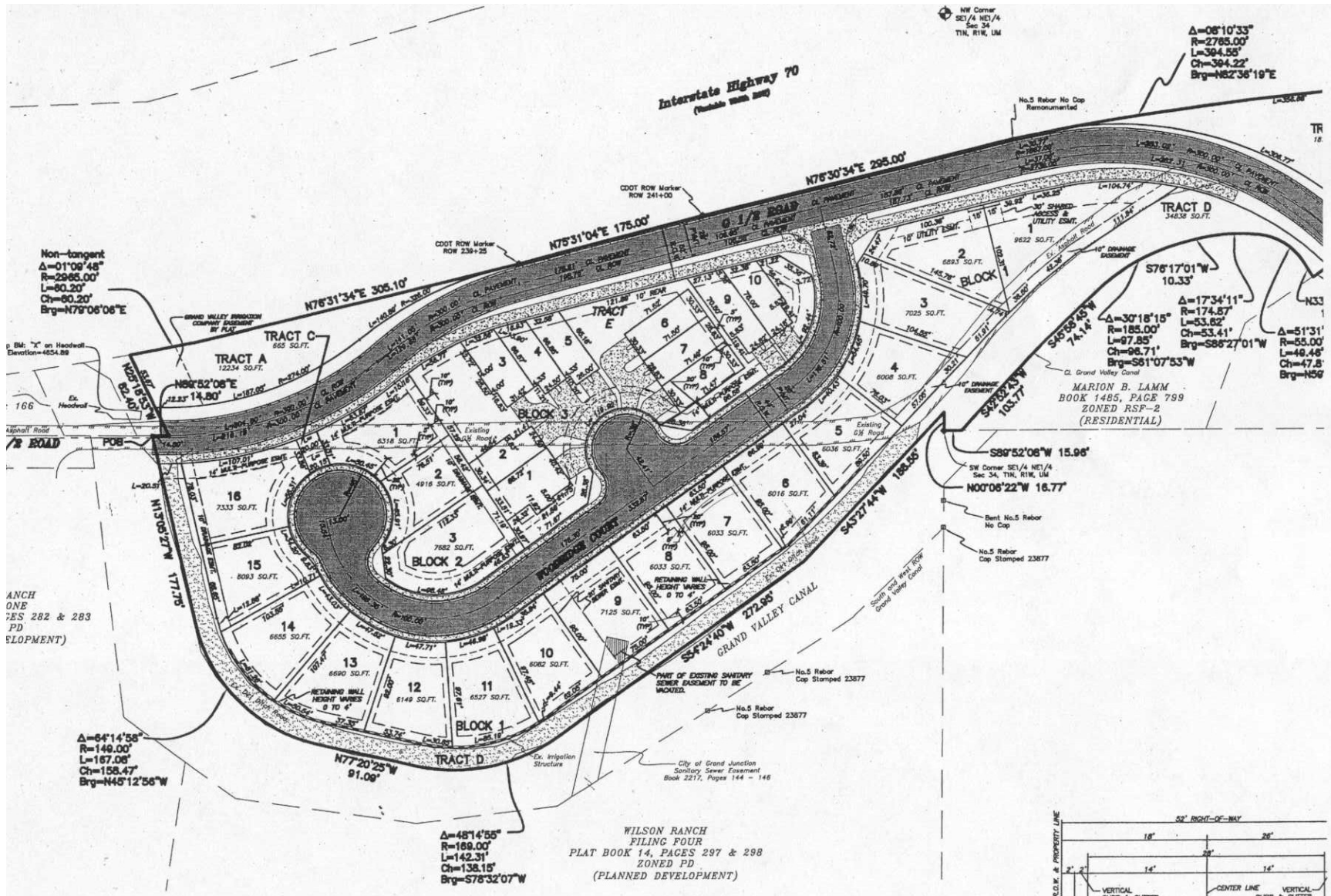


Existing City and County Zoning

Figure 4



Note: County Zoning shown on this map is based off of interpretation and extrapolation of past Mesa County Zoning Maps.



PP-2003-042 WOODRIDGE SUBDIVISION PRELIMINARY DEVELOPMENT PLAN

CITY OF GRAND JUNCTION

ORDINANCE NO. _____

**AN ORDINANCE AMENDING ORDINANCE NO. 2644 ZONING WILSON RANCH
PLANNED RESIDENTIAL DEVELOPMENT
TO INCLUDE MORE SPECIFIC INFORMATION FOR A PORTION OF THE
ORIGINAL WILSON RANCH TO BE KNOWN AS THE WOODRIDGE SUBDIVISION
LOCATED SOUTH OF G-1/2 ROAD AND WEST OF 26 ROAD**

Recitals:

The land zoned as Planned Residential development under Ordinance No. 2644 “Zoning Certain Lands Annexed to the City Located South of G-1/2 Road and East of 25-1/2 Road” (Wilson Ranch) in 1993 did not fully develop as originally planned; approximately 7.8 acres has not developed. A proposal from GNT Development regarding the 7.8 acres has been presented to the Planning Commission to recommend to City Council an amendment to the original Planned Residential ordinance and to establish the underlying zone for this 7.8 acres with the preliminary development plan. The proposal refers to this land as Woodridge Subdivision and will be so referred to herein.

On August 24, 2004, the Planning Commission did approve the proposed preliminary development plan and establishment of the underlying zone after finding the request to be in compliance with the Zoning and Development Code.

The original zoning for all of Wilson Ranch, including the Woodridge Subdivision was Planned Residential with a maximum density of 4.4 units per acre. This density included multifamily development in the area being planned for Woodridge Subdivision.

The proposed density of the Woodridge Subdivision is 4.5 units per acre which is consistent with the original Wilson Ranch Planned Residential zone as well as with the Growth Plan Future Land Use Map. The property is designated as Residential Medium 4 to 8 units per acre on the Growth Plan Future Land Use Map.

The default zone for the Woodridge Subdivision pursuant to Section 3.3.G. of the Zoning and Development Code is Residential Multifamily 8 Units per Acre (RMF-8).

The City Council having considered the record, the recommendation of the staff and the Planning Commission finds that the proposal satisfies the requirements of the Zoning and Development Code for conditional approval of an amendment to the Planned Development zone.

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

Upon satisfaction of the conditions set forth herein, Ordinance No. 2644 is hereby amended regarding the 7.8 acres that had not yet developed and is more fully described below:

A parcel of land located in the E½ of Section 34, Township 1 North, Range 1 West, Ute Meridian, City of Grand Junction, Mesa County, Colorado, being the same as Parcels 2 and 3, as shown in Warranty Deed recorded at Book 1824, Page 231, Mesa County records, and more particularly described as follows:

Commencing at the Northwest corner of the Southeast Quarter (SE¼) of Section 34, T1N, R1W, UM, whence the East Quarter corner of said Section 34 bears North 89 degrees 52 minutes 08 seconds East, a distance of 2644.58 feet for a basis of bearings, with all bearings contained herein relative thereto; thence, along the North line of said SE¼, North 89 degrees 52 minutes 08 seconds East, a distance of 593.59 feet to the Point of Beginning; thence, continuing along said North line of said SE¼, North 89 degrees 52 minutes 08 seconds East, a distance of 14.80 feet; thence North 25 degrees 18 minutes 53 seconds West, a distance of 82.40 feet, to a point on the Southerly right-of-way line of Interstate Highway 70; thence along the said Southerly right-of-way line of said Interstate Highway 70 the following five (5) courses: (1) along a non-tangent curve to the left, having a delta angle of 01 degrees 09 minutes 48 seconds, a radius of 2965.00 feet, an arc length of 60.20 feet, a chord length of 60.20 feet, and chord bearing of North 79 degrees 06 minutes 06 seconds East; (2) North 76 degrees 31 minutes 34 seconds East, a distance of 305.10 feet; (3) North 75 degrees 31 minutes 04 seconds East, a distance of 175.00 feet; (4) North 76 degrees 30 minutes 34 seconds East, a distance of 295.00 feet; (5) along a curve to the right, having a delta angle of 08 degrees 10 minutes 33 seconds, a radius of 2765.00 feet, an arc length of 394.55 feet, a chord length of 394.22 feet, and chord bearing of North 82 degrees 36 minutes 19 seconds East, to a point at the intersection of said Southerly right-of-way line and the centerline of Leach Creek; thence, along the said centerline of Leach Creek the following two (2) courses: (1) South 04 degrees 10 minutes 11 seconds West, a distance of 104.40 feet; (2) South 55 degrees 35 minutes 01 seconds West, a distance of 130.62 feet, to a point at the intersection of the centerline of said Leach Creek and the centerline of the Grand Valley Irrigation Canal; thence along said centerline of the Grand Valley Irrigation Canal the following seven (7) courses: (1) North 33 degrees 14 minutes 38 seconds West, a distance of 17.61 feet; (2) along a curve to the left, having a delta angle of 51 degrees 31 minutes 16 seconds, a radius of 55.00 feet, an arc length of 49.46 feet, a chord length of 47.81 feet, and chord bearing of North 59 degrees 00 minutes 16 seconds West; (3) along a curve to the left, having a delta angle of 17 degrees 34 minutes 11 seconds, a radius of 174.87 feet, an arc length of 53.62 feet, a chord length of 53.41 feet, and chord bearing of South 86 degrees 27 minutes 01 seconds West; (4) South 76 degrees 17 minutes 01 seconds West, a distance of 10.33 feet; (5) along a curve to the left, having a delta angle of 30 degrees

18 minutes 15 seconds, a radius of 185.00 feet, an arc length of 97.85 feet, a chord length of 96.71 feet, and chord bearing of South 61 degrees 07 minutes 53 seconds West; (6) South 45 degrees 58 minutes 45 seconds West, a distance of 74.14 feet; (7) South 42 degrees 52 minutes 43 seconds West, a distance of 103.77 feet, to a point on the intersection of said centerline of the Grand Valley Irrigation Canal and the said North line of said SE $\frac{1}{4}$; thence, along the North line of said SE $\frac{1}{4}$, South 89 degrees 52 minutes 08 seconds West, a distance of 15.96 feet, to the intersection of said North line of said SE $\frac{1}{4}$ and the East line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 32; thence, along the East line of said SE $\frac{1}{4}$ NE $\frac{1}{4}$, North 00 degrees 06 minutes 22 seconds West, a distance of 16.77 feet, to a point at the intersection of East line of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ and a line one (1) foot North and East of the top of bank of the Grand Valley Irrigation Canal; thence, along said one (1) foot offset line of the top of bank of the Grand Valley Irrigation Canal the following (6) courses: (1) South 43 degrees 27 minutes 44 seconds West, a distance of 188.55 feet; (2) South 54 degrees 24 minutes 40 seconds West, a distance of 272.95 feet; (3) along a curve to the right, having a delta angle of 48 degrees 14 minutes 55 seconds, a radius of 169.00 feet, an arc length of 142.31 feet, a chord length of 138.15 feet, and chord bearing of South 78 degrees 32 minutes 07 seconds West; (4) North 77 degrees 20 minutes 25 seconds West, a distance of 91.09 feet; (5) along a curve to the right having a delta angle of 64 degrees 14 minutes 58 seconds, a radius of 149.00 feet, an arc length of 167.08 feet, a chord length of 158.47 feet, and chord bearing of North 45 degrees 12 minutes 56 seconds West; (6) North 13 degrees 05 minutes 27 seconds West, a distance of 177.75 feet to the Point of Beginning.

Said parcel containing an area of 7.814 acres, as described.

The property is zoned Planned Development. The property may only be developed in accordance with the approval of the plan and construction of the development in accordance with the standards and uses specified herein, the vacation of existing right-of-way with the dedication and construction of right-of-way necessitated by the development, vacation of a sewer easement with dedication of all other required easements, and the construction of all requisite improvements as required and approved by City staff.

The allowed uses for this land are 19 Detached Single Family Units and 10 Attached Single Family Units.

The bulk standards shall be as follows:

Minimum Lot Area:	4500 SF
Minimum Street Frontage:	20 Feet
Maximum Height of Structures:	35 Feet
Minimum Front Yard Setback:	Principal Structure - 20 Feet* Accessory Structure - 25 Feet
Minimum Side Yard Setback:	
Detached Single Family:	Principal Structure - 5 Feet

	Accessory Structure - 3 Feet
Attached Single Family:	Principal Structure - 0 Feet
	Accessory Structure - 0 Feet
Minimum Rear Yard Setback:	Principal Structure -10 Feet
	Accessory Structure - 5 Feet
Maximum Coverage of Lot	
By Structures:	70 Percent

* As allowed by Code, the front yard setbacks in the attached single family area (Block 3) shall be measured from the Woodridge Court right-of-way adjacent to Block 3.

Specific Development Standards:

A four foot (4') or shorter open design decorative wall or fence shall be installed along the length of G½ Road adjacent to the site as a perimeter enclosure.

Vacations:

The right-of-way as it exists must be vacated and G½ Road realigned and constructed as required by City staff. New right-of-way as replacement of that right-of-way of G½ Road that was vacated must be dedicated to the City. The right-of-way of 25¾ Road that is on the site, if it exists, must be vacated. This condition is not a guarantee or assurance from City Council that this right-of-way shall be vacated. The landowner/developer must go through the standard process for vacation of a right-of-way and the request will be determined on its own merits.

The portion of the sanitary sewer easement granted to the City by GNT Development Corporation on March 6, 1996, that needs to be vacated shall be vacated with the dedication of a replacement and additional sanitary sewer easement and construction of the sanitary sewer for the development of the property. This condition is not a guarantee or assurance from City Council that this easement shall be vacated. The landowner/developer must go through the standard process for vacation of a right-of-way and the request will be determined on its own merits.

General Development Standards:

All other development standards not specifically set forth herein must be completed in accordance with laws, rules and regulations of the City, State, and federal government as they exist on the date of development as approved by City staff.

All other terms of Ordinance 2644 shall remain in full force and effect except for those specifically amended herein.

INTRODUCED for FIRST READING and PUBLICATION this 6th day of October, 2004.

PASSED on SECOND READING this 20th day of October, 2004

ATTEST:

City Clerk

President of City Council

**Attach 8
Public Hearing – Kronvall Annexation Located at 2263 Greenbelt Dr**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	A hearing for the Kronvall Annexation located at 2263 Greenbelt Drive					
Meeting Date	October 20, 2004					
Date Prepared	October 11, 2004				File #ANX-2004-175	
Author	Senta L. Costello		Associate Planner			
Presenter Name	Senta L. Costello		Associate Planner			
Report results back to Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	When	
Citizen Presentation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		Consent	<input checked="" type="checkbox"/> Individual Consideration

Summary: Resolution for acceptance of petition to annex and to hold a public hearing and consider final passage of the annexation ordinance for the Kronvall Annexation, located at 2263 Greenbelt Drive. The 4.274 acre Kronvall annexation consists of 2 parcels.

Budget: N/A

Action Requested/Recommendation: Public hearing on the annexation and acceptance of the petition. Approve resolution accepting a petition for annexation and approve second reading of the annexation ordinance.

Background Information: See attached Staff Report/Background Information

Attachments:

1. Staff report/Background information
2. General Location Map
3. Aerial Photo
4. Growth Plan Map
5. Zoning Map
6. Annexation map
7. Acceptance Resolution
8. Annexation Ordinance

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

Staff Analysis:

**ANNEXATION:
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.

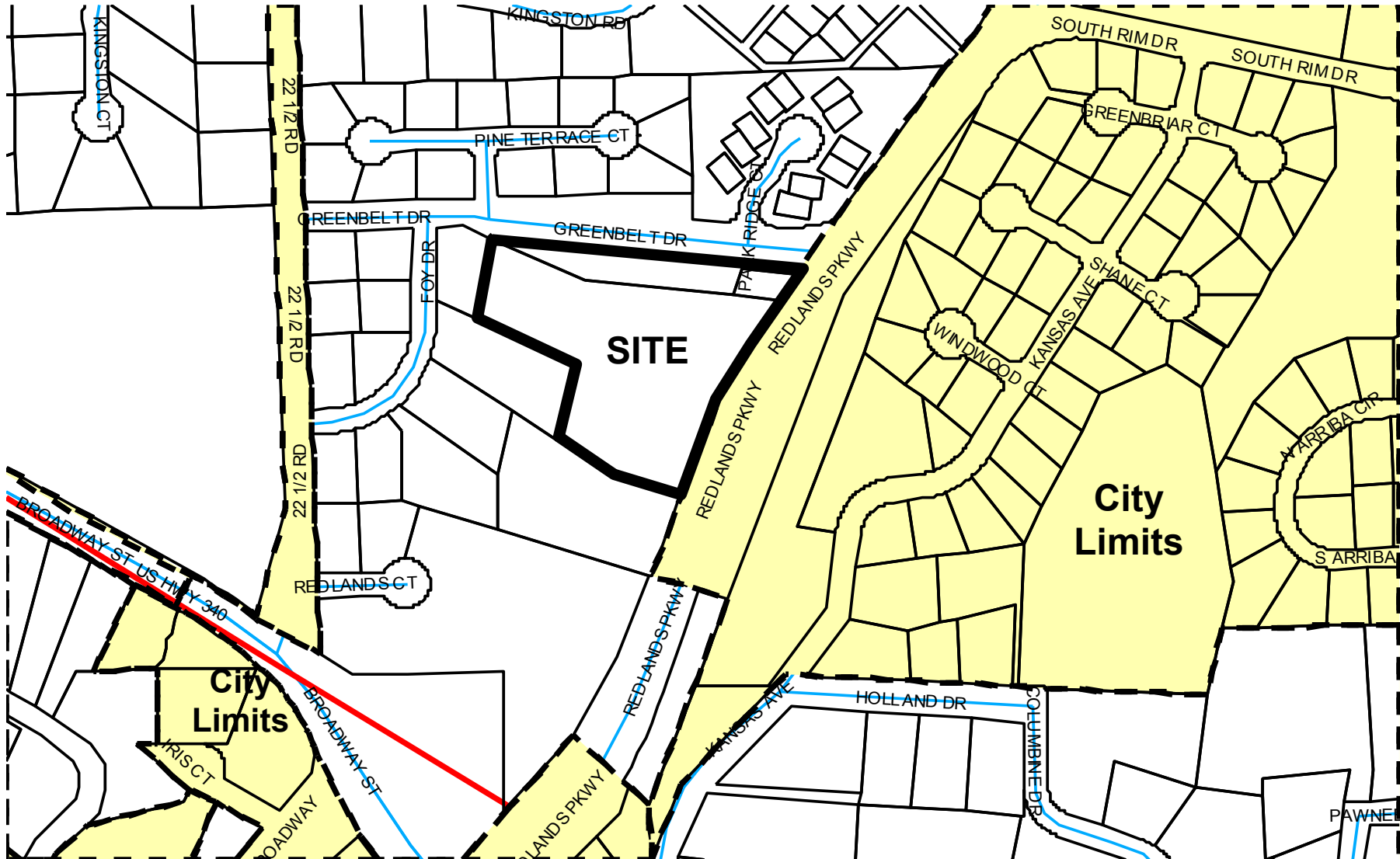
<u>ANNEXATION SCHEDULE</u>	
September 15, 2004	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
October 26, 2004	Planning Commission considers Zone of Annexation
October 20, 2004	Acceptance of Petition and Public Hearing on Annexation
November 3, 2004	Introduction Of A Proposed Ordinance on Zoning by City Council
November 17, 2004	Zoning by City Council
November 21, 2004	Effective date of Annexation
December 19, 2004	Effective date of Zoning

KRONVALL ANNEXATION SUMMARY

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

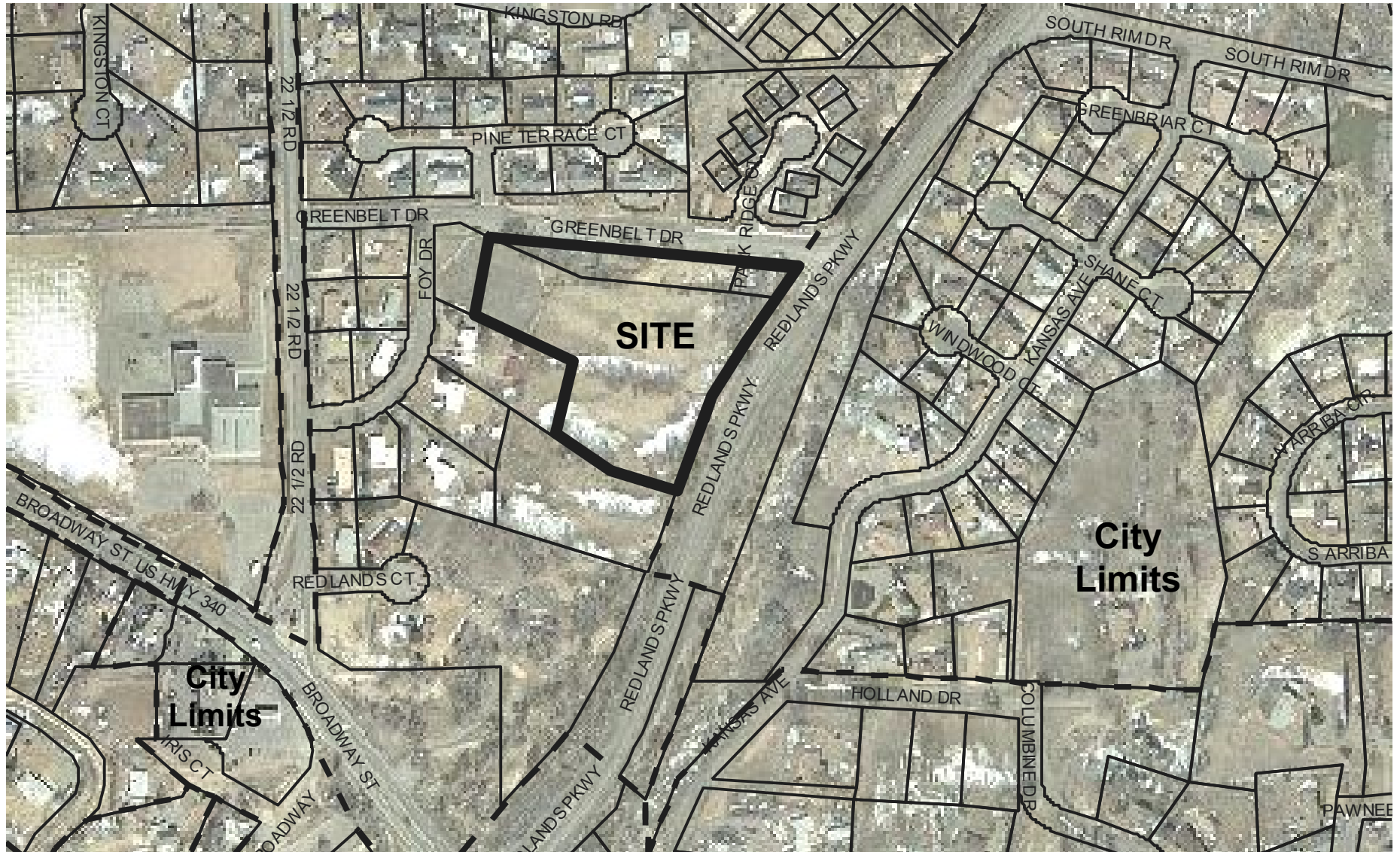
Site Location Map

Figure 1



Aerial Photo Map

Figure 2



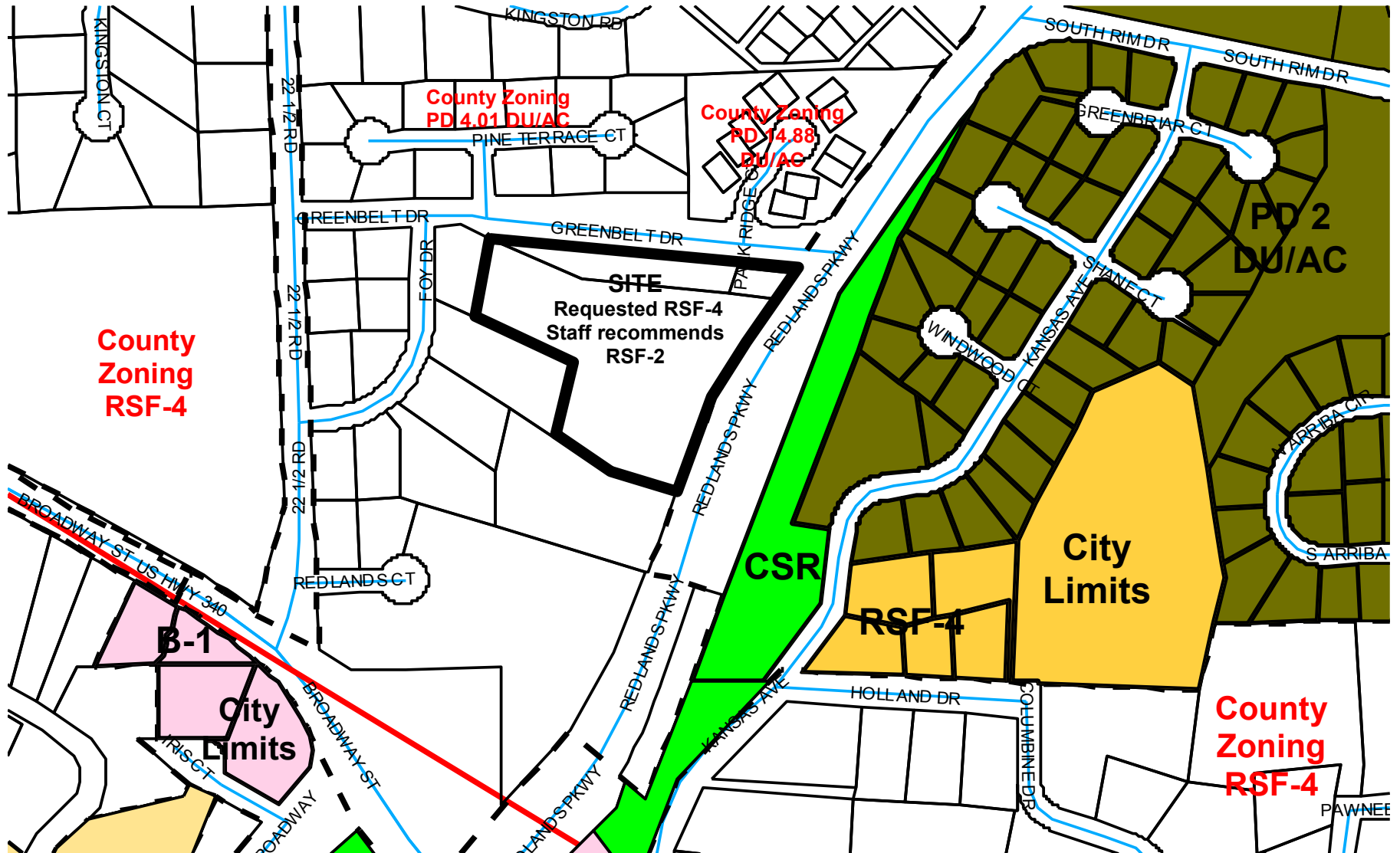
Future Land Use Map

Figure 3



Existing City and County Zoning

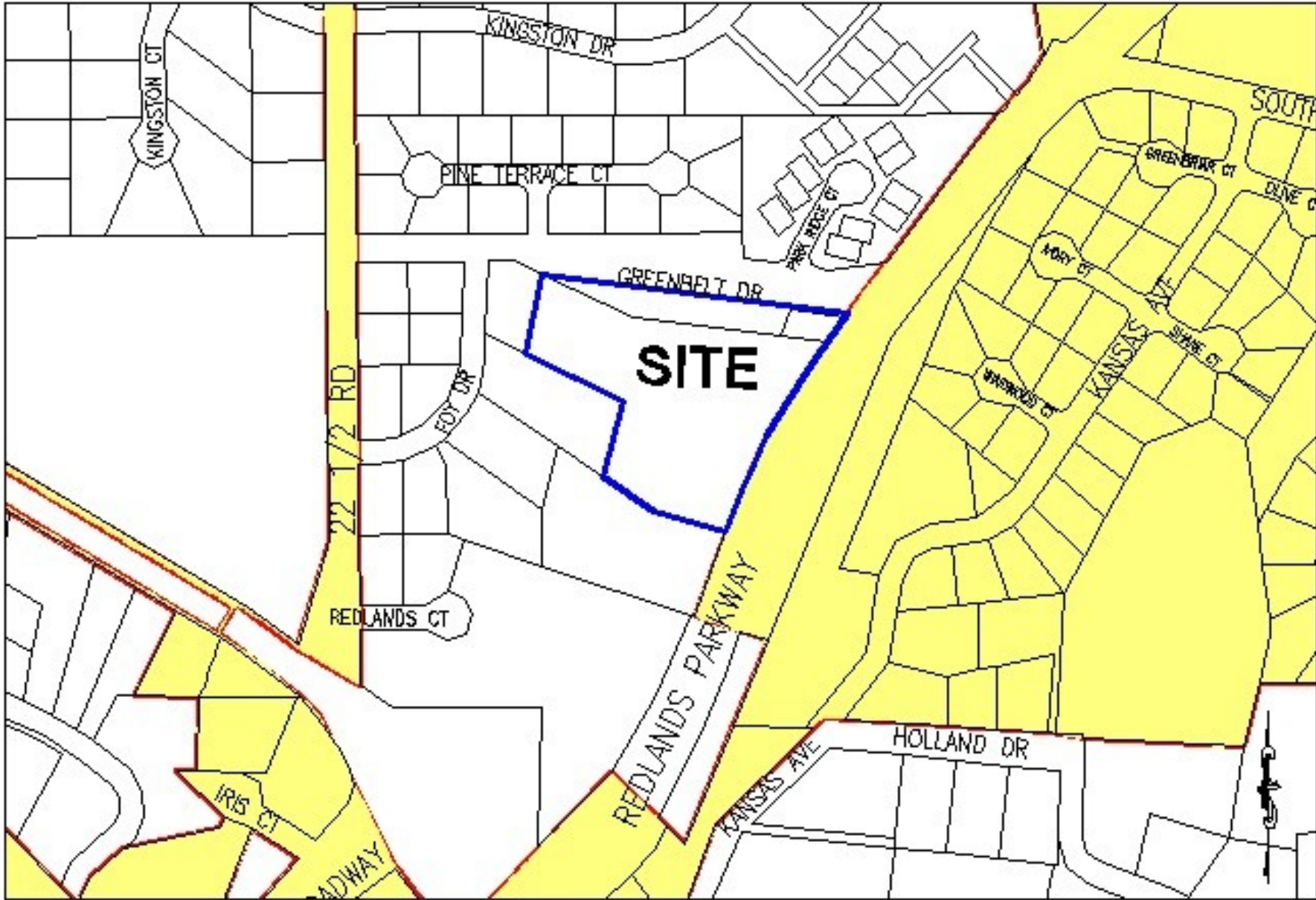
Figure 4



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

RESOLUTION NO. ____

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

KRONVALL ANNEXATION

LOCATED at 2263 Greenbelt Drive

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 15th day of September, 2004, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

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, a hearing on the petition was duly held after proper notice on the 20th day of October, 2004; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

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

ADOPTED this 20th day of October, 2004.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

KRONVALL ANNEXATION

APPROXIMATELY 4.274 ACRES

LOCATED AT 2263 Greenbelt Drive

WHEREAS, on the 15th 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 20th 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 15th day of September, 2004 and ordered published.

ADOPTED on second reading this 20th day of October, 2004.

Attest:

President of the Council

City Clerk

**Attach 9
Public Hearing – Growth Plan Amendment 2263 Greenbelt Dr**

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Request approval of a Growth Plan Amendment from "Residential Low ½ -2 ac/du" to "Residential Medium Low 2-4 du/ac" for 2 properties located at 2263 Greenbelt Drive					
Meeting Date	October 20, 2004					
Date Prepared	October 13, 2004				File # GPA-2004-207	
Author	Senta L. Costello		Associate Planner			
Presenter Name	Senta L. Costello		Associate Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda			Consent X Individual Consideration

Summary: Hold a public hearing and consider passage of the Resolution to change the Growth Plan designation from "Residential Low ½ -2 ac/du" to "Residential Medium Low 2-4 du/ac".

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:

- 9. Staff report/Background information
- 10. Applicant's Response to the Growth Plan Amendment Criteria
- 11. Vicinity Map
- 12. Aerial Photo
- 13. Growth Plan Map
- 14. Resolution

AGENDA TOPIC: GPA-2004-207 Lot 2, Greenbelt Subdivision Growth Plan Amendment

ACTION REQUESTED: Request approval of a Growth Plan Amendment from "Residential Low 1/2 -2 ac/du" to "Residential Medium Low 2-4 du/ac" for 2 properties located at 2263 Greenbelt Drive;

BACKGROUND INFORMATION				
Location:		2263 Greenbelt Drive		
Applicants:		Owner/Developer: Milo Johnson – Peak Const. Representative: Brian Hart - Landesign		
Existing Land Use:		Vacant		
Proposed Land Use:		Residential		
Surrounding Land Use:	North	Single Family Residential		
	South	Single Family Residential		
	East	Single Family Residential		
	West	Single Family Residential		
Existing Zoning:		County RSF-4		
Proposed Zoning:		City RSF-4		
Surrounding Zoning:	North	County PD 4.01 du/ac, PD 14.88 du/ac		
	South	County RSF-4		
	East	City CSR, RSF-4, PD 2 du/ac		
	West	County RSF-4		
Growth Plan Designation:		Existing: Residential Low 1/2 - 2 ac/du; Requesting: Residential Medium Low 2-4 du/ac		
Zoning within density 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 at 2263 Greenbelt Drive from "Residential Low 1/2 -2 ac/du" to "Residential Medium Low 2-4 du/ac".

RECOMMENDATION: Staff recommends approval.

ANALYSIS:

1. Background:

The 4.2 acre site is located at the southwest corner of Greenbelt Drive and Redlands Parkway and is currently zoned RSF-4 in the County. When the Future Land Use map was adopted, the area bounded by Greenbelt Drive and Hwy 340 on the north and south and 22 ½ Road and Redlands Parkway to the east and west, was reviewed, it was determined that due to topographic issues, the Residential Low ½ -2 ac/du designation was the most appropriate for the properties in this area. The specific topography of individual lots and/or lot sizes was not reviewed at that time.

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.

When the Growth Plan and Future Land Use Map were adopted the general characteristics, mainly topography, of this area were looked at, but specific details of each property were not considered. While many of the lots in this area have significant topography issues, this particular site does not have any extreme topographic constraints and may therefore be appropriate for a higher density than the current designation allows.

In 2002, the Redlands Area Plan was adopted. At that time, some changes were made in the Redlands area in relation to Future Land Use designations. However, this particular area was not reviewed through the area plan to determine if some of the property would warrant consideration of being changed to a different designation.

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

A boundary line adjustment on a portion of this property has been completed in the County within the last year that effectively removed from this property the main areas with steeper slopes.

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

The character of the neighborhood to the north of this property is primarily single family (attached and detached) residential on approximately ¼ acre lots or less. Detached single family on approximately ¼ acre lots also exist to the east and west. The properties to the south of this site are larger in size and have some significant topographic and drainage characteristics that make the current Residential Low designation appropriate.

- 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 1: To achieve a balance of open space, agricultural, residential and non-residential land use opportunities that reflects the residents' respect for the natural environment, the integrity of the community's neighborhoods, the economic needs of the residents and business owners, the rights of private property owners and the needs of the urbanizing community as a whole.

Policy 1.1: The City and County will use the future land use categories listed and described in Exhibit V.2 (Future Land Use Categories, Page 15) to designate appropriate land uses within the Joint Planning Area identified in Exhibit V.1 (Joint Planning Area, Pages 3-4). City and County actions on land use proposals within the Joint Planning Area will be consistent with the plan.

Policy 1.2: The City and County will use Exhibit V.2 (Future Land Use Categories, Page 15) to guide decisions on the gross density of residential development.

Policy 1.3: The City and County will use Exhibit V.3 (Future Land Use Map, Pages 17-18) in conjunction with the other policies of this plan to guide zoning and development decisions.

- City and County decisions about the type and intensity of land uses will be consistent with the Future Land Use Map and Plan policies.
- The City and County may limit site development to a lower intensity than shown on the Future Land Use Map if site specific conditions do not support planned intensities.

Policy 1.7: The City and County will use zoning to establish the appropriate scale, type, location and intensity for development. Development standards should ensure that proposed residential and non-residential development is compatible with the planned development of adjacent property.

Goal 5: To ensure that urban growth and development make efficient use of investments in streets, utilities and other public facilities.

Policy 5.2: The City and County will encourage development that uses existing facilities and is compatible with existing development.

- 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 Residential Medium Low 2-4 du/ac designation.

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

While a majority of the Redlands area is designated Residential Medium Low 2-4 du/ac, there are not many properties in the areas closer to town that are not already developed.

- 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 Lot 2, Greenbelt Subdivision application, GPA-2004-2075 for a Growth Plan Amendment, staff recommends that the Planning Commission make the following findings of fact and conclusions:

- 11. The proposed amendment is consistent with the purpose and intent of the Plan.
- 12. The review criteria in Section 2.5.C of the Zoning and Development Code have all been met.

PLANNING COMMISSION RECOMMENDATION:

Planning Commission recommended approval of this Growth Plan Amendment request for Residential Medium Low 2-4 du/ac designation to City Council, making the findings of fact and conclusions listed in the staff report.

Attachments:

Applicant's Response to Growth Plan Amendment criteria
Vicinity Map
Aerial Photo
Growth Plan Map
Resolution

REQUEST FOR GROWTH PLAN AMENDMENT

2263 GREENBELT DRIVE

APPLICANT: PEAK CONSTRUCTION

**PREPARED BY: LANDesign, LLC
244 N 7TH STREET
GRAND JUNCTION, CO 81501**

PROJECT DESCRIPTION

Request for the amendment to the Growth Plan Future Land Use Map to re-designate the property located at 2263 Greenbelt Drive from “Residential Low (1/2-2 dwelling units per acre)” to “Residential Medium Low (2-4 dwelling units per acre).

The property is a 4.2 acre site located at the Southwest corner of Greenbelt Drive and Redlands Parkway, and is currently zoned RSF-4 in Mesa County. When the Future Land Use Map was adopted the property was designated on the map as “Residential Low” due to perceived issues with the topography in the area. The existing topography creates some engineering design issues, but does not preclude development of the property.

SURROUNDING LAND USE

The properties surrounding the subject property have a variety of densities. The properties to the North include single family residential developments Pine Terrace Subdivision (4.01 du/acre), and Park Ridge Townhomes Planned Development (14.88 du/acre). The development to the East is Bluffs West Estates, a single family residential subdivision with Mesa County zoning of RSF-4, and PD 2 du/ac. Property to the South and West is vacant land, that is zoned RSF-4 in Mesa County.

GROWTH PLAN AMENDMENT – REVIEW CRITERIA (Section 2.5C of the Zoning and Development Code)

2.5C (1) There was an error such that then existing facts, projects, trends (that were reasonably foreseeable) were not accounted for.

When the Growth Plan was adopted, the general characteristics of the area were looked at, but specific design criteria were not considered. Some properties in the area have significant topography issues, but the subject property does not have any specific topographic constraints that would prohibit development of the property at a higher density (2-4 units per acre).

The growth plan was also in error when the property was designated as Residential Low, as it did not take into consideration the existing Mesa County zoning of RSF-4.

2.5C (2) Subsequent events have invalidated the original premises and findings.

Engineering review of this property shows that it does not have significant design issues that would preclude development of the property at 2-4 units per acre.

2.5C (3) The character and/or condition of the area has changed enough that the amendment is acceptable.

Existing developments in the area north of the property already exist that exceed 4 dwelling units per acre.

2.5C (4) The change is consistent with the goals and policies of the plan, including applicable special area neighborhood and corridor plans.

This request is consistent with the goals and policies of the Growth Plan. The project would be compatible with the surrounding land use in the area, and will make efficient use of the existing investment in streets, utilities, and public facilities, and is also an in-fill project.

2.5C (5) Public and community facilities are adequate to serve the type and scope of land use proposed.

Adequate public facilities, including sewer, water, utilities, and public streets are currently available, that will allow development of this property at a density of Residential Medium Low (2-4 units per acre)

2.5C (6) An inadequate supply of suitably designated land is available in the community, to accommodate the proposed land use.

While a majority of the Redlands area is designated Residential Medium Low (2-4 units per acre), there are not many properties located close in to town that have not already been developed.

2.5C (7) The Community will derive benefits from the proposed amendment.

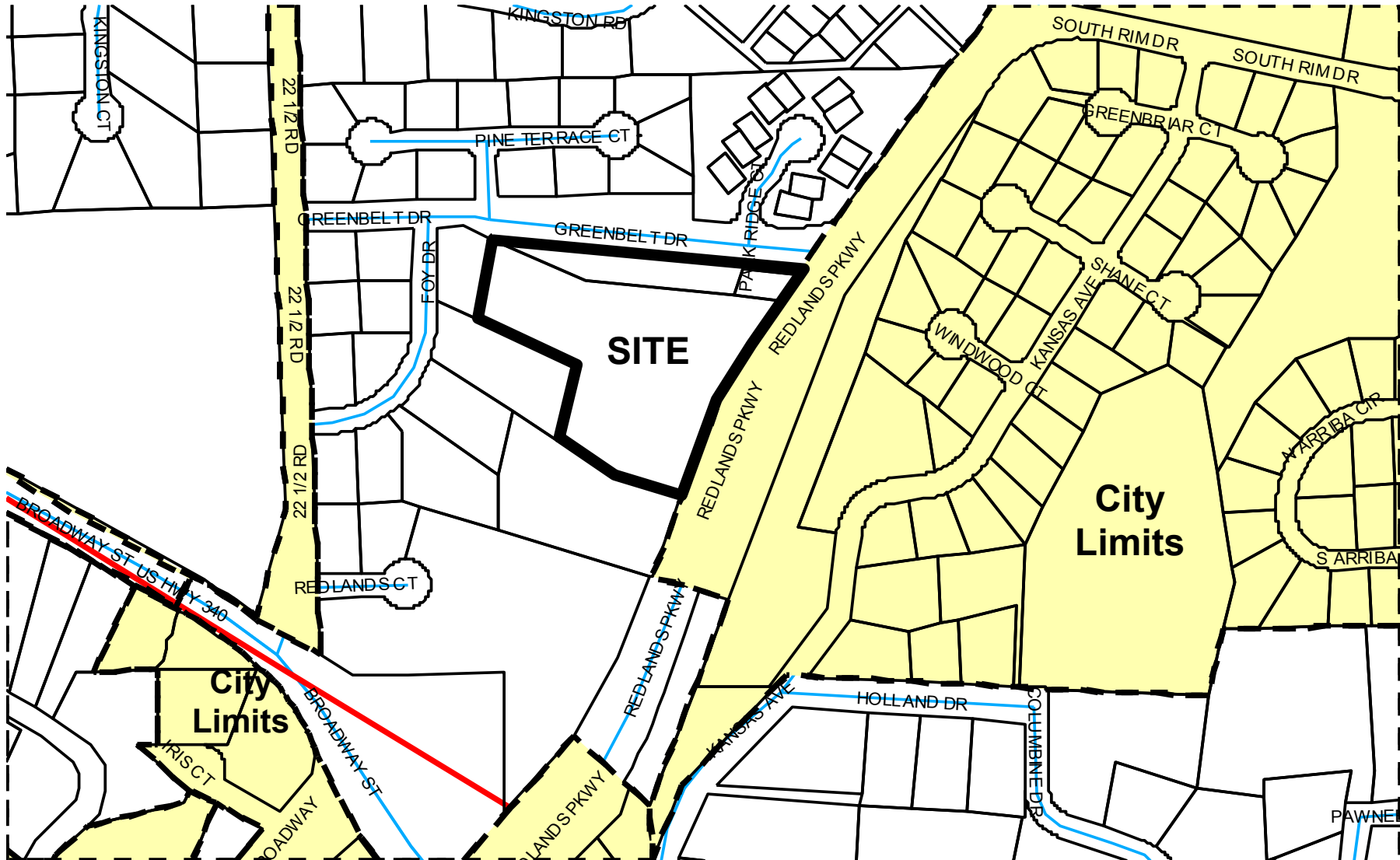
The proposed designation of Residential Medium Low (2-4 units per acre) on this property will benefit the Community by the efficient use of existing public utilities, streets and facilities. It also will provide a development density that is more consistent with the surrounding land use.

CONCLUSION

This proposed Growth Plan amendment is consistent with the purpose and intent of the Plan. Also, this request meets all the criteria of Section 2.5 of the Zoning and Development Code.

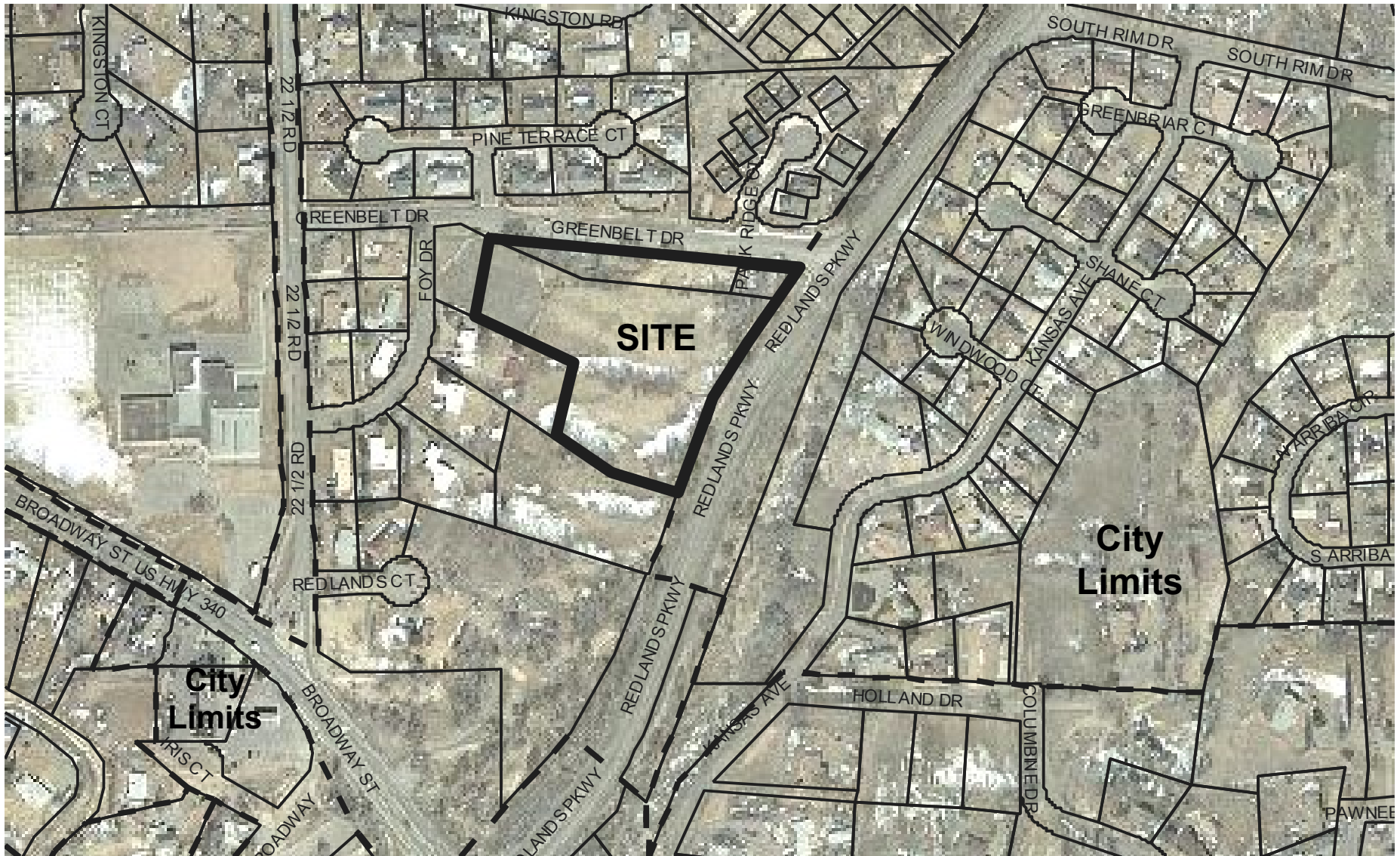
Site Location Map

Figure 1



Aerial Photo Map

Figure 2



Future Land Use Map

Figure 3



CITY OF GRAND JUNCTION, COLORADO

Resolution No.

A resolution amending the City of Grand Junction Growth Plan Future Land Use Map to Re-designate approximately 4.2 acres located at 2263 Greenbelt Drive from "Residential Low ½ -2 ac/du" to "Residential Medium Low 2-4 du/ac"

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 4.2 acres located at 2263 Greenbelt Drive from "Residential Low ½ -2 ac/du" to "Residential Medium Low 2-4 du/ac" 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 4.2 acres of property, located at 2263 Greenbelt Drive is designated as Residential Medium Low 2-4 du/ac on the Future Land Use Map. The boundary description of the area being more fully described as follows:

A certain parcel of land lying in the Southeast Quarter (SE1/4) 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.

PASSED on this _____ day of _____, 2004.

ATTEST:

President of Council

City Clerk

Attach 10

Public Hearing – Rezoning a Portion of the Laurel Subdivision Located at 575 28 ¼ Rd

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject	Hold a Public Hearing and Consideration of a proposed ordinance to rezone a portion of the Laurel Subdivision, located at 575 28 ¼ Road							
Meeting Date	October 20, 2004							
Date Prepared	October 1, 2004				File #RZ-2004-082			
Author	Lisa E. Cox, AICP			Senior Planner				
Presenter Name	Bob Blanchard			Community Development Director				
Report results back to Council	X	No		Yes	When			
Citizen Presentation		Yes	X	No	Name			
	Workshop	X	Formal Agenda			Consent	X	Individual Consideration

Summary: Hold a public hearing and consider a proposed ordinance to rezone a portion of the Laurel Subdivision from RMF-8 to RMF-5, located at 575 28 ¼ Road.

Budget: N/A

Action Requested/Recommendation: Approval of second reading of the rezoning ordinance.

Background Information: See attached Staff Report/Background Information

Attachments:

- 15. Staff report/Background information
- 16. Site Location Map (Figure 1)
- 17. Aerial Photo Map (Figure 2)
- 18. Future Land Use Map (Figure 3)
- 19. Existing City and County Zoning Map (Figure 4)
- 20. Rezoning Ordinance

BACKGROUND INFORMATION					
Location:		575 28 ¼ Road			
Applicants:		Ridgewood Heights, LLC National Healthcare Assoc., Inc.			
Existing Land Use:		Medical care facility (assisted living center)/Vacant			
Proposed Land Use:		Residential			
Surrounding Land Use:	North	Medical care facility (assisted living center)			
	South	Medical care facility (assisted living center)			
	East	Residential			
	West	Residential			
Existing Zoning:		RMF-8			
Proposed Zoning:		RMF-5			
Surrounding Zoning:	North	PD			
	South	RMF-8			
	East	RMF-16 and PD			
	West	RMF-5 and RMF-8			
Growth Plan Designation:		Residential Medium, 4-8 du/ac			
Zoning within density range?		X	Yes		No

Staff Analysis:

The subject property was annexed into the City on August 10, 1970 as a part of the Mantey Heights annexation. The request to rezone involves two parcels located at 585 and 575 28 ¼ Road which are zoned RMF-5 and RMF-8. The applicant previously requested a simple subdivision to adjust a property line between the two parcels which would take approximately .724 acres from the parcel located to the south and combine it with 15.510 acres with the northern parcel to form a single parcel of 16.234 acres (see site attached maps showing larger parcel zoned RMF-5 in red and smaller parcel zoned RMF-8 in green).

The applicant wishes to develop the larger parcel for residential purposes and has requested the down-zoning of the RMF-8 portion to be consistent with the existing RMF-5 zoning of the larger parcel to the north.

Rezoning: The requested rezone to the RMF-5 zone district is consistent with the Growth Plan land use classification of Residential Medium.

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. *The existing zoning is not in error and is consistent with the Residential Medium land use classification. The applicant has requested a rezone of the property to be consistent with additional property that is intended to be developed for residential purposes.*
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. *There has not been a change in the character of the neighborhood other than the development of property in a manner which has been consistent with the goals and policies of the Growth Plan.*
3. The proposed rezone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or other nuisances. *The proposed rezone to RMF-5 is within the allowable density range recommended by the Growth Plan. This criterion must be considered in conjunction with criterion 5 which requires that public facilities and services are available when the impacts of any proposed development are realized. Staff has determined that public infrastructure can address the impacts of any development consistent with the RMF-5 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. *The requested rezone is consistent with the Residential Medium land use classification and the goals and policies of the Growth Plan.*
5. Adequate public facilities and services are available or will be made available concurrent with the projected impacts of the proposed development. *Adequate public facilities are currently available and can*

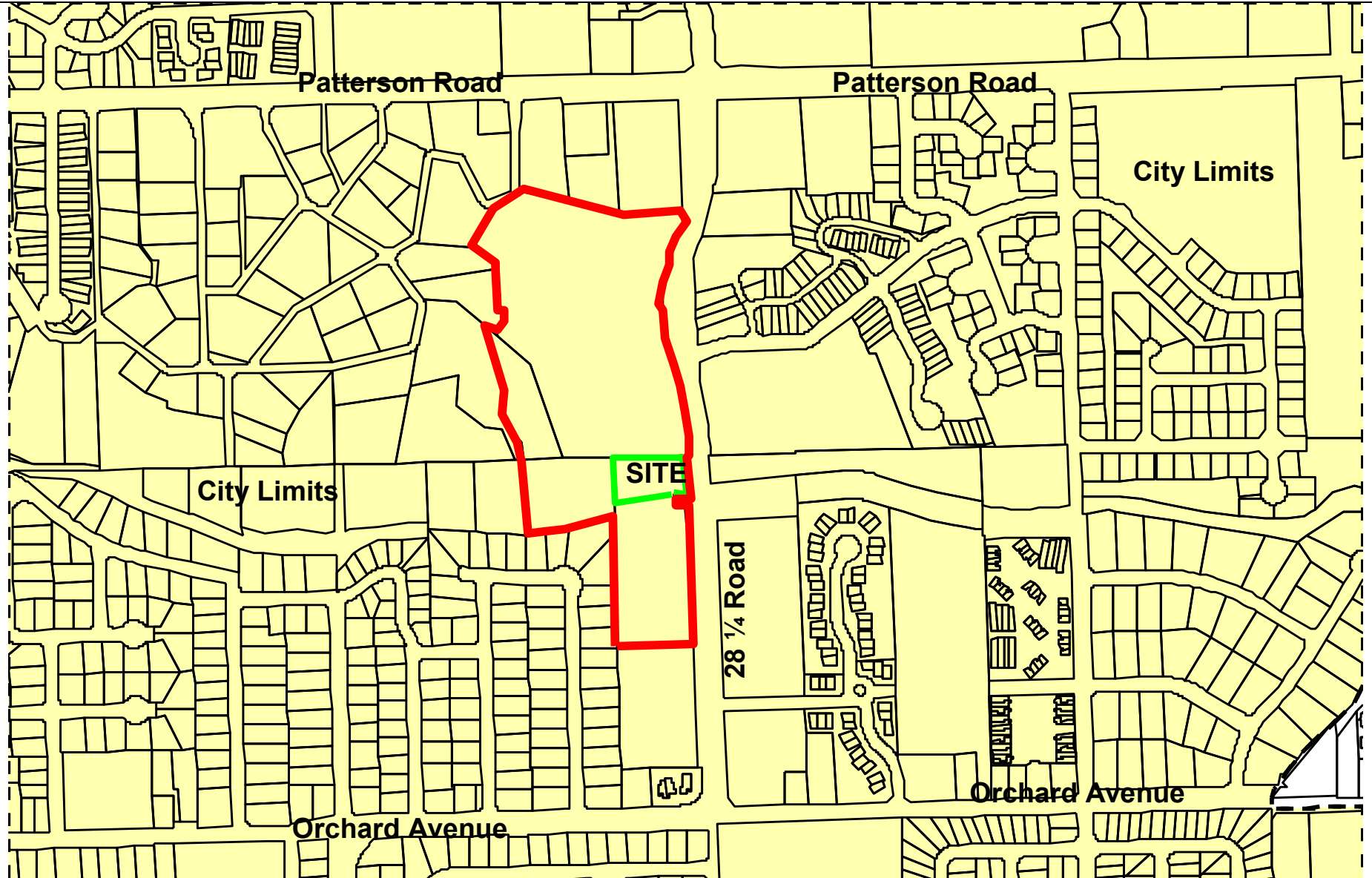
address the impacts of development consistent with the RMF-5 zone district.

6. There is not an adequate supply of land available in the neighborhood and surrounding area to accommodate the zoning and community needs. *The request to rezone is not related to an adequate supply of land available for development, rather it has been requested in an effort to be consistent with existing zoning of other property to be developed for residential purposes.*
7. The community or neighborhood will benefit from the proposed zone. *The community will benefit from the development of property in a manner consistent with the goals and policies of the Growth Plan.*

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

Site Location Map

Figure 1



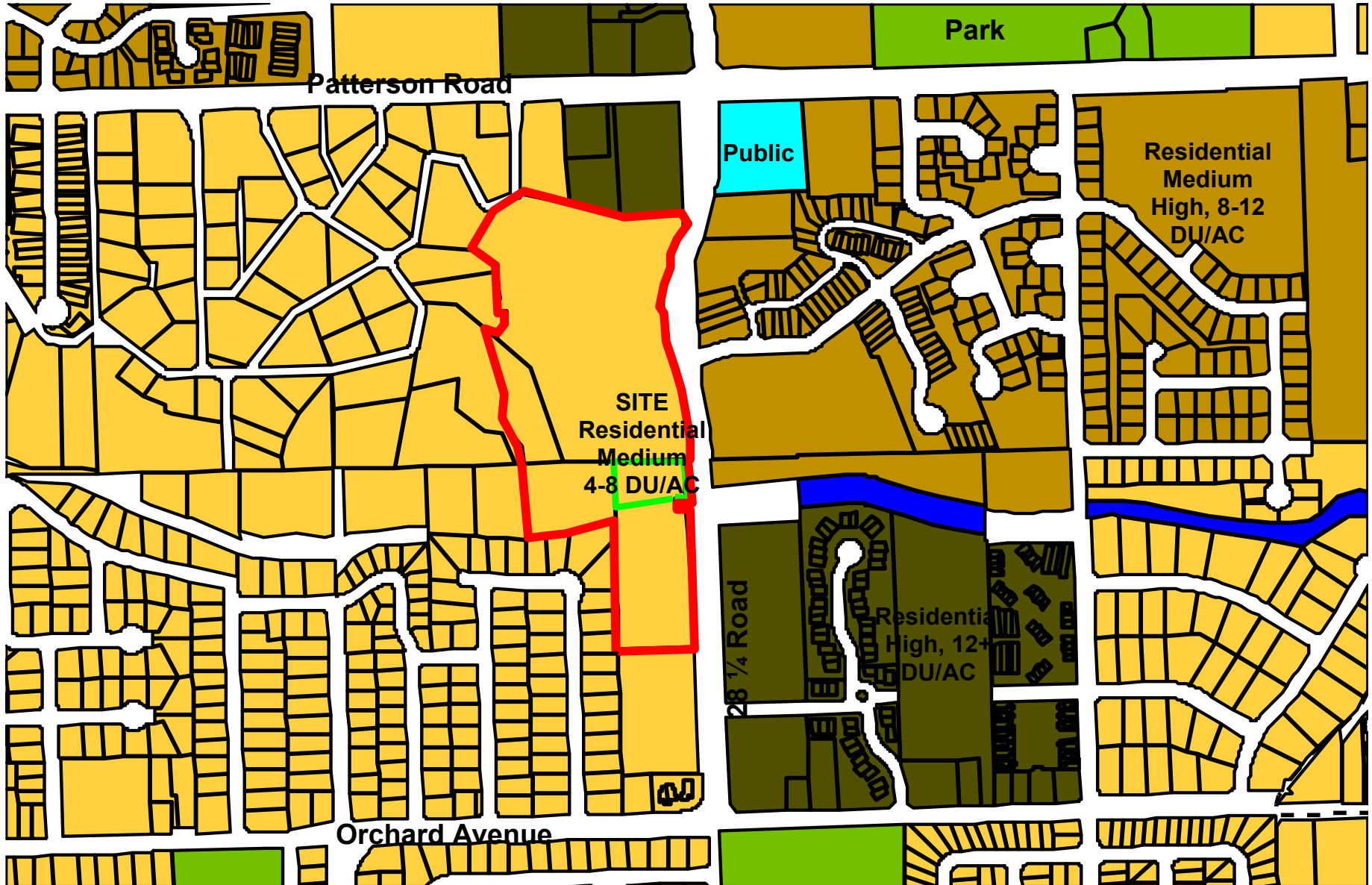
Aerial Photo Map

Figure 2



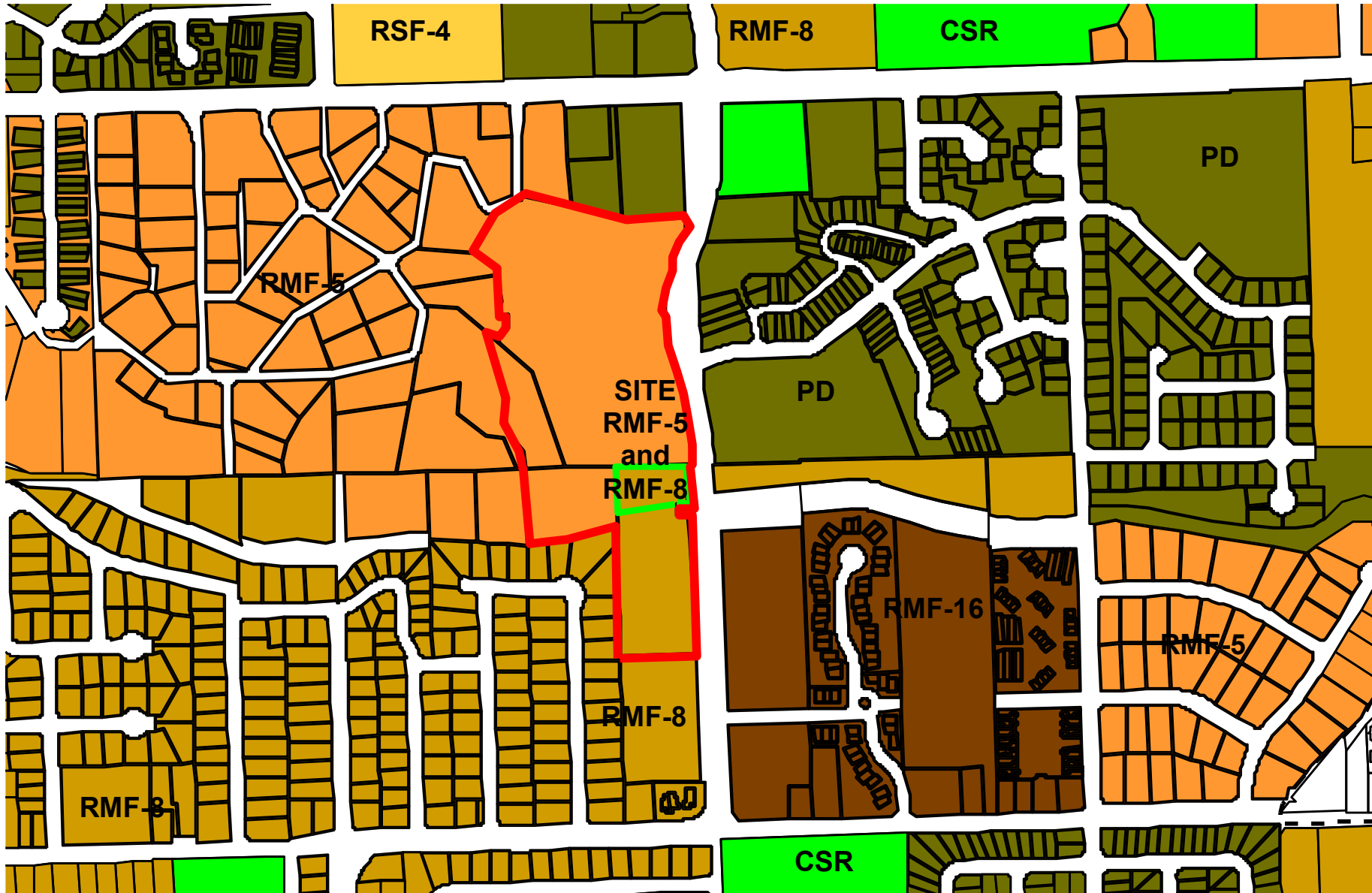
Future Land Use Map

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."

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING A PORTION OF
THE LAUREL SUBDIVISION
FROM RMF-8 TO RMF-5**

LOCATED AT 575 28 ¼ 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 a portion of the Laurel Subdivision from RMF-8 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.

That part of Lot 1 of Shadowfax Properties Minor Subdivision lying north of the centerline of the Grand Valley Canal; AND All that part of the E1/4 SW1/4 NW1/4 of Section 7 lying north of Princess Subdivision, Township 1 South, Range 1 East of the Ute Meridian, Mesa County, Colorado

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

Introduced on first reading October 6, 2004 and ordered published.

Adopted on second reading this _____ day of _____, 2004.

Mayor

ATTEST:

City Clerk

Attach 11

Public Hearing – D Road Storage Annexation Located at 2755 D Road

CITY OF GRAND JUNCTION

<i>CITY COUNCIL AGENDA</i>									
Subject	D Road Storage Annexation, located at 2755 D Road								
Meeting Date	October 20, 2004								
Date Prepared	October 13, 2004				File #ANX-2004-182				
Author	Scott D. Peterson		Associate Planner						
Presenter Name	Scott D. Peterson		Associate Planner						
Report results back to Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	When			
Citizen Presentation		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No	Name		
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda				Consent	<input checked="" type="checkbox"/>	Individual Consideration

Summary: Resolution for acceptance of petition to annex and to hold a public hearing and consider final passage of the annexation ordinance for the D Road Storage Annexation, located at 2755 D Road. The 0.985 acre annexation consists of three (3) parcels of vacant land and adjoining right-of-way. The existing three (3) parcels will become one (1) parcel through a Simple Subdivision Plat process in the near future. The petitioner’s intent is to annex and then develop the properties in anticipation of future industrial development.

Budget: N/A

Action Requested/Recommendation: Public hearing on the D Road Storage Annexation and acceptance of the petition. Approve resolution accepting a petition for annexation and approve Second Reading of the Annexation Ordinance.

Background Information: See attached Staff Report/Background Information

Attachments:

- 21. Staff report/Background information
- 22. General Location Map
- 23. Aerial Photo
- 24. Growth Plan Map
- 25. Zoning Map
- 26. Annexation Map
- 27. Acceptance Resolution
- 28. Annexation Ordinance

STAFF REPORT/BACKGROUND INFORMATION

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

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.

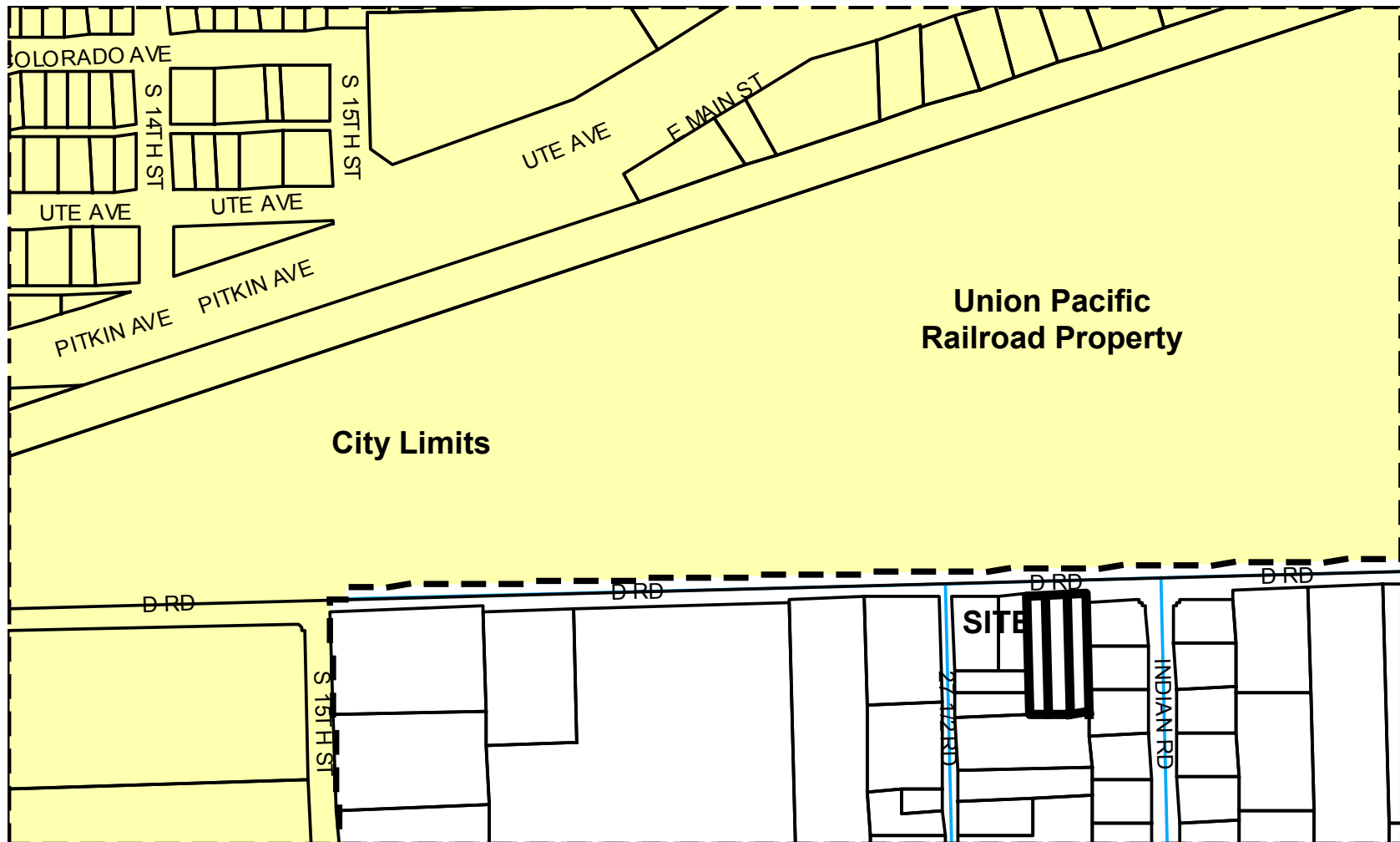
<i>ANNEXATION SCHEDULE</i>	
September 15, 2004	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
September 28, 2004	Planning Commission considers Zone of Annexation
October 6, 2004	Introduction Of A Proposed Ordinance on Zoning by City Council
October 20,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

D ROAD STORAGE ANNEXATION SUMMARY

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

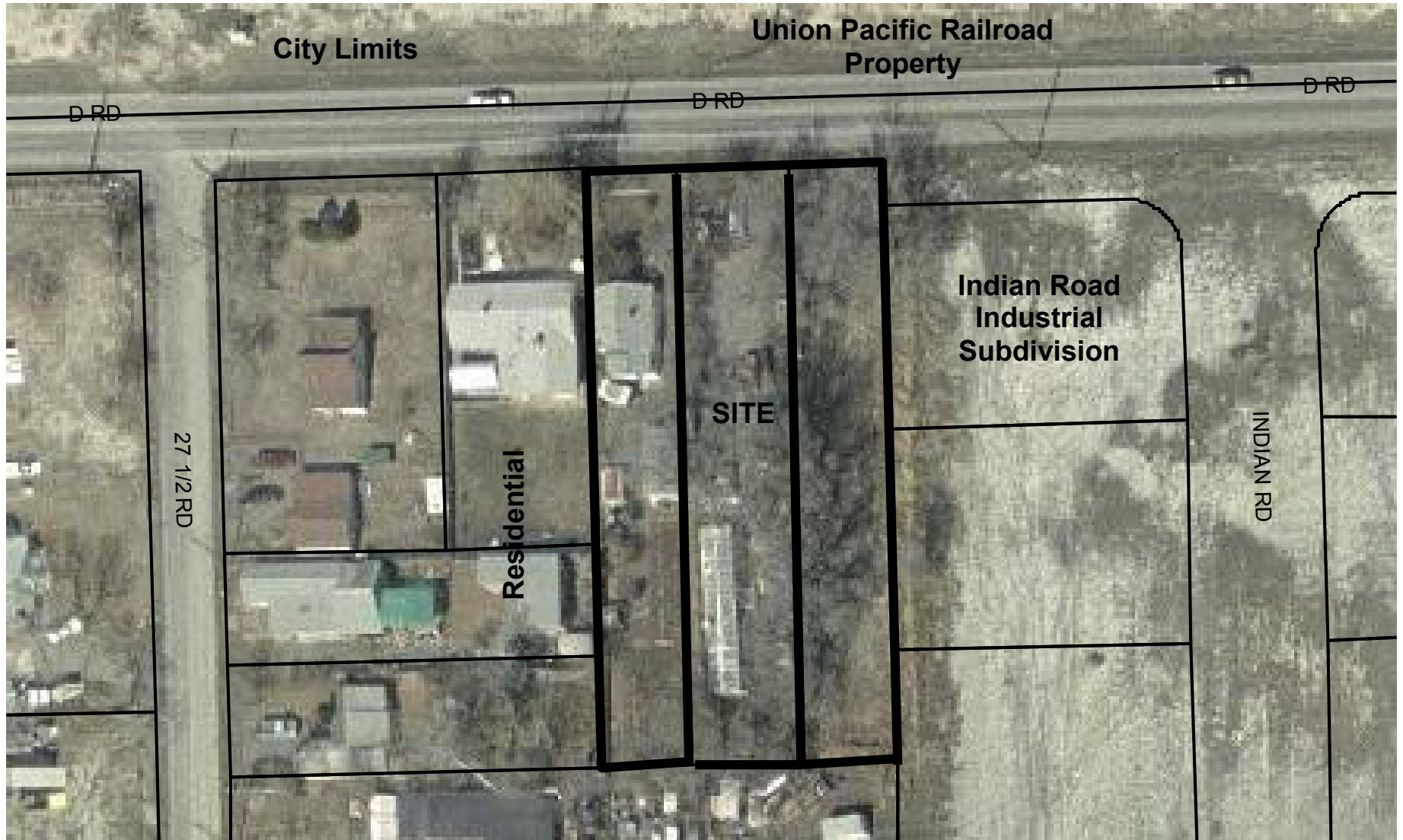
Site Location Map – D Road Storage Annex – 2755 D Road

Figure 1



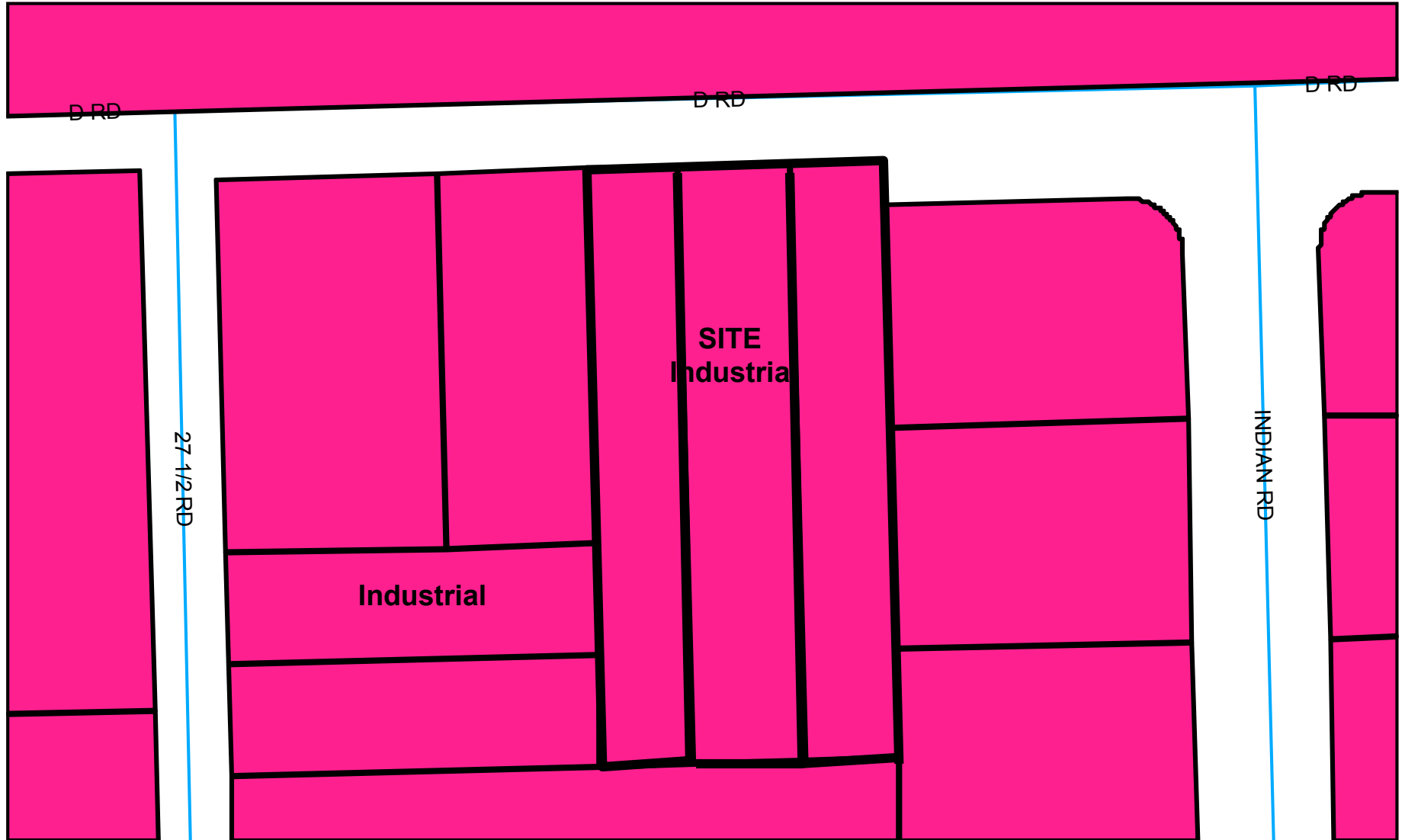
Aerial Photo Map – D Road Storage Annex – 2755 D Road

Figure 2



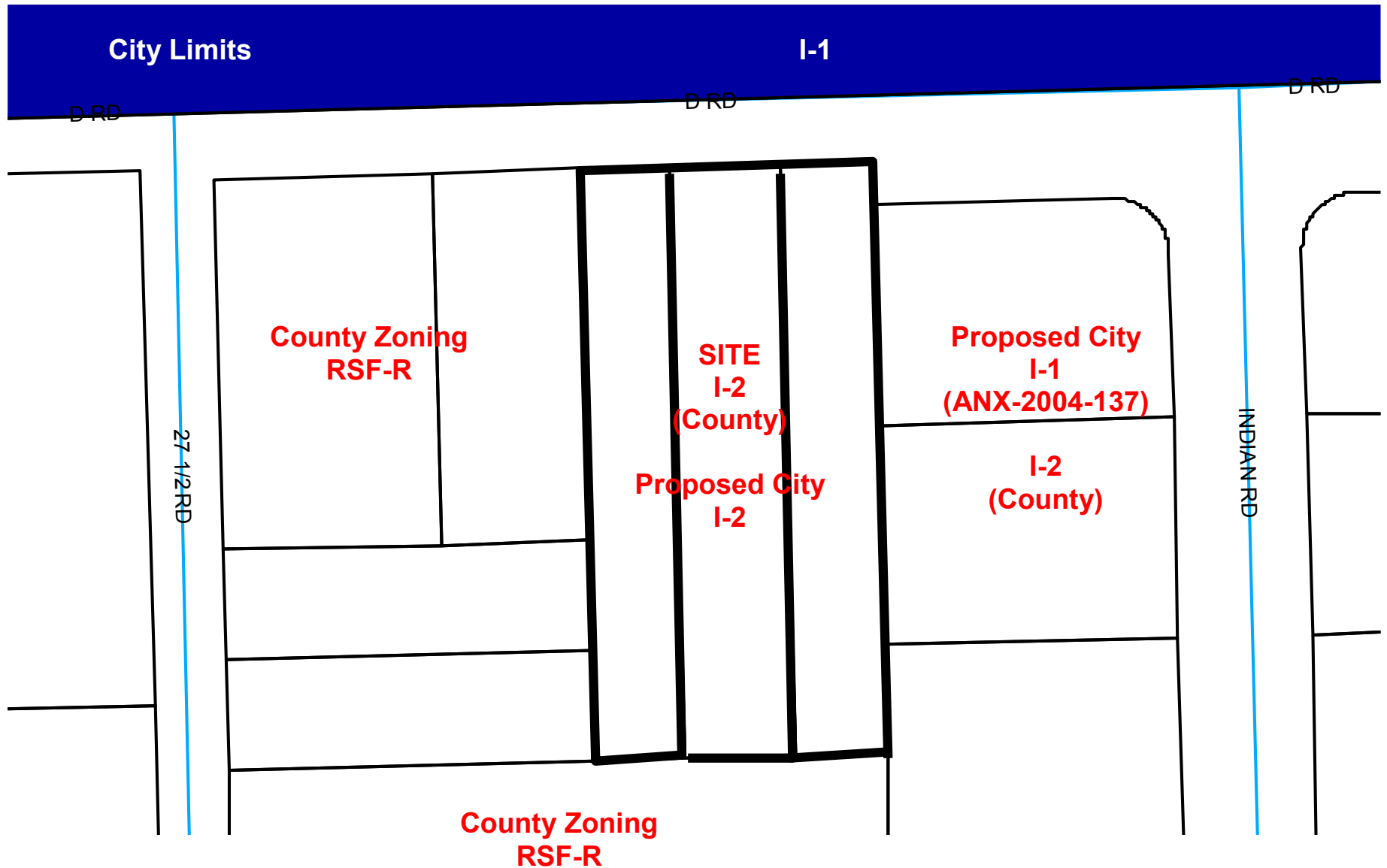
Future Land Use Map – D Road Storage Annex

Figure 3



Existing City and County Zoning – D Road Storage Annex

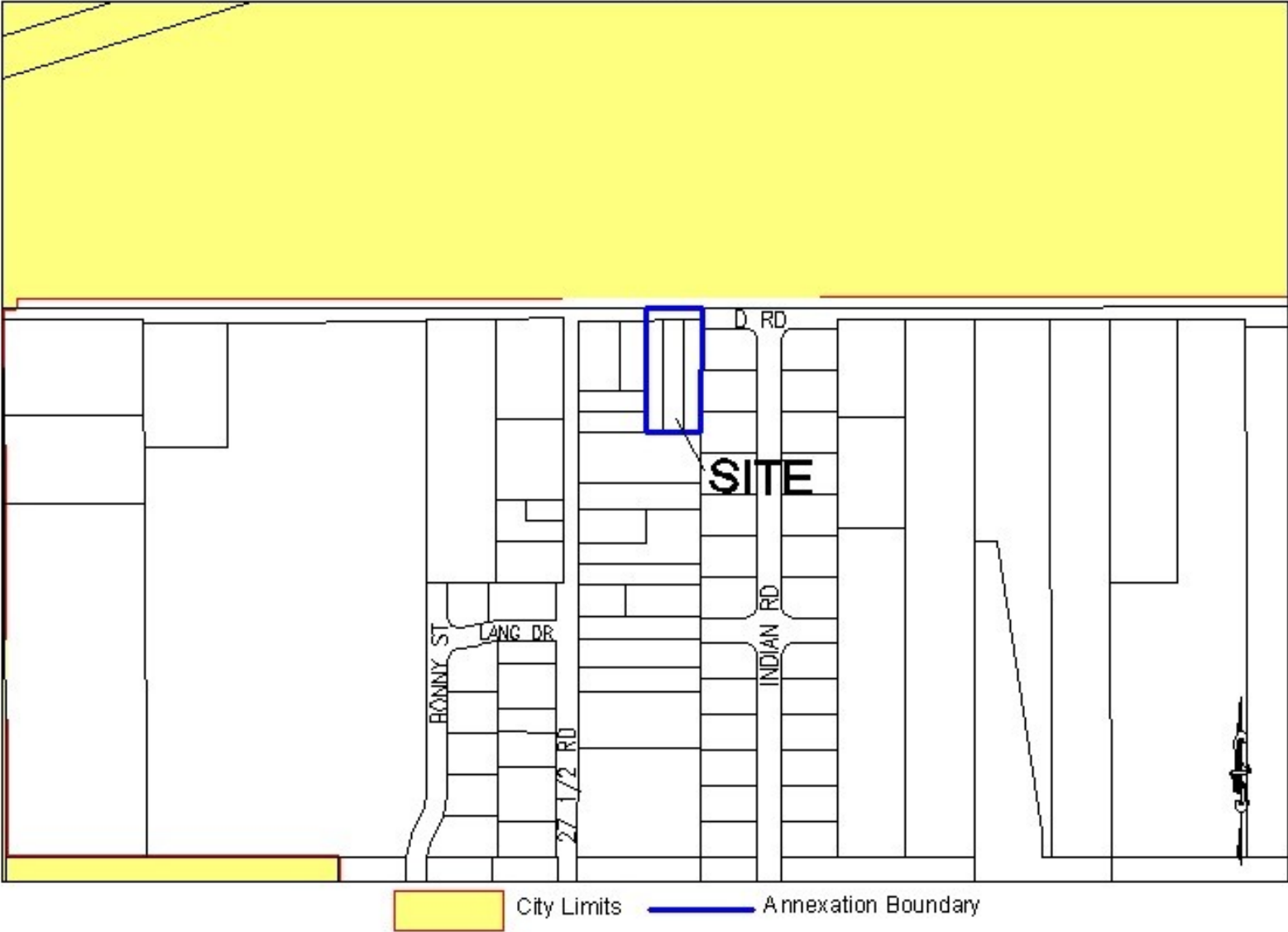
Figure 4



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



RESOLUTION NO. ____

A RESOLUTION ACCEPTING A

*PETITION FOR ANNEXATION, MAKING CERTAIN
FINDINGS, DETERMINING THAT PROPERTY KNOWN AS THE*

D ROAD STORAGE ANNEXATION

LOCATED at 2755 D Road and including a portion of the D Road Right-of-Way

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 15th day of September, 2004, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

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, a hearing on the petition was duly held after proper notice on the 20th day of October, 2004; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements therefore, that one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; that a community of interest exists between the territory and the City; that the territory proposed to be annexed is urban or will be urbanized in the near future; that the said territory is integrated or is capable of being integrated with said City; that no land held in identical ownership has been divided without the consent of the landowner; that no land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

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

ADOPTED this 20th day of October, 2004.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

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

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 15th 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 20th 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 15th day of September, 2004 and ordered published.

ADOPTED on second reading this _____ day of _____, 2004.

Attest:

President of the Council

City Clerk

Attach 12

Public Hearing – Zoning D Road Storage Annexation Located at 2755 D Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Zoning the D Road Storage Annexation, located at 2755 D Road.					
Meeting Date	October 20, 2004					
Date Prepared	October 13, 2004				File #ANX-2004-182	
Author	Scott D. Peterson		Associate Planner			
Presenter Name	Scott D. Peterson		Associate Planner			
Report results back to Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	When
Citizen Presentation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No	Name
<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		<input type="checkbox"/>	Consent
						<input checked="" type="checkbox"/> Individual Consideration

Summary: The D Road Storage Annexation consists of 0.985 acres of land that is located at 2755 D Road and consists of three (3) parcels of vacant land and adjoining right-of-way that will become one (1) parcel through a Simple Subdivision Plat process in the near future. The petitioner’s intent is to annex and then develop the properties in anticipation of future industrial development. The Planning Commission recommended approval at its September 28, 2004 meeting.

Budget: N/A

Action Requested/Recommendation: Hold a public hearing and consider final passage of the zoning ordinance for the D Road Storage Annexation with a requested zoning of I-2, General Industrial.

Background Information: See attached Staff Report/Background Information

Attachments:

- 29. Staff report/Background information
- 30. General Location Map
- 31. Aerial Photo
- 32. Growth Plan Map
- 33. Zoning Map
- 34. Annexation Map
- 35. Zoning Ordinance

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

Staff Analysis:

ZONE OF ANNEXATION:

Under the 1998 Persigo Agreement with Mesa County, the City shall zone newly annexed areas with a zone that is either identical to current County zoning or conforms to the City’s Growth Plan Future Land Use Map. The proposed zone district of I-2 would be in keeping with the Persigo Agreement, current County zoning and the Growth Plan Future Land Use Map.

I-2 ZONE DISTRICT

- The proposed General Industrial (I-2) zoning is consistent with current County zoning and the Growth Plan Future Land Use Map for this area. Currently, the Growth Plan Future Land Use Map indicates this area of D Road to be Industrial in character.

- Zoning this annexation as General Industrial (I-2), meets the criteria found in Sections 2.14 F. and 2.6 A. of the Grand Junction Zoning & Development Code.

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

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

N/A. The proposed zoning of I-2 upon annexation is consistent with the Growth Plan Future Land Use Map and also the current County zoning.

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

The property is located in an area of existing and potential industrial development along with existing residential land uses that are not in conformance with the current Growth Plan Land Use Map. All public utilities are available in the area.

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

The proposed zoning of I-2 is within the allowable density range recommended by the Growth Plan. This criterion must be considered in conjunction with criterion 5 which requires that public facilities and services are available when the impacts of any proposed development are realized. Staff has determined that public infrastructure can address the impacts of any development consistent with the I-2 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.

The proposed zoning is equivalent to the existing County zoning and to the potential industrial land uses in the area and meets the requirements of the Zoning & Development Code and Growth Plan.

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

Adequate public facilities are currently available and can address the impacts of development consistent with the I-2 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.**

N/A. This proposal is to zone property to be in conformance with current and proposed industrial land uses in the area.

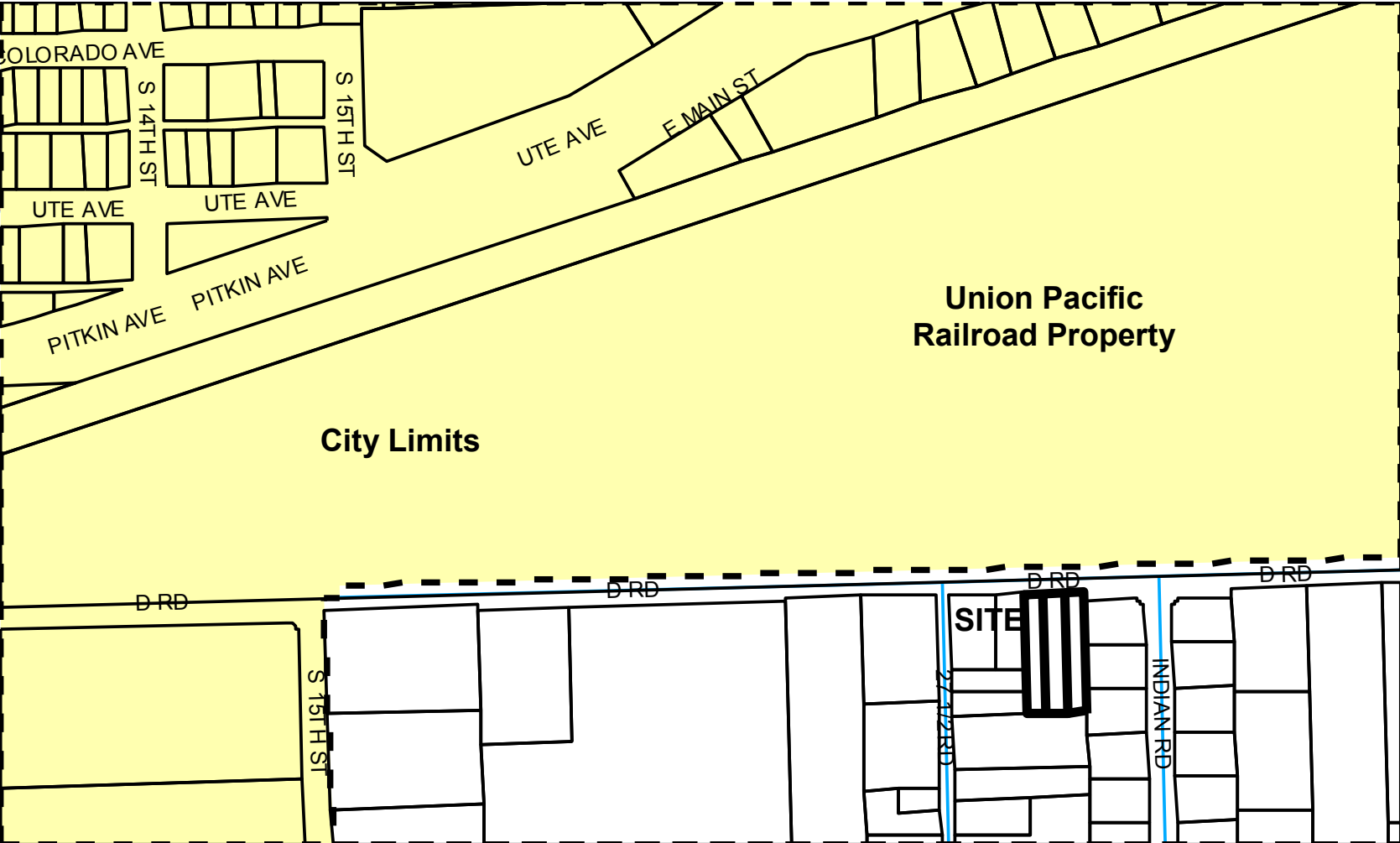
- 7. The community or neighborhood will benefit from the proposed zone.**

The existing adjacent properties are single family residences to the west and industrial land to the north, east and south. The Planning Commission felt that the proposed zoning of I-2 is in keeping with these industrial properties and also the existing residential properties as the residential properties are identified as Industrial on the Growth Plan Land Use Map and will be zoned with an industrial designation, not residential upon annexation requests in the future.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommends approval of the requested zone of annexation to the City Council, finding the zoning to the I-2, General Industrial 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.

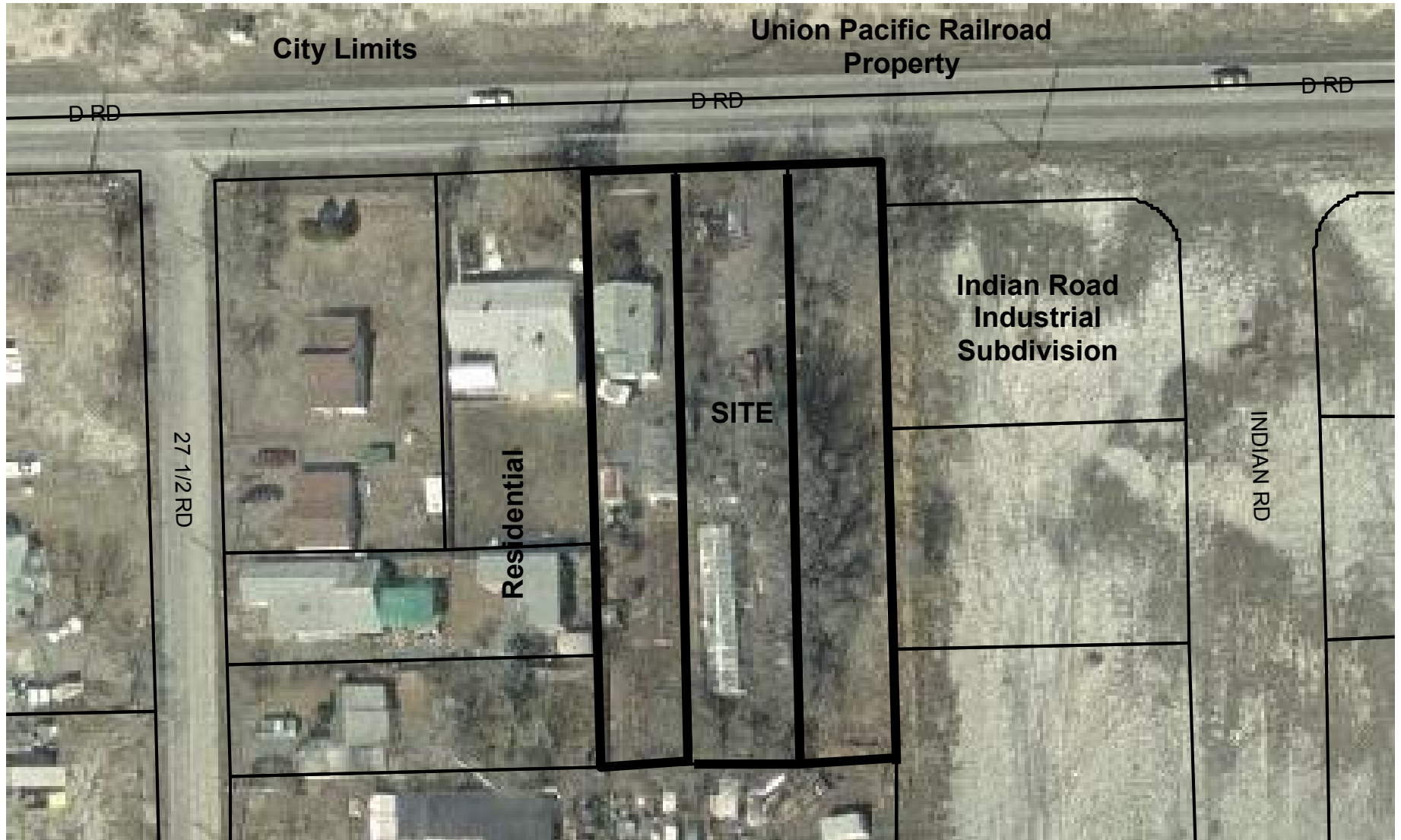
Site Location Map – D Road Storage Annex – 2755 D Road

Figure 1



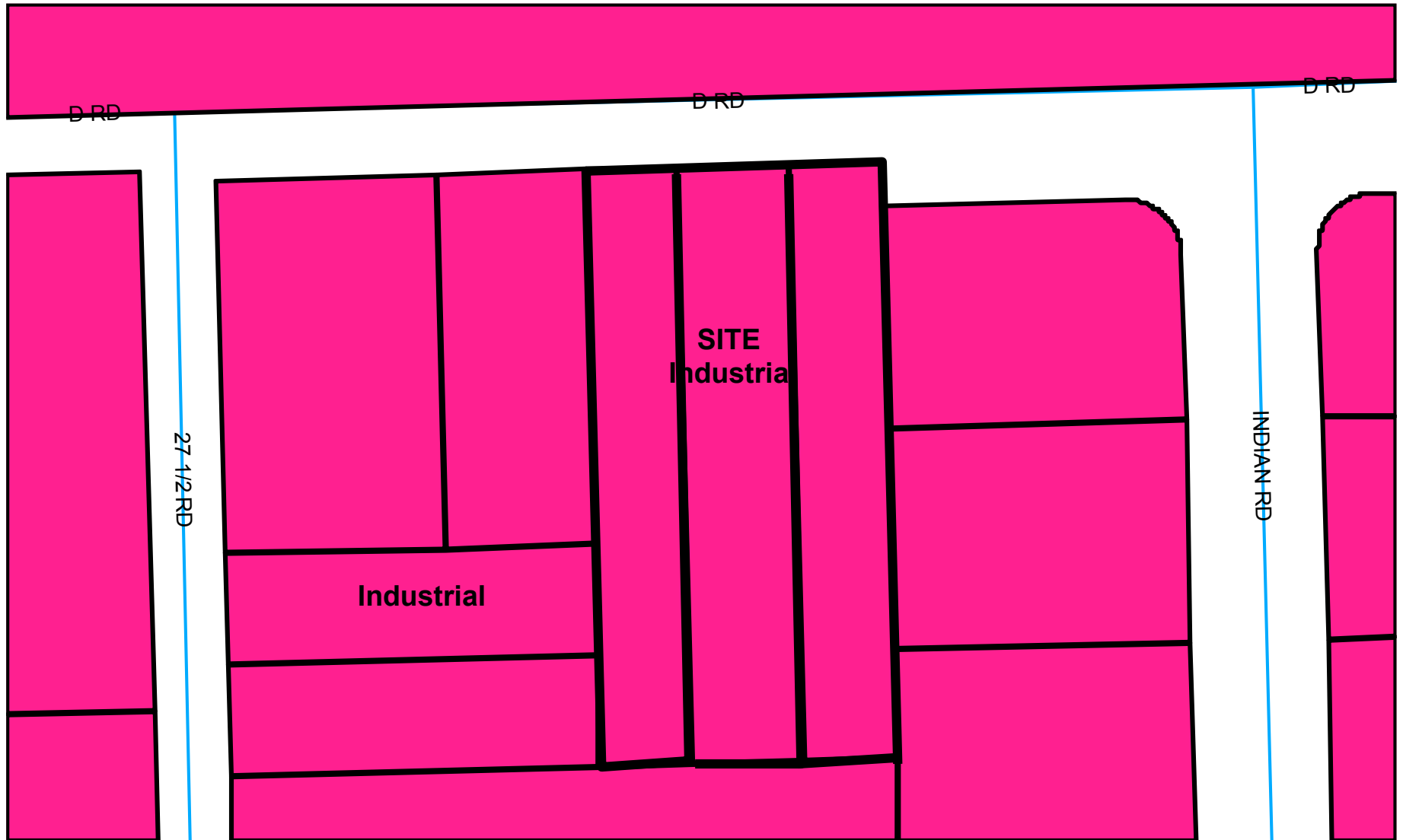
Aerial Photo Map – D Road Storage Annex – 2755 D Road

Figure 2



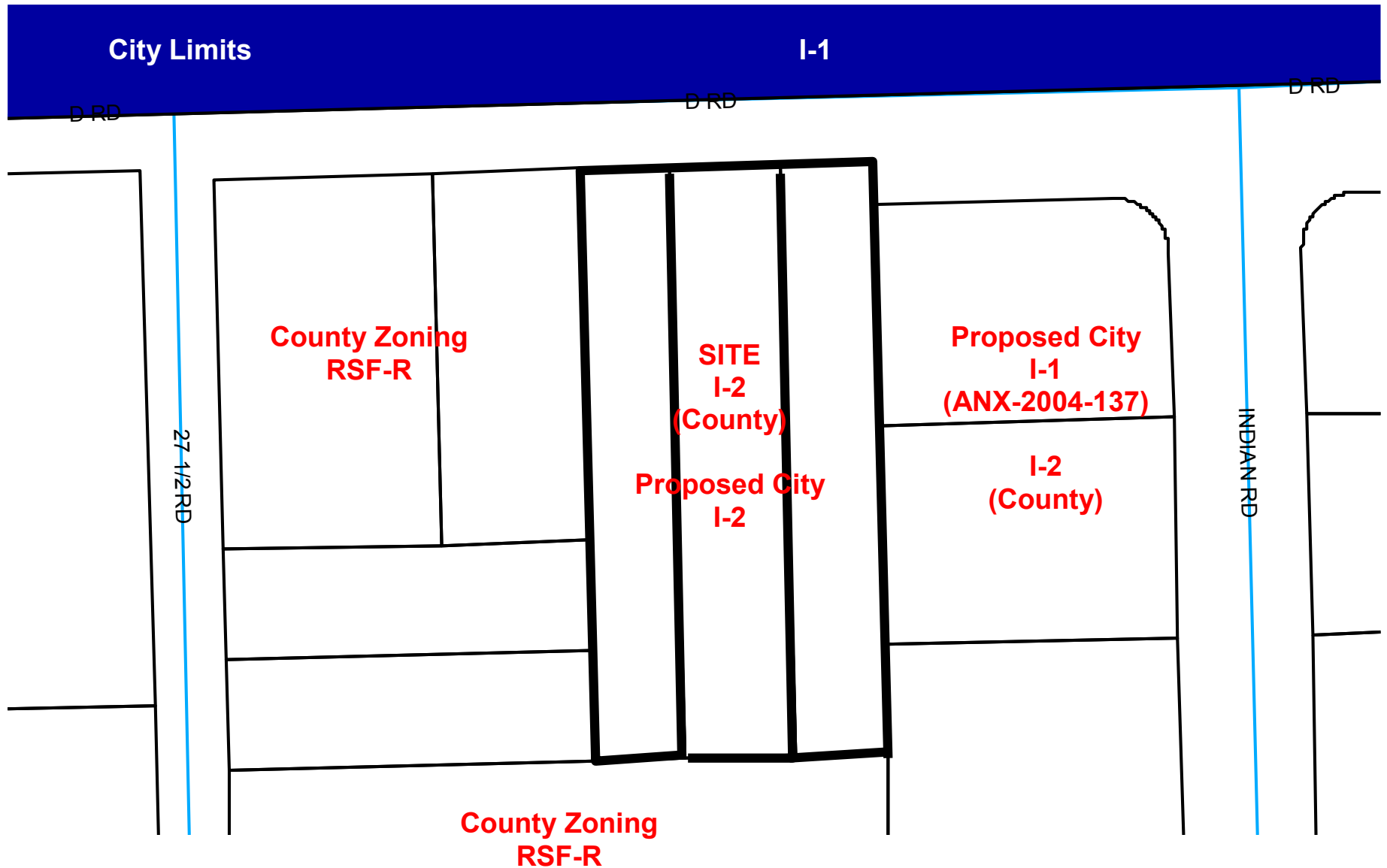
Future Land Use Map – D Road Storage Annex

Figure 3



Existing City and County Zoning – D Road Storage Annex

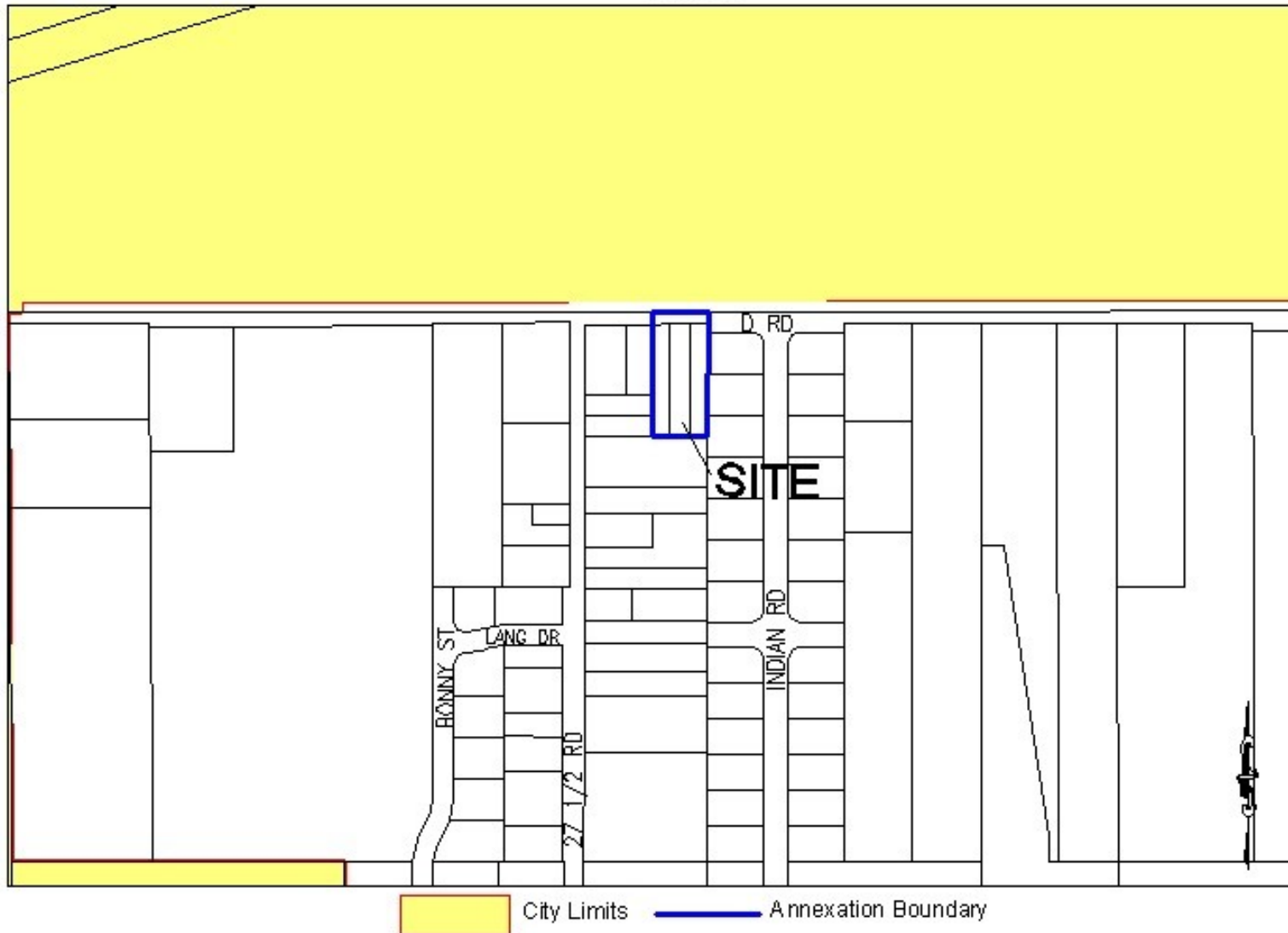
Figure 4



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



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE ZONING THE D ROAD STORAGE ANNEXATION TO
I-2, GENERAL INDUSTRIAL**

LOCATED AT 2755 D Road

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of applying an I-2, General Industrial 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-2, General Industrial zone district be established.

The Planning Commission and City Council find that the I-2, General Industrial 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 General Industrial (I-2).

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.

Introduced on first reading this 6th day of October, 2004 and ordered published.

Adopted on second reading this _____ day of _____, 2004.

Mayor

ATTEST:

City Clerk

Attach 13

Change Order to the CSEP Basin 9, 13 & 14 Construction Contract

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Change order to the CSEP Basin 9, 13 & 14 construction contract for Replacement of 24" water line crossing the Colorado River.					
Meeting Date	October 20, 2004					
Date Prepared	October 15, 2004					
Author	Bret Guillory		Utility Engineer			
Presenter Name	Mark Relph		Public Works and Utilities Director			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary:

Approve a change order to the **Basin 9, 13 & 14 CSEP Contract** with Mendez, Inc. in the amount of \$222,530.25 for repair and replacement of a 24" water line crossing the Colorado River.

Budget: The 2003 / 2004 Waterline Replacement Project was budgeted as follows:

Project Funds (Water Line Replacements):	
WRAPDA loan (\$3,497,200) & Fund 3011 (\$1,752,800)	\$5,250,000
Project Costs (Water Line Replacements):	
2003 Water Line replacements (completed)	\$2,069,645
2004 Water Line Replacements including basins 9, 13 & 14	\$2,081,319
Total Project Cost Water Lines	\$4,150,964
Available Funds Water Lines	\$1,099,036
Change Order No.1 to Basin 9, 13 & 14 CSEP Contract	
Colorado River Water Line Repair	\$222,530
Design and Construction Admin	\$25,000
Available Funds 2003/2004 Water Lines (after Change Order No.1)	\$851,506

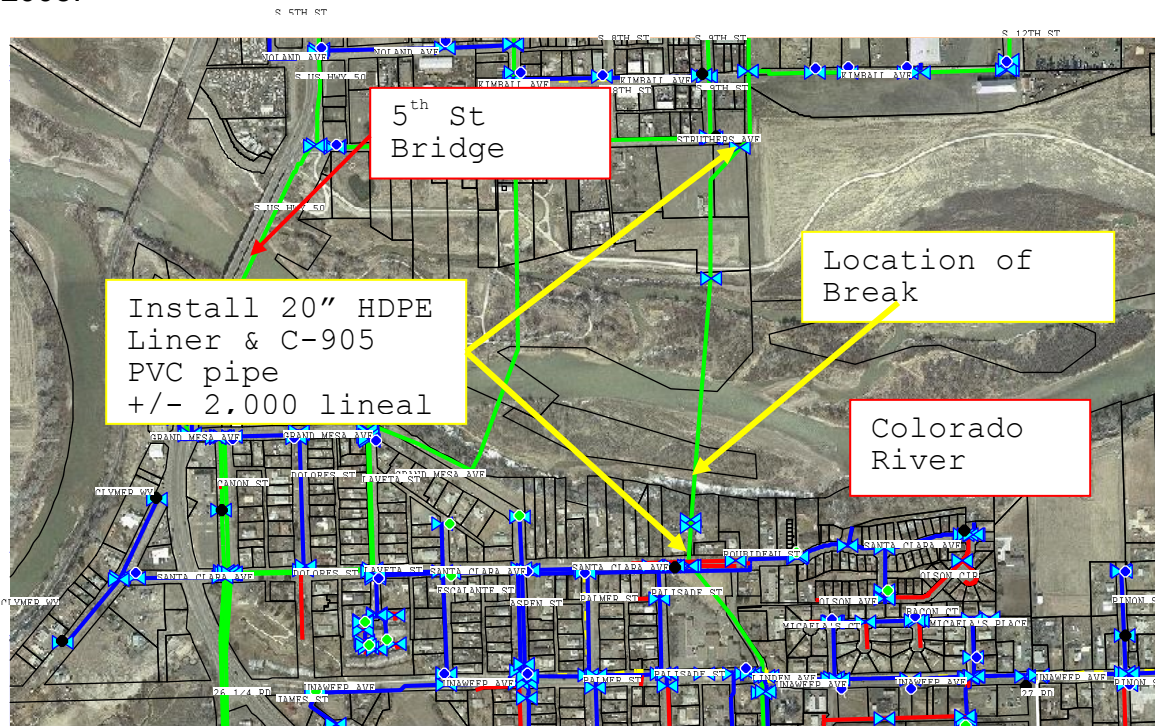
As shown above, there would be \$851,506 available in the 2003/2004 Water Line replacements for additional work as needed.

Action Requested/Recommendation: Authorize the City Manager to execute a construction contract change order in the amount of \$222,530.25 with Mendez, Inc.

Background Information:

The City of Grand Junction's water treatment plant is located on Orchard Mesa just above Orchard Mesa cemetery. Three 24 inch water lines convey treated water across the Colorado River and to the City of Grand Junction. Earlier this year the City Water Department discovered that the easternmost 24 inch steel line had broken at the toe of slope along the south side of the river. This project will replace the aging steel pipe that was installed across the river in 1968 by slip lining a new 20 inch HDPE plastic pipe inside the existing 24 inch steel pipe. Additionally, a section of the 24 inch steel pipe between the Riverfront Trail and the intersection of 9th Street and Struthers Avenue will be removed and replaced with 24" PVC plastic pipe.

Work is scheduled to begin on November 17 and be completed by the end of March 2005.



The following bids were received for this project:

Bidder	From	Bid Amount
**Mendez, Inc.	Grand Junction	\$ 222,530.25
**Skyline Contracting, Inc.	Grand Junction	\$ 269,636.75
*Schmueser & Assoc., Inc.	Rifle, CO	\$462,385.00
Engineer's Estimate		\$ 210,651.00

* Schmueser & Assoc., Inc. was the only bidder that submitted on the originally advertised bid. They are not pre-qualified with the City of Grand Junction.

** Mendez, and Skyline submitted sealed proposals based on the same bid documents as previously advertised that, if accepted, would be added to the existing contract as a change order.

End of Background.