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

WEDNESDAY, APRIL 20, 2005, 7:30 P.M.

CALL TO ORDER

Pledge of Allegiance
Invocation – Jim Hale, Spirit of Life Christian Fellowship

PRESENTATIONS

PRESENTATION OF APPRECIATION PLAQUES TO OUTGOING CITY
COUNCILMEMBERS

PRESENTATION OF CERTIFICATE OF APPOINTMENT

HORIZON DRIVE ASSOCIATION BUSINESS IMPROVEMENT DISTRICT

CITIZEN COMMENTS

***** CONSENT CALENDAR ***®**

1. **Minutes of Previous Meetings** [Attach 1](#)

Action: Approve the Minutes of the April 4, 2005 Special Meeting, the Summary of the April 4, 2005 Workshop and the Minutes of the April 6, 2005 Regular Meeting

2. **Setting a Hearing on an Amendment to Chapter 4, Code of Ordinances
Regarding Special Events** [Attach 2](#)

Amendments to Chapter 4 of the Code of Ordinances are proposed to codify the City's current practice of not issuing Special Events permits for the consumption of spirituous liquors in public places.

Proposed Ordinance Amending Part of Chapter 4 of the City of Grand Junction
Code of Ordinances Relating to Alcoholic Beverage Licensing

Action: Introduction of Proposed Ordinance and Set a Hearing for May 4, 2005

Staff presentation: John Shaver, City Attorney

3. **Setting a Hearing on the First Supplemental Appropriation Ordinance for 2005** [Attach 3](#)

The request is to appropriate specific amounts for several of the City's accounting funds as specified in the ordinance.

Proposed Ordinance Making Supplemental Appropriations to the 2005 Budget of the City of Grand Junction

Action: Introduction of Proposed Ordinance and Set a Hearing for May 4, 2005

Staff presentation: Ron Lappi, Administrative Services and Finance Director

4. **Setting a Hearing Vacating Right-of-Way, Located at 774 Old Orchard Road** [File #VR-2004-201] [Attach 4](#)

The petitioner is requesting City Council approval to vacate a portion of the road right-of-way for Clarkdell Court, comprising of approximately 0.87 acres. There are no public improvements within the right-of-way. The Planning Commission reviewed the vacation request on March 22, 2005, and recommends that the City Council approve the vacation request.

Proposed Ordinance Vacating a Portion of Right-of-Way Located at the Northerly Portion of Clarkdell Court, 774 Old Orchard Road

Action: Introduction of Proposed Ordinance and Set a Hearing for May 4, 2005

Staff presentation: Pat Cecil, Development Services Supervisor

5. **Setting a Hearing for the Irwin/Riverfront Annexation, Located at 586 Rio Verde Lane and 616 22 ¾ Road** [File #ANX-2004-305] [Attach 5](#)

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 19.69 acre Irwin/Riverfront Annexation consists of two parcels of land located adjacent to the Colorado River. One of the applicant's intent is to annex their property (Irwin) and subdivide their parcel into two single-family residential lots which is currently being reviewed by the City. The other parcel proposed for annexation is owned by the State of Colorado, Parks & Outdoor Recreation who are requesting annexation as the property lies adjacent to the current City limits. A portion of this property is already in the City limits.

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

Resolution No. 64-05 – 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, Irwin/Riverfront Annexation, Located at 586 Rio Verde Lane and 616 22 ¾ Road

®Action: *Adopt Resolution No. 64-05*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Irwin/Riverfront Annexation, Approximately 19.69 Acres, Located at 586 Rio Verde Lane and 616 22 ¾ Road

Action: *Introduction of Proposed Ordinance and Set a Hearing for June 1, 2005*

Staff presentation: Scott D. Peterson, Associate Planner

6. **Setting a Hearing for the Hutto Annexation, Located at 676 Peony Drive** [File #ANX-2005-054] [Attach 6](#)

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 13.47 acre Hutto Annexation consists of 1 parcel.

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

Resolution No. 65-05 – 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, Hutto Annexation, Located at 676 Peony Drive

®Action: *Adopt Resolution No. 65-05*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Hutto Annexation, Approximately 13.47 Acres, Located at 676 Peony Drive

Action: *Introduction of Proposed Ordinance and Set a Hearing for June 1, 2005*

Staff presentation: Senta L. Costello, Associate Planner

7. **Setting a Hearing for the Twenty Three Park Plaza Annexation, Located at the Northwest Corner of 23 Road and I-70** [File #GPA-2005-045] [Attach 7](#)

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 35.52 acre Twenty Three Park Plaza Annexation consists of 30 parcels.

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

Resolution No. 66-05 – 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, Twenty Three Park Plaza Annexation, Located at Northwest Corner of 23 Road and I-70

®Action: Adopt Resolution No. 66-05

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Twenty Three Park Plaza Annexation, Approximately 35.52 Acres, Located at Northwest Corner of 23 Road and I-70

Action: Introduction of Proposed Ordinance and Set a Hearing for June 1, 2005

Staff presentation: Senta L. Costello, Associate Planner

8. **Setting a Hearing to Vacate Portions of Elm Avenue, College Place, Mesa Avenue, Bunting Avenue and Various Alleys Internal to the Mesa State College Campus** [File #VR-2004-292] [Attach 8](#)

Introduction of a proposed ordinance to vacate portions of Elm Avenue, College Place, Mesa Avenue, Bunting Avenue and various alleys internal to the Mesa State College campus.

Proposed Ordinance Vacating College Place, a Portion of Mesa Avenue, Bunting Avenue, and Elm Avenue and Various Alleys Near the Mesa State College Campus

Action: Introduction of Proposed Ordinance and Set a Hearing for May 4, 2005

Staff presentation: Kathy Portner, Planning Manager

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

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

*****9. Jarvis Master Plan Contract [Attach 24](#)**

Contract with the professional planning firm, Winter & Company, to complete Jarvis Property Master Plan, Phase II.

Action: Authorize the City Manager to sign a contract with Winter & Company to complete Jarvis Property Master Plan, Phase II, in an amount not to exceed \$79,075. Additional information will be presented to the City Council on the Kit-of-Parts option prior to finalizing the contract to determine whether it will be included.

Staff presentation: Bob Blanchard, Community Development Director

10. Acquisition of 934 S. 4th Street for the Riverside Parkway Project [Attach 10](#)

The proposed resolution will authorize the City to initiate condemnation proceedings to acquire a parcel at 934 S. 4th Street.

Resolution No. 67-05 – A Resolution Determining the Necessity of and Authorizing the Acquisition of Certain Property, by Either Negotiation or Condemnation, for Municipal Public Facilities

®Action: Adopt Resolution No. 67-05

Staff presentation: Mark Relph, Public Works & Utilities Director

11. Purchase of Properties from Union Pacific Railroad for the Riverside Parkway Project [Attach 11](#)

The City has entered into a contract to purchase portions of various parcels from Union Pacific Railroad for the Riverside Parkway Project. The City's obligation to purchase this property is contingent upon Council's ratification of the purchase contract.

Resolution No. 68-05 – A Resolution Authorizing the Purchase of Real Property from Union Pacific Railroad Company

®Action: *Adopt Resolution No. 68-05*

Staff presentation: Mark Relph, Public Works & Utilities Director

12. **Purchase of Property at 2523 and 2525 River Road from Secco Inc., and Red Cliff Properties, LLC for the Riverside Parkway Project** [Attach 12](#)

The City has entered into a contract to purchase portions of two parcels at 2523 and 2525 River Road from Secco Inc., and Red Cliff Properties, LLC for the Riverside Parkway Project. The City's obligation to purchase this property is contingent upon Council's ratification of the purchase contract.

Resolution No. 69-05 – A Resolution Authorizing the Purchase of Real Property at 2523 and 2525 River Road from Secco Inc., and Red Cliff Properties, LLC

®Action: *Adopt Resolution No. 69-05*

Staff presentation: Mark Relph, Public Works & Utilities Director

13. **Exchange of Real Estate with the Western Colorado Botanical Society** [Attach 13](#)

The proposed exchange will allow the Botanical Society to own the land upon which the Society's office and Children's Library are located.

Resolution No. 70-05 – A Resolution Re-Authorizing the Exchange of Real Estate with the Western Colorado Botanical Society

®Action: *Adopt Resolution No. 70-05*

Staff presentation: Mark Relph, Public Works & Utilities Director

14. **JAG Grant Award** [Attach 9](#)

The Justice Assistance Grant is direct funding awarded from the Bureau of Justice Assistance based upon population and crime statistics (UCR). This is a replacement program for the LLEBG (Local Law Enforcement Block Grant) and operates under similar rules and requirements. The two main law enforcement jurisdictions in Mesa County, the Grand Junction Police Department and the Mesa County Sheriff's Office were awarded \$42,990 for 2005. The funds are to

be split between the two agencies and used for law enforcement related programs.

Action: Authorization for the City Manager to Sign a Contract Accepting \$21,445 from the JAG Program

Staff presentation: Greg Morrison, Chief of Police

15. **Byrne/JAG Grant Application** [Attach 14](#)

The Byrne Memorial Grant Program has been combined with the Local Law Enforcement Block Grant under the heading of the Justice Assistance Grant Program which makes funds available to Law Enforcement entities across the United States to help provide funds relating to six purpose areas, including technology. One issue confronting Law Enforcement today is effective communication and exchange of information. A priority for the Grand Junction Police Department is the integration of the various computer systems that exist within criminal justice agencies in Mesa County. The Grand Junction Police Department is seeking to obtain grant monies in order to address that deficiency.

Action: Authorization to Apply for a Grant of Up to \$100,000 through the Byrne/JAG Program

Staff presentation: Greg Morrison, Chief of Police

16. **Memorandum of Understanding with DDA to Construct a Downtown Parking Garage** [Attach 15](#)

For quite some time the Downtown Development Authority (DDA) has been anxious to work with the City to build a parking structure downtown. The City has been working with the DDA and is now ready to formalize an agreement to build such a structure. The parking garage will be a public-private partnership as some of the stalls will be owned by private companies. The garage is designed to provide employee parking for downtown workers which will free up other spaces for the general public. The garage will also accommodate short term parking for visitors to the downtown area.

Action: Authorization for the City Manager to Sign a Memorandum of Agreement between the City of Grand Junction and the Downtown Development Authority to Build a Parking Structure

Staff presentation: David Varley, Assistant City Manager

17. **Watershed Protection Memorandum of Understanding with the Bureau of Land Management** [Attach 16](#)

The City of Grand Junction and the United States Department of Interior Bureau of Land Management (BLM) are entering into a Memorandum of Understanding (MOU) for five (5) years towards a partnership that will ensure protection of the quality and quantity of the City's municipal water supply.

Action: Authorize the Mayor to Sign a Memorandum of Understanding with the Bureau of Land Management for Watershed Protection

Staff presentation: Kelly Arnold, City Manager
John Shaver, City Attorney
Dennis Kirtland, Councilmember
Bruce Hill, Mayor

18. **Public Hearing – Growth Plan Amendments for Pear Park Neighborhood Plan Special Study Areas** [File #PLN-2004-147] [Attach 17](#)

The City and County Planning Commissions met jointly in a public hearing on March 31, 2005 to consider three potential amendments to the adopted 2004 Pear Park Neighborhood Plan. The City Planning Commission recommended approval of changes to the City's Growth Plan Future Land Use Map for the Teller Court Special Study Area and the D Road (between 30 Road and 32 Road, south side) Special Study Area; and recommended no change to the D ½ Road Corridor Right-of-Way Street Cross Section.

Resolution No. 71-05 – A Resolution Adopting Amendments to the Pear Park Neighborhood Plan as a Part of the Grand Junction Growth Plan

Action: Adopt Resolution No. 71-05

Staff presentation: David Thornton, Principal Planner
Tim Moore, Public Works Manager

19. **Public Hearing - Rezoning Jacobson Property Located at 738 26 Road from RSF-2 to RMF-5** [File # RZ-2004-304] [Attach 18](#)

A request for approval to rezone 37.95 acres of land from RSF-2 (Residential single-family, not to exceed 2 units per acre) to RMF-5 (Residential multi-family, not to exceed 5 dwelling units per acre). The request precedes an application for a major subdivision. To be in compliance with the Growth Plan, a rezone must be granted. The Growth Plan requires a minimum density of 4 units per acre or a

maximum of 8 units per acre. RMF-5 is in the mid range. The Planning Commission has recommended the zoning designation of RSF-4.

Ordinance No. 3754 – An Ordinance Zoning 37 Acres of Land Located at 738 26 Road to RMF-5

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3754

Staff presentation: Lori V. Bowers, Senior Planner

20. **Public Hearing - Brookwillow Village Planned Development Amendment**
[File # PP-2004-130] [Attach 19](#)

Public Hearing and Consider Final Passage of a proposed ordinance to amend the existing PD Ordinance No. 3088 for Brookwillow Village Planned Development located at 650 24 ½ Road, and consider approval of the proposed private streets within the subdivision.

Ordinance No. 3755 – An Ordinance Amending Ordinance No. 3088 Zoning a Parcel of Land at 625 24 ½ Road (Amending the Brookwillow Village Planned Development)

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3755 and Consider a Recommendation for Approval of Private Streets within the Proposed Subdivision

Staff presentation: Lori V. Bowers, Senior Planner

21. **Public Hearing – Growth Plan Amendment for Burkey Park Property from Residential Medium 4-8 to Park, Located at 2980 F Road** [File #GPA-2005-060]
[Attach 20](#)

Hold a public hearing and consider final passage of the Resolution to change the Growth Plan designation from “Residential Medium 4-8” to “Park”.

Resolution No. 72-05 – A Resolution Amending the City of Grand Junction Growth Plan Future Land Use Map to Re-designate Approximately 0.869 acres, Located at 2980 F Road from “Residential Medium 4-8 du/ac” to “Park”

®Action: Adopt Resolution No. 72-05

Staff presentation: Senta L. Costello, Associate Planner

22. **Public Hearing – Iris Court Enclave Annexation and Zoning, Located at 2250 South Broadway** [File # ANX-2005-028] [Attach 21](#)

Consider the annexation and zoning for the Iris Court Enclave Annexation. The Iris Court Enclave Annexation is located at 2250 South Broadway and consists of 1 parcel on 0.35 acres. The zoning being requested is RSF-2 (Residential Single Family 2 du/ac).

a. Annexation Ordinance

Ordinance No. 3756 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Iris Court Enclave Annexation, Located at 2250 South Broadway Consisting of Approximately 0.35 Acres

b. Zoning Ordinance

Ordinance No. 3757 – An Ordinance Zoning the Iris Court Enclave Annexation to RSF-2, Located at 2250 South Broadway

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 3756 and 3757

Staff presentation: Senta L. Costello, Associate Planner

23. **Public Hearing – PS Substation Enclave and Zoning, Located on 29 Road Just South of F Road** [File # ANX-2005-027] [Attach 22](#)

Consider the annexation and zoning for the PS Substation Enclave Annexation. The PS Substation Enclave Annexation is located on 29 Road just south of F Road and consists of 1 parcel on 0.06 acres. The zoning being requested is RMF-5 (Residential Multi-Family 5 du/ac).

a. Annexation Ordinance

Ordinance No. 3758 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, PS Substation Enclave Annexation, Located on 29 Road Just South of F Road and Including a Portion of the 29 Road Right-of-Way, Consisting of Approximately 0.06 Acres

b. Zoning Ordinance

Ordinance No. 3759 – An Ordinance Zoning the PS Substation Enclave to RMF-5 (Residential Multi-Family 5 du/ac), Located on 29 Road Just South of F Road

®Action: *Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 3758 and 3759.*

Staff presentation: Senta L. Costello, Associate Planner

24. **Public Hearing – Webb Crane Enclave Annexation and Zoning, Located at 728, 738, 745 and 747 23 ½ Road** [File # ANX-2005-029] [Attach 23](#)

Consider the annexation and zoning for the Webb Crane Enclave Annexation. The Webb Crane Enclave Annexation is Located at 728, 738, 745 and 747 23 ½ Road and consists of 4 parcels on 16.89 Acres. The zoning being requested is M-U (Mixed Use) and I-1 (Light Industrial).

a. Annexation Ordinance

Ordinance No. 3760 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Webb Crane Enclave Annexation, Located at 728, 738, 745 and 747 23 ½ Road and Including a Portion of the 23 ½ Road and Interstate Avenue Rights-of-Way, Consisting of Approximately 16.89 Acres

b. Zoning Ordinance

Ordinance No. 3761 – An Ordinance Zoning the Webb Crane Enclave Annexation to M-U (Mixed Use) and I-1 (Light Industrial), Located at 728, 738, 745, and 747 23 ½ Road

®Action: *Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 3760 and 3761*

Staff presentation: Senta L. Costello, Associate Planner

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

26. **OTHER BUSINESS**

27. **ADJOURNMENT**

Attach 1

Minutes from April 4, 2005 Special Meeting, Summary of the April 4, 2005 Workshop and Minutes of the April 6, 2005 Regular Meeting

GRAND JUNCTION CITY COUNCIL**SPECIAL SESSION MINUTES****APRIL 4, 2005**

The City Council of the City of Grand Junction, Colorado met in Special Session on Monday, April 4, 2005 at 11:35 a.m. in the Administration Conference Room, 2nd Floor of City Hall. Those present were Councilmembers Harry Butler, Cindy Enos-Martinez, Dennis Kirtland, Bill McCurry, Gregg Palmer, Jim Spehar and President of the Council Bruce Hill. Also present was City Manager Kelly Arnold.

Other staff members present were City Attorney John Shaver, Assistant City Manager David Varley, Administrative Services Director Ron Lappi, Public Works and Utilities Director Mark Relph, Riverside Parkway Project Manager Jim Shanks, Project Engineer Trent Prall, and representatives from Carter Burgess Doug Shaffer and Jay Brasher.

Council President Hill called the meeting to order.

Councilmember McCurry moved to go into executive session for matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators pursuant to section 402 4 (e) of Colorado's open meetings act relative to the Riverside Parkway project and to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest pursuant to Section 402 4 (a) of Colorado's open meetings act regarding a possible school site, a possible redevelopment site and a possible land exchange and noted that Council will not be returning to open session. Councilmember Palmer seconded the motion. The motion carried.

The City Council convened into executive session at 11:36 a.m.

Stephanie Tuin, MMC
City Clerk

**GRAND JUNCTION CITY COUNCIL
WORKSHOP SUMMARY
April 4, 2005**

The City Council of the City of Grand Junction, Colorado met on Monday, April 4, 2005 at 7:02 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. **UPDATE ON RIVERSIDE PARKWAY PROJECT:** Mark Relph, Public Works & Utilities Director, introduced this update. He noted that a lot has happened since the last update. He said they will cover three areas, where they are, what they've learned and where to go from here. Mr. Relph advised that he is convinced that the City will be able to meet the goals identified within the established budget and the elements will also be there including the aesthetics. He said there will be three teams working on this project and that the teams have performed the industry review, contract requirements, and timing. The intent of a design-build is the plans are taken to 30% and the contractor designs the rest and builds the project. Under the design-build scenario, the contractor takes on the unknown and therefore charges the premium. He stated the benefit for this scenario is that the price is known up front. Mr. Relph said the premium was not to the City's advantage this time. He said once the bids were opened it took two days to evaluate them and the three proposals exceeded the budget by roughly 50%. The design-build process allows for negotiations but due to the magnitude of the difference, it would be to the City's disadvantage to negotiate. He said there was enough variation in the bids that the City could not focus in on a single area. He stated that the City has significant experience in building large roads and had good comparisons. They determined it was in the best interest of the citizens to not pursue the design-build process. The decision was then made to go with the traditional design-bid and build process. The final price will not be known until the final bid award but, this traditional process will truly make the process more competitive. Mr. Relph said one issue that the City had in the bid documents is the inability of the contractors to communicate that their bids exceeded the "upset" price. The local contractors did not submit their lowest price because they expected a negotiation process. He said the meeting with each of the bidders was of enormous value, the top contractors in the country sharing their knowledge and experience. Mr. Relph was confident that the remainder of the design can be carried out and they could go forward. He said they will focus on the design, construction management and the earthwork as far as cost management goes. The traditional design-bid-build process is a strong point of the Public Works staff. He lauded the engineering design company of

Carter & Burgess and he related his confidence in them. He introduced Doug Shaffer, Vice President of the Transportation Division, and Jay Brasher from Carter & Burgess.

Mr. Shaffer listed their experience as nationwide, including a large office in Denver. He said they do a wide range of projects and they have a wide range of experienced staff. Mr. Shaffer stated they have performed a lot of work on the western slope and he emphasized their commitment to this project until its completion. He then deferred to Jay Brasher.

Mr. Brasher said he has worked on this project for quite a while and he has spent a lot of time as a design engineer in this area. He said one element of his assignment was to estimate the cost of this project. He said they did a cost check of the estimate that was performed by a previous consultant and the funds were added where they thought it was needed and the other was the timing. They felt that either the design-build or design-bid-build could be done within the time scheduled. He then reviewed how the cost estimates were made. He said since the City must purchase right-of-way they had to bring the design up to a higher level of detail. He said the conflicts with utilities also needed to be identified and required a higher level of detail. Mr. Brasher said they did want the bidders to have some areas to be flexible to incorporate their cost saving ideas. He said the team did account for anticipated increases in prices with fuel and concrete and there were preliminary designs for drainage, not just generic statements. The RFP also included all of the technical requirements and specifications. He said there will be no delay due to the level of detail that has already been done, even though the proposals were rejected, the bidders sat down with the team and reviewed the proposals. He said 2 out of 3 are allowing the City to use their ideas. Mr. Brasher said the detail for the bridge railing was twice the estimate, so the value of that element will be reviewed. He said traffic control and phasing options are included in the bids and will also be reviewed with some elements incorporated into the plan. He said the configuration at 5th Street was set through the 1601 project but innovation was possible in the structures (bridges). He said that some of those ideas will be included, such as the Riverside pedestrian bridge. Mr. Brasher said that one of the bids had a better design for the pedestrian bridge which will be used. Mr. Brasher then deferred to Project Manager Jim Shanks.

Mr. Shanks described the detail of going forward and meeting the goals. On Wednesday night there will be a contract amendment with Carter & Burgess to complete the final design. The change is for \$2.9 million. He said that they will also amend the contract to acquire right-of-way for the County at 29 Road, among other right-of-way items. The total for the design will be 40% of what was proposed in the bids. The first construction project design is due August 15th so bids can be awarded in September. About 35 people will be working on the final design and the best of all configuration plans will be incorporated into the plan.

He reiterated that some of the areas where cost savings can be realized. The low bid procurement process will bring in competitive bids, they will break the project up into three phases: Phase I - East Phase including D Road from 27 ½ Road to 29 Road, 29 Road to the Colorado River Bridge, then 27 ½ Road south to Los Colonias to 9th Street. The plan is to advertise bids in September and start October 1st. He said the utility relocations have already started: Phase II – West Phase - design to be completed by the end of February 2006, west of Coke Asphalt (4th Street) all the way west to 24 Road, this includes a bridge extension at Broadway, the pedestrian bridge from Riverside, then the 25 Road bridge separation. Mr. Shanks said the traffic will be a challenge in this phase even though the traffic will be detoured and relocated: Phase III – US 50 Interchange, 9th Street to Coke Asphalt, includes four bridges, and the widening of the river bridges on 5th Street. He said it will be bid out in March, 2006 and the City may not have all the right-of-ways until summer. The project management will be performed in-house with City personnel, augmenting current staff with construction engineers, and using consultant engineers. Mr. Shanks said the estimated project management cost is less than \$5 million, which is half of what was in the bids that were submitted. He said things are ongoing and nothing has stopped. Mr. Shanks said he is also very much committed to completing the project and is looking to complete the project by 2008 which is one year ahead of schedule.

Mark Relph, Public Works Director referred to the proposed phasing will create opportunities for local contractors. He felt that the contractors must balance the pieces with the amount of project management needed. He said the City has made an offer to the two contractors' associations to discuss the possibilities and would like to share with them the City's plan and perspectives in an open manner. He said the information and pricing within the proposals is confidential and anticipates those contractors will be back bidding on the new pieces as designed.

Councilmember Butler commended staff on their work.

Councilmember Kirtland noted he was supportive of the design–build process and has seen it work in other areas but agreed with the decision to reject the proposals. He said he is cautiously optimistic and anticipates continued challenges with the project. He felt there should be a contingency plan in regards to the budget and agreed that the phasing makes good sense.

Councilmember Palmer listed the various elements that affected the price and recognized the successes the City has had with other design-bid-build projects, such as CSEP. He emphasized that the project will be done the way it needs to be done and the talk of limiting the scope does not mean fewer lanes or bridges.

Councilmember Spehar said he too supported the design-build process. However, management costs and negotiations that are not available on the part of the subcontractors were reasons for the higher price. A faster completion date also played into it. He said it will give the contractors the opportunity to prove that this opportunity will be to the benefit of the City as they have lauded previously. He approved of the phasing that was outlined and recommended that it be coordinated with the County and their bridge project. He was pleased that even under this scenario the City will have 11 months of leeway on the completion time.

Councilmember Enos-Martinez was pleased with the new process and was glad the contractors will have more opportunity to participate. She hoped the citizens will regain their confidence in the City and challenged the contractors to sharpen their pencils.

Councilmember McCurry agreed with what had been said.

Council President Hill agreed, although cautiously optimistic. He was pleased that some of the very best employees will be working on this project. He noted that if Mr. Relph saw any issues at this point he would be telling Council.

Mr. Relph said if he saw issues, he would say and that he has worked on this for 12 years and was very disappointed in the bids. But now he is more confident than ever.

Councilmember Spehar noted that the City complies with its own requirements such as landscaping and imposing those standards on the developers which has led to this community's continued nice appearance, despite of the growth. He encouraged that standards need to be maintained on this project.

Action summary: Councilmembers commended staff on their hard work and expressed more confidence in going forward.

Council President Hill called a recess at 8:50 p.m.

The meeting reconvened at 9:00 p.m.

2. **TRAFFIC CALMING POLICY:** Staff reviewed the proposed changes to the policy and the Model Traffic Code in order to get direction on the proposed changes as well as tying traffic calming into the new neighborhood program.

Jody Kliska, Transportation Engineer, referred to Council the materials that were provided. She reviewed the history of the traffic calming program. It was

adopted and used for a period of time and was updated in 2002. She reviewed the table of requests, noting that expired means the documents were sent to a neighborhood and they never responded. The criterion requires an 80 percentile of speeding 6 mph over the speed limit on local streets. The revised proposal is to stay with the ten steps but would eliminate the test project installation; it tends to irritate the neighborhood. The proposal also includes an amendment to the Model Traffic Code, lowering the speed limit in a lot of the older areas to make the unposted speed limit be 25 mph.

Council President Hill asked why traffic calming was an issue in 1997. Ms. Kliska replied it was due to complaints. He asked if she has contacted the City of Golden to see if they have made any adjustments in their policy. She had not but attended a seminar where Arvada's perspective was given. They are opposed to speed bumps and have taken more of an educational approach. She said in contrast, Lakewood has hundreds of speed bumps.

Councilmember Palmer said he is not a speed bump fan and that they are a burden for everyone using the street. He said speed bumps frequently move the traffic to another street so drivers can avoid the speed bumps.

Councilmember Spehar felt the program has increased frustration and it is only 11% effective. He said, as Ms. Kliska said, they are trying to solve social problems with physical tools. He is opposed to public streets turning into private neighborhood streets and feels that it is just moving the problem instead of enforcing it in the first place. He pointed out traffic calming has occurred in his neighborhood and has now created other problems.

Councilmember Butler likes the speed bumps. He said if the traffic moves, put in more speed bumps.

Councilmember McCurry doesn't mind the speed bumps but favored lowering the speed limits.

Councilmember Enos-Martinez is against speed bumps and favored enforcement.

Councilmember Kirtland felt the staff time that has been spent on this has been enormous and most neighborhoods end up being disappointed with the result. He thought there might be some opportunity for more education through the neighborhood program. Some traffic calming techniques have been incorporated into the newer subdivisions. He favored looking at things like what Arvada is doing for the neighborhood program.

Ms. Kliska said Grand Mesa is through with the petition process and is ready to come before Council.

Council President Hill said he appreciated the neighborhood getting together to try to solve their problems. He thought that perhaps adding some flexibility as the changes will reduce the number so significantly that it would be a waste of staff's time and perhaps it would better to eliminate the entire program. He would rather see a change in the process that would allow for neighborhoods to come forward.

Councilmember Spehar agreed that the changes will reduce the number of applications but it will not solve these problems. He agreed with changing the process and looking for alternatives but does not think the program is fixable.

Councilmember Palmer disagreed.

Public Works Director Mark Relph said it appears the majority of Council wants staff to look at other programs like Arvada and bring back some suggestions.

Council President Hill is concerned about the program that is in place. He stated that the program has people in the pipeline and there needs to be a transition.

Councilmember Spehar suggested no new applications should be accepted until the situation is resolved.

City Manager Kelly Arnold stated the majority wants this program to cease and to have staff look at other options.

Councilmember Spehar suggested the pending or in progress applications be addressed.

Upon further explanation, staff was directed to send letters to the applicants that are pending, stating that the program will be discontinued and the three in progress will be addressed.

Sandy Mallory from the Transportation Division said only Grand Mesa has gone through the petitioning process.

City Council thought only that application should be continued. Ms. Mallory supported lowering the speed limit as the unposted limit.

Council supported to bring the Grand Mesa application forward and the rest will need to wait until the program is reviewed. Council President Hill disagreed

since the other three were held off intentionally but the majority of Council said they will just review Grand Mesa.

Action summary: Council supported bringing the Grand Mesa application forward. The rest will need to wait until the program is reviewed. Staff will review other programs and methods and bring options back to Council.

3. **STRATEGIC PLAN UPDATE:** Assistant City Manager David Varley reviewed the Strategic Plan update. He said that a lot of the current goals involved teams, such as the Balance of Economy and Character, Goals 2a and 2b. Goal 2a is evaluating zoning and infrastructure. He advised Assistant to the City Manager Sheryl Trent is getting involved in Goal 2b.

Mr. Varley reviewed the solution to the Open Spaces and the Community appearance. He said under Goal 12, the Gateway Committee continues to meet and will chose some designs for the 24 Road and I-70 interchange. Also, Horizon Drive BID continues to meet and accepted the design presented. He said the treatments will be consistent City-wide, including along the Parkway.

Council President Hill said the Gateway Committee will bring the 24 Road plans to show Council.

Mr. Varley advised CDOT is taking responsibility on some items. He said the Horizon Drive gateway is now ahead of the 24 Road scheduled dates and the similarity at the different gateways will let the visitors know they are still in Grand Junction. Mr. Varley said Goal 16 is completed and Phase II of the Historic Survey is in the hands of the State for review and acceptance. He said Goal 15 is the prioritizing of the Parks Master Plan. He said the team met and came up with five priority projects: 1) Lincoln Park, 2) Pear Park, 3) Bookcliff Middle School, 4) Bluff's West and 5) Canyon View Park.

City Manager Kelly Arnold asked Council to discuss this more as the School District construction schedule is looming.

Mr. Varley said Goal 17 is weeds. He said that team has met twice and has identified some processes to improve the program.

Councilmember Palmer added that a lot of what has been done has not been successful and so they are looking at other options.

Mr. Varley said Goal 22 which is under Shelter and Housing, the team has met with a consultant on pulling the group together to meet objectives. He said the

team would like to hire the consultant, Mr. Gonzales, for an amount not to exceed \$25,000.

Councilmember Spehar noted this is not just a City effort, there are a lot of other partners.

Council did not object to the hiring of Mr. Gonzales.

The discussion returned to the partnering with the School District. The first \$18,000 is for construction documents and do a bid alternate, just in case the bids are too high. Mr. Varley said with this commitment it will allow the gym in the new school to be expanded to allow for City recreational use. Secondly, Bookcliff Middle School construction documents will cost \$33,000 for a second gym, also with a bid alternate. He said the School District will front the money and the City will pay it back over a three year period of time, depending on if the project is right on budget, the City would then have priority interest.

Joe Stevens, Parks and Recreation Director, said in addition to the gym, there will be ancillary values in the cafeteria and bathrooms for the City use. The second gym concept will give the City priority use 24 hours a day and the City would have secondary use of the primary gym.

Councilmember Spehar said there are other benefits to the City for the use at these and other schools. Mr. Stevens said the cost in such a shared scenario also saves the City money in sharing of parking and ancillary facilities.

Councilmember Kirtland addressed the worst case scenario and asked if the City could go in later. City Manager Kelly Arnold said that Pear Park would be difficult once it is built. He said that the second gym at Bookcliff will retain a footprint, so it can be done at a later time.

Mr. Stevens noted the School District is moving forward quickly.

Councilmember Enos-Martinez was concerned about moving forward on the Lincoln Park irrigation system.

Council President Hill asked about the Bookcliff Middle School costs. He said the memo identified another \$20,000 to be bid if the City commits to build. Mr. Arnold said it costs \$4,125 to open the bids, so the total for the next step is \$37,125.

Council President Hill recommended moving forward and asked Council if there are any objections in approving \$55,675. There was none.

Action summary: Council approved the hiring of Mr. Gonzales, the housing consultant, for an amount not to exceed \$25,000, and did not object to going forward in partnership with the School District in construction documents and bidding for a cost of \$55,675.

ADJOURN:

The meeting adjourned at 10:20 p.m.

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

April 6, 2005

The City Council of the City of Grand Junction convened into regular session on the 6th day of April 2005, at 7:31 p.m. in the City Auditorium. Those present were Councilmembers Harry Butler, Dennis Kirtland, Bill McCurry, Gregg Palmer, Jim Spehar and President of the Council Bruce Hill. Councilmember Cindy Enos-Martinez was absent. Also present were City Manager Kelly Arnold, City Attorney John Shaver and City Clerk Stephanie Tuin.

Council President Hill called the meeting to order. Councilmember Butler led in the pledge of allegiance. The audience remained standing for the invocation by Retired Pastor Eldon Coffey.

Council President Hill called the audiences' attention to the front page of Nation Weekly headlines regarding CDBG funds being used for neighborhood programs. He recognized Assistant City Manager David Varley for putting the presentation together and all his work on the program.

PRESENTATIONS

JOHN HEIDEMAN, TAMARISK COALITION, WILL PRESENT GRANT MONIES FROM THE NATIONAL FISH AND WILDLIFE FOUNDATION "PULLING TOGETHER INITIATIVE" GRANT TO THE CITY COUNCIL

John Heideman was present and presented two checks for grant monies for the National Fish and Wildlife Foundation "Pulling Together Initiative" to the City Council. He explained the two grants and the program which puts at-risk kids to work, giving them work experience and paying them too. He advised that the Executive Director of the Coalition, Tim Carlson, has been lobbying two bills, SB-177 and HB-489, at the federal level. He distributed information describing the tamarisk problem along with an application for membership. The checks were given to Administrative Services Director Ron Lappi.

PROCLAMATIONS / RECOGNITIONS

PROCLAIMING MACKENZIE MATAROZZO AS "WESTERN COLORADO MDA 2005 AMBASSADOR"

PROCLAIMING APRIL, 2005 AS "CHILD ABUSE PREVENTION MONTH"

PROCLAIMING APRIL, 2005 AS "MONTH OF THE YOUNG CHILD"

PROCLAIMING APRIL 14, 2005 AS "ARBOR DAY"

PROCLAIMING APRIL 6 THROUGH APRIL 13, 2005 AS "NATIONAL WORK ZONE AWARENESS WEEK"

APPOINTMENT

TO THE HORIZON DRIVE BUSINESS IMPROVEMENT DISTRICT

Councilmember Kirtland moved to appoint Eileen Blanchard to the Horizon Drive Business Improvement District for an unexpired 4 year term expiring April 2006. Councilmember Spehar seconded the motion. Motion carried.

CITIZEN COMMENTS

There were none.

CANVASS RESULTS OF ELECTION

City Clerk Stephanie Tuin requested that Councilmembers Butler and McCurry step down and be replaced by Deputy City Clerk Juanita Peterson and Notary Public Melissa A. Krogman on the canvassing board in compliance with the City Charter.

City Clerk Tuin then presented the Certificate of Election so that the Council could review and canvass the election returns. She advised that 8,417 ballots were cast, for a 33% turnout. The percentage turnout was lower than two years ago but the actual number was slightly higher. She also noted the ballot question on the cable television franchise passed by 58%.

After review of the election returns, the canvassing board executed the Certificates of Election (Attached).

CONSENT CALENDAR

It was moved by Councilmember Kirtland, seconded by Council President Pro Tem Palmer and carried by roll call vote to approve Consent Items #1 through #12.

1. **Minutes of Previous Meeting**

Action: Approve the Minutes of the March 16, 2005 Regular Meeting

2. **North Crest Industrial Park Subdivision Easement Vacation** [File # PFP-2005-280]

The petitioner is requesting approval of a vacation of a temporary turnaround easement that was established with the recording of the plat for the North Crest Industrial Park, Filing One. The temporary turnaround will no longer be needed with the recording of Filing Two of the project. The easement vacation is conditioned upon recording the easement vacation resolution concurrently with the Final Plat for the North Crest Industrial Park, Filing Two.

Resolution No. 56-05 – A Resolution Vacating a Temporary Turnaround Easement in the North Crest Industrial Park Subdivision, Filing Two

Action: Adopt Resolution No. 56-05

3. **Setting a Hearing for the Burkey Park Annexation Located at 2980 F Road** [File # ANX-2005-060]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 19.19 acre Burkey Park Annexation consists of 2 parcels.

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

Resolution No. 57-05 – 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, Burkey Park Annexation, Located at 2980 F Road

Action: Adopt Resolution No. 57-05

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Burkey Park Annexation, Approximately 19.19 Acres, Located at 2980 F Road

Action: Introduction of Proposed Ordinance and Set a Hearing for May 18, 2005

4. **Setting a Hearing for the Anson Annexations No. 1, 2, 3 & 4 Located at 2729 B ¼ Road** [File # ANX-2005-036]

Resolution referring a petition for annexation and introduction of proposed ordinances. The 3.606 acre Anson Annexation consists of 1 parcel and is a 4 part serial annexation.

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

Resolution No. 58-05 – 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, Anson Annexations #1, #2, #3, and #4, Located at 2729 B ¼ Road and a Portion of the B ¼ Road Right-of-Way

Action: Adopt Resolution No. 58-05

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Anson Annexation #1, Approximately 0.006 Acres of B ¼ Road Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Anson Annexation #2, Approximately 0.02 Acres of B ¼ Road Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Anson Annexation #3, Approximately 0.05 Acres of B ¼ Road Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Anson Annexation #4, Approximately 3.53 Acres Located at 2729 B ¼ Road Including a Portion of B ¼ Road Right-of-Way

Action: Introduction of Proposed Ordinances and Set a Hearing for May 18, 2005

5. Setting a Hearing on Zoning the Iris Court Enclave Annexation, Located at 2250 S. Broadway [File # ANX-2005-028]

Introduction of a proposed zoning ordinance to zone the Iris Court Enclave Annexation RSF-2 (Residential Single Family 2 du/ac), located at 2250 S. Broadway.

Proposed Ordinance Zoning the Iris Court Enclave Annexation to RSF-2 Located at 2250 S. Broadway

Action: Introduction of Proposed Ordinance and Set a Hearing for April 20, 2005

6. **Setting a Hearing on Zoning the PS Substation Enclave Annexation, Located on 29 Road Just South of F Road** [File # ANX-2005-027]

Introduction of a proposed zoning ordinance to zone the PS Substation Enclave Annexation RMF-5 (Residential Multi-Family 5 du/ac), located on 29 Road just south of F Road.

Proposed Ordinance Zoning the PS Substation Enclave Annexation to RMF-5 Located on 29 Road Just South of F Road

Action: Introduction of Proposed Ordinance and Set a Hearing for April 20, 2005

7. **Setting a Hearing on Zoning the Webb Crane Enclave Annexation, Located at 728, 738, 745, and 747 23 ½ Road** [File # ANX-2005-029]

Introduction of a proposed zoning ordinance to zone the Webb Crane Enclave Annexation M-U (Mixed Use) and I-1 (Light Industrial), located at 728, 738, 745, and 747 23 ½ Road.

Proposed Ordinance Zoning the Webb Crane Enclave Annexation to M-U and I-1 Located at 728, 738, 745, and 747 23 ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for April 20, 2005

8. **Setting a Hearing on Rezoning Jacobson Property Located at 738 26 Road from RSF-2 to RMF-5** [File # RZ-2004-304]

A request for approval to rezone 37.95 acres of land from RSF-2 (Residential single-family, not to exceed 2 units per acre) to RMF-5 (Residential multi-family, not to exceed 5 dwelling units per acre). The request precedes an application for a major subdivision. To be in compliance with the Growth Plan, a rezone must be granted. The Growth Plan requires a minimum density of 4 units per acre or a maximum of 8 units per acre. RMF-5 is in the mid range. However, the Planning Commission has recommended the zoning designation of RSF-4.

Proposed Ordinance Zoning 37 Acres of Land Located at 738 26 Road to RMF-5

Action: Introduction of Proposed Ordinance and Set a Hearing for April 20, 2005

9. **Brookwillow Village Planned Development Amendment** [File # PP-2004-130]

Introduction of a proposed ordinance to amend the existing PD Ordinance No. 3088 for Brookwillow Village Planned Development located at 650 24 ½ Road, and set a date to hold a public hearing and consider approval of the proposed private streets within the subdivision.

Proposed Ordinance Amending Ordinance No. 3088 Zoning a Parcel of Land at 625 24 ½ Road (Amending the Planned Development for Brookwillow Village)

Action: Introduction of Proposed Ordinance and Set a Hearing for April 20, 2005

10. **Five-Year Lease of the City's Hallenbeck Ranch Property to Clint Miller**

This is a proposed five-year ranching & grazing lease of the 300-acre Hallenbeck Ranch to Clint Miller.

Resolution No. 59-05 – A Resolution Authorizing a Five-Year Lease of the City's Hallenbeck Ranch Property to Clint Miller

Action: Adopt Resolution No. 59-05

11. **2005 Spring Clean Up Equipment and Services**

Additional rental equipment for the 2005 Spring Clean Up to be held May 2nd to May 14th. Rental equipment needed includes dump trucks, skid steers, roll off's (large dumpsters) and waste tire processing and removal.

Action: Authorize the City Purchasing Manager to Contract for Dump Truck Rental, Roll Off Rental, Skid Steer Rental, and Waste Tire Processing and Removal. The Estimated Annual Expenditure is \$151,900.72.

12. **Approval of Letter for Tamarisk Study**

Under Section 206, the Army Corps of Engineers Aquatic Ecosystem Restoration program, the City can request up to \$10,000 for a federally funded Preliminary Restoration Plan (PRP). Staff is requesting approval of the letter to the USACE with the intent of studying the feasibility of tamarisk removal and reestablishment of the native plant communities.

Action: Authorize the Mayor to Sign the Letter Requesting Funding for a Preliminary Restoration Plan

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Construction and Design Contracts

a. Amendment #3 for Engineering Services with Carter and Burgess for Riverside Parkway

This amendment is the third of four planned amendments to the existing contract with the engineering firm of Carter and Burgess. This scope of services covers the preparation of final design of the Riverside Parkway.

Mark Relph, Public Works and Utilities Director, reviewed this item. He explained the purpose of the change order and with this change order the amount of the contract with Carter & Burgess is \$8,479,390. The timeline is for Carter & Burgess to begin the final design work as soon as possible. The intent is to be ready for bid packages by winter of next year and the completion of the entire project by 2009. Mr. Relph advised that the current design is at 70% of the final, and they are confident that they can move right into final design.

Councilmember Kirtland noted that was detailed at the Monday night workshop, with the expertise of Carter & Burgess and the other information has been learned from going through the design-build bid process. He felt that the City would lose time by not using Carter & Burgess for the rest of the design.

Public Works Director Mark Relph advised there will be one more change order to cover construction management. He said there is a budgeted amount of funds of over a million dollars and the plan is to have City Staff and an outside contractor, like Carter & Burgess, handle that piece.

Council President Hill said he has been pleased with the work Carter & Burgess has done so far.

b. Mesa Grande Sayre Drive Sewer I.D.

Award of a Construction Contract for Mesa Grande, Sayre Drive, and Bluebell Lane Sewer Improvement District to MA Concrete Construction, Inc. in the amount of \$472,919.77. Since this district is in the unincorporated area, this award is contingent upon the County Commissioners forming the sewer improvement district on April 11, 2005.

Mark Relph, Public Works and Utilities Director, reviewed this item. He explained the bid award is contingent on the County Commissioners forming the sewer improvement district. He said four bids were received on this project and the work is planned to begin the end of April and will be completed in August.

Council President Pro Tem Palmer inquired about the wide spread of the bids and the high engineer's estimate. Mr. Relph listed some of the factors that affect the bids and explained how the engineers estimate the cost of such projects. He also stated that many of the City's projects are unique.

Councilmember Butler noted his experience with M.A. Concrete is that they do good work. Mr. Relph agreed but added that any one of the bidders would do a good job.

c. 2005 Concrete Repair for Street Overlays

Award of a Construction Contract to BPS Concrete, Inc. in the amount of \$339,327.25 for the 2005 Concrete Repairs for Street Overlays.

Mark Relph, Public Works and Utilities Director, reviewed this item. He explained this program is the work that is done prior to any paving such as the repair of curbs, gutter, drainage pans, etc. As well as installing handicap ramps at the intersections that is required by ADA. The City has found that with the material used previously with detectable warning devices, the curb ramp openings are not holding up and they are planning to use a different product that is more expensive but performs better.

d. 2005 Alley Improvement District

Award of a construction contract for the 2005 Alley Improvement District to Reyes Construction, Inc. in the amount of \$571,019.55. A resolution creating and establishing Alley Improvement District No. ST-05 was approved at the December 1, 2004 City Council Meeting. ST-05, Phase B was approved on December 15, 2004. This contract is for both Phases.

Mark Relph, Public Works and Utilities Director, reviewed this item. He advised the alley improvement project is still popular and has a waiting list. This district was formed in December, 2004. New sewer installation occurs in conjunction with this project to ensure that it is in good repair prior to laying the concrete. These bids are somewhat higher but, that is due to the fact of having concrete contractors replace sewer in a space that is confined in an alleyway, which is difficult to do. Also, there is a lot of patching where the alley meets the existing roadway and Xcel will also be replacing their gas lines. Mr. Relph advised that all of the bidders are pre-qualified for work under \$500,000 and all the bids are over, so Council needs to know that before awarding the bid. Mr. Relph was confident that low bidder is qualified to perform the work.

Discussion ensued on how the timing, communication with the contractors, and other matters that can be considered to ensure that the City gets the best possible bids.

Councilmember Kirtland asked how the increased price affects the property owner's assessment. Mr. Relph advised that the property owners are charged a flat fee so the increase is paid for by the City, not the property owners.

City Manager Kelly Arnold advised that the engineer's estimate is used for budgeting and that helps determine whether the City goes forward on the bid.

Councilmember Spehar moved to authorize the City Manager to amend the existing contract with Carter & Burgess for a total fee of \$8,479,390; authorize the City Manager to execute a construction contract for the Mesa Grande, Sayre Drive, and Bluebell Lane Sewer Improvement District with MA Concrete Construction in the amount of \$472,919.77, contingent on formation of the district by the Mesa County Board of County Commissioners; authorize the City Manager to sign a construction contract for concrete repair for street overlays to BPS Concrete, Inc. in the amount of \$339,327.25; authorize the City Manager to sign a construction contract for the 2005 Alley Improvement District with Reyes Construction, Inc. in the amount of \$571,019.55. Councilmember McCurry seconded the motion. Motion carried.

Old Scoreboard Donation from Suplizio Field

The scoreboard at Suplizio Field has been replaced. Nick Adams, Director of Athletics at Mesa State College, has requested that the old scoreboard be donated to Mesa State College. A resolution to accomplish such donation is proposed.

Joe Stevens, Director of Parks & Recreation, reviewed this item. He advised the resolution will transfer ownership from Suplizio Field and the City to Mesa State College. The Athletic Director of Mesa State became aware that the City was replacing the scoreboard and asked for the old one. The College will make repairs and utilize the scoreboard at Mesa State.

Resolution No. 55-05 – A Resolution for the Donation of Scoreboard at Suplizio Field to Mesa State College

Council President Pro Tem Palmer moved to adopt Resolution No. 55-05 to donate the old scoreboard, as is, no returns, to Mesa State College. Councilmember Kirtland seconded the motion. Motion carried by roll call vote.

DOLA Grant for Business Incubator Center

The Business Incubator Center is requesting that the City Council authorize the application of a grant for \$200,000 from the DOLA Energy and Mineral Impact Assistance Grant for the replacement and repair of the building facilities at the DOE complex.

Thea Chase, Business Incubator Center Executive Director, reviewed this item. She stated this grant will be for Phase II of the improvement plan for the former DOE property to which they moved to in 1999. They have a leaky roof among other needed repairs. The property was allowed to deteriorate prior to the Incubator taking over. They also want to paint and move two guard buildings.

Council President Hill said he felt the grant was appropriate for an energy impact grant to the former Department of Energy facility.

Council President Pro Tem Palmer inquired how the Incubator intended to proceed if they do not receive additional funds. Ms. Chase said they would pare down the project as needed.

Council President Pro Tem Palmer moved to authorize the Mayor to sign the application for an Energy and Mineral Impact Assistance Grant for \$200,000 from the Department of Local Affairs. Councilmember McCurry seconded the motion. Motion carried.

Fire Act Grant to Purchase Firefighter Emergency Locator System

The Fire Department requests City Councils approval to submit a federal Fire Act grant application for a firefighter emergency locator system. This system would increase firefighter safety by providing technology to quickly locate firefighters that may become disoriented or trapped at emergency incidents. The locator system is a new technology for the Department. Long term impact for operational costs is limited to replacement of AAA batteries. Based on input from vendors, the life expectancy of the devices is 10-12 years. Vendors have not experienced damage to devices with normal use.

Rick Beaty, Fire Chief, reviewed this item. He explained the grant is to purchase locators for fire fighters, whereby a firefighter that is in a burning building could be located. The grant will allow the purchase of 30 such locators. The grant is due Friday and the City would hear back mid to late this year as to whether they are awarded the grant. Council President Pro Tem Palmer moved to authorize the Fire Chief to submit a Fire Act Grant application for a Firefighter Emergency Locator System, noting the City's Share would be \$4,800. Councilmember Kirtland seconded the motion. Motion carried.

RFP for Ambulance Service Provider

On January 17, 2005 City Council directed staff to select a consultant for the development of an RFP to be used in the selection of an ambulance service provider within the Grand Junction Ambulance Service Area (ASA). Based on knowledge of the Mesa County EMS System and national trends in emergency medical services, staff recommends that ESCi be used in the development of the RFP.

Rick Beaty, Fire Chief, reviewed this item. He advised the purpose of this resolution is to develop a selection process to help determine the ambulance service provided for the Grand Junction area that would be allowed under a resolution that was adopted by the Mesa County Commission in December 2004. The recommendation is to hire ESCi to develop the RFP.

Council President Pro Tem Palmer asked if the reason the RFP is not being developed in-house is because the Grand Junction Fire Department may be one of the bidders. Chief Beaty confirmed that to be the case.

Council President Hill inquired about the difference between the contract amount and the not to exceed \$20,000. City Manager Arnold said the maximum is for Mr. Arnold to negotiate the travel expenses. City Attorney Shaver added that the contract also allows some reimbursable expenses such as copying and postage.

Councilmember Spehar moved to authorize the City Manager to sign a Professional Services Contract for development of an RFP with ESCi in the amount \$17,500 plus reasonable travel related expenses, not to exceed \$20,000 total. Council President Pro Tem Palmer seconded the motion. Motion carried.

Council President Hill called a recess at 9:05 p.m.

The meeting was reconvened at 9:17 p.m.

Public Hearing – Vacation of Dedicated Right-of-Way of Winters Avenue, West of South 7th Street [File # VR-2002-200] (CONTINUED FROM MARCH 16, 2005)

Consider final passage of an ordinance to vacate excess dedicated but not yet constructed Winters Avenue right-of-way, west of South 7th Street and hold a public hearing.

The public hearing was opened at 9:18 p.m.

Lori V. Bowers, Senior Planner, reviewed this item. She noted the application has been in the system since 2002. When the application first came to the City, the design of the Riverside Parkway was in process so the applicant was asked to put their application on hold. The request is to vacate the right-of-way that was dedicated and never constructed. She described the surrounding Future Land Use designation and the

surrounding zoning. Ms. Bowers said the City is retaining a fourteen foot multi-purpose easement.

Councilmember Spehar asked if the right-of-way should be retained for future possible widening of 7th Street. Ms. Bowers advised that Public Works has determined that the existing right-of-way is adequate for the future without this property.

City Manager Arnold asked if a value for this right-of-way has been determined. Ms. Bowers stated no since the application was prior to that policy.

The applicant was not present.

There were no public comments

The public hearing was closed at 9:23 p.m.

Ordinance No. 3731 – An Ordinance Vacating a Portion of Undeveloped Right-of-Way, of Winters Avenue, West of South 7th Street

Council President Pro Tem Palmer moved to adopt Ordinance No. 3731 on second reading and ordered it published. Councilmember Kirtland seconded the motion. Motion carried by roll call vote.

Public Hearing – Unawep Heights No. 4 Annexation and Zoning Located at 2861 B ¾ Road and Victoria Drive [File # ANX-2005-003]

Unawep Heights Annexation No. 4 is located at 2861 B ¾ Road and Victoria Drive. The applicant is requesting annexation and zoning to RSF-4 (Residential Single-Family, not to exceed four dwelling units per acre). The annexation area consists of two parcels of land totaling 9.84 acres.

The public hearing was opened at 9:23 p.m.

Lori V. Bowers, Senior Planner, reviewed this item. She described the property, the Growth Plan designation of the property and the requested zone which is consistent with the surrounding zoning. The Planning Commission recommended approval for the zone of RSF-4, finding it to be consistent with the Growth Plan and the Zoning and Development Code.

The applicant was not present.

There were no public comments.

The public hearing was closed at 9:25 p.m.

a. Accepting Petition

Resolution No. 60-05 – A Resolution Accepting a Petition for Annexation Making Certain Findings, Determining the Property Known as the UnawEEP Heights Annexation No. 4, Located at 2861 B $\frac{3}{4}$ Road and Victoria Drive is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3744 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, UnawEEP Heights Annexation No. 4, Approximately 9.84 Acres, Located at 2861 B $\frac{3}{4}$ Road and Victoria Drive

c. Zoning Ordinance

Ordinance No. 3745 – An Ordinance Zoning the UnawEEP Heights Annexation No. 4 to Residential Single-Family, not to Exceed 4 Units per Acre (RSF-4) Located at 2861 B $\frac{3}{4}$ Road and Victoria Drive

Councilmember Spehar moved to adopt Resolution No. 60-05 and Ordinance Nos. 3744 and 3745 on second reading and ordered them published. Councilmember McCurry seconded the motion. Motion carried by roll call vote.

Public Hearing – Barker No. 3 Annexation and Zoning, Located at 2939 Jon Hall Drive [File # ANX-2005-022]

Barker Annexation No. 3 is located at 2939 Jon Hall Drive. The applicant is requesting annexation and zoning to RSF-4 (Residential Single-Family, not to exceed four dwelling units per acre).

The public hearing was opened at 9:26 p.m.

Lori V. Bowers, Senior Planner, reviewed this item. She described the property, which is a small annexation. It will be the Orchard Estates Subdivision and this parcel is needed for a road connection. The requested zone is RSF-4 which is consistent with the Future Land Use Map and with the existing County zoning. The Planning Commission recommended approval.

Council President Hill asked if the rest of the proposed subdivision has already been annexed. Ms. Bowers responded affirmatively.

The applicant was present but did not wish to address Council.

There were no public comments.

The public hearing was closed at 9:28 p.m.

a. Accepting Petition

Resolution No. 61-05 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Barker No. 3 Annexation Located at 2939 Jon Hall Drive is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3746 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Barker No. 3 Annexation, Approximately 0.298 Acres, Located at 2939 Jon Hall Drive

c. Zoning Ordinance

Ordinance No. 3747 – An Ordinance Zoning the Barker Annexation No. 3 to Residential Single-Family, Not to Exceed Four Units Per Acre (RSF-4) Located at 2939 Jon Hall Drive

Councilmember Kirtland moved to adopt Resolution No. 61-05 and Ordinance Nos. 3746 and 3747 on second reading and ordered them published. Council President Pro Tem Palmer seconded the motion. Motion carried by roll call vote.

Public Hearing – Whaley Annexation and Zoning, Located at 2941 & 2949 B ½ Road
[File # ANX-2005-010]

The Whaley Annexation is a 9.967 acre parcel located at 2941 & 2949 B ½ Road and consists of 2 parcels. The applicant is requesting annexation and zoning to RSF-4 (Residential Single-Family, not to exceed four dwelling units per acre).

The public hearing was opened at 9:30 p.m.

Lori V. Bowers, Senior Planner, reviewed this item. She described the site location which is two parcels of land off of B ½ Road. She described the area's Future Land Use Designation and the requested zone of RSF-4 which is consistent with the existing County zoning. The Planning Commission recommends approval.

A representative for the applicant was present and did not wish to speak.

There were no public comments.

The public hearing was closed at 9:32 p.m.

a. Accepting Petition

Resolution No. 62-05 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Whaley Annexation Located at 2941 & 2949 B ½ Road is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3748 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Whaley Annexation #1, Approximately 4.988 Acres, Located at 2941 B ½ Road

Ordinance No. 3749 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Whaley Annexation #2, Approximately 4.979 Acres, Located at 2949 B ½ Road

c. Zoning Ordinance

Ordinance No. 3750 – An Ordinance Zoning the Whaley Annexation to Residential Single-Family, not to exceed 4 units per acre (RSF-4) Located at 2941 and 2949 B ½ Road

Council President Pro Tem Palmer moved to adopt Resolution No. 62-05 and Ordinance Nos. 3748, 3749, and 3750 on second reading and ordered them published. Councilmember McCurry seconded the motion. Motion carried by roll call vote.

Public Hearing – Sycamore Creek #1 & #2 Annexation and Zoning Located at 2370 Broadway [File # ANX-2005-005]

Acceptance of a petition to annex and consider the annexation and zoning for the Sycamore Creek Annexation. The Sycamore Creek Annexation is located at 2370 Broadway and consists of one parcel of land and portions of the Broadway, Sayre Drive, and Pleasant Ridge Drive rights-of-way containing approximately 17 acres. The zoning being requested is RSF-2 (Residential Single-Family 2 du/ac).

The public hearing was opened at 9:33 p.m.

Faye Hall, Planning Technician, reviewed this item. She described the location, the surrounding uses, the Future Land Use Designation, the surrounding and existing

zoning and the requested zone being RSF-2. The request is consistent with the Growth Plan and the Zoning and Development Code.

Council President Pro Tem Palmer asked why the zoning being requested different from the existing County zoning. Ms. Hall explained that the Growth Plan designation is lower and the applicant requested the RSF-2 zoning.

The applicant was present but did not wish to speak.

There were no public comments.

The public hearing was closed at 9:36 p.m.

a. Accepting Petition

Resolution No. 63-05 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Sycamore Creek Annexation #1 & #2, Located at 2370 Broadway and Portions of the Sayre Drive, Pleasant Ridge Drive, and Broadway Rights-of-Way is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3751 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sycamore Creek Annexation #1, Approximately .6975 Acres, Located within the Sayre Drive, Pleasant Ridge Drive, and Broadway Rights-of-Way

Ordinance No. 3752 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Sycamore Creek Annexation #2, Approximately 16.40 Acres, Located at 2370 Broadway

c. Zoning Ordinance

Ordinance No. 3753 – An Ordinance Zoning the Sycamore Creek Annexation to RSF-2 (Residential Single-Family 2 du/ac), Located at 2370 Broadway

Councilmember Spehar moved to adopt Resolution No. 63-05 and Ordinance Nos. 3751, 3752, and 3753 on second reading and ordered them published. Council President Pro Tem Palmer seconded the motion. Motion carried by roll call vote.

NON-SCHEDULED CITIZENS & VISITORS

There were none.

OTHER BUSINESS

There were none.

ADJOURNMENT

The meeting adjourned at 9:38 p.m.

Stephanie Tuin, MMC
City Clerk

CITY OF GRAND JUNCTION, COLORADO

CERTIFICATE OF ELECTION

APRIL 5, 2005

I, Stephanie Tuin, City Clerk of the City of Grand Junction, Colorado, do hereby certify that the results of the Regular Municipal Election held in the City on Tuesday, April 5, 2005, were as follows:

Total Ballots Cast in District A	1580
Total Ballots Cast in District B	2564
Total Ballots Cast in District C	1113
Total Ballots Cast in District D	2291
Total Ballots Cast in District E	869

TOTAL BALLOTS CAST**8417****FOR COUNCILPERSON - DISTRICT "A" - FOUR-YEAR TERM**

Candidate	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
Jim Doody	1206	1972	886	1754	637	6455

FOR COUNCILPERSON - DISTRICT "D" - FOUR-YEAR TERM

Candidates	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
Bonnie J Beckstein	758	1256	494	1140	383	4031
William E. (Bill) McCurry	625	1039	543	991	371	3569

FOR COUNCILPERSON - DISTRICT "E" - FOUR-YEAR TERM

Candidates	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
Harry R. Butler	546	1029	542	963	371	3451
Teresa Coons	953	1431	537	1206	465	4592

FOR COUNCILPERSON - "CITY AT LARGE" - FOUR-YEAR TERM

Candidates	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
Kevin Kerr	269	459	224	321	163	1436
Christopher J. Thomas	371	591	246	586	189	1983
D.T. Doug Thomason	606	980	398	930	280	3194

James W. Winterswolf	159	241	158	231	134	923
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REGARDING REFERRED MEASURE A

Shall the City of Grand Junction grant a franchise to Bresnan Communications, LLC by People’s Ordinance No. 36, the title to which shall read:

An ordinance granting a franchise by the City of Grand Junction to Bresnan Communications Limited Liability Company, its successors and assigns, for the right to furnish, sell and distribute cable television services to the citizens residing within the city of Grand Junction and to all persons, businesses and industry within the city and the right to acquire, construct, install, locate, maintain, operate and extend into, within and through said city all facilities reasonably necessary to furnish cable television services and the right to make reasonable use of all streets and other public places and easements as may be necessary; and fixing the terms and conditions thereof.

	Dist A	Dist B	Dist C	Dist D	Dist E	TOTAL
For the Ordinance	939	1510	606	1364	436	4855
Against the Ordinance	563	918	463	812	391	3147

We, the undersigned Canvassing Board, have reviewed the results of the Regular Municipal Election held April 5, 2005, and do hereby conclude that Referred Measure A PASSED by the greater number of votes; and further

We, the undersigned Canvassing Board, have reviewed the results of the Regular Municipal Election held April 5, 2005, and do hereby conclude:

That Jim Doody has been duly elected as Councilperson for District "A" by the greater number of votes.

That Bonnie J Beckstein has been duly elected as Councilperson for District "D" by the greater number of votes.

That Teresa Coons has been duly elected as Councilperson for District "E" by the greater number of votes.

That D.T. Doug Thomason has been duly elected as Councilperson for "City at Large" by the greater number of votes.

Certified this 6th day of April, 2005.

/s/: Stephanie Tuin
Stephanie Tuin, MMC
City Clerk

Dated this 6th day of April, 2005.

N/A
Cindy Enos-Martinez
Councilmember, District A

/s/: Juanita Peterson
Juanita Peterson
Notary Public

/s/: Melissa Krogman
Melissa A. Krogman
Notary Public

/s/: Jim Spehar
Jim Spehar
Councilmember, District B

/s/: Gregg Palmer
Gregg Palmer
Councilmember, District C

/s/: Dennis Kirtland
Dennis Kirtland
Councilmember, At-Large

/s/: Bruce Hill
Bruce Hill
Councilmember, At-Large

Attach 2

Setting a Hearing on an Amendment to Chapter 4, Code of Ordinances Regarding Special Events

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA									
Subject		Special Events Permits							
Meeting Date		April 20, 2005							
Date Prepared		April 12, 2005				File #			
Author		John Shaver			City Attorney				
Presenter Name		John Shaver			City Attorney				
Report results back to Council		<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When			
Citizen Presentation		<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name			
<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Formal Agenda			<input checked="" type="checkbox"/>	Consent	<input type="checkbox"/>	Individual Consideration

Summary: Amendments to Chapter 4 of the Code of Ordinances are proposed to codify the City’s current practice of not issuing Special Events permits for the consumption of spirituous liquors in public places.

Budget: N/A

Action Requested/Recommendation: Approval of ordinance to amend section 4-54 regarding special events permits.

Attachments: Proposed Ordinance.

Background Information: The City issues Special Events permits which allow the consumption of alcoholic beverages at other than licensed establishments. Under State law a special events permittee may serve wine, beer or spirituous liquor. The City’s practice has been to not issue permits for the consumption of spirituous liquors at events that occur in public places. The purpose of this ordinance is to limit as a matter of law the types of alcoholic beverages that may be served at special events in streets, parks and public ways.

ORDINANCE NO. _____

AN ORDINANCE AMENDING PART OF CHAPTER 4 OF THE CITY OF GRAND JUNCTION CODE OF ORDINANCES RELATING TO ALCOHOLIC BEVERAGE LICENSING.

Recitals.

In 1993 the City Council approved Ordinance No. 2688 (now codified at Chapter 4, Section 4-54) of the Code of Ordinances, City of Grand Junction (“Code”) to allow for the issuance of Special Events permits in accordance with State law. Ordinance 2688 adopted the recodified state law.

By City ordinance consumption of malt, vinous and spirituous beverages in public places in the City may occur only when and if such possession and consumption is authorized under a special events permit. At present, the Code does not limit the type of alcohol that may be served under a special event permit.

The City’s practice has been to not issue permits for the consumption of spirituous liquors at special events that occur in public places. The purpose of this ordinance is to limit as a matter of law the types of alcoholic beverages that may be served at special events that occur in streets, parks and public ways.

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

Chapter 4, Section 54 of the Code of Ordinances, City of Grand Junction, Colorado, is hereby amended to read as follows. Deletions are shown in strikethrough; ADDITIONS ARE SHOWN IN ALL CAPS.

Sec. 4-54. Special event permits.

(A) Under the authority granted in C.R.S. 12-48-107(1) AND (2), an application for a special event permit shall be filed with the local licensing authority and shall be accompanied by a fee as established by resolution of the City Council for both investigation and issuance of such permit.

(B) A SPECIAL EVENT PERMIT ISSUED BY THE CITY FOR ANY EVENT OCCURRING IN OR ON ANY PUBLIC STREET, ROAD, HIGHWAY, AND PARK OR

PUBLIC WAY WHICH IS PUBLICLY OWNED SHALL NOT ALLOW THE
POSSESSION AND CONSUMPTION OF SPIRITOUS LIQUORS.

All other provisions of Chapter 4 shall remain in full force and effect.

PASSED for first reading this ____ day of _____ 2005.

PASSED AND ADOPTED this _____ day of _____, 2005 on Second
Reading.

Bruce Hill
President of the Council

Attest:

Stephanie Tuin
City Clerk

Attach 3

Setting a Hearing on the First Supplemental Appropriation Ordinance for 2005

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA									
Subject		1st Supplemental Appropriation Ordinance for 2005							
Meeting Date		April 20, 2005							
Date Prepared		April 11, 2005					File #		
Author		Lanny Paulson			Budget & Accounting Manager				
Presenter Name		Ron Lappi			Administrative Services Director				
Report results back to Council		X	No		Yes	When			
Citizen Presentation			Yes	X	No	Name			
	Workshop	X		Formal Agenda	X	Consent		Individual Consideration	

Summary: The request is to appropriate specific amounts for several of the City's accounting funds as specified in the ordinance.

Budget: Pursuant to statutory requirements the total appropriation adjustments are at the fund level as specified in the ordinance. The total appropriation adjustment for all funds combined is \$11,819,743. The following provides a summary of the requests by fund.

General Fund #100, \$469,545:

- Council Contributions account: \$23K of unexpended budget for the purchase of development rights in the buffer-zone and \$8K for the 2003 and 2004 contributions to the energy Office.
- Community Development: \$47,500 carryover to complete various development plans.
- Police: \$236K carryover for capital equipment including Document Imaging and the Records Management System.
- Fire: \$48,000 carryover for specialty equipment including Mobile Data Terminals and EMS Pulse Oximeters.

- Public Works: \$54,545 requested primarily for the Work Order / Infrastructure Management Computer System.
- Parks & Recreation: \$52,500 carryover request; \$29K to complete the Lincoln Park Master Plan, \$2.5K for a laser printer, and \$21K Cultural Arts projects.

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E-911 Special Revenue Fund #101, \$53,000: Transfer to the Communications Center Fund for equipment purchases.

CDBG, Grant Distribution Fund #104, \$227,350: Appropriation required to complete the distributions for the Linden Pointe and Riverside Community Center re-roof projects.

DDA/TIF Capital Improvements Fund #203, \$791,000: Carryforward unexpended proceeds from the 2003 TIF Bond issue.

Sales TAX CIP Fund #201, \$3,260,000:

- Public Works: \$2,447,000 to complete various improvement projects, includes a \$200K additional request for the cost of an environmental assessment for the 29 Road Viaduct project.
- Parks & Recreation: \$562,000 for various park improvement projects including Paradise Hills, Westlake Park, Darla Jean and Wingate parks.
- \$251,000 for transfers to complete capital projects in the two subsidized funds (Two Rivers and Swimming Pools).

Storm Drainage Improvements Fund #202, \$1,505,014: Appropriation carryover for the Leach Creek/Airport Detention project, and the Ranchmen's Ditch "Big Pipe" project.

DDA/TIF Capital Improvements Fund #203, \$791,000: Carryforward unexpended proceeds from the 2003 TIF Bond issue.

Riverside Parkway Capital Improvement Fund #204, \$2,270,000: Carryforward unexpended budget from the first year of the Riverside Bypass project.

Water Fund #301, \$1,016,000: Various water system improvement projects, primarily (\$900K) water line replacements.

Solid Waste Fund #302, \$1,500: Complete work on the Recycling Center Bldg. roof.

Two Rivers Convention Center Fund #303, \$105,000: \$55K for a Facility Management Software system and \$50K for Theatrical Lighting at the Avalon Theater.

Swimming Pools Fund #304, 220,000: \$110K for Lincoln Park Pool Re-plaster project, \$7K for Shower Partitions at the OM Pool, and \$103K for Spray Park at Lincoln Park.

Data Processing #401, \$574,848: Reorganization of the GIS functions, moved from Public Works to the Information Services division of Administrative Services.

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Equipment Fund #402, \$213,000: Scheduled replacement of vehicles and equipment that were not completed by the end of the prior year and \$15K to enlarge the logo and add the City's website on City vehicles.

Communications Center Fund #405, \$53,000: Carryover for equipment purchases.

Parks Improvement Advisory Board (PIAB) Fund #703, \$6,500: Funding for the Stadium PA System project.

Joint Sewer System Fund #900, \$1,444,171: Sewer system improvements including SSEP, CSEP, trunk line extensions, and interceptor repair and replacements.

Action Requested/Recommendation: First Reading of the appropriation ordinance on April 20th, 2005 and adoption of the ordinance following the public hearing on May 4th, 2005.

Attachments: General Fund Overview, Sales Tax CIP Fund Overview, Proposed Ordinance

Background Information: The first supplemental appropriation ordinance is adopted every year at this time to carry-forward unexpended appropriations for capital project and equipment purchases not completed in the prior year.

GENERAL FUND OVERVIEW

	<u>2004 BUDGET</u>	<u>2004 ACTUAL</u>	<u>VARIANCE FROM BUDGET</u>	<u>BUDGET ADJUSTMENTS</u>
BEGINNING FUNDS AVAILABLE	\$ 9,985,344	\$ 9,985,344	\$ -	
REVENUE				
Taxes	\$ 38,615,631	\$ 39,500,764	\$ 885,133	-
Licenses & Permits	113,100	111,452	(1,648)	-
Intergovernmental	284,493	192,544	(91,949)	-
Charges for Services	3,594,145	3,408,181	(185,965)	-
Interfund Charges	906,650	917,269	10,619	-
Interest & Investments	362,000	395,172	33,172	-
Other Operating Revenue	800,682	780,796	(19,886)	-
Capital Proceeds	-	-	-	-
Transfers-In from Other Funds	78,532	59,292	(19,240)	-
TOTAL REVENUE	\$ 44,755,234	\$ 45,365,471	\$ 610,237	\$ -
EXPENSE				
City Administration	\$ 2,042,664	\$ 1,803,008	\$ 239,656	\$ 31,000
Administrative Services	3,284,647	3,219,242	65,405	-
Community Development	2,200,896	2,001,041	199,855	47,500
Police	12,294,193	11,843,168	451,025	236,000
Fire	8,898,285	8,528,801	369,484	48,000
Public Works	8,423,898	8,049,857	374,041	54,545
Parks & Recreation	5,485,332	5,378,934	106,398	52,500
Subtotal: Departmental	\$ 42,629,914	\$ 40,824,050	\$ 1,805,865	\$ 469,545
<u>Non-Departmental</u>				
Contingency	336,170	-	336,170	-
Budget Savings	(500,000)	-	(500,000)	-
Transfers-Out to Other Funds	2,483,205	2,437,091	46,114	-
Subtotal: Non-Departmental	\$ 2,319,375	\$ 2,437,091	\$ (117,716)	-
TOTAL EXPENDITURES	\$ 44,949,289	\$ 43,261,141	\$ 1,688,149	\$ 469,545
NET SOURCE (USE) OF FUNDS	\$ (194,056)	\$ 2,104,330	\$ 2,298,386	
ENDING FUNDS AVAILABLE	\$ 9,791,288	\$ 12,089,674	\$ 2,298,386	
Plus: Revenue Adjustments			\$ -	
Minus: Expense Adjustments			\$ (469,545)	
NET IMPACT ON 2005 ENDING BALANCE			\$ 1,828,841	

SALES TAX CIP FUND OVERVIEW

	<u>2004 BUDGET</u>	<u>2004 ACTUAL</u>	<u>VARIANCE FROM BUDGET</u>	<u>BUDGET ADJUSTMENTS</u>
BEGINNING FUNDS AVAILABLE	\$ 4,869,096	\$ 4,869,096	\$ -	
REVENUE				
Sales & Use Taxes	\$ 8,927,455	\$ 8,881,990	\$ (45,465)	-
Other Income	4,325,728	2,777,053	(1,548,675)	1,459,000
Transfers-In from Other Funds	3,348,000	3,348,000	-	6,500
TOTAL REVENUE	\$ 16,601,183	\$ 15,007,043	\$ (1,594,140)	\$ 1,465,500
EXPENSE				
City Administration	\$ -	\$ -	\$ -	\$ -
Administrative Services	-	762	(762)	-
Community Development	-	-	-	-
Police	-	-	-	-
Fire	1,357,185	1,350,650	6,535	-
Public Works	10,432,947	8,185,994	2,246,953	2,447,000
Parks & Recreation	2,294,309	1,667,882	626,427	562,000
Subtotal: Projects	\$ 14,084,441	\$ 11,205,287	\$ 2,879,154	\$ 3,009,000
Transfers-Out to Other Funds				
Economic Development	\$ 300,000	\$ 300,000	-	-
DDA TIF Revenue	38,000	32,015	5,985	-
Storm Drainage	400,000	400,000	-	-
Two Rivers	100,000	17,086	82,914	80,000
Debt Service	1,380,194	1,380,269	(75)	-
Swimming Pools	185,800	63,695	122,105	171,000
Subtotal: Transfers-Out	\$ 2,403,994	\$ 2,193,065	\$ 210,929	\$ 251,000
TOTAL EXPENDITURES	\$ 16,488,435	\$ 13,398,352	\$ 2,879,154	\$ 3,260,000
NET SOURCE (USE) OF FUNDS	\$ 112,748	\$ 1,608,691	\$ 1,495,943	
ENDING FUNDS AVAILABLE	\$ 4,981,844	\$ 6,477,786	\$ 1,495,943	
Plus: Revenue Adjustments			\$ 1,465,500	
Minus: Expense Adjustments			\$ (3,260,000)	
NET IMPACT ON 2005 ENDING BALANCE			\$ (298,558)	

Ordinance No. _____

**AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2005
BUDGET OF THE CITY OF GRAND JUNCTION.**

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

That the following sums of money be appropriated from unappropriated fund balance and additional revenue to the funds indicated for the year ending December 31, 2005, to be expended from such funds as follows:

<u>FUND NAME</u>	<u>FUND #</u>	<u>APPROPRIATION</u>
General	100	\$ 469,545
E-911 Special Revenue	101	\$ 53,000
CDBG, Grant Distributions	104	\$ 227,350
Sales Tax Capital Improvements	201	\$ 3,260,000
Storm Drainage Capital Improvements	202	\$ 1,304,000
DDA, TIF Capital Improvements	203	\$ 791,000
Riverside Parkway Capital Project	204	\$ 2,270,000
Water	301	\$ 1,016,000
Solid Waste	302	\$ 1,500
Two Rivers Convention Center	303	\$ 105,000
Swimming Pools	304	\$ 220,000
Data Processing	401	\$ 574,848
Equipment	402	\$ 213,000
Communications Center	405	\$ 53,000
PIAB	703	\$ 6,500
Joint Sewer	900	\$ 1,255,000
TOTAL ALL FUNDS		\$ 11,819,743

INTRODUCED AND ORDERED PUBLISHED this 20th day of April, 2005.

PASSED AND ADOPTED this ____ day of _____, 2005.

Attest:

President of the Council

City Clerk

Attach 4

Setting a Hearing Vacating ROW Located at 774 Old Orchard Rd

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject	Vacation of Right-of-way, 774 Old Orchard Road, Old Orchard Estates							
Meeting Date	April 20, 2005							
Date Prepared	April 11, 2005				File # VR-2004-201			
Author	Pat Cecil		Development Services Supervisor					
Presenter Name	Pat Cecil		Development Services Supervisor					
Report results back to Council	X	No		Yes	When			
Citizen Presentation		Yes		No	Name			
	Workshop	X		Formal Agenda	X	Consent		Individual Consideration

Summary: The petitioner is requesting City Council approval to vacate a portion of the road right-of-way for Clarkdell Court, comprising of approximately 0.87 acres. There are no public improvements within the right-of-way. The Planning Commission reviewed the vacation request on March 22, 2005, and recommends that the City Council approve the vacation request.

Budget: The proposed vacation will not have any impacts to the budget since there are no public improvements existing within the road right-of-way.

Action Requested/Recommendation: Set a public hearing for adoption of an Ordinance vacating the right-of-way for May 4, 2005.

Attachments:

- Vicinity Map
- Aerial Photo
- Growth Plan Map
- Zoning Map
- Preliminary Plat
- Vacation Ordinance and Exhibit "A"
- Letter from adjacent property owner

Background Information: See attached.

BACKGROUND INFORMATION					
Location:		774 Old Orchard Road			
Applicants:		Northwest Plateau Development- Steve Heil Robert and Dorothy Ruth Rolland Engineering - Representatives			
Existing Land Use:		Existing residential uses and accessory buildings			
Proposed Land Use:		Residential subdivision			
Surrounding Land Use:	North	City Park Land			
	South	Residential			
	East	Residential			
	West	Residential			
Existing Zoning:		RSF-2			
Proposed Zoning:		Same			
Surrounding Zoning:	North	CSR (Park)			
	South	RSF-R			
	East	RSF-R			
	West	PD (residential)			
Growth Plan Designation:		Residential Low – ½ to 2 dwelling units			
Zoning within density range?		X	Yes		No

PROJECT DESCRIPTION: The petitioner is requesting approval of a vacation of public right-of-way, comprising of approximately 0.87 acres of area.

The portion of Clarkdale Court proposed for vacation, was created when the project site was platted into three parcels while under County jurisdiction, and the northerly extension was access to these parcels. These parcels are being replatted by the current application, and all of the newly configured lots will take access from the new right-of-way that will be created with the recording of the plat for the Old Orchard Estates subdivision. There is no constructed road within the vacation area.

Access to the site will be from a new right-of-way to be dedicated from 26 ½ Road that will cross the northerly portion of the Ruth parcel. The Ruth's have agreed to dedicate the proposed right-of-way and have signed the application consenting to the project. There is an existing garage located on the Ruth parcel that will either be removed or relocated at final platting since it will not conform to setback criteria once the new right-of-way is dedicated.

An adjacent property owner to the south (Stenmark) has written a letter (attached) that requests that the vacation also include portion of Clarkdell Court that their property takes access from, and that the additional vacated area be deeded to them. In order for this to occur, the Stenmark's must file a separate application for vacation of public right-of-way. While the City could process the request, the City cannot assure the Stenmark's that the vacated right-of-way would go to them. Mesa County determines who is entitled to vacated right-of-way, with the property going back to the land of origin. This issue should be researched by the Stenmark's prior to submitting an application for vacation.

The Vacation Ordinance will be recorded concurrently with the Plat of the Old Orchard Estates subdivision thereby assuring that no lots will become land locked.

A 15 foot wide Irrigation and Utility easement will be retained in the northerly 245.8 feet of the vacation area that will contain an existing electrical service line.

The UCC group has reviewed the proposed vacation and has indicated that as proposed it will not interfere with services to the site and area.

RECOMMENDATION:

The Planning Commission recommends that the City Council approve the Vacation of Public Right-of-Way, conditioned upon the recording of the Vacation Ordinance concurrent with the final plat and retaining a 15 foot wide Irrigation and Utility easement within the northerly 245.8 feet of the vacated area..

ANALYSIS:

1. Background: The vacation of public right-of-way comprises the northerly leg of Clarksdell Court on the project site. This right-of-way had previously been approved for vacation by Mesa County, but due to non-compliance with conditions of the vacation,

that approval lapsed. There are three accessory structures currently existing within the right-of-way vacation area, with two that will be removed at final platting.

The project area was annexed as part of the G Road North Annexation that occurred in September of 2000.

2. Consistency with the Growth Plan: The proposed project is consistent with Goals and Policies 1.7, 4.5, 7.1, 7.2 and is consistent with the densities identified on the Future Land Use Map.

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

Requests 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 proposed to be vacation will have no impacts on the Growth Plan, major street plan or any other adopted plan.

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

No parcels will be landlocked as a result of the 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.

The proposed vacation will not restrict access to any other property.

- 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).

There will be no adverse impacts on the health, safety, and/or welfare of the general community as a result of the vacation, and services will not be impacted.

- 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.

Public facilities and services will not be impacted due to the vacation.

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

The proposed vacation will allow for the elimination of excess right-of-way while providing access meeting all City standards.

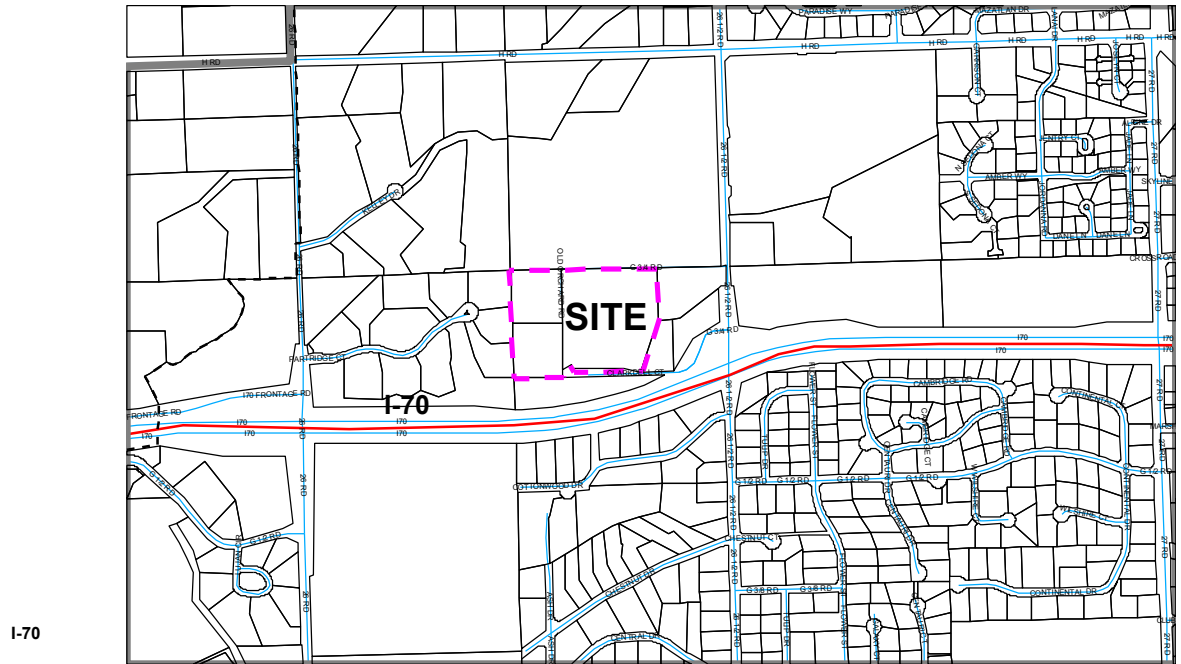
FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Old Orchard Estates application, VR-2004-201 for Vacation of Public Right-of-Way the Planning Commission made the following findings of fact and conclusions:

1. The proposed Public Right-of-way Vacation is consistent with the Growth Plan.
2. The review criteria in Section 2.11.C of the Zoning and Development Code have all been met for the proposed Public Right-of-Way Vacation.

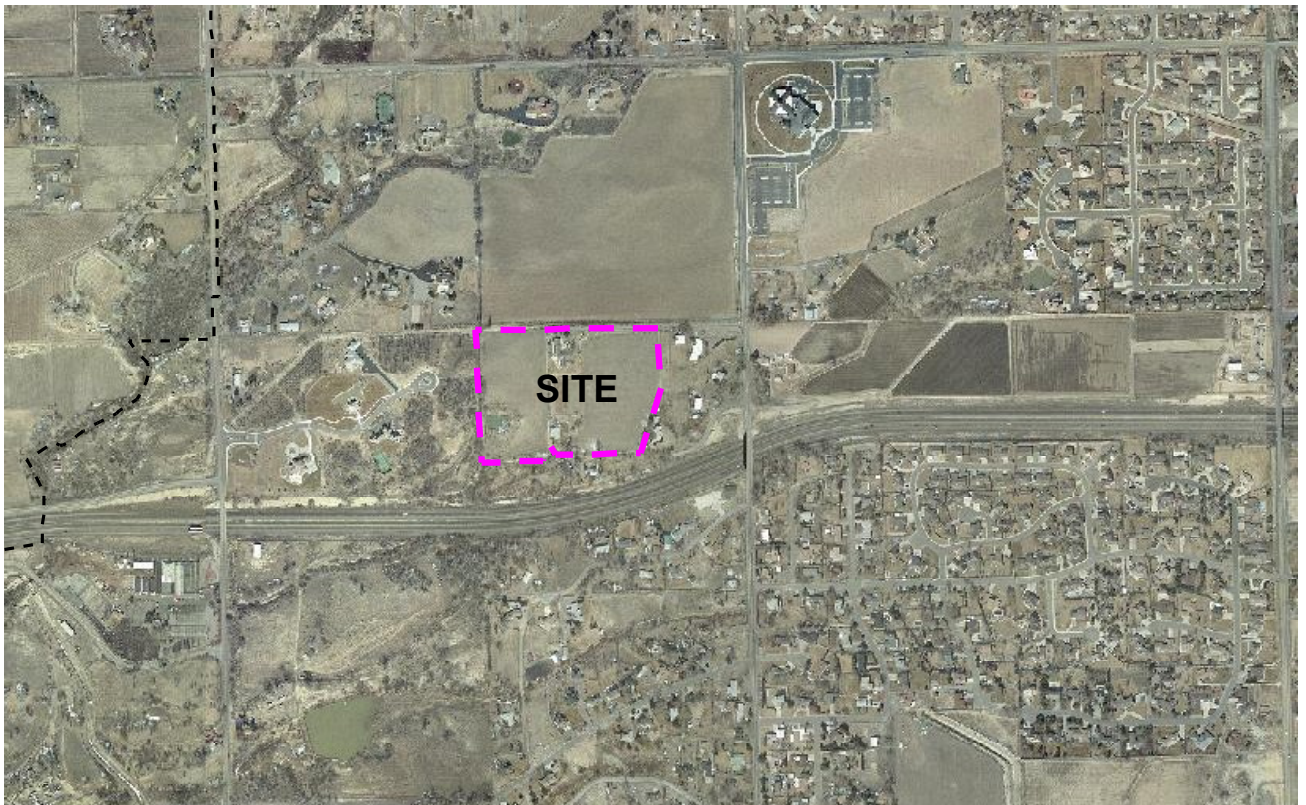
Site Location Map

Figure 1



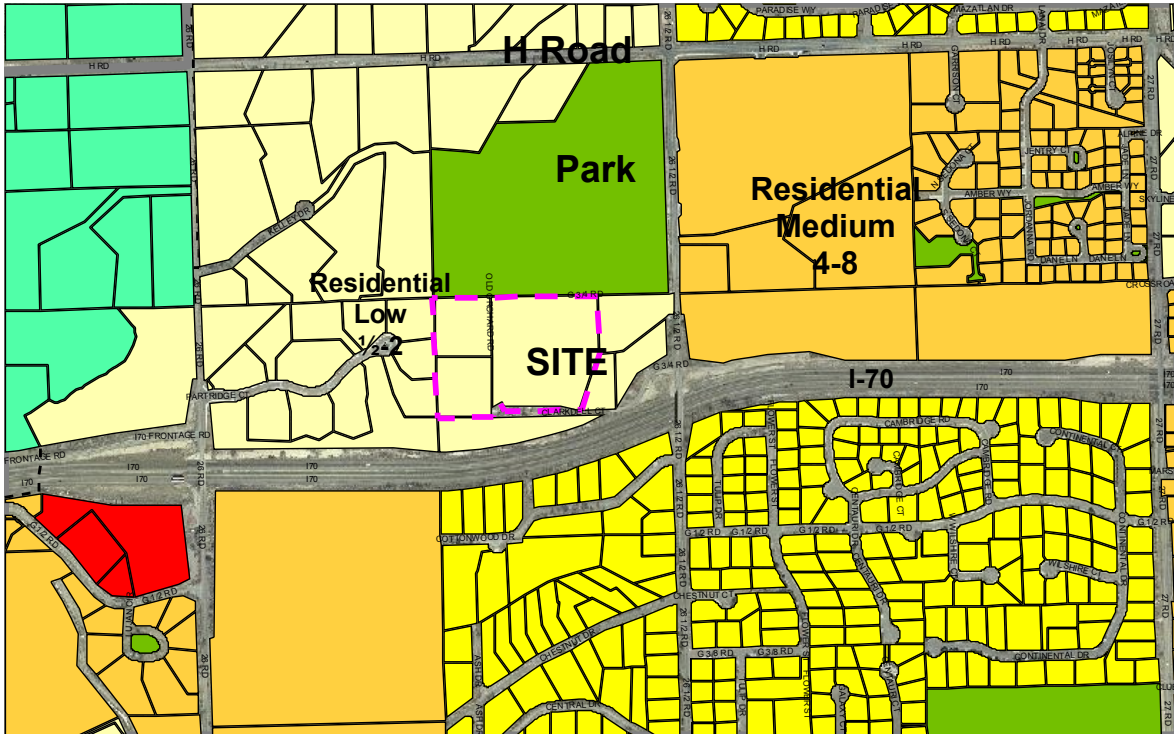
Aerial Photo Map

Figure 2



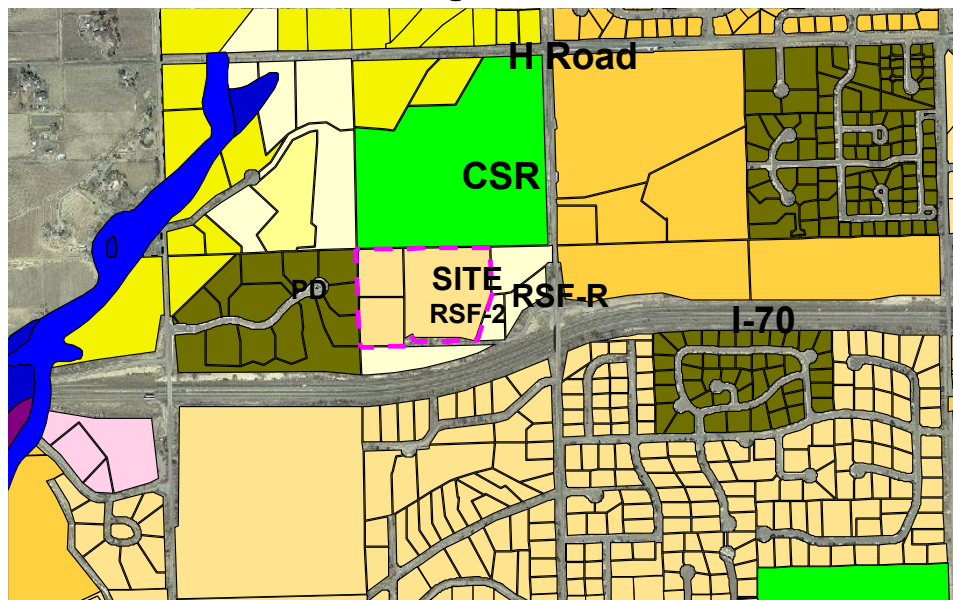
Future Land Use Map

Figure 3



Existing City and County Zoning

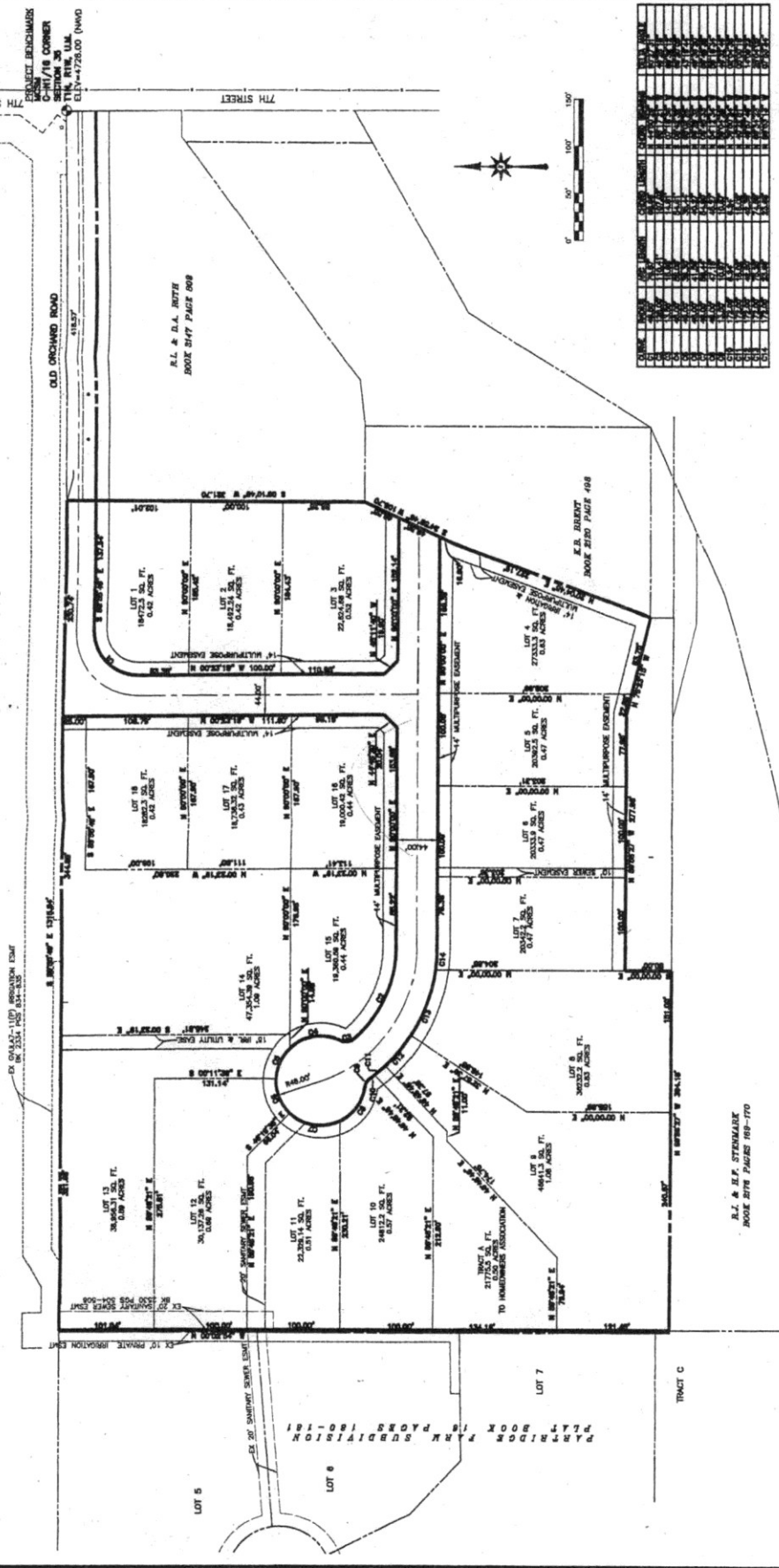
Figure 4




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."

Old Orchard Estates Subdivision

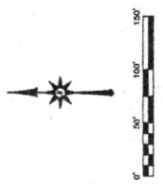
SACCOMANO PARK
CITY OF GRAND JUNCTION
BOOK 2047 PAGES 618-619





 PRELIMINARY PLAT
 OLD ORCHARD ESTATES
 MAJOR SUBDIVISION
 1/2/2018

Scale	1" = 100'
Date	1/2/2018
Sheet	1 of 1



R.L. & H.P. STENMARK
BOOK 2178 PAGES 189-170

TRACT C

LOT 7

TRACT C

TRACT C

TRACT C

TRACT C

TRACT C

TRACT C

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TRACT C

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TRACT C

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

**AN ORDINANCE VACATING A PORTION OF RIGHT-OF-WAY LOCATED
AT THE NORTHERLY PORTION OF CLARKDELL COURT,
774 OLD ORCHARD ROAD**

Recitals:

A request to vacate the northerly portion of Clarkdell Court has been submitted by the City of Grand Junction. The City will reserve and retain a 15 foot Utility Easement on, along, over, under, through and across the 245 foot northerly portion of the right-of-way to be vacated. Approval of the right-of-way vacation is conditioned upon the recordation of the vacation ordinance concurrently with the final plat for the Old Orchard Estates subdivision.

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

The Planning Commission, having heard and considered the request, found the criteria of the Zoning Code to have been met, and recommends that the vacation be approved as requested subject to the condition that the vacation ordinance concurrently with the final plat for the Old Orchard Estates subdivision.

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

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

All that certain right-of-way situated in the SE1/4 NW1/4 of Section 35, Township One North, Range One West of the Ute Meridian, in the City of Grand Junction, Mesa County, Colorado, granted to the public in Book 884 at Page 418 in the Office of the Mesa County Clerk and recorder, being more particularly described as follows:

Commencing at a Mesa County Survey Marker for the C-N1/16 Corner of said Section 35, from whence a Mesa County Survey Marker for C1/4 Corner of said Section 35 bears S00°00'05"E for a distance of 1311.18 feet; thence N89°55'55"W for a distance of 958.73 feet to a point on the northerly line of said SE1/4 NW1/4 Section 35 and the point of beginning; thence the following courses and distances:

1. S00°00'15"E for a distance of 7.44 feet;

right

2. 104.82 feet on the arc of a non-tangent 50.00 foot radius curve to the
(the central angle of which is $120^{\circ}06'56''$ and the chord of which bears $S00^{\circ}00'15''E$ for a distance of 86.65 feet;
3. $S00^{\circ}$ for a distance of 487.22 feet;
4. 39.26 feet on the arc of a 25.00 foot radius curve to the left (the
central angle of which is $89^{\circ}58'12''$ and the chord of which bears
 $S44^{\circ}W$ for a distance of 35.35 feet);
5. $S89^{\circ}58'27''E$ for a distance of 10.07 feet;
6. $S00^{\circ}00'00''W$ for a distance of 50.00 feet to the southerly line of
the $N1/2$ $SE1/4$ $NW1/4$ of said Section 35;
7. $N89^{\circ}58'27''W$, on said southerly line for a distance of 85.06 feet;
8. $N00^{\circ}00'15''W$ for a distance of 562.24 feet;
9. 104.62 feet on the arc of a non-tangent 50.00 foot radius curve
to the right (the central angle of which is $119^{\circ}53'04''$ and the
chord of which bears $N00^{\circ}00'15''W$ for a distance of 86.55 feet);
10. $N00^{\circ}00'15''W$ for a distance of 7.55 feet to the northerly line of
the $SE1/4$ $NW1/4$ of said Section 35;
11. $S89^{\circ}55'55''E$ for a distance of 50.00 feet to the beginning.

This description contains 0.87 acres.

2. The City hereby reserves and retains a 15 foot utility easement over the
northerly 245 feet of said vacated right-of-way along the west side of said right-
of-way.

Introduced for first reading on this 20th day of April, 2005.

PASSED and ADOPTED this _____ day of _____, 2005.

ATTEST:

President of City Council

City Clerk

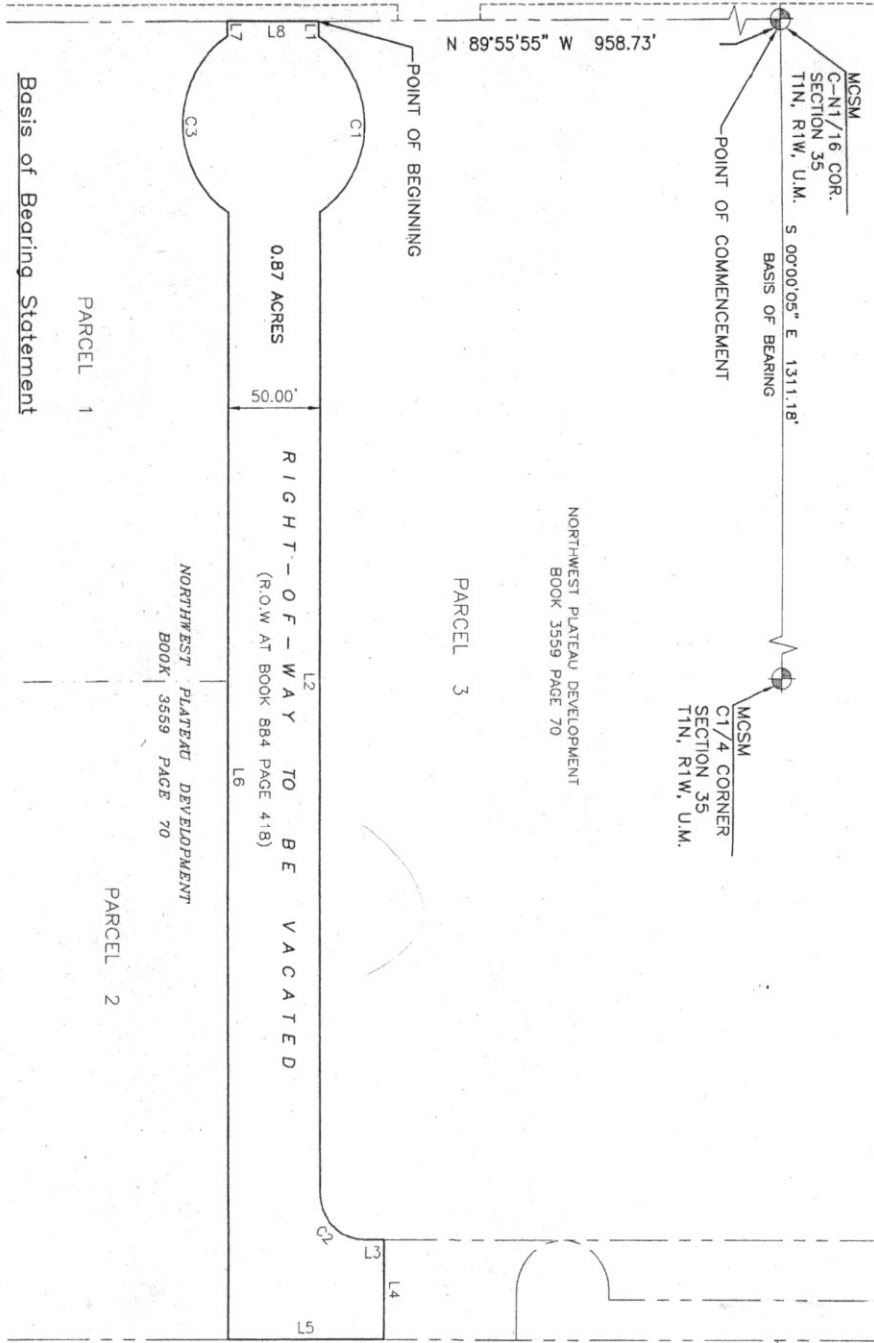
EX GVULA7-11(P) IRRIGATION ESMT
BK 2334 PGS 834-835

Basis of Bearing Statement
Bearings are based on the line between Mesa County Survey Markers for the C-N 1/16 Corner and the C1/4 Corner of Section 35. The bearing derived on this line from the Mesa Co LCS = S00°00'05"E 1311.18 feet.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	50.00'	104.82'	86.65'	S 00°00'15" E	120°06'56"
C2	25.00'	39.26'	35.35'	S 44°59'21" E	89°58'12"
C3	50.00'	104.62'	86.55'	N 00°00'15" W	119°53'04"

LINE	BEARING	DISTANCE
L1	S 00°00'15" E	7.44'
L2	S 00°00'15" E	487.22'
L3	S 89°58'27" E	10.07'
L4	S 00°00'00" W	50.00'
L5	N 89°58'27" W	85.06'
L6	N 00°00'15" W	562.24'

LINE TABLE



LEGEND
R.O.W. RIGHT-OF-WAY
MCSM MESA COUNTY SURVEY MARKER

RICHARD J STENMARK HELEN F STENMARK
BOOK 2176 PAGES 169-170

Exhibit "A"

RIGHT-OF-WAY VACATION EXHIBIT

Project	Sheet	Date	Scale
	11/02/04	2008	1" = 60'

March 4, 2005

To: City of Grand Junction Community Development Department
250 N. 5th St.
Grand Junction, CO 81501

Attn: Lisa Cox

Dear Ms. Cox:

RE: VR-2004-201 Old Orchard Estates Vacation of ROW-774 Old Orchard Road and Site Plan

This letter is to bring you up to date regarding our interests or concerns relative to the proposed Old Orchard Estates Development Plan. Some months ago we discussed these matters with Mr. Hejl or his engineers. Topics include vacation of the Clarkdell Court right-of-way, dedicated utility easement, sewer line hookup, and surface drainage in one area.

VACATION OF CLARKDELL COURT ROW

We encourage the vacation of most of the Clarkdell Court ROW and adding three segments of it to our parcel 2701-352-00-015, 2633 Clarkdell Court.

The longest segment, if added to our parcel, would provide us with control over this stretch of our access road. In the future, according to the preliminary development plan, this segment would only provide access to our property. Since we have had to take care of the road, trim the overhead tree branches, remove the weeds and mow the edges, it seems appropriate that we should own the land under these circumstances.

Also the western end of the segment would provide us the necessary space for long vehicles or vehicles with trailers to turn around much more easily.

Several months ago we took preliminary steps towards making a request to have the City also vacate two other segments of the Clarkdell Court ROW. These segments are described in Book 884, pp. 418 and 419, Mesa County records.

One segment was acquired by Mesa County and deleted from our parcel 2701-352-00-015. We would like to recover that piece of land as it would no longer be needed for a public ROW.

RECEIVED

MAR 07 2005

COMMUNITY DEVELOPMENT
DEPT.

A second segment was acquired by the County and deleted from parcel 2701-352-00-010, 2640 Clarkdell Court. This segment of right-of-way was along the southern edge of the parcel. If our neighbor approves, we would like to acquire a portion of this segment 90 feet long and about 25 feet wide which would reach to the eastern end of our parcel. The northern boundary of the segment would extend east of the existing southeast corner of the Old Orchard Estates tract.

The remaining and most easterly part of the Clarkdell Court ROW should remain with the City of Grand Junction. This segment bridges the gap between the north boundary of the I-70 Highway ROW and the two properties at 2640 and 2633 Clarkdell Court. Utility lines for water, gas and telephone are within this segment. Retention of this part of the ROW would allow either party to modify the access to their property should it be desirable or necessary, without detriment to the other party.

UTILITY EASEMENT

Two of the segments of the Clarkdell Court ROW have another aspect. Gas, water and telephone lines lie within this strip beneath or to the side of the road. We think that if the ROW segments discussed above are transferred to our parcel, the two segments containing the existing one-lane road should be a dedicated utility easement since these utilities run to our house.

The electric powerline is not within the long ROW segment except where it diagonally crosses it to reach our house. The line runs westward overhead four to five feet north of and within the proposed new south boundary of Old Orchard Estates from a pole just outside the southeast corner of the Old Orchard tract to a pole northeast of our house.

Also north of the proposed new southern boundary of the Old Orchard Estates lies the east-west segment of our irrigation water pipeline which begins at 26 1/2 Road to the northeast. Also a north-south portion of this pipeline lies buried within the eastern boundary about 5-6 feet. This location will probably remain unless there is agreement to relocate the existing route which has been there many years.

We hesitate at this time to spend a lot of time and apparently \$500.00 or more to prepare a formal request of the City to vacate the two smaller ROW segments for our benefit. If the City does not approve the vacation of the larger segment of the Clarkdell Court ROW from the Old Orchard Estates as put forth with the development proposal, then our effort would mostly be a waste of time and money.

SEWER LINE CONNECTION

We have considered connecting our sewer line, now going to a septic tank, to the main sewer that would drain the Old Orchard Estates subdivision. However this does not appear to be very practical for us or our parcel. Our house sits at the high point of our parcel. There appears to be insufficient drop from the elevation of our lowest sewer line near the house to the elevation of the proposed new line about 325 feet to the north, unless that proposed new line is buried several feet deep. The cost of installing the pipe and likely the need for a pump to make it work are beyond what we would care to finance.

The situation seems even less practical for any possible other dwellings on our parcel if we or a subsequent owner were so inclined to want to subdivide the parcel. Any dwellings in either direction east or west would sit at an even lower elevation, worsening the grade problem for a sewer line.

Our parcel has plenty of suitable land for a septic tank and leach field for the existing house site.

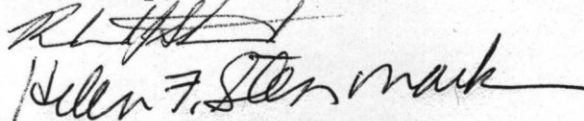
We have no desire to subdivide the parcel.

A further consideration relative to the parcel in the context of any further subdivision is that the parcel is becoming less attractive as the vehicle noise from I-70 has increased over the past years. The noise has become especially bad after the speed limit was raised to 75 miles per hour. There continues to be an increase in traffic which will further exacerbate the situation. A sound barrier wall is needed. Our house predates the highway by many years.

SURFACE DRAINAGE FROM OLD ORCHARD ESTATES

Another concern of ours is the surface drainage pattern diagonally across proposed lot 7 of Old Orchard Estates. The existing drainage pipe system is not satisfactory as it has tended to clog up in the past causing surface pooling which then flowed in directions unsatisfactory to us. This can be improved to direct any water so that instead of pooling it follows an adequate means to better direct any overflow into the natural drainage on our parcel. This was disrupted when the former owner of Old Orchard Estates filled in the natural depression of the land. This may not be as bad as in the past because the water was irrigation water that was not soaking into the soil. However, if the developed lot(s) produce runoff from lawn watering or runoff from a hard rain, then assuring that the water will go where it will not harm anything is an appropriate action to take now.

Sincerely,



Richard & Helen Stenmark
202 North Ave. PMB 217
Grand Junction, CO 81501

241-8958

Attach 5

Setting a Hearing for the Irwin/Riverfront Annexation Located at 586 Io Verde Lane and 616 22 ¾ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Setting a hearing for the Irwin/Riverfront Annexation located at 586 Rio Verde Lane & 616 22 ¾ Road						
Meeting Date	April 20, 2005						
Date Prepared	April 13, 2005				File #ANX-2004-305		
Author	Scott D. Peterson		Associate Planner				
Presenter Name	Scott D. Peterson		Associate Planner				
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda	X	Consent		Individual Consideration

Summary: Resolution referring a petition for annexation and introduction of a proposed ordinance. The 19.69 acre Irwin/Riverfront Annexation consists of two (2) parcels of land located adjacent to the Colorado River. One (1) of the applicant's intent is to annex their property (Irwin) and subdivide their parcel into two (2) single-family residential lots which is currently being reviewed by the City. The other parcel proposed for annexation is owned by the State of Colorado, Parks & Outdoor Recreation who are requesting annexation as the property lies adjacent to the current City limits. A portion of this property is already in the City limits.

Budget: N/A

Action Requested/Recommendation: Approval of the Resolution of Referral, accepting the Irwin/Riverfront Annexation petition and introduce the proposed Irwin/Riverfront Annexation Ordinance, exercise land use jurisdiction immediately and set a hearing for June 1, 2005.

Background Information: See attached Staff Report/Background Information

Attachments:

1. Staff Report/Background Information
2. General Location Map/Aerial Photo
3. Growth Plan Map/Zoning Map
4. Resolution Referring Petition
5. Annexation Ordinance

STAFF REPORT / BACKGROUND INFORMATION				
Location:		586 Rio Verde Lane & 616 22 ¾ Road		
Applicants:		Phillip & Helene Irwin & State of Colorado, Owners		
Existing Land Use:		Single-Family Home & Vacant land along Colorado River		
Proposed Land Use:		Two (2) lot single-family home subdivision & N/A		
Surrounding Land Use:	North	Gravel Pit		
	South	Single-Family Residential		
	East	Single-Family Residential &		
	West	Single-Family Residential (County) & Colorado River		
Existing Zoning:		RSF-4, Residential Single Family – 4 units/acre (County) & RSF-R, Residential Single Family – Rural (County)		
Proposed Zoning:		RSF-4, Residential Single Family – 4 units/acre & CSR, Community Services & Recreation		
Surrounding Zoning:	North	CSR, Community Services & Recreation (City)		
	South	RSF-4, Residential Single Family – 4 units/acre (City)		
	East	PD, Planned Development (Residential – City) & CSR, Community Services & Recreation (City)		
	West	RSF-4, Residential Single Family – 4 units/acre (County) & CSR, Community Services & Recreation (City)		
Growth Plan Designation:		Residential Medium Low (2-4 DU/Ac.) & Conservation		
Zoning within density range?		X	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 19.69 acres of land and is comprised of two (2) parcels of land owned by separate parties. The property owners have requested annexation into the City in order to develop their property into two (2) single-family residential lots and the other requesting annexation into the City limits at this time.

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 Irwin/Riverfront 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.

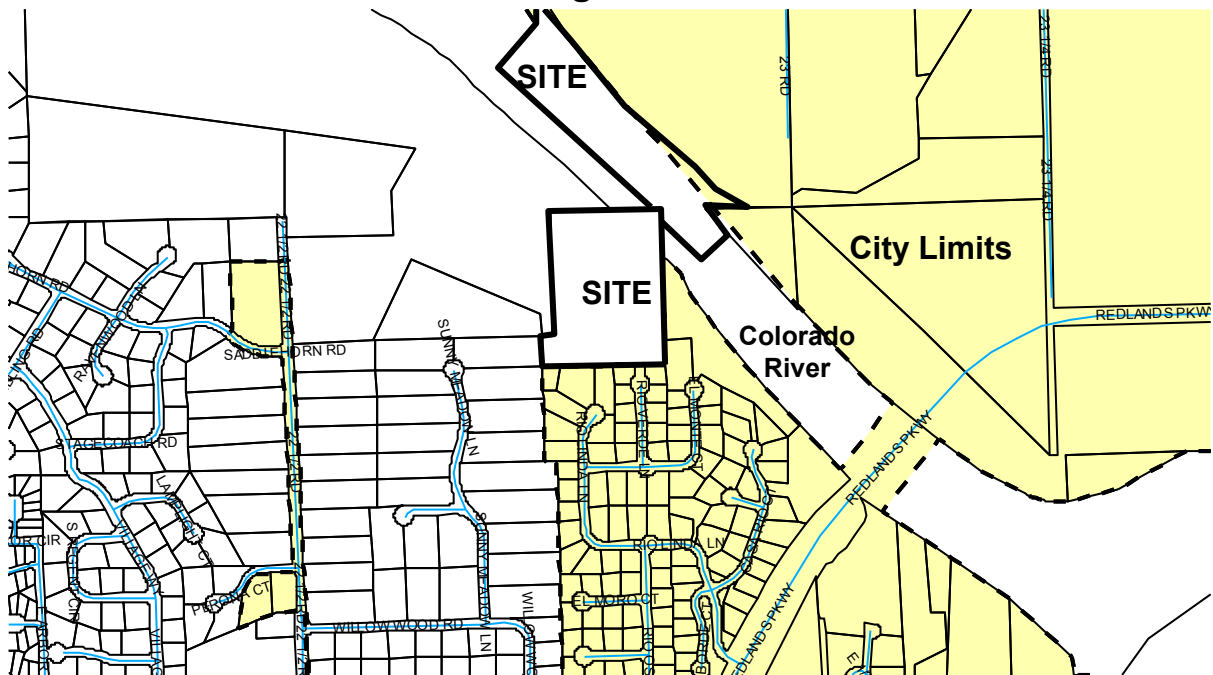
<i>ANNEXATION SCHEDULE</i>	
April 20, 2005	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
April 26, 2005	Planning Commission considers Zone of Annexation
May 18, 2005	Introduction Of A Proposed Ordinance on Zoning by City Council
June 1, 2005	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
July 3, 2005	Effective date of Annexation and Zoning

IRWIN/RIVERFRONT ANNEXATION SUMMARY

File Number:	ANX-2004-305	
Location:	586 Rio Verde Lane & 616 22 ¾ Road	
Tax ID Number:	2945-071-00-034 & 2945-064-17-921	
Parcels:	Two (2)	
Estimated Population:	Two (2)	
# of Parcels (owner occupied):	One (1)	
# of Dwelling Units:	One (1)	
Acres land annexed:	19.690	
Developable Acres Remaining:	10.85	
Right-of-way in Annexation:	0	
Previous County Zoning:	RSF-4, Residential Single Family – 4 units/acre & RSF-R, Residential Single Family - Rural	
Proposed City Zoning:	RSF-4, Residential Single Family – 4 units/acre & CSR, Community Services & Recreation	
Current Land Use:	Single-Family Home & Vacant land along Colorado River	
Future Land Use:	Two (2) lot single-family home subdivision & Portion of Colorado State Park Trail System	
Values:	Assessed:	\$39,240 (Total for both)
	Actual:	\$467,200 (Total for both)
Census Tract:	1402 & 9	
Address Ranges:	586 Rio Verde Lane & 616 22 ¾ Road	
Special Districts:	Water:	Ute
	Sewer:	City
	Fire:	GJ Rural
	Irrigation/ Drainage:	Redlands Water & Power & GJ Drainage
	School:	District 51
	Pest:	Redlands Mosquito Control

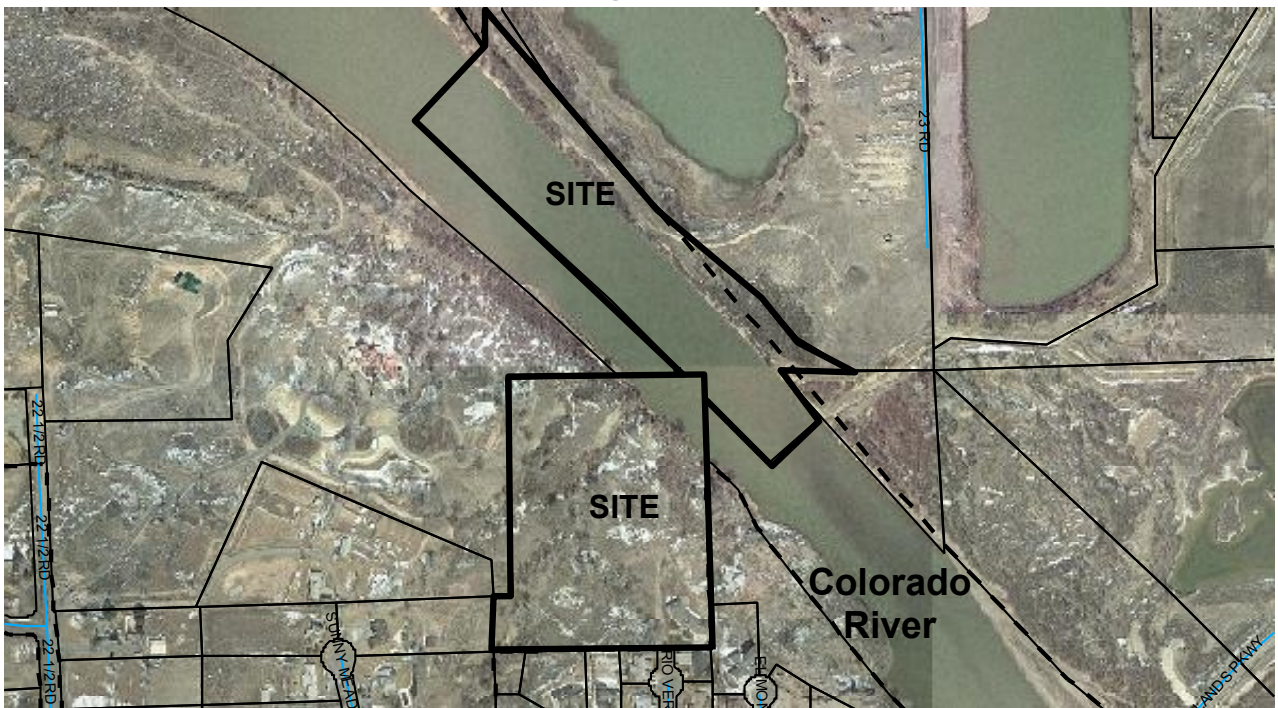
Site Location Map – Irwin/Riverfront

Figure 1



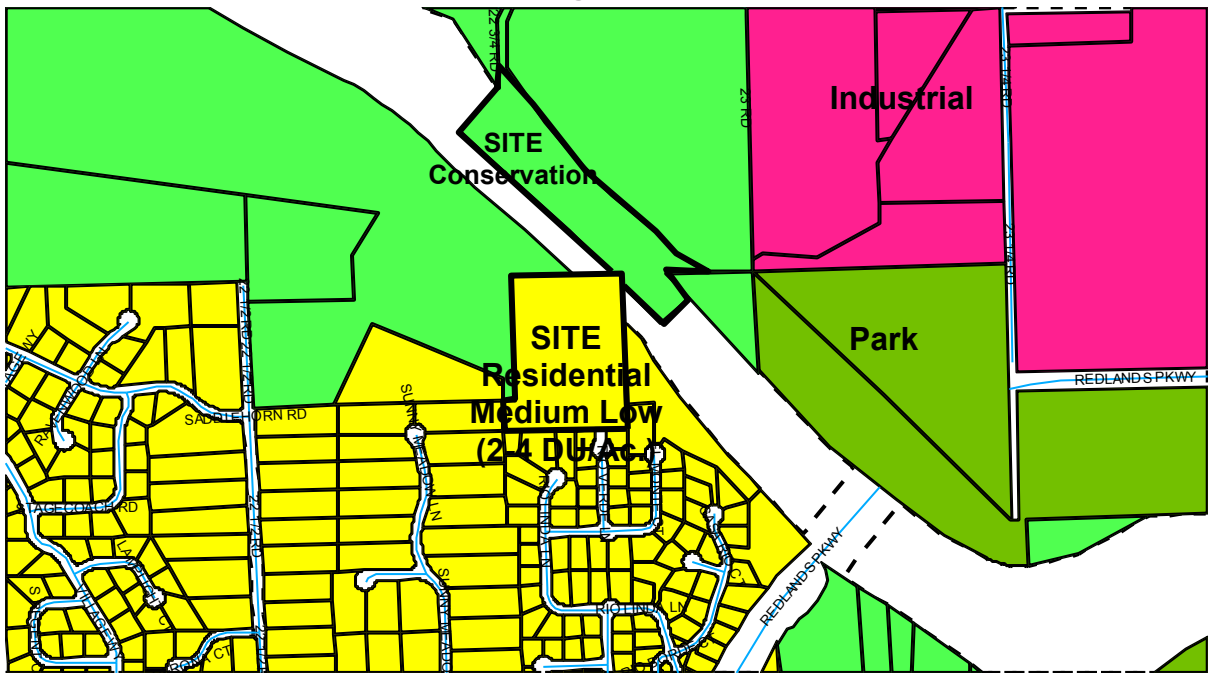
Aerial Photo Map – Irwin/Riverfront

Figure 2



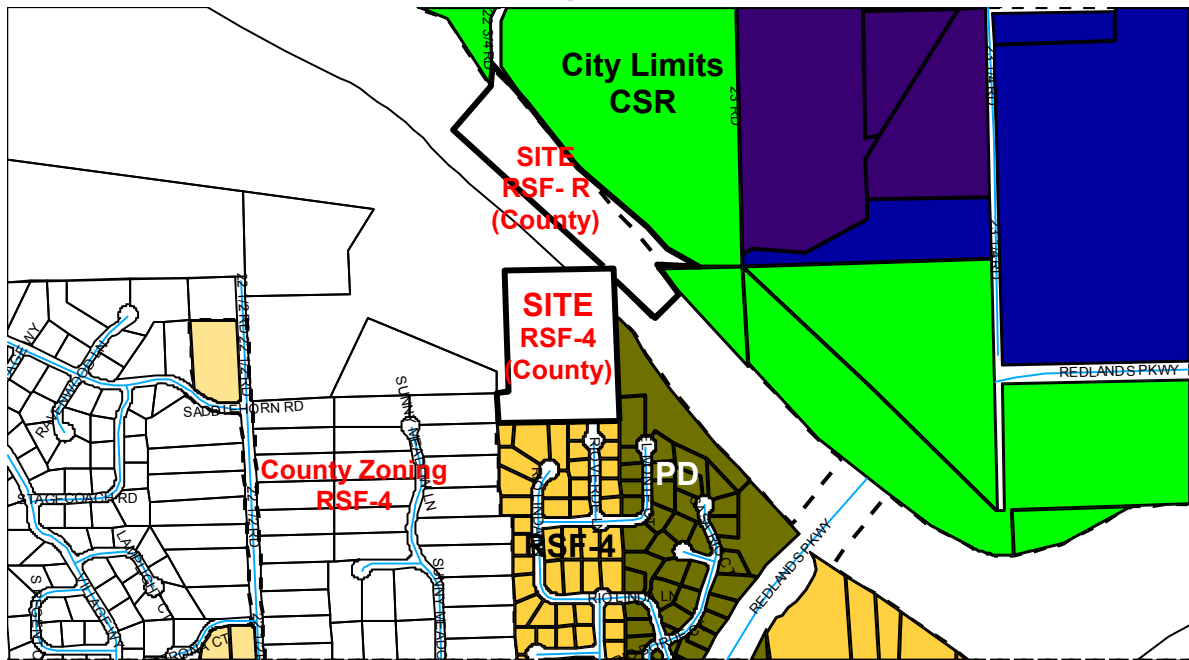
Future Land Use Map – Irwin/Riverfront

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."

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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 20th of April, 2005, the following Resolution was adopted:

RESOLUTION NO. _____

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

IRWIN/RIVERFRONT ANNEXATION

LOCATED at 586 Rio Verde Lane & 616 22 ³/₄ Road

WHEREAS, on the 20th day of April, 2005, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

PERIMETER BOUNDARY LEGAL DESCRIPTION

IRWIN/RIVERFRONT ANNEXATION

A certain parcel of land lying in the Southeast Quarter (SE 1/4) of Section 6 and the Northeast Quarter (NE 1/4) of Section 7, all in Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northeast corner of Lot 5, Block 3, Plat of Loma Rio Subdivision, as same is recorded in Plat Book 11, Page 316, Public Records of Mesa County, Colorado and assuming the North line of said Loma Rio Subdivision bears N 89°41'00" W with all other bearings contained herein being relative thereto; thence N89°41'00"W, along the North line of said Loma Rio Subdivision, a distance of 638.53 feet to the Northwest corner of said Loma Rio Subdivision; thence N00°07'42"W, along the East line of Redlands Village Acres Filing No. 2, as same is recorded in Plat Book 11, Page 39, Public Records of Mesa County, Colorado, a distance of 160.43 feet; thence S89°48'10"E, a distance of 60.33 feet; thence N00°13'54"W, a distance of 641.63 feet to a point being the Northwest corner of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of said Section 7; thence S89°39'42"E, along the North line of the NE 1/4 of said Section 7, a distance of 522.14 feet to a point on the Southwesterly line of Lot 2, 23 Road Subdivision, as same is recorded in Plat Book 19, Page 280 and 281, Public Records of Mesa County, Colorado; thence along said Southwesterly line the following three (3) courses: N43°07'28"W, a distance of 311.10 feet; thence N46°05'08"W, a distance of 562.98 feet; thence N45°52'51"W, a distance of 210.11 feet to the Northwest corner of said Lot 2; thence N44°07'09"E, along the North line of

said Lot 2, a distance of 245.10 feet to its intersection with the South line of the River Road Annexation, City of Grand Junction Ordinance Number 2901; thence along the South line of said Annexation the following two (2) courses: N01°56'51"W, a distance of 103.79 feet; thence S41°34'52"E, a distance of 1,549.24 feet to a point on the South line of said Lot 2; thence S50°30'52"W, along the South line of said Lot 2, a distance of 232.71 feet to the Southwest corner of said Lot 2; thence N43°07'28"W, along the Southwesterly line of said Lot 2, a distance of 277.78 feet; thence S00°10'29"E, along the West line, and the Northerly projection thereof, of Vista Del Rio Subdivision Filing 2, as same is recorded in Plat Book 14, Page 335, Public Records of Mesa County, Colorado, a distance of 740.71 feet, more or less, to the Point of Beginning.

CONTAINING 19.690 acres (857,718.83 Sq. Ft.), more or less, as described.

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

1. That a hearing will be held on the 1st day of June, 2005, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:30 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED this 20th day of April, 2005.

Attest:

President of the Council

City Clerk

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

City Clerk

<i>DATES PUBLISHED</i>
April 22, 2005
April 29, 2005
May 6, 2005
May 13, 2005

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

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

IRWIN/RIVERFRONT ANNEXATION

APPROXIMATELY 19.69 ACRES

LOCATED AT 586 Rio Verde Lane & 616 22 ³/₄ Road

WHEREAS, on the 20th day of April, 2005, 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 1st day of June, 2005; 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

IRWIN/RIVERFRONT ANNEXATION

A certain parcel of land lying in the Southeast Quarter (SE 1/4) of Section 6 and the Northeast Quarter (NE 1/4) of Section 7, all in Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northeast corner of Lot 5, Block 3, Plat of Loma Rio Subdivision, as same is recorded in Plat Book 11, Page 316, Public Records of Mesa County, Colorado and assuming the North line of said Loma Rio Subdivision bears N 89°41'00" W with all other bearings contained herein being relative thereto; thence N89°41'00"W, along the North line of said Loma Rio Subdivision, a distance of 638.53 feet to the Northwest

corner of said Loma Rio Subdivision; thence N00°07'42"W, along the East line of Redlands Village Acres Filing No. 2, as same is recorded in Plat Book 11, Page 39, Public Records of Mesa County, Colorado, a distance of 160.43 feet; thence S89°48'10"E, a distance of 60.33 feet; thence N00°13'54"W, a distance of 641.63 feet to a point being the Northwest corner of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of said Section 7; thence S89°39'42"E, along the North line of the NE 1/4 of said Section 7, a distance of 522.14 feet to a point on the Southwesterly line of Lot 2, 23 Road Subdivision, as same is recorded in Plat Book 19, Page 280 and 281, Public Records of Mesa County, Colorado; thence along said Southwesterly line the following three (3) courses: N43°07'28"W, a distance of 311.10 feet; thence N46°05'08"W, a distance of 562.98 feet; thence N45°52'51"W, a distance of 210.11 feet to the Northwest corner of said Lot 2; thence N44°07'09"E, along the North line of said Lot 2, a distance of 245.10 feet to its intersection with the South line of the River Road Annexation, City of Grand Junction Ordinance Number 2901; thence along the South line of said Annexation the following two (2) courses: N01°56'51"W, a distance of 103.79 feet; thence S41°34'52"E, a distance of 1,549.24 feet to a point on the South line of said Lot 2; thence S50°30'52"W, along the South line of said Lot 2, a distance of 232.71 feet to the Southwest corner of said Lot 2; thence N43°07'28"W, along the Southwesterly line of said Lot 2, a distance of 277.78 feet; thence S00°10'29"E, along the West line, and the Northerly projection thereof, of Vista Del Rio Subdivision Filing 2, as same is recorded in Plat Book 14, Page 335, Public Records of Mesa County, Colorado, a distance of 740.71 feet, more or less, to the Point of Beginning.

CONTAINING 19.690 acres (857,718.83 Sq. Ft.), more or less, as described.

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

INTRODUCED on first reading on the 20th day of April, 2005 and ordered published.

ADOPTED on second reading this _____ day of _____, 2005.

Attest:

President of the Council

City Clerk

Attach 6

Setting a Hearing for the Hutto Annexation Located at 676 Peony Drive

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Setting a hearing for the Hutto Annexation located at 676 Peony Dr						
Meeting Date	April 20, 2005						
Date Prepared	April 14, 2005					File #ANX-2005-054	
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		X	Consent	Individual Consideration

Summary: Resolution referring a petition for annexation and introduction of a proposed ordinance. The 13.47 acre Hutto Annexation consists of 1 parcel.

Budget: N/A

Action Requested/Recommendation: Approval of the Resolution of Referral, accepting the Hutto Annexation petition and introduce the proposed Hutto Annexation Ordinance, exercise land use jurisdiction immediately and set a hearing for June 1, 2005.

Background Information: See attached Staff Report/Background Information

Attachments:

- 6. Staff report/Background information
- 7. Annexation / Location Map; Aerial Photo
- 8. Growth Plan Map; Zoning Map
- 9. Resolution Referring Petition
- 10. Annexation Ordinance

STAFF REPORT / BACKGROUND INFORMATION			
Location:		676 Peony Drive	
Applicants:		Owner/Applicant: Francis Hutto	
Existing Land Use:		1 Single Family Residence	
Proposed Land Use:		3 Single Family Residences	
Surrounding Land Use:	North	Colorado River / Panorama Sewer Ponds	
	South	Single Family Residential	
	East	Single Family Residential	
	West	Single Family Residential	
Existing Zoning:		County RSF-4	
Proposed Zoning:		City RSF-2	
Surrounding Zoning:	North	Colorado River	
	South	County RSF-4	
	East	County RSF-4	
	West	PD -	
Growth Plan Designation:		Residential Medium Low 2-4 du/ac	
Zoning within density range?		X	Yes
			No

Staff Analysis:

ANNEXATION:

This annexation area consists of 13.47 acres of land and is comprised of 1 parcel. The property owners have requested annexation into the City as the result of a request to subdivide the property in the County.. Under the 1998 Persigo Agreement all residential subdivisions on the Redlands within ¼ mile of existing City Limits 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 Hutto 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.

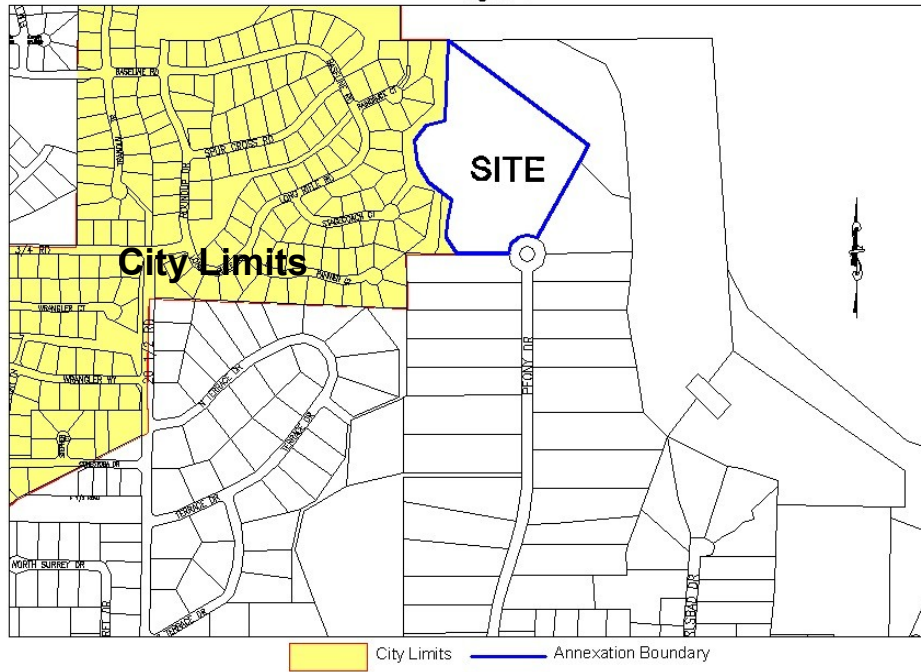
<u>ANNEXATION SCHEDULE</u>	
April 20, 2005	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
May 10, 2005	Planning Commission considers Zone of Annexation
May 18, 2005	Introduction Of A Proposed Ordinance on Zoning by City Council
June 1, 2005	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
July 3, 2005	Effective date of Annexation and Zoning

HUTTO ANNEXATION SUMMARY

File Number:	ANX-2005-054	
Location:	676 Peony Drive	
Tax ID Number:	2947-151-45-001	
Parcels:	1	
Estimated Population:	2	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	1	
Acres land annexed:	13.47 acres	
Developable Acres Remaining:	13.47 acres	
Right-of-way in Annexation:	0.0 acres	
Previous County Zoning:	RSF-4	
Proposed City Zoning:	RSF-2	
Current Land Use:	1 Single Family Residence	
Future Land Use:	3 Single Family Residences	
Values:	Assessed:	= \$33,510
	Actual:	= \$421,010
Address Ranges:	675 – 678 Peony Drive (all)	
Special Districts:	Water:	Ute Water
	Sewer:	City of Grand Junction
	Fire:	Grand Junction Rural
	Irrigation/Drainage :	Redlands Water & Power
	School:	Mesa Co School Dist #51
	Pest:	Redlands Mosquito Control

Site Location Map

Figure 1
Hutto Annexation
Figure 5



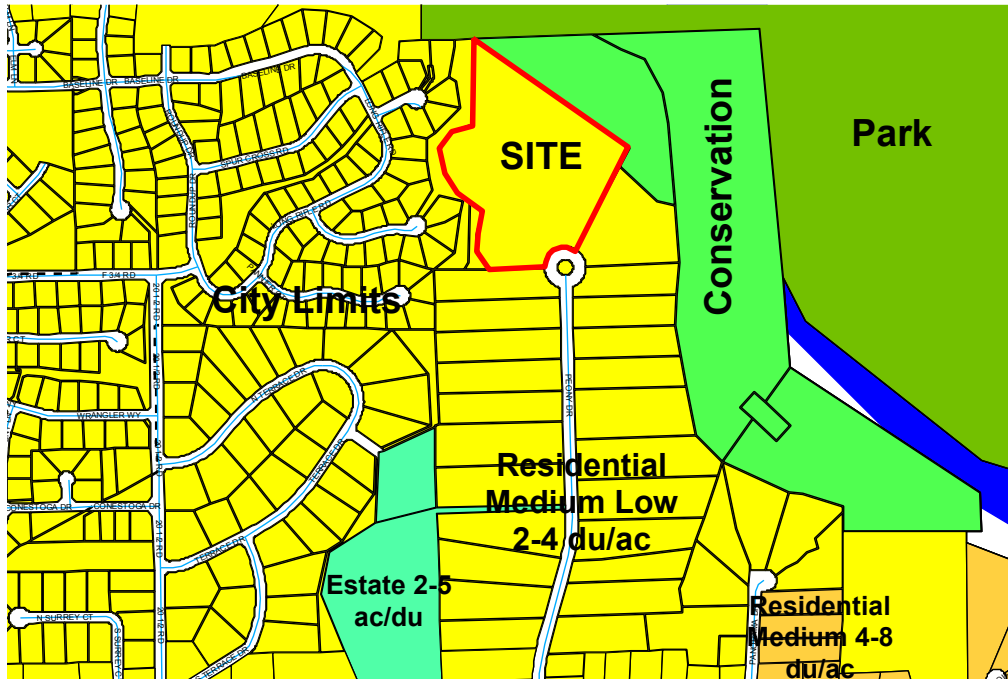
Aerial Photo Map

Figure 2



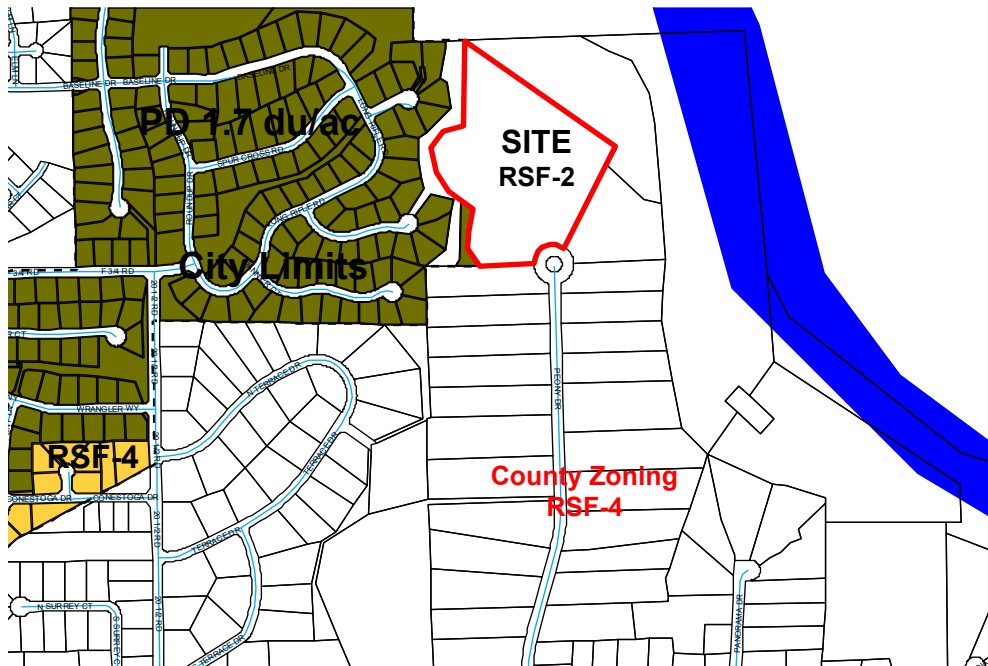
Future Land Use Map

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."

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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 20th of April, 2005, the following Resolution was adopted:

RESOLUTION NO. ____

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

HUTTO ANNEXATION

LOCATED at 676 PEONY DRIVE.

WHEREAS, on the 20th day of April, 2005, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

HUTTO ANNEXATION

Parcel 2 of Hutto Subdivision as recorded in plat book 18, page 134 Mesa County Colorado records.

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

3. That a hearing will be held on the 1st day of June, 2005, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:30 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's

consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

4. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED this 20th day of April, 2005

Attest:

President of the Council

City Clerk

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

City Clerk

<i>DATES PUBLISHED</i>
April 22, 2005
April 29, 2005
May 6, 2005
May 13, 2005

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

HUTTO ANNEXATION

APPROXIMATELY 13.47 ACRES

LOCATED AT 676 PEONY DRIVE

WHEREAS, on the 20th day of April, 2005, 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 1st day of June, 2005; 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:

HUTTO ANNEXATION

Parcel 2 of Hutto Subdivision as recorded in plat book 18, page 134 Mesa County Colorado records.

CONTAINING 13.47 Acres (586,998 Sq. Ft.), more or less, as described

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

INTRODUCED on first reading on the 20th day of April, 2005 and ordered published.

ADOPTED on second reading this 1st day of June, 2005.

Attest:

President of the Council

City Clerk

Attach 7

Setting a Hearing for the Twenty Three Park Plaza Annexation Located at the NW Corner of 23 Road and I-70

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Setting a hearing for the Twenty Three Park Plaza Annexation located at the northwest corner of 23 Road and I-70						
Meeting Date	April 20, 2005						
Date Prepared	April 14, 2005				File #GPA-2005-045		
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		X	Consent	Individual Consideration

Summary: Resolution referring a petition for annexation and introduction of a proposed ordinance. The 35.52 acre Twenty Three Park Plaza Annexation consists of 30 parcels.

Budget: N/A

Action Requested/Recommendation: Approval of the Resolution of Referral, accepting the Twenty Three Park Plaza Annexation petition and introduce the proposed Twenty Three Park Plaza Annexation Ordinance, exercise land use jurisdiction immediately and set a hearing for June 1, 2005.

Background Information: See attached Staff Report/Background Information

Attachments:

- 11. Staff report/Background information
- 12. Annexation / Location Map; Aerial Photo
- 13. Growth Plan Map; Zoning Map
- 14. Resolution Referring Petition
- 15. Annexation Ordinance

STAFF REPORT / BACKGROUND INFORMATION			
Location:		Northwest corner of 23 Road and I-70	
Applicants:		Owner: Karen Marquette; Representative: Triwest Group Inc – Doug Gilliland	
Existing Land Use:		Vacant	
Proposed Land Use:		Residential (or commercial)	
Surrounding Land Use:	North	Vacant	
	South	Agricultural	
	East	Agricultural	
	West	Residential 1 du/2 ac +/-	
Existing Zoning:		Planned Industrial	
Proposed Zoning:		RSF-4	
Surrounding Zoning:	North	County AFT	
	South	City I-1	
	East	County Planned Commercial	
	West	County RSF-E	
Growth Plan Designation:		Commercial / Industrial; Requesting a GPA to Residential Medium Low 2-4 du/ac	
Zoning within density range?	X	Yes w/ GPA	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 35.52 acres of land and is comprised of 30 parcels. The property owners have requested annexation into the City as the result of needing a Growth Plan Amendment and rezone in the County. Under the 1998 Persigo Agreement all Growth Plan Amendments within the Persigo service area and all rezones require annexation and processing in the City.

It is staff's opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Twenty Three Park Plaza 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.

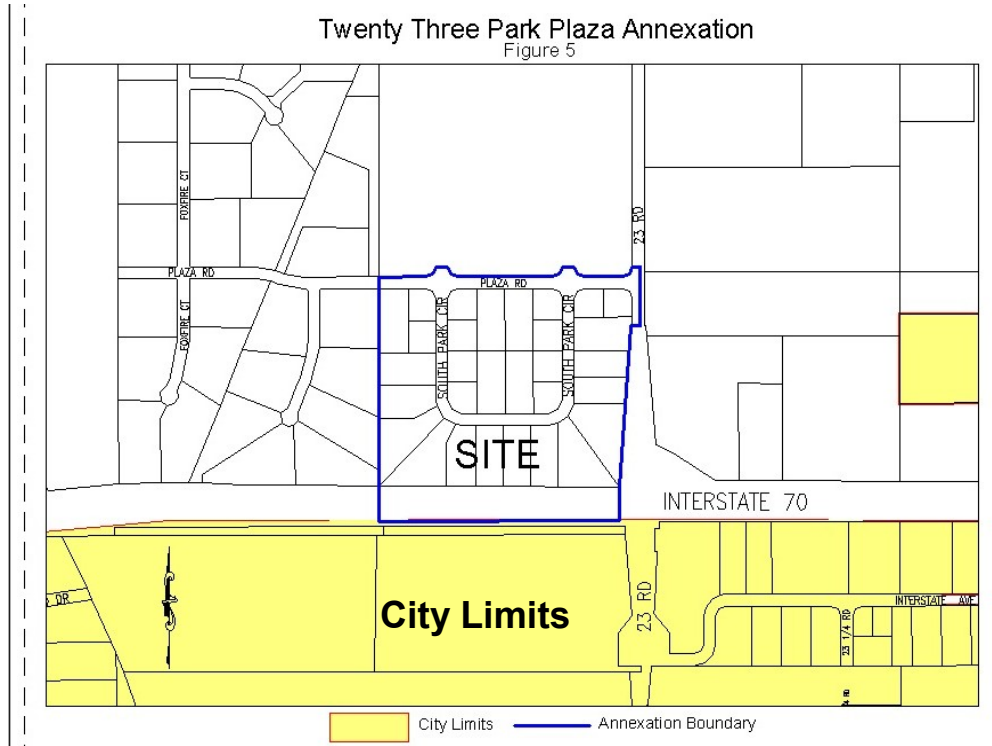
<u>ANNEXATION SCHEDULE</u>	
April 20, 2005	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
To be scheduled following GPA	Planning Commission considers Zone of Annexation
To be scheduled following GPA	Introduction Of A Proposed Ordinance on Zoning by City Council
June 1, 2005	Acceptance of Petition and Public Hearing on Annexation by City Council
July 3, 2005	Effective date of Annexation

TWENTY THREE PARK PLAZA ANNEXATION SUMMARY

File Number:	GPA-2005-045	
Location:	Northwest corner of 23 Road and I-70	
Tax ID Number:	2701-311-10-005 to 016; 2701-311-09-009 to 026	
# of Parcels:	30	
Estimated Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	35.52 acres	
Developable Acres Remaining:	30 acres +/-	
Right-of-way in Annexation:	4.82 ac of Plaza Road and South Park Circle; 4.68 ac of I-70	
Previous County Zoning:	PI (Planned Industrial)	
Proposed City Zoning:	RSF-4	
Current Land Use:	Vacant	
Future Land Use:	Residential (or Commercial)	
Values:	Assessed:	= \$52,810
	Actual:	= \$182,140
Address Ranges:	2277-2299 Plaza Road (odd only) 2277-2299 South Park Circle (all)	
Special Districts:	Water:	Ute Water
	Sewer:	Persigo
	Fire:	Grand Junction Rural Fire
	Irrigation/Drainage:	Grand Valley Irrigation / Grand Junction Drainage
	School:	Mesa Co School District 51
	Pest:	N/A

Site Location Map

Figure 1



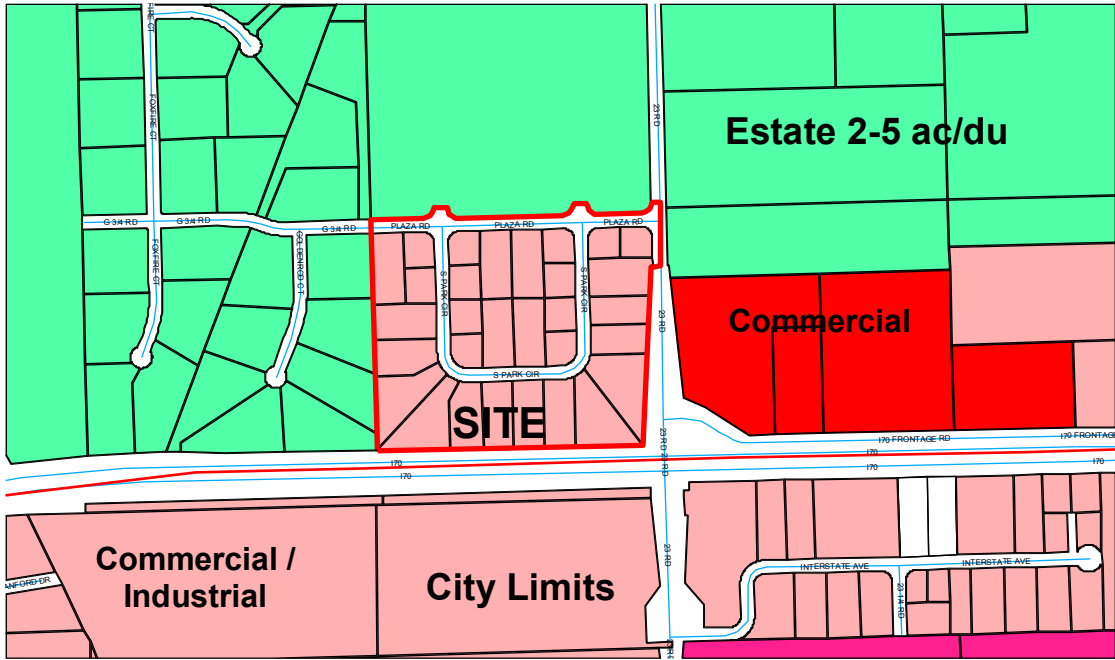
Aerial Photo Map

Figure 2



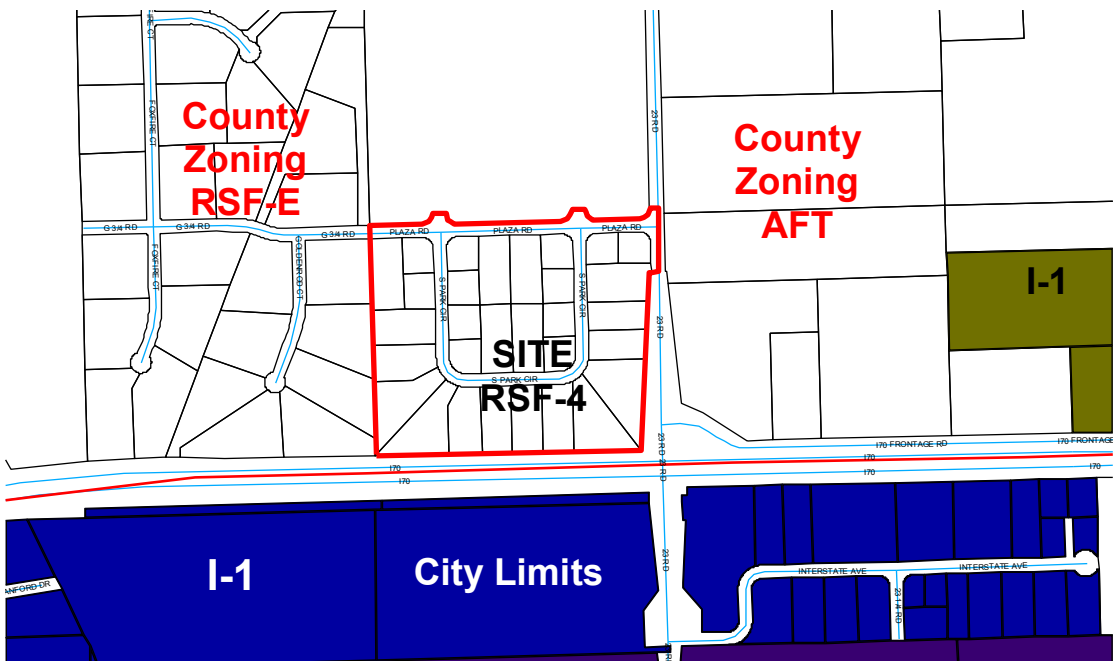
Future Land Use Map

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."

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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 20th of April, 2005, the following Resolution was adopted:

RESOLUTION NO. ____

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

TWENTY THREE PARK PLAZA ANNEXATION

LOCATED at the northwest corner of 23 Road and I-70.

WHEREAS, on the 20th day of April, 2005, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

TWENTY THREE PARK PLAZA ANNEXATION

A parcel of land located in the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) and the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) Section 31, Township 1 North, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Southwest corner of the SE 1/4 NE 1/4 of said Section 31, whence the Northwest corner of the SE 1/4 NE 1/4 of said Section 31 bears N00°08'00"E for a basis of bearings with all bearings contained herein relative thereto; thence from said Point of Commencement, N00°08'00"E along the West line of the SE 1/4 NE 1/4 of said Section 31 a distance of 81.55 feet to the Point of Beginning; thence continuing N00°08'00"E along the West line of the SE 1/4 NE 1/4 of said Section 31 a distance of 1217.50 feet to the Northwest corner of A Replat of Twenty Three Park Plaza Filing No. One, Plat Book 13, Pages 250 through 252, public records of Mesa County, Colorado ; thence S89°53'39"E along the North right of way of Plaza Road as recorded in said Replat of Twenty Three Park Plaza Filing No. One the following ten courses: (1) S89°53'39"E a distance of 239.58 feet, (2) thence 78.52 feet along the arc of a 50.00 foot radius curve, concave Northwest, through a central angle of 89°58'51", whose long chord bears N45°06'56"E with a long chord length of 70.70 feet; (3) thence S89°55'34"E a distance of 60.00 feet; (4) thence 78.56 feet along the arc of a 50.00 foot radius curve, concave Northeast, through a central angle of 90°01'09", whose long chord bears S44°53'04"E with a long chord length of 70.72 feet; (5) thence S89°53'39"E a distance of 479.12 feet; (6) thence 78.52 feet along the arc of a 50.00 foot radius curve, concave Northwest, through a central angle of 89°58'51", whose long chord bears N45°06'56"E with a long chord length of 70.70 feet; (7) thence S89°55'34"E a distance

of 60.00 feet; (8) thence 78.56 feet along the arc of a 50.00 foot radius curve, concave Northeast, through a central angle of 90°01'09", whose long chord bears S44°53'04"E with a long chord length of 70.72 feet; (9) thence S89°53'39"E a distance of 198.99 feet; (10) thence 81.32 feet along the arc of a 50.00 foot radius curve, concave Northwest, through a central angle of 93°09'35", whose long chord bears N45°05'45"E with a long chord length of 70.70 feet; thence 89°56'00"E a distance of 33.00 feet to the East line of the NE 1/4 NE 1/4 of said Section 31; thence S00°04'00"W along the East line of the NE 1/4 NE 1/4 of said Section 31 a distance of 26.96 feet to the Northeast corner of the SE 1/4 NE 1/4 of said Section 31; thence S00°03'12"W along the East line of the SE 1/4 NE 1/4 a distance of 266.21 feet; thence S89°58'41"W a distance of 41.93 feet to the East line of said Replat of Twenty Three Park Plaza Filing No. One; thence S04°09'11"W along the East line of said Replat of Twenty Three Park Plaza Filing No. One, a distance of 816.50 feet to the North line of Grand Junction West Annexation Ordinance No. 2555, City of Grand Junction ; thence N89°37'19"W along the North line of said Grand Junction West Annexation a distance of 1219.83 feet to the Point of Beginning.

Said parcel contains 35.52 acres more or less as described.

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

5. That a hearing will be held on the 1st day of June, 2005, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:30 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.

6. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED this 20th day of April, 2005.

Attest:

President of the Council

City Clerk

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

City Clerk

<i>DATES PUBLISHED</i>
April 22, 2005
April 29, 2005
May 6, 2005
May 13, 2005

CITY OF GRAND JUNCTION, COLORADO

**ORDINANCE NO.
AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF GRAND JUNCTION, COLORADO
TWENTY THREE PARK PLAZA ANNEXATION
APPROXIMATELY 35.52 ACRES
LOCATED AT NORTHWEST CORNER OF 23 ROAD AND I-70**

WHEREAS, on the 20th day of April, 2005, 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 1st day of June, 2005; 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:

TWENTY THREE PARK PLAZA ANNEXATION

A parcel of land located in the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) and the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) Section 31, Township 1 North, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Commencing at the Southwest corner of the SE 1/4 NE 1/4 of said Section 31, whence the Northwest corner of the SE 1/4 NE 1/4 of said Section 31 bears N00°08'00"E for a basis of bearings with all bearings contained herein relative thereto; thence from said Point of Commencement, N00°08'00"E along the West line of the SE 1/4 NE 1/4 of said Section 31 a distance of 81.55 feet to the Point of Beginning; thence continuing N00°08'00"E along the West line of the SE 1/4 NE 1/4 of said Section 31 a distance of 1217.50 feet to the Northwest corner of A Replat of Twenty Three Park Plaza Filing No. One, Plat Book 13, Pages 250 through 252, public records of Mesa County, Colorado ; thence S89°53'39"E along the North right of way of Plaza Road as recorded in said Replat of Twenty Three Park Plaza Filing No. One the following ten courses: (1) S89°53'39"E a distance of 239.58 feet, (2) thence 78.52 feet along the arc of a 50.00

foot radius curve, concave Northwest, through a central angle of 89°58'51", whose long chord bears N45°06'56"E with a long chord length of 70.70 feet; (3) thence S89°55'34E a distance of 60.00 feet; (4) thence 78.56 feet along the arc of a 50.00 foot radius curve, concave Northeast, through a central angle of 90°01'09", whose long chord bears S44°53'04"E with a long chord length of 70.72 feet; (5) thence S89°53'39"E a distance of 479.12 feet; (6) thence 78.52 feet along the arc of a 50.00 foot radius curve, concave Northwest, through a central angle of 89°58'51", whose long chord bears N45°06'56"E with a long chord length of 70.70 feet; (7) thence S89°55'34E a distance of 60.00 feet; (8) thence 78.56 feet along the arc of a 50.00 foot radius curve, concave Northeast, through a central angle of 90°01'09", whose long chord bears S44°53'04"E with a long chord length of 70.72 feet; (9) thence S89°53'39"E a distance of 198.99 feet; (10) thence 81.32 feet along the arc of a 50.00 foot radius curve, concave Northwest, through a central angle of 93°09'35", whose long chord bears N45°05'45"E with a long chord length of 70.70 feet; thence 89°56'00E a distance of 33.00 feet to the East line of the NE 1/4 NE 1/4 of said Section 31; thence S00°04'00"W along the East line of the NE 1/4 NE 1/4 of said Section 31 a distance of 26.96 feet to the Northeast corner of the SE 1/4 NE 1/4 of said Section 31; thence S00°03'12"W along the East line of the SE 1/4 NE 1/4 a distance of 266.21 feet; thence S89°58'41"W a distance of 41.93 feet to the East line of said Replat of Twenty Three Park Plaza Filing No. One; thence S04°09'11"W along the East line of said Replat of Twenty Three Park Plaza Filing No. One, a distance of 816.50 feet to the North line of Grand Junction West Annexation Ordinance No. 2555, City of Grand Junction ; thence N89°37'19"W along the North line of said Grand Junction West Annexation a distance of 1219.83 feet to the Point of Beginning.

Said parcel contains 35.52 acres more or less as described.

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

INTRODUCED on first reading on the 20th day of April, 2005 and ordered published.

ADOPTED on second reading this 1st day of June, 2005.

Attest:

President of the Council

City Clerk

Attach 8

Setting a Hearing to Vacate Portion of Elm Ave, College Pl, Mesa Ave, Bunting Ave, and Various Alleys Internal to the Mesa State College Campus

CITY OF GRAND JUNCTION

<i>CITY COUNCIL AGENDA</i>							
Subject	Setting a hearing to vacate portions of Elm Avenue, College Place , Mesa Avenue, Bunting Avenue and various alleys internal to the Mesa State College campus						
Meeting Date	April 20, 2005						
Date Prepared	April 11, 2005				File #VR-2004-292		
Author	Kathy Portner			Planning Manager			
Presenter Name	Kathy Portner			Planning Manager			
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Introduction of a proposed ordinance to vacate portions of Elm Avenue, College Place, Mesa Avenue, Bunting Avenue and various alleys internal to the Mesa State College campus.

Budget: N/A

Action Requested/Recommendation: Introduce the proposed Mesa State College Right-of-Way Vacation Ordinance and set a hearing for May 4, 2005.

Background Information: See attached Staff Report/Background Information

Attachments:

- Vicinity Map/Aerial Photo
- Growth Plan Map/Zoning Map
- Applicant's Project Report
- Letters of Support and Opposition
- Planning Commission Minutes (will be provided for 2nd reading of the ordinance)
- Ordinance

AGENDA TOPIC: VR-2004-292 Mesa State College ROW Vacation

ACTION REQUESTED: Vacation of portions of Elm Avenue, College Place, Mesa Avenue, Bunting Avenue and various alleys internal to the Mesa State College campus.

BACKGROUND INFORMATION					
Location:		Mesa State College Campus			
Applicants:		Mesa State College Rolland Engineering			
Existing Land Use:		College campus and single family homes			
Proposed Land Use:		College campus			
Surrounding Land Use:	North	College campus			
	South	Commercial			
	East	Commercial and Residential			
	West	Single Family Residential			
Existing Zoning:		CSR and RMF-8			
Proposed Zoning:		CSR			
Surrounding Zoning:	North	PD and CSR			
	South	Commercial			
	East	Commercial, RMF-8, RMF-16			
	West	RMF-8			
Growth Plan Designation:		Public and Residential Medium			
Zoning within density range?		x	Yes		No

PROJECT DESCRIPTION: A request to vacate portions of Elm Avenue, College Place, Mesa Avenue, Bunting Avenue and various alleys internal to the Mesa State College campus.

RECOMMENDATION: Staff recommends approval with conditions.

ANALYSIS

1. Background

Mesa State College is requesting the vacation of several streets and alleys to allow the expansion of its campus in accordance with the 1999 Facilities Master Plan. The proposed vacations, as well as interim and future uses are as follows:

- A. All alleys within the block bounded by North Avenue, College Place, Bunting Avenue and Houston Avenue—Would allow the consolidation of an entire section of individual platted lots on one block to implement future conversion to green space and possibly future building construction.
 - B. College Place from North Avenue to Mesa Avenue along with a section of alley between Elm Avenue and Texas Avenue, excepting out the west 30 feet of the right-of-way from Texas Avenue north to the north edge of the alley—Would eventually create a one-way (south to north) traffic pattern to provide continued parking on both sides of the street that would be converted to paid parking for MSC. The west portion of College Place between Texas Avenue and the alley cannot be vacated at this time due to a private property not owned by Mesa State College. The property is located at the northwest corner of the intersection of College Place and Texas Avenue.
 - C. Alley within the block bounded by Bunting Avenue, College Place, Elm Avenue and Houston Avenue—Would complete the alley vacation that occurred next to the Fine Arts building to expand green area and may be part of the site for a future campus building.
 - D. Elm Avenue between 12th Street and College Place—Would restrict vehicular traffic to access only the campus parking lots and allow delivery trucks going to and from the College Center building but would prohibit through motor vehicle traffic in order to maximize the safety of pedestrians having to cross Elm Avenue; would also allow the potential expansion of the College Center to the north.
 - E. Mesa Avenue between College Place and Cannell Avenue—Would accommodate the future expansion of Bergman Field to the south allowing more recreation and green space area on the campus. An emergency turn-around at the end of College Place would allow emergency access to Bergman Field and Saunders Fieldhouse as well as a turn-around for the public.
 - F. Bunting Avenue from College Place to Houston Avenue—Would further consolidate two large campus blocks for a future building site and/or to expand campus green space.
- ### 2. Consistency with the Growth Plan

The Future Land Use Map of the Growth Plan designates the properties owned by Mesa State College as Public. The designation has not been changed on properties acquired by the College since the last update of the Growth Plan in 2003. The properties that are currently designated as Public are zoned CSR (Community Services and Recreation). Those properties that are still designated as Residential Medium are zoned RMF-8. As properties are acquired the Future Land Use designation should be changed to Public and the properties should be rezoned to CSR.

There are several goals and policies in the Growth Plan that support the expansion of the Mesa State College campus.

Goal 8: To support the long-term vitality of existing centers of community activity as shown in Exhibit V.5, Existing Centers of Activity Map.

Policy 8.12: The City and County will encourage Mesa State College to retain its main campus in the City of Grand Junction at its current location, and will support the growth of the college at its current campus or at facilities located within non-residential portions of the urbanizing Area.

Policy 8.13: The City will encourage the College to maximize the use of its existing land through increased height allowances, but will support the planned westward growth of the College as identified in the Mesa State College Facilities Master 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:

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

The Grand Valley Circulation Plan classifies Elm Avenue, between 7th Street and 12th Street, as a Minor Collector. Since the installation of traffic calming devices adjacent to the Student Center and the increased amount of pedestrians crossing Elm at that location, traffic volumes along that section of Elm have decreased. If Elm Avenue is vacated, the Grand Valley Circulation Plan will be amended to remove Elm Avenue as a Minor Collector. College Place, Mesa Avenue and Bunting Avenue are classified as local streets.

The Mesa County Regional Transportation Planning Office (RTPO) ran the 2030 Grand Valley traffic model to assess the traffic circulation impacts of the proposed closure of Elm Avenue. The model showed no measurable impacts to the level of service on either 12th Street or North Avenue. The model showed a modest increase in traffic on 12th Street between Elm Avenue and North Avenue,

and a small increase in traffic on North Avenue in the vicinity of the campus. However, there were no impacts to the volumes on Elm Avenue between the campus and 7th Street.

Additional traffic count information will be provided with the report for second reading of the ordinance.

Elm Avenue, between 7th Street and 12th Street is identified as a Bike Route on the Urban Trails Master Plan. MSC has indicated that Elm Avenue will be preserved as a bike route through campus. Appropriate easements will be required on the final plat to preserve the route. Future planning for the campus can include rerouting the bike route if necessary.

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

There are two pieces of property adjacent to the ROW to be vacated that are not owned by MSC or the Foundation. One is parcel number 2945-114-23-981, located on the west side of College Place, the third property north of North Avenue. That property is owned by the Bishop of Pueblo. MSC is negotiating for the purchase of the property and has received a letter from the owner stating their consent to the ROW vacation. However, the property is currently zoned RMF-8, which requires a minimum street frontage of 20' (Table 3.2 of the Zoning and Development Code). Therefore the parcel must be owned by Mesa State College so that it can be incorporated into the replat of all the lots into one lot. If the vacation is to be approved, staff is recommending a condition that MSC must own the parcel so that it can be incorporated into the plat.

MSC also does not own the parcel at the northwest corner of Texas Avenue and College Place. The requested vacation of College Place does not include the half ROW adjacent to this parcel. Texas Avenue and the alley to the north will not be vacated at this time, and access easements and a turn-around at Mesa Avenue are proposed to maintain adequate access and circulation for this parcel, as well as the campus.

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

The vacation of the ROW must be conditioned on the recording of a plat, combining all lots. The remaining lot at the northwest corner of Texas Avenue and College Place will continue to have access along Texas Avenue and the alley, connected by an access easement through the vacated College Place.

- 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).

Through circulation must still be allowed between Texas and Elm via an access easement. The bike route must be maintained along Elm with a non-motorized access easement. A condition of approval is that access easements be dedicated.

Adequate emergency access must be maintained through the campus and to all structures. The interim plan proposal to convert the section of College Place, between North Avenue and Elm Avenue, to a one-way access with angled parking on both sides must be modified to meet the minimum fire access aisle width of 20'. MSC has indicated they are working on a plan to widen that section. The interim plan also includes a turn-around at the end of College Place at Mesa Avenue to provide for emergency access.

Elm Avenue, between Cannell and 12th Street, is currently a bus route for Grand Valley Transit (GVT), with two bus shelters located near the Student Center. According to the Manager of GVT, that section of the route has minimal ridership. With the closure of Elm, the bus route will change to exclude that section of Elm, going directly to and from the transfer station at 12th and Orchard.

With the closure of Elm and the provision of additional parking along College Place, the right turns from North Avenue onto the one-way College Place are likely to increase. It may be that current traffic volumes already warrant a right-turn lane at that location. In the absence of a traffic study showing otherwise, the City will require the dedication of ROW for a right-turn lane at the northeast corner of North Avenue and College Place. If future plans for college expansion make Houston Avenue more of a main entrance, the ROW at College Place could be vacated and rededicated at Houston. As a condition of approving this vacation, staff is recommending that right-of-way be dedicated at the northeast corner of North Avenue and College Place for a future right turn lane.

There are currently 117 on-street parking spaces along College Place and 43 on-street parking spaces along Mesa Avenue between College Place and Cannell. The reconfigured College Place would result in 167 parking spaces, however, all spaces on the vacated ROW would be pay parking, which might push the quest for free, on-street parking further into the surrounding neighborhood.

- 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.

All of the ROW proposed to be vacated includes a number of buried and above ground utilities. The ROW in its entirety must be retained as utility easement, as proposed by the applicant. Otherwise, all utilities would have to be specifically

located and individual easements described and depicted for each. Within the utility easements only sod or asphalt surface treatment will be allowed. Other surface treatment would be subject to review and approval by the City. A condition of approval is that utility easements be dedicated with restrictions on surface treatments.

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

The vacated ROW will become the maintenance responsibility of MSC. An estimated value of the ROW to be vacated, based on recent ROW acquisition costs is \$193,000 (assuming 237,533 s.f. of right-of-way with easements being retained). In addition, there are 14 street trees located along the section of Mesa Avenue proposed for vacation, and 10 street trees located along College Place that the City currently maintains. The total estimated value of those trees is \$119,920.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Mesa State College Right-of-Way Vacation application, VR-2004-292, for the vacation of public right-of-way, staff makes the following findings of fact and conclusions:

1. The requested right-of-way vacation is consistent with the Growth Plan.
2. The review criteria in Section 2.11.C of the Zoning and Development Code have all been met, with the following conditions.
3. Conditions of approval are as follows:
 1. The ROW vacation is not effective until a plat is recorded combining lots and dedicating necessary easements.
 2. The plat cannot be recorded until MSC owns the property currently owned by the Bishop of Pueblo (parcel number 2945-114-23-981).
 3. The vacated ROW, in its entirety must be maintained as utility easements and so noted on the plat.
 4. The plat shall indicate that within the utility easements only sod or asphalt surface treatment will be allowed. Other surface treatment shall be subject to review and approval by the City.
 5. The vacated College Place, between Elm Avenue and the east-west alley north of Texas Avenue, and the vacated Elm Avenue, west of College Place, must be retained as an access easement for traffic circulation and so noted on the plat.
 6. The vacated Elm Avenue, east of College Place, must be retained as an access easement for non-motorized use.

7. Right-of-way shall be dedicated on the plat for a future right-turn lane at the northeast corner of North Avenue and College Place.

RECOMMENDATION:

Staff and Planning Commission recommend approval of the requested right-of-way vacation, VR-2004-292, with the findings and conclusions listed above and the following conditions:

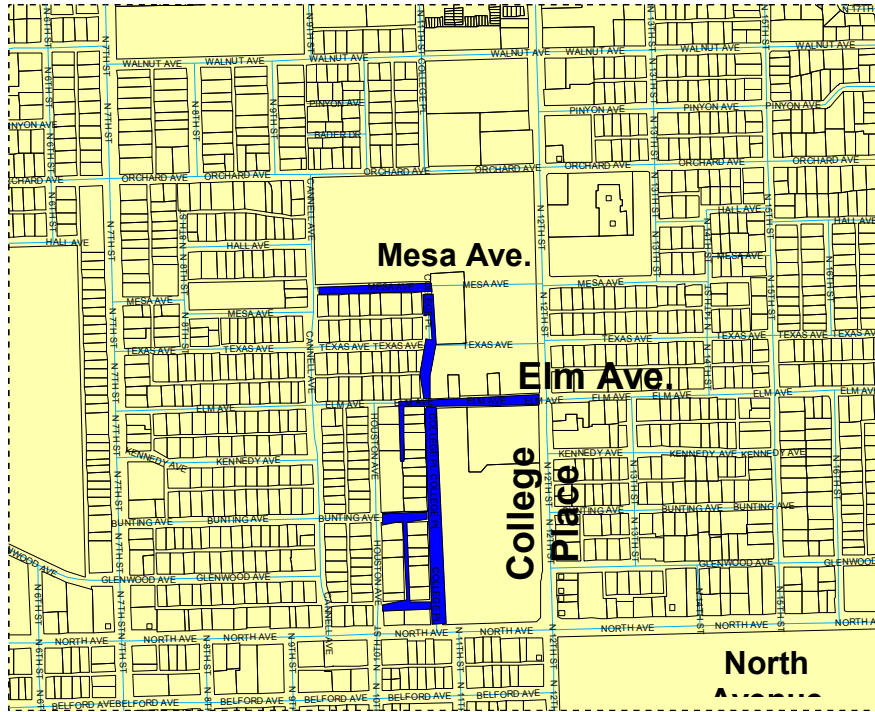
1. The ROW vacation is not effective until a plat is recorded combining lots and dedicating necessary easements.
2. The plat cannot be recorded until MSC owns the property currently owned by the Bishop of Pueblo (parcel number 2945-114-23-981).
3. The vacated ROW, in its entirety must be maintained as utility easements and so noted on the plat.
4. The plat shall indicate that within the utility easements only sod or asphalt surface treatment will be allowed. Other surface treatment shall be subject to review and approval by the City.
5. The vacated College Place, between Elm Avenue and the east-west alley north of Texas Avenue, and the vacated Elm Avenue, west of College Place, must be retained as an access easement for traffic circulation and so noted on the plat.
6. The vacated Elm Avenue, east of College Place, must be retained as an access easement for non-motorized use.
7. Right-of-way shall be dedicated on the plat for a future right-turn lane at the northeast corner of North Avenue and College Place.

Attachments:

Vicinity Map/Aerial Photo
Growth Plan Map/Zoning Map
Applicant's Project Report
Letters of Support and Opposition
Planning Commission Minutes (will be provided for 2nd reading of the ordinance)
Ordinance

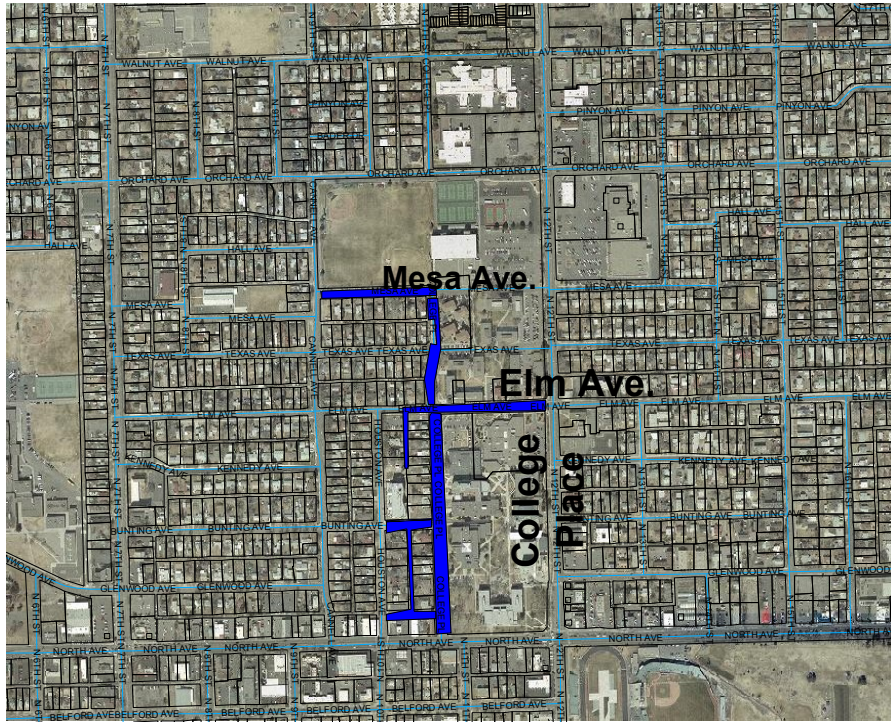
Site Location Map

Figure 1



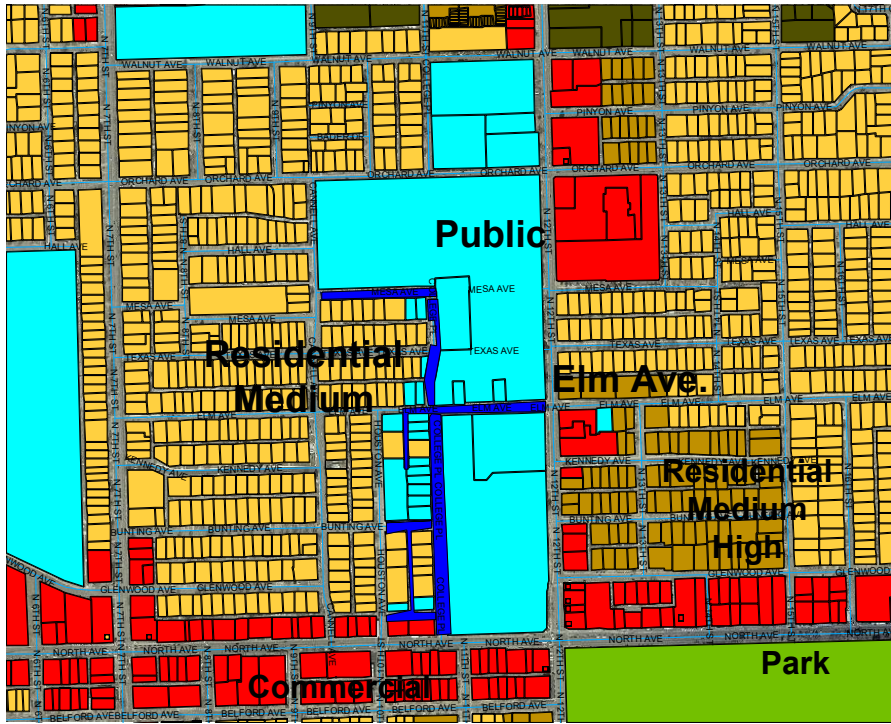
Aerial Photo Map

Figure 2



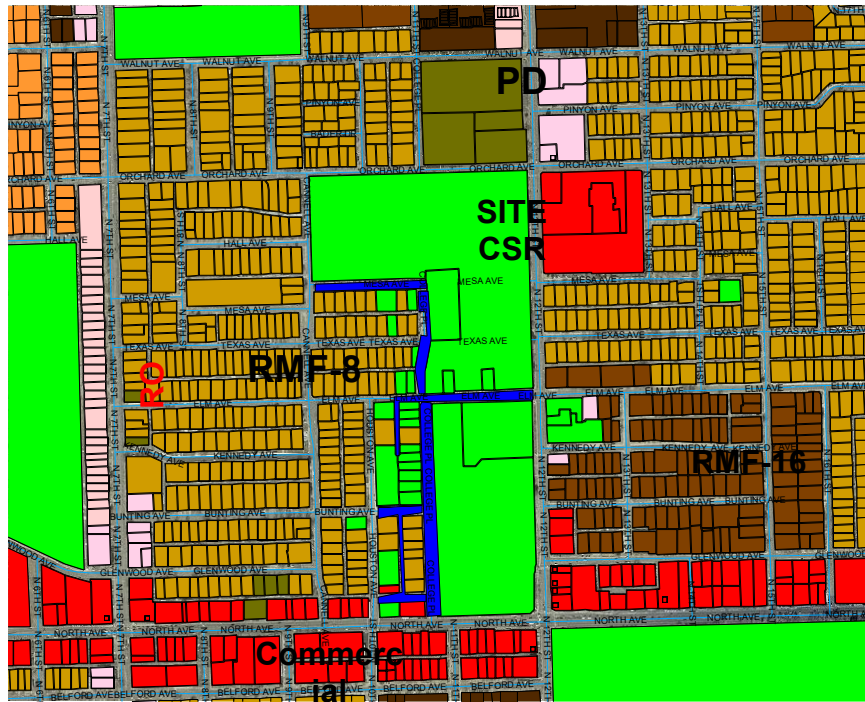
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



GENERAL PROJECT REPORT
FOR
MESA STATE COLLEGE
Street and Alley Vacation Submittal

Prepared for:

Mesa State College
Office of Facilities Services
1100 North Avenue
Grand Junction, CO 81501

Prepared by:

ROLLAND Engineering
405 Ridges Blvd.
Grand Junction, CO 81503

December 6, 2004

Project Description

Mesa State College (MSC) requests the vacation of several streets and alleys to allow the expansion of its campus. The vacation of the following rights-of-way have long been anticipated by MSC and represent the implementation of the Mesa State College Facilities Master Plan (1999) which identified these streets and alleys as necessary vacations in order to most efficiently expand the school's campus.

Prior to MSC's current Master Plan, other physical plans going back at least to 1976 likewise graphically depicted various street closures on the west side of the campus. MSC is now prepared to go forward with the vacation of the identified streets and alleys. Each of these rights-of-way represent different opportunities for campus expansion and to meet various college related needs. The proposed vacations and an explanation of their purposes are as follows:

- 1) **All alleys within the block bounded by North Avenue, College Place, Bunting Avenue and Houston Avenue** – Would allow the consolidation of an entire section of individual platted lots on one block to implement future conversion to green space and possibly future building construction.
- 2) **College Place from North Avenue to Mesa excepting out the west 30 feet of the right-of-way from Texas Avenue north to the north edge of the alley** – Would eventually create a one-way (south to north) traffic pattern to provide continued parking on both sides of the street that would be converted to paid parking for MSC. The west portion of College Place between Texas Avenue and the alley cannot be vacated at this time due to a private property not owned by Mesa State College. The property is located at the northwest corner of the intersection of College Place and Texas Avenue.
- 3) **Alley within the block bounded by Bunting Avenue, College Place, Elm Avenue and Houston Avenue** – Would complete the alley vacation that occurred next to the Fine Arts building to expand green area and may be part of the site for a future campus building.
- 4) **Elm Avenue between 12th Street and College Place** – Would restrict vehicular traffic to access only the campus parking lots and allow delivery trucks going to and from the College Center building but would prohibit through motor vehicle traffic in order to maximize the safety of pedestrians having to cross Elm Avenue; would also allow the potential expansion of the College Center to the north.
- 5) **Mesa Avenue between College Place and Cannell Avenue** – Would accommodate the future expansion of Bergman Field to the south allowing more recreation and green space area on the campus. An emergency turn-around at the end of College Place would allow emergency access to Bergman Field and Saunders Fieldhouse as well as a turn-around for the public.
- 6) **Bunting Avenue from College Place to Houston Avenue** – Would further consolidate two large campus blocks for a future building site and/or to expand campus green space.

Section 2.11 Vacations of Public Rights-of-Way or Easements

C. Approval Criteria. The vacation of the right-of-way or easement shall conform to the following:

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

The requested right-of-way vacations would impact the Growth Plan designation for some properties west of the campus. Currently, the majority of the area between College Place, North Avenue, Cannell Avenue and Mesa Avenue are designated for Residential Medium (4 – 8 units per acre) in the Growth Plan and these same properties are mostly zoned RSF-4. Meanwhile, the main MSC campus and its related development is zoned CSR (Community Service and Recreation) and its future land use designation is Public. As MSC goes forward with its expansion, it may be desirable to have Growth Plan amendments on properties to be used or re-developed for campus-related activities. Growth Plan amendments would allow consistency to occur for the campus expansion under the proper zoning designation.

The requested vacations should not affect the major street plan since all streets or rights-of-way involved are local streets except for Elm Avenue which is classified as a minor collector. Local circulation in the neighborhood is already restricted in some areas due to student parking and the high number of pedestrians located in a relatively limited area. This is especially true of Elm Avenue where a raised, pedestrian-safety crosswalk has been installed north of the College Center building west of 12th Street. The effect of this elevated crosswalk is to slow motor vehicle traffic speeds (or to require a full stop) in order for students crossing Elm Avenue to attend classes or go back and forth across campus via the College Center building. The heavy student foot traffic during the school year which occurs throughout the day combined with the permanent traffic speed calming structure in the street significantly reduces the functional ability of Elm Avenue and causes it to perform at a level below the typical capability of a minor collector. For example, Gunnison Avenue is also classified as a minor collector but allows constant traffic movement even through its school zones.

The effect of these requested vacations will be to re-route only minimal amounts of traffic to other streets such as Orchard Avenue, Cannell Avenue and North Avenue. At this time, College Place will remain as an access to the campus although future plans may alter its function or use. The closing of Elm Street will cause drivers to seek alternative routes through or around MSC. Surrounding streets currently have sufficient capacity, based on the City's street capacity guidelines, to accommodate the marginal amount of traffic that may need to use other streets in the neighborhood. Therefore, the requested vacations should not adversely affect the major street plan or any other City policies intended to ensure safe and efficient movement of traffic.

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

The existence of numerous platted residential lots in the area west of the campus would eventually result in landlocking some lots if all the requested vacations were to be granted. This is being resolved through a simple subdivision process which essentially consolidates all the MSC properties and the vacated rights-of-way into one lot. The creation of one large continuous tax parcel means that access would be maintained for any future development. Therefore, no developable lots would be landlocked that are not otherwise associated with MSC.

3. 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.

No lot or parcel having frontage on any street requested for vacation will end up having restricted or limited access which would be deemed to be unreasonable or cause the property to be devalued or otherwise economically reduced. MSC has worked to avoid such situations by purchasing or otherwise accepting properties in entire blocks in order to consolidate and unite land under its ownership and control.

4. 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.

The health, safety and/or welfare of both the college community and the residential neighborhood could derive some benefit from the proposed vacations. The provision for more parking within the campus boundaries would help reduce conflicts within the

neighborhood. It would also improve the safety for the current student population since some students resort to parking south of North Avenue or east of 12th Street and then have to cross those heavily used traffic streets to get to campus buildings and facilities. Additional parking along College Place would help reduce this safety issue for campus users.

There is adequate capacity on surrounding streets to accommodate the slight additional traffic that may occur with the proposed vacations. Since College Place will remain at this time as a main campus access, campus traffic can still utilize that street after the granting of the vacations. However, the future needs and planning of the MSC campus could result in the street being altered or eliminated. Observations of the current function of College Place is that it serves almost exclusive use for college-related traffic.

If additional easements for future service provisions are necessary within the vacated rights-of-way, they can be granted as long as there is no expected conflict with future building opportunities. As a condition of development approval for the site, necessary easements for public utilities and/or irrigation can be provided and would be re-located, if necessary, for future campus building activity.

5. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six.

Existing and future public facilities and services would not be inhibited to this or any other nearby property. The areas having existing utilities or other types of service facilities will continue to have these available after the vacations. This will occur by either an easement over the existing utility or re-location of the utility should a structure need to be built on or over where an existing utility is located.

Utility locations have been researched and utility providers contacted to make sure there were no foreseeable issues regarding utility lines. To date, there has not been any issues or concerns identified from utility providers indicating problems or disapproval to what is being proposed.

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

The elimination of these alleys and, particularly the streets, will be to reduce the City's maintenance requirements. Traffic from these vacated streets do have alternative streets available for circulation. The primary ones to accept the minimal traffic seeking alternative routes would be North Avenue, Orchard Avenue and Cannell Avenue. The vacation of the requested rights-of-way will also reduce the City's responsibility for maintaining streets that are heavily (although not exclusively) used by MSC students, facility and staff as well as other MSC facility visitors.

Some of the streets proposed to be vacated will continue to function as internal streets at this time, perhaps with some modifications, to serve Mesa State College. As a public entity, those streets can be used by the general public for College-related events or other business. However, once the extension of Bergman Field occurs, Mesa Avenue will be eliminated entirely and the portion of Bunting Avenue requested for vacation could eventually become a pedestrian and emergency-only access. Both of these potential improvements would provide enhancement to the MSC campus while alternative access options would remain available for vehicular movement to and through the college.

Conclusion

In 1999, the Mesa State College Facilities Master Plan identified the 1997 school enrollment as 4,716. Since then, the college has seen a steady yearly growth in

enrollment and the enrollment for the fall semester, 2004, of 5,569 represents a 4% increase from just a year ago when fall enrollment was 5,343. The change from 1997 to the fall semester, 2004, represents a 15.3% increase in MSC enrollment. In the meantime, necessary facilities such as classroom space, student support and activity services, and parking availability have not increased substantially to keep pace with the school's growth. Although new classroom space has increased with the construction of the Science Center building and the Moss Performing Arts Center over the course of the past three years, classroom supply is still not keeping up with enrollment or program expansion needs.

The identification of street and alley vacations was contemplated to some degree when MSC produced its first known master plan in 1975. It was clearly recognized then that Mesa State College would need to expand its campus to accommodate its growth and the only viable direction to grow was to the west. Over the past decade, the college has had an aggressive and successful property acquisition program with the goal of constantly adding to its desired campus area. Although progress has been made in increasing the campus development to the west, as evidenced by the construction of the Fine Arts building west of College Place, the necessity to fully engage the concept of significant campus expansion is now a priority of the highest order.

The requested vacations are a necessary step for MSC to fulfill its academic mission in serving the Grand Junction area and to most effectively perform its objective of providing higher education opportunities for the State of Colorado. The college needs to plan for its future with as much certainty and clarity as possible given the financial constraints facing public higher education throughout the state. Without the granting of these vacations, MSC will be considerably hampered in its efforts to meet the desires of its education objectives and the beneficial role it performs for Grand Junction and the surrounding region. The granting of these public rights-of-way are an essential component of the college's destiny.

From: Elaine Ingvertsen <ejijct@juno.com>
To: <KathyP@gjcity.org>
Date: 4/11/2005 9:34:07 PM
Subject: Planning Commission Hearing

Re: VR-2004-292 - Mesa State College Row Vacation request.

As we discussed earlier today, I am unable to attend the April 12 Planning Commission meeting due to illness. However, I would like to protest the above street vacation request.

For almost 40 years I have lived one block from the college campus at 1257 Elm Avenue. During that time I have watched the traffic and parking problems around the college virtually explode. There is never any parking available on Elm when classes are in session. If the interior campus streets are closed, students looking to park will become even more frustrated and, instead of driving around the campus from one side to the other as they can now on Elm, will doubtless park even more carelessly. I have had to call the police multiple times regarding cars parked across my driveway or in front of the fire hydrant on my corner.

Another area of concern is the limitation of access to the homes east of the campus if the streets are closed. Should there be need for any emergency vehicles, fire, ambulance, etc., they will have to go totally around the campus to reach this site. Wasting that amount of time could create a life and death situation.

The increase in traffic on Elm which will then have to turn either right or left at the intersection of 12th and Elm will create a major hazard for vehicles and pedestrians as well. As one who does walk in this area, I fear that someone in a hurry to get to the other side of the campus will ignore the traffic control and endanger a pedestrian. Even now crossing at that intersection is dangerous.

Several years ago the college requested a closure of these streets and a major traffic survey was undertaken (I'm sure at taxpayers' expense!) which showed that such a closure was not in the best interest of all concerned. I do not understand why the question is being revisited. Does the college intend to keep asking for this closure until someone gives in and approves it? It certainly will do nothing to improve the liveability for the neighborhood.

Please enter my protest against this request. I can be reached at 242-4640 if there are any questions.

Sincerely,

Elaine Ingvertsen

Beverly Lindsay
2537 Walnut Ave
Grand Junction, CO 81501
April 7, 2005

Community Development
City of Grand Junction
250 N 5th St
Grand Junction, CO 81501

RECEIVED
APR 07 2005
COMMUNITY D

To Whom It May Concern:

RE: Mesa State College request to close streets around the campus

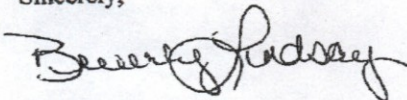
I am writing in regards to the upcoming hearing about the street closures around Mesa State College. I am writing for an elderly friend who lives in the area and continually drives down Elm Ave.

She is opposed to the closure of Elm Ave, as this will hinder her access to stores that are in the immediate area, as well as others that she shops at. She prefers to travel Elm Ave because of the limited traffic. North Ave and Orchard Ave are primary streets in the area that other motorists use and can be very busy making it difficult for her and other elderly people who live in the area to gain access too. Also because of her age, she is limited in the speeds and areas that she can drive.

Please consider the elderly people who live and drive in the area of Mesa State College. Closing Elm Ave would directly affect their abilities to travel in their immediate area. Their needs should be strongly considered before allowing Mesa State College to close roads around the campus that have been there for a long time. Hindering the traveling public would be a detriment to the entire community around Mesa State College.

Thank you for hearing my concerns for my elderly friend, as well as other elderly people who live in the area.

Sincerely,



Beverly Lindsay

From: Gi Moon <gmoon@weststarbank.com>
To: "KathyP@gjcity.org" <KathyP@gjcity.org>
Date: 4/11/2005 10:56:45 AM
Subject: FW: Notice of Development - VR-2004-292 - Mesa State College Row

Hi Kathy, Thank you again for your time this morning. I am forwarding you the original email I sent to the city council members in March. To clarify I only oppose the closer of Elm Avenue from College Place to 12th Street. I want to see this street remain a thoroughfare in our city and hope to see compromise on this access to 12th Street from our neighborhood.

Thank you

Gi Moon
WestStar Bank - Grand Junction
(970) 254-7509 (direct)
(970) 270-7654 (cell)

-----Original Message-----

From: Bruce Hill [mailto:brucehill@ci.grandjct.co.us]
Sent: Friday, March 18, 2005 1:17 PM
To: Bill McCurry; Cindy Enos-Martinez; Dennis Kirtland; Gregg Palmer; Harry Butler; jimsp@cigrandjct.co.us; gmoon@weststarbank.com
Subject: RE: Notice of Development - VR-2004-292 - Mesa State College Row

Hi Gi,
Thank you for taking the time to express your viewpoint and concerns. It is always good to here from our public and residents that take an active role in helping shape our community to be the best it can be.
Thanks again,
Bruce

Bruce Hill
Mayor
City of Grand Junction

www.gjcity.org

>>> Gi Moon <gmoon@weststarbank.com> 3/18/2005 11:54:27 AM >>>
Dear City Council Members:

I am responding to the pending request from Mesa State College to vacate basically all public access and thoroughfare from North Avenue to Orchard Avenue and 12th Street to Cannel Avenue. As a 14 year resident of this neighborhood, I wish to express my objections to the proposed vacation. I live at 885 Hall Avenue and regularly use Elm Avenue to access both 12th and 7th Streets. I appreciate the college's responsibility to keep their pedestrian students and staff safe. I also understand that as the College has acquired property along College Place and Houston Avenue this vacation request would seem a natural progression.

I propose however, that this plan is much too extreme and does not acknowledge nor value the many households that also call this area of Grand Junction home. I purposefully live in a central part of Grand Junction partially so that we can enjoy the easy access to the City's amenities. The proposed vacation creates too large of an area with no public thoroughfare. The college proposed a similar closing of Elm Avenue a few years ago when they put in the student housing on the corner of College Place and Elm Avenue. Community residents opposed the closer then and I oppose it again today. To my knowledge there have been no car/pedestrian accidents on Elm Avenue in this area since the current crosswalk(s) were installed and in my opinion the current crosswalk(s) for Elm Avenue in this vicinity provide a good balance addressing the College's concerns and preserving the neighborhood's access.

Thank you for your attention to this matter and please vote No on the closer of Elm Avenue from 12th Street to College.

Gi Moon
WestStar Bank - Grand Junction
(970) 254-7509 (direct)
(970) 270-7654 (cell)

Joint Advisory Council Members

Mike Akens, Bookcliff Auto Parts, Inc.
Mark Fugere, Hilltop Community Resources
Ed Gardner, Whitewater Building Materials
Frank Mitchell, ZIMKOR
Steve Poust, SOS Staffing Services, Inc.
Doug Rosendale, VA Medical Center
Pennie Scanga, Mesa State College
Larry Theisen, Big O Tires
Dave Duff, Reynolds Polymer Technology
Joanna Little, Re/MAX 4000
Linda Bowman, Ryan, Whitney & Co.

ORDINANCE NO.

**AN ORDINANCE VACATING COLLEGE PLACE, A PORTION OF MESA AVENUE,
BUNTING AVENUE AND ELM AVENUE AND VARIOUS ALLEYS NEAR THE MESA
STATE COLLEGE CAMPUS**

Recitals

Mesa State College has requested the vacation of several streets and alleys to allow expansion of the campus to the west, in accordance with the 1999 Facilities Master Plan. The interim plans for some of the vacated right-of-way are to provide additional parking for the campus. All of the vacated ROW must be maintained as utility easements and some require the provision of access easements to allow for adequate circulation and the continuation of the bicycle route on Elm Avenue. The vacated ROW will require the consolidation of the adjacent lots through a replat of the property.

The City Council finds that the request is consistent with the Growth Plan goals and policies that encourage Mesa State College to remain at the existing location and expand to the west. It also meets the criteria of section 2.11 of the Zoning and Development Code with the conditions of approval.

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

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

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

VC A-1

That certain street and alley right-of way dedicated by the plat of McMullin & Gormley Subdivision of the W1/2SE1/4SE1/4 Section 11, T1S, R1W, Ute Meridian, in the City of Grand Junction, Colorado, as recorded by Reception Number 349926 in the Office of the Mesa County Clerk and Recorder, which right-of-way is more particularly described as follows:

1. All of College Place between the northerly right-of-way line of North Avenue, as extended East of the Southeast Corner Block 5 and extending northerly to the intersection with Elm Avenue, as shown on said plat.

2. All that part of Elm Avenue, as shown on said plat, lying east of the southward extension of the westerly line of Lot 32 in South Garfield Park, Reception Number 539508, and extending easterly to the easterly right-of-way line of College Place, as shown on said plat.
3. All that part of Bunting Street lying east of the easterly right-of-way line of Houston Avenue as extended South of the Southwest Corner of Block 1 and extending easterly to the easterly right-of-way line of College Place, as shown on said plat.
4. That entire north-south alley in Block 4, as shown on said plat.
5. That entire east-west alley lying between Block 4 and Block 5, as shown on said plat.
6. All that north-south alley lying in Block 1, as shown on said plat, not previously vacated by Ordinance Number 3356, as recorded in Book 3163 at 733 in the Office of the Mesa County Clerk and Recorder.

VC A-2

That certain street and alley right-of way dedicated by the plat of Mesa College Campus, in the E1/2SE1/4SE1/4 of Section 11, T1S, R1W, Ute Meridian, in the City of Grand Junction, Colorado, as recorded by Reception Number 459010 in the Office of the Mesa County Clerk and Recorder, which right-of-way is more particularly described as follows:

1. All of College Place between the northerly right-of-way line of North Avenue, as extended West and extending northerly to the intersection with Elm Avenue, as shown on said plat.
2. All of Elm Avenue lying west of the west right-of-way line of 12th Street as extended North and extending westerly to the intersection with College Place, as shown on said plat.

VC A-3

That certain street and alley right-of way dedicated by the plat of South Garfield Park, in the SE1/4 of Section 11, T1S, R1W, Ute Meridian, in the City of Grand Junction, Colorado, as recorded by Reception Number 539508 in the Office of the Mesa County Clerk and Recorder, which right-of-way is more particularly described as follows:

1. All that part of Elm Avenue lying east of the southward extension of the westerly line of Lot 32 of said subdivision, and extending easterly to the westerly right-of-way line of 12th Street, as shown on said plat.
2. All that part of the east-west alley lying East of the westerly line of Lot 11 of said subdivision extended South, and extending easterly to the westerly end of that certain alley vacated by Ordinance Number 2913, as recorded in Book 2232 at Page120 in the Office of the Mesa County Clerk and Recorder.
3. All that certain right-of-way granted by quit-claim deed in Book 973 at Page 255 in the Office of the Mesa County Clerk and Recorder, said right-of-way comprising all or parts of Lot 11, Lot 12, Lot 30 and Lot 31 in said South Garfield Park.
4. All that part of Texas Avenue lying east of the southward extension of the centerline of College Place as described in Garfield Park Subdivision, as recorded by reception #444756 in the Office of the Mesa County Clerk and Recorder and extending easterly to the easterly right-of-way line of College Place and to the westerly end of that part of Texas Avenue vacated by Ordinance Number 1299.

VC A-4

That certain street and alley right-of way dedicated by the plat of Garfield Park Subdivision, in the SE1/4 of Section 11, T1S, R1W, Ute Meridian, in the City of Grand Junction, Colorado, as recorded by Reception Number 444756 in the Office of the Mesa County Clerk and Recorder, which right-of-way is more particularly described as follows:

1. All that part of the east one-half of College Place lying north of the intersection with Texas Avenue, as shown on the plat, and extending northerly to the eastward extension of the northerly right-of-way line of the east-west alley in Block 6 of said Garfield Park Subdivision, as shown on said plat.
2. All of College Place lying north of the eastward extension of the northerly right-of-way line of the east-west alley in Block 6 of said Garfield Park Subdivision and extending northerly to the northerly right-of-way line of Mesa Avenue as extended east from the Southeast Corner Block 3 of said subdivision, as shown on said plat.
3. All of Mesa Avenue lying east of the easterly right-of-way line of Cannell Avenue, as shown on said plat, and extending easterly to the easterly right-of-way line of College Place and the westerly end of that part of Mesa Avenue vacated by ordinance Number 1299.

See Exhibit B1 through Exhibit B5 attached hereto.

Provided, however, that those certain street and alley rights-of-way vacated herewith shall be subject to utility easements and within such utility easements only sod or asphalt surface treatment will be allowed. Other surface treatment shall be subject to review and approval by the City of Grand Junction.

Also provided that the section of College Place, between Elm Avenue and the east-west alley north of Texas Avenue, and that portion of Elm Avenue, west of College Place, shall be subject to an access easement for general traffic circulation.

And, also provided that the section of Elm Avenue, east of College Place, shall be subject to an access easement for non-motorized use to maintain the bicycle route along Elm Avenue.

Such right-of-way vacation shall also be subject to the dedication of right-of-way at the northeast corner of North Avenue and College Place for a right turn lane along North Avenue.

This ordinance shall not be effective until a plat is recorded for the adjoining properties consolidating lots and dedicating the required easements and additional right-of-way.

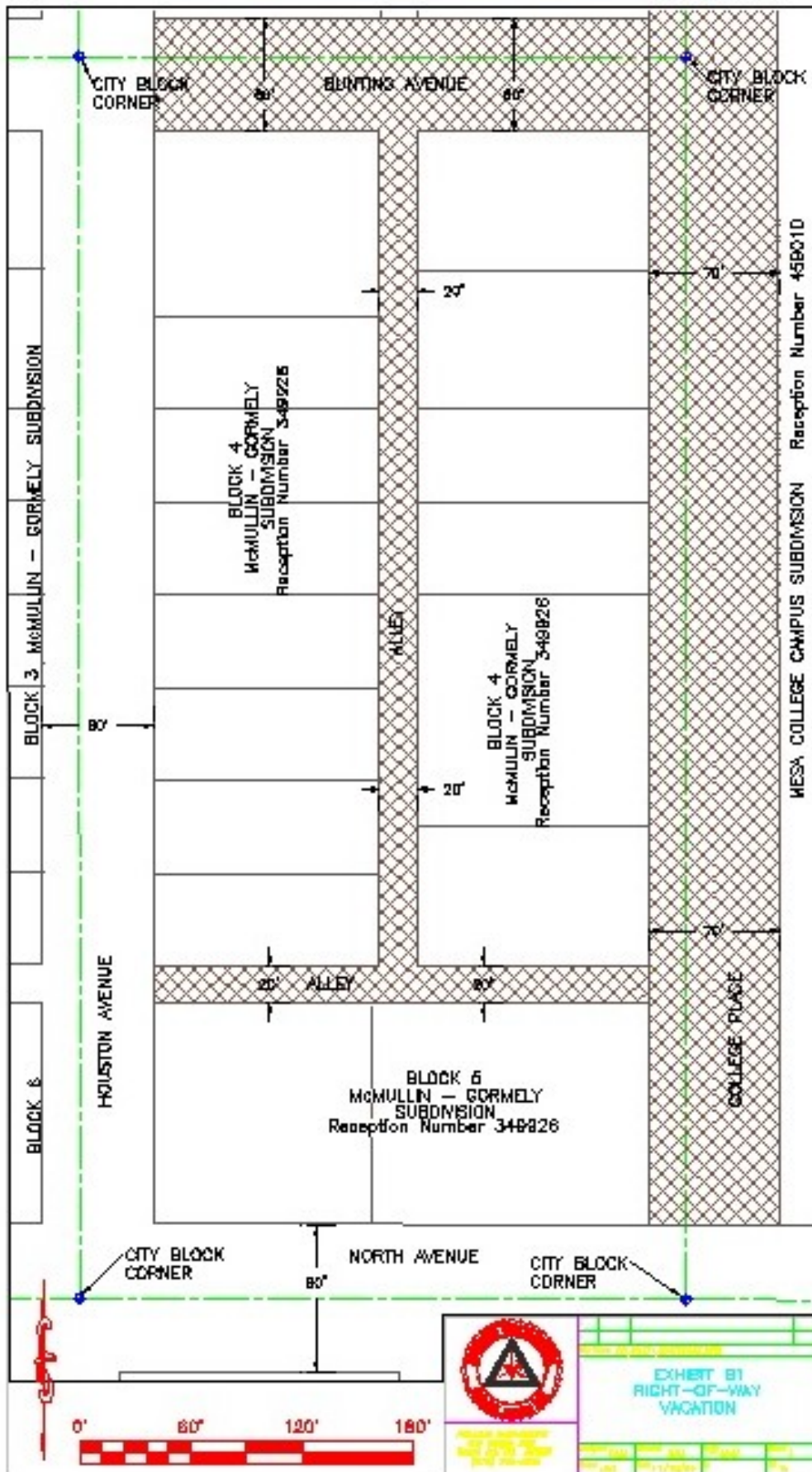
Introduced on first reading this 20th day of April, 2005 and ordered published.

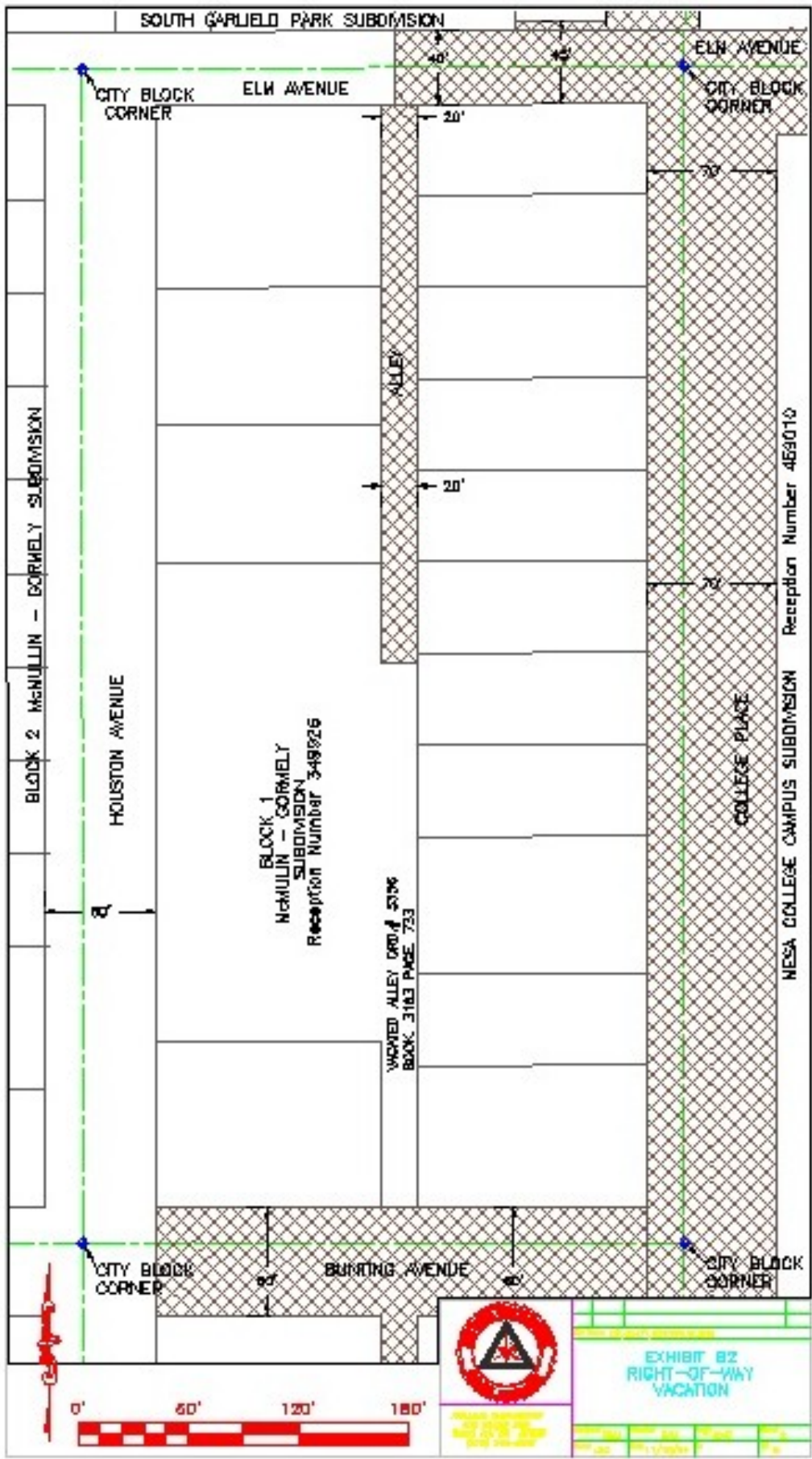
Adopted on second reading this ____ day of _____, 2005.

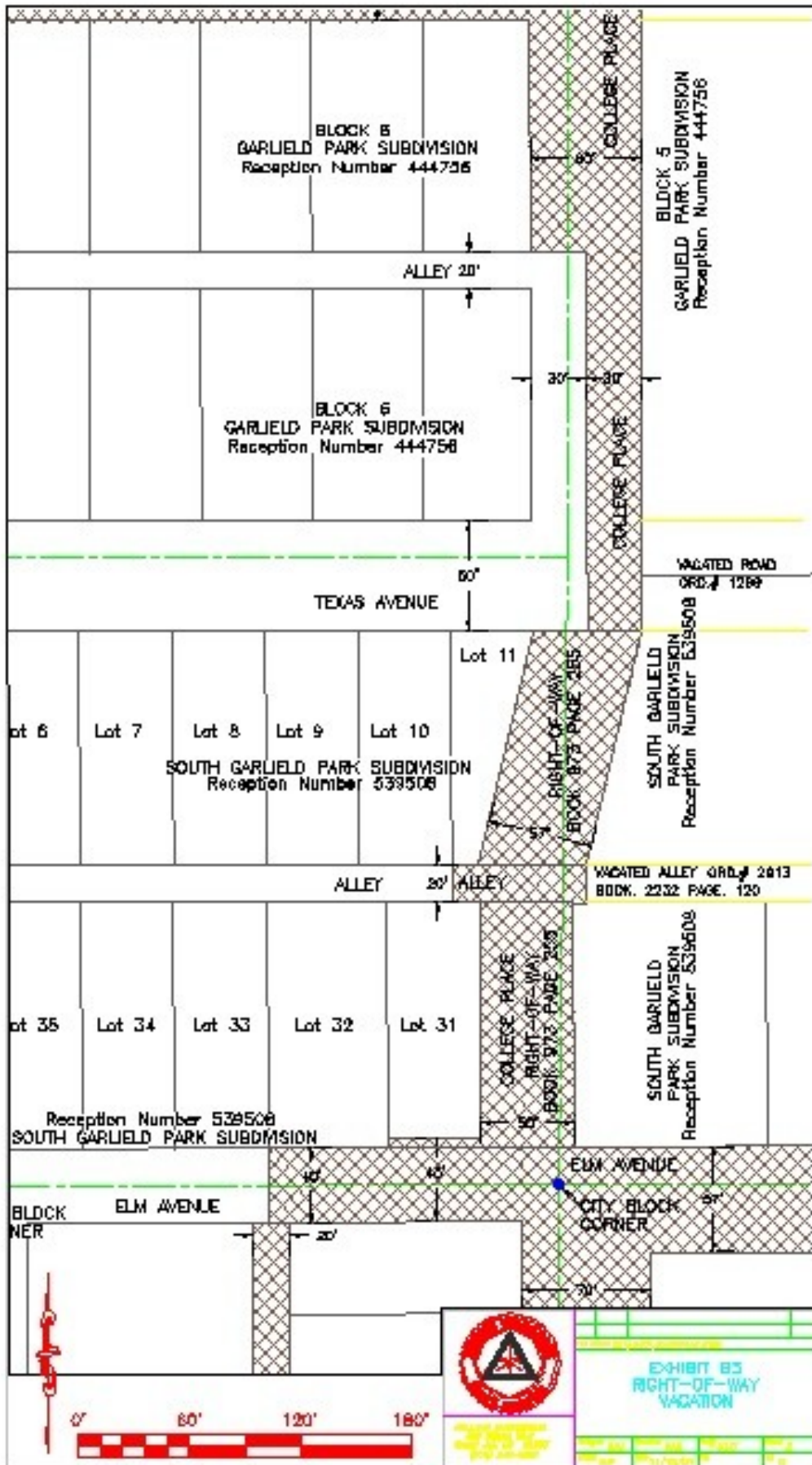
Mayor

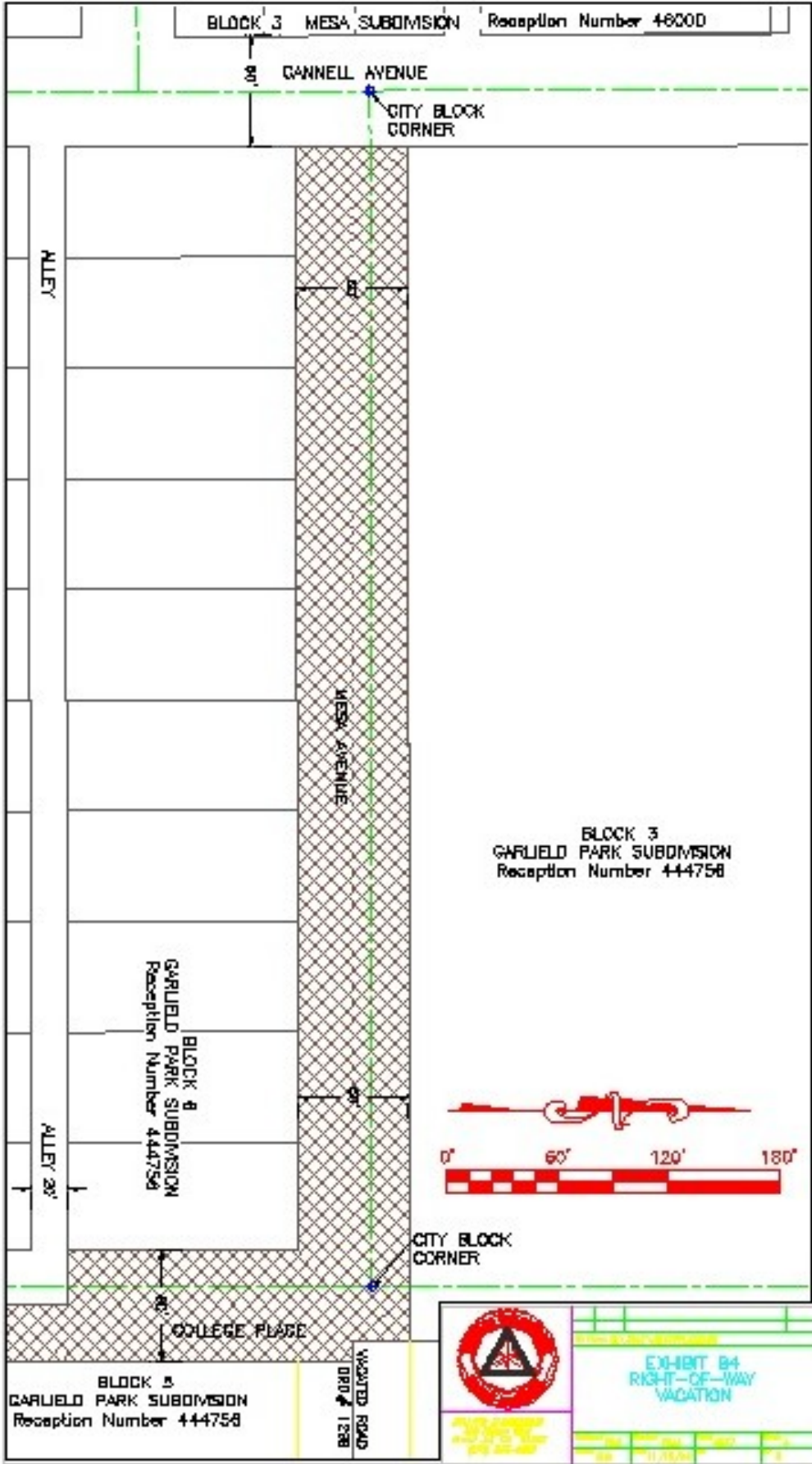
ATTEST:

City Clerk









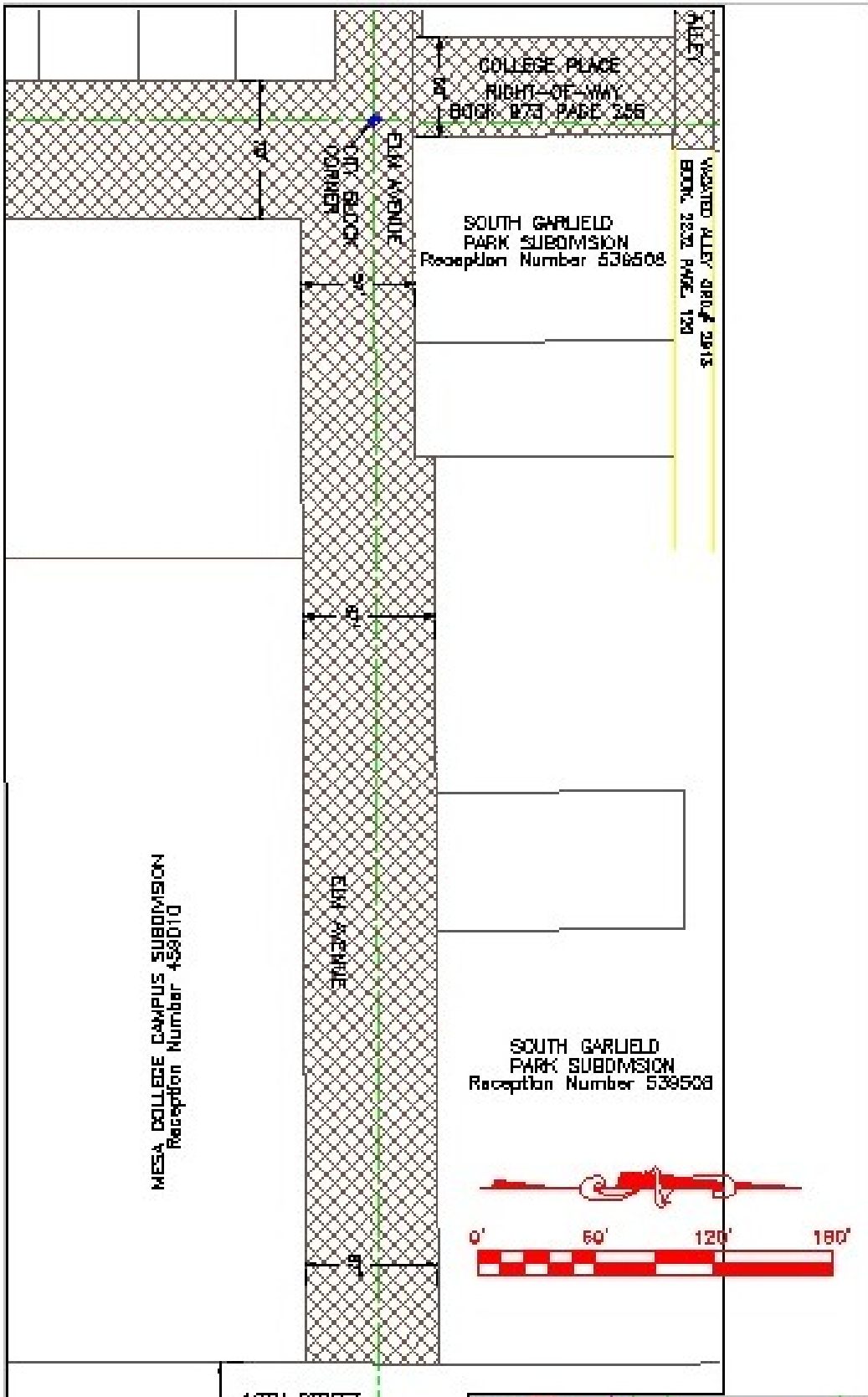


EXHIBIT 65
RIGHT-OF-WAY
VACATION

Attach 9
JAG Grant Award

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	JAG Grant Award					
Meeting Date	20 April 2005					
Date Prepared	05 April 2005				File #	
Author	Bob Russell			Services Support Lieutenant		
Presenter Name	Greg Morrison			Chief of Police		
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda	X	Consent	Individual Consideration

Summary: The Justice Assistance Grant is direct funding awarded from the Bureau of Justice Assistance based upon population and crime statistics (UCR). This is a replacement program for the LLEBG (Local Law Enforcement Block Grant) and operates under similar rules and requirements. The two main law enforcement jurisdictions in Mesa County, the Grand Junction Police Department and the Mesa County Sheriff's Office were awarded \$42,990 for 2005. The funds are to be split between the two agencies and used for law enforcement related programs.

Budget: The Grand Junction Police Department is slated to receive \$21,445 through this program. The funds are a direct grant from a federal source and therefore outside of Tabor restrictions. These funds will be used to support technological improvements for the Police Department including helping to purchase an interface between the current field based reporting product and records management, an Automated Vehicle Locator system, Electronic Ticketing, Broadband Wireless Networking, the development of middleware for county wide integration of technology systems, and a redevelopment of the technology resident in our patrol cars.

Action Requested/Recommendation: Authorization for the City Manager to Sign a Contract Accepting \$21,445 from the JAG program.

Attachments: Grant Data Sheet

Background Information: The Bureau of Justice Assistance has discontinued both the LLEBG and the Byrne Memorial Grant programs. They have been combined into one two part process, one of which is the formula grant program under which the Grand

Junction Police Department is eligible to receive \$21,445. Past LLEBG funds have been used to purchase tasers and some technology equipment.

CITY OF GRAND JUNCTION
GRANT DATA SHEET

DATE: 4/7/2005 REVISION NUMBER _____

DEPARTMENT: Police CONTACT: Bob Russell PHONE: 244-3656

SUB-RECIPIENT: _____ CONTACT: _____ PHONE: _____

CONTRACT REQUIRED FOR ALL SUB-RECIPIENTS!

GRANT NAME: JAG GRANT #: _____

SOURCE OF FUNDS: Office of Justice Programs (FEDERAL, STATE, OTHER)

GRANTOR: Bureau of Justice Assistance CONTACT: _____ PHONE: _____

PURPOSE/PRODUCT/OUTCOME:

Improvement of Law Enforcement Systems

IF FEDERAL /STATE FUNDS, CHECK COMPLIANCE REQUIREMENTS LIST ON BACK!

REQUIREMENTS/SCHEDULE:

Quarterly Financial reporting

WILL THIS REQUIRE: NEW EMPLOYEE(S)? No NEW EQUIPMENT? Yes

FINANCIAL SUMMARY (ATTACH DETAIL):

Projected cost of project or program: \$ 21,445
Estimated cost of administration: _____
Grant in-eligible costs (application): _____
Total costs of grant..... \$ 21,445
Amount of grant \$ 21,445
Other revenues _____
Total revenues..... \$ 21,445
Net cost of the project to the City.....: \$ 0
Amount to be appropriated: \$ 0

FUTURE IMPACTS:

Description

Annual ongoing expenditures: \$ 0 _____

Onetime/periodic expenditures: \$ _____

Revenue account number: Fund 100 Org 431 Account 42113 Pgm 21 Activity _____

Expenditure account number: Fund 100 Org 431 Account 78700 Pgm 21 Activity _____

(If more than one account, attach a list.)

Are revenues/expenses included in the current budget? No Revised? No

APPROVALS: Department Director: [Signature] Date: 4.12.05

Grant Coordinator: _____ Date: _____

Finance Director: _____ Date: _____

City Manager: _____ Date: _____

City Council: Approved: _____ Acceptance: _____ Contracts: _____

DATES:

Application deadline _____ Award of grant: _____ Extension deadline _____

Date of receipt: _____ Required completion date: _____ Closeout _____

Report(s) required: _____ (date, monthly, quarterly)

ATTACH NOTES AS NECESSARY - FINANCIAL ANALYSIS, METHOD/TIMING OF PAYMENTS, MULTIPLE REQUIREMENTS, SCHEDULE, OTHER EXPLANATIONS.

City of Grand Junction
Compliance Check List

This check list is provided to help the Department Contact in identifying requirements of the grant for which the requestor is responsible. It does not move the responsibility for compliance or the monitoring of compliance of a department or sub-recipient to the Administrative Services Department

- Co-applicants
- Contract(s) Sub-recipient Source of funds Other
- Insurance/bonding

- Single Audit
- Environmental review
- Equal employment opportunity enforcement
- Davis Bacon
- Minority and/or other preference processes

- Matching funds Budgeted Unbudgeted Generated
- Program income
- Federal funds Advance or Reimbursement
- Payment requests, reports
- Debt issuance
- Cost allocation plan for indirect costs

- State checklist available
- Local determinations

- Hearings / public input / notices / signs
- Open competitive bids
- Plan for real property acquisition and replacement, relocation of people
- Inspections / grantee / grantor

- Subsequent maintenance and/or monitoring
- Subsequent restrictions of use
- Asset monitoring, inventions, patents, equipment (subsequent usage)
- Record retention
- System of documentation

- Other (explain)

ATTACH ANY ADDITIONAL COMMENTS.
ATTACH A COPY OF THE GRANT APPLICATION, AWARD, AND OTHER DOCUMENTATION.

Attach 10

Acquisition of 934 S 4th Street for Riverside Parkway Project

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Determining the Necessity of and Authorizing the Acquisition of Real Estate by Condemnation for the Riverside Parkway Project					
Meeting Date	April 20, 2005					
Date Prepared	April 14, 2005				File #	
Author	Jim Shanks Trent Prall		Riverside Pkwy Program Manager 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 proposed resolution will authorize the City to initiate condemnation proceedings to acquire a parcel at 934 S. 4th St.

Budget: Sufficient funds exist in the 2005 Riverside Parkway budget to complete the City's due diligence investigations and purchase of this property:

2005 Right-of-Way Budget	\$10,000,000
2005 Right-of-Way Related Expenses to Date:	\$2,269,158
Costs Related to this Property Purchase:	
Estimated Purchase Price	\$115,000
Replacement Housing Supplement (2 separate tenants)	\$32,417
Estimated Moving Costs (2 separate tenants)	\$2,085
Estimated Closing Costs	\$1,500
Environmental Inspections	\$5,000
Asbestos Removal	\$5,000
Demolition	\$1,000
Misc environmental cleanup	\$1,000
Total Costs Related to This Request	\$163,002
2005 Remaining Right-of-Way Funds	\$7,567,840
Total Project Budget	\$91,495,000
Estimated Project Costs:	
Prelim. Engineering / 1601 Process	\$5,486,000
Other Prelim. Engineering (Admin / Stipends / Attorneys)	\$3,115,000
Utility Relocations / Street Lights	\$4,500,000
Final Design	\$2,994,000
Construction	\$52,000,000
Construction Oversight	\$4,400,000
Right-of-Way Land Purchases and Relocations	\$19,000,000
Total Estimated Project Costs	\$91,495,000
Remaining Funds / Contingency	\$0
*Includes 910 S. 4th St, 1014 S 4th St, 1554 Independent and 2502 Hwy 6&50 approved by Council on 2/2/05, 2501 Hwy 6&50 and 912, 918, and 940 S 4th St approved by Council on 2/16/05 and 402 Noland Ave and multiple CWOA properties approved on 3/2/05.	

Action Requested/Recommendation: Pass and adopt proposed resolution.

Attachments:

1. Proposed Resolution.

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 City Council has adopted details, plans, schedules and funds for the construction of the Riverside Parkway. Acquisition of the property at 934 S. 4th St is required to complete the interchange with Highway 50 (5th St).

Negotiations to purchase the subject property began on January 21, 2005. At that time the City had obtained its own appraisal and had also paid for an appraisal obtained by the property owners. The City's appraisal estimated the fair market value of the subject property to be \$115,000 and that is the amount the City initially offered to

purchase the subject property. The property owner's appraisal estimated the fair market value of the subject property to be \$209,000.

On February 18, 2005, the City gave the owners a final offer letter to purchase the subject property for the sum of \$115,000. The final offer letter states that if it is necessary to acquire the subject property through litigation, the City reserves the right to present evidence based upon the amount of just compensation as determined by its appraiser. The owners have not accepted the City's final offer.

To facilitate the construction schedule for Riverside Parkway, 934 S 4th St must be available for demolition on October 1, 2005. As a result, Council direction on the issue will be required on April 20, 2005, allowing the statutory time necessary to secure a court date and obtain immediate possession. The City and the owners may continue to attempt to reach a settlement until a valuation hearing is held.

The subject property is located north of the Paintball facility west of Hwy 50. The residential property has three rental units including a house, a two bedroom apartment, and a one bedroom apartment. The City is currently renting the house to avoid additional tenant relocation.

The subject property contains 0.164 acres of C-2 zoned land area and three buildings including a 1340 sq ft house constructed in 1920, a two bedroom apartment and an outbuilding that has been converted into a one bedroom apartment.

A Phase I Environmental Audit has been completed for the purchase. No special remediation requirements are anticipated.

Tenant Relocations. There are two tenants that will require relocation as part of the acquisition. Per the acquisition and relocation policy, the City must find the tenant three comparable properties to determine the value of a “decent, safe, and sanitary” (DSS) replacement rental house. The house must also be in a similar or better neighborhood and must be comparable to the relocatee’s lifestyle. The selected comparable must be available when an offer is made to the relocatee.

Tenant #1. A comparable house currently on the market at the time the relocation offer was presented was identified at 2564 F Rd, GJ CO for \$625 including utilities. The determination of the rent supplement is calculated as follows:

Comparable DSS rent	\$	625
Rent at current property (based on financial means)	\$	180
Months		42
Total Replacement Housing Payment	\$	18,690

The tenant is entitled to \$18,690 as rent supplement, upon occupation of a DSS replacement house and providing the City of Grand Junction, with the appropriate documentation. This rent supplement may be used toward the purchase of a DSS house and would be eligible upon providing a purchase contract that shows they are spending \$18,690 or more for the property.

Tenant moving costs are based the lower of two move estimates or \$1,235.

The total to be paid to the tenant #1 is \$19,925.

Tenant #2. A comparable house currently on the market at the time the relocation offer was presented was identified at 430 N. 15th St, GJ CO for \$600 including utilities. The determination of the rent supplement is calculated as follows:

Comparable DSS rent	\$	600.00
Rent at current property (based on financial means)	\$	273.15
Months		42
Total Replacement Housing Payment	\$	13,727.70

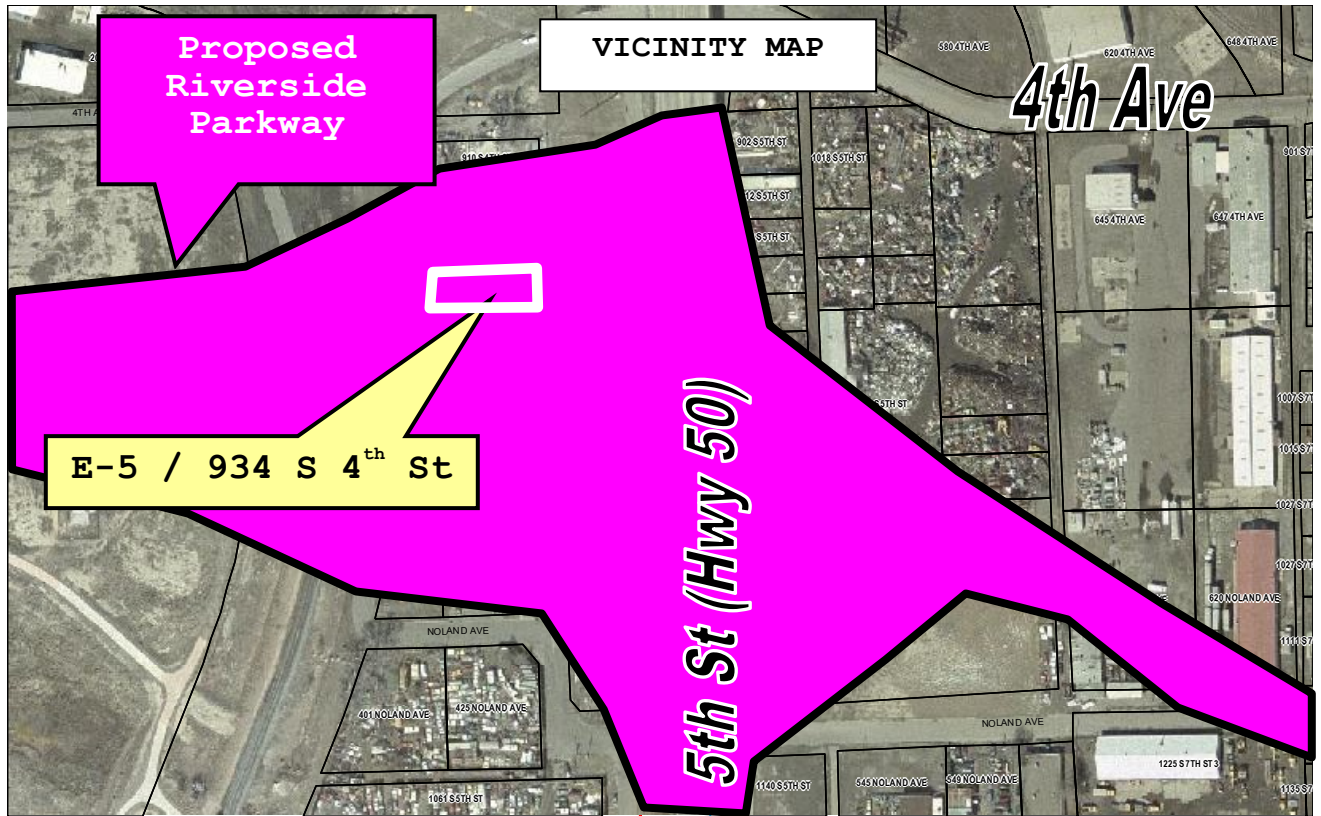
The tenant is entitled to \$13,727.70 as rent supplement, upon occupation of a DSS replacement house and providing the City of Grand Junction, with the appropriate documentation. This rent supplement may be used toward the purchase of a DSS house and would be eligible upon providing a purchase contract that shows they are spending \$13,727.70 or more for the property.

Tenant moving costs are based on a fixed schedule of four furnished rooms for a total payment of \$ 850 or, the City of Grand Junction will pay a mover directly for a personal property move up to a 50 mile limit.

The total to be paid to the tenant #2 is \$14,577.70.

Parcel Budget. This acquisition and tenant relocations for this parcel were estimated at \$180,719. Due to the City being able to secure the front house with a protective lease while it was vacant, an additional relocation will not be necessary. Therefore the anticipated costs for

this acquisition and tenant relocations are \$149,502.70 assuming the parcel is acquired for \$115,000. This is \$31,216 under the estimated amount for this parcel.



RESOLUTION NO. _____

**A RESOLUTION DETERMINING THE NECESSITY OF
AND AUTHORIZING THE ACQUISITION OF CERTAIN PROPERTY,
BY EITHER NEGOTIATION OR CONDEMNATION,
FOR MUNICIPAL PUBLIC FACILITIES**

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

Section 1. It is hereby determined that it is necessary to the public health, safety and welfare that certain property be acquired for public street, sidewalk, parking, utility and drainage purposes. The necessary property as hereafter described in Section 3, is to be acquired by negotiation and purchase if possible; provided, however, the condemnation of said property is hereby specifically approved and authorized. The property sought to be acquired is to be used for municipal public purposes associated with the Riverside Parkway project.

Section 2. The City Attorney is hereby specifically authorized and directed to take all necessary legal measures, including condemnation, to acquire the property which is legally described and set forth in the following section, which is hereby determined to be necessary to be acquired to be used for public street, sidewalk, parking, utility and drainage purposes. The City Attorney is further authorized to request immediate possession of the parcels hereinafter set forth.

Section 3. Interest to be acquired: Fee simple absolute.

Owner of record: Teresa J and Tony A Vega

Project Parcel Number; E-5

Legal Description:

Mesa County Tax Assessor 2945-232-00-005

Beginning at a point 164 feet West and 203.5 feet South of the intersection of the West line of Fifth Street with the North line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, Township 1 South, Range 1 West of the Ute Meridian, thence West 143 feet, thence South 50 feet. Thence East 143 feet, thence North 50 feet to the point of beginning, Mesa County, Colorado.

also known by street and number as: 934 South 4th Street, Grand Junction, CO.

The interest to be acquired shall include all buildings attached to the property as realty in accordance with Colorado law.

Section 4. The City Council hereby finds and resolves, in the event that acquisition by condemnation of the parcels described in this resolution is commenced, that immediate possession is necessary for the public health, safety and welfare, due to design and construction deadlines.

Section 5. The Charter authorizes this resolution and the actions described. The resolution shall be effective upon an affirmative vote of a majority of the City Council considering it.

PASSED and ADOPTED this _____ day of _____, 2005.

Attest:
Council

President of the

City Clerk

Attach 11

Purchase of Properties from Union Pacific Railroad for the Riverside Parkway Project

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Purchase of Portions of Properties and Interests at Numerous Locations from Union Pacific Railroad for the Riverside Parkway Project					
Meeting Date	April 20, 2005					
Date Prepared	April 14, 2005				File #	
Author	Jim Shanks		Riverside Pkwy Program Manager			
	Trent Prall		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 City has entered into a contract to purchase portions of various parcels from Union Pacific Railroad for the Riverside Parkway Project. The City's obligation to purchase this property is contingent upon Council's ratification of the purchase contract.

Budget: Sufficient funds exist in the 2005 Riverside Parkway budget to complete the City's due diligence investigations and purchase of this property:

2005 Right-of-Way Budget	\$10,000,000
2005 Right-of-Way Related Expenses to Date:	\$2,269,158
Costs Related to this Property Purchase:	
Estimated Purchase Price	\$3,083,615
Estimated Closing Costs	\$2,500
Environmental Inspections	\$7,500
Misc environmental cleanup	\$200,000
General government resource reimbursement for parcel D-4	(\$541,044)
General government resource portion of cleanup of parcel D-4	(\$150,000)
Total Costs Related to This Request	\$2,602,571
2005 Remaining Right-of-Way Funds	\$5,128,271
Total Project Budget	\$91,495,000
Estimated Project Costs:	
Prelim. Engineering / 1601 Process	\$5,486,000
Other Prelim. Engineering (Admin / Stipends / Attorneys)	\$3,115,000
Utility Relocations / Street Lights	\$4,500,000
Final Design	\$2,994,000
Construction	\$52,000,000
Construction Oversight	\$4,400,000
Right-of-Way Land Purchases and Relocations	\$19,000,000
Total Estimated Project Costs	\$91,495,000
Remaining Funds / Contingency	\$0
*Includes 910 S. 4th St, 1014 S 4th St, 1554 Independent and 2502 Hwy 6&50 approved by Council on 2/2/05, 2501 Hwy 6&50 and 912, 918, and 940 S 4th St approved by Council on 2/16/05 and 402 Noland Ave and multiple CWOA properties approved on 3/2/05.	

Action Requested/Recommendation: Pass and adopt proposed resolution.

Attachments:

1. Proposed Resolution.

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 City Council has adopted details, plans, schedules and funds for the construction of the Riverside Parkway. Acquisition of portions of the property from Union Pacific Railroad are required to complete the Riverside Parkway along River Road, the Riverside neighborhood and D Road.

Negotiations to purchase the subject property began in December 2003. The City has obtained its own appraisal and had also paid for an appraisal obtained by the Union Pacific Railroad. The City's appraisal estimated the fair market value of the subject property to be \$3,083,615 and that is the amount the City has offered to purchase the subject property. The property owner's appraisal estimated the fair market value of the subject property to be \$2,356,266. The City policy is to pay at least the amount of its own appraisal; this approach is consistent with state and federal policy that would be used on state and federal projects.

The subject property is located throughout the Riverside Parkway corridor. The portions to be acquired contain the following:

Project Parcel	Assessor Number	Address	Zoned	Easement Reqd (Sq Ft)	ROW Reqd (Sq Ft)	Remainder Acquisition
A-6	None	UPRR #7,26,9,8,27,18,28,10,11,12,13,14,15,16,17,19,1	I-1	3,536	203,726	---
C-10	None	UPRR #20,21,2	I-1	477	19,531	---
C-11	N/O C340	UPRR #3,22,23,24	I-1	809	6,853	---
D-4	2945-232-04-002	UPRR #6 TOTAL ACQUISITION	I-2	0	54,438	225,435
D-5	S/O C340 - Ped Bridge	UPRR #4,25,29,31	I-1	289	302,138	---
E-92	None	UPRR #34,37,35,38,36	C-2	---	23,413	---
F-58	2945-134-00-024	UPRR #5 (east of 27 1/2 Rd)	I-1	39,693	13,678	
Total square footage				44,804	623,777	225,435
Total acreage				1.03	14.32	5.18

A Phase I Environmental Audit and Phase II sampling and testing have been completed for the purchase. The largest environmental risk appears to be on parcel D-4 where there is an apparent history of dumping at the site. There were nine soil investigations / borings on the site to a depth of 5 feet. Only one test hole on the northeast corner of the property had slightly elevated levels of phenanthrene, lead, and petroleum hydrocarbon; however those concentrations were limited to the surface sample and therefore the volume of impacted soil is not expected to be large. No special remediation requirements are anticipated; however \$200,000 is budgeted for cleanup on Parcel D-4 of which the Riverside Parkway would be responsible for \$50,000 as explained below.

Parcel D-4 Railroad Property west of Koch Asphalt. As part of the UPRR agreement we are purchasing the 6.425 acre parcel west of Koch Asphalt in its entirety. Of the 279,873 SF (6.425 acres), only 54,438 SF (1.25 acres) or 19.5% is necessary for the Parkway.

Our offer to UPRR for the 6.425 acre site (based on our appraisal) was for \$671,695. The Parkway should only be responsible for 19.5% or \$130,651 of the expense associated with the purchase of the entire parcel. Therefore the general government resource would refund the Riverside Parkway **\$541,044** within 2-3 years to be decided in upcoming budget process.

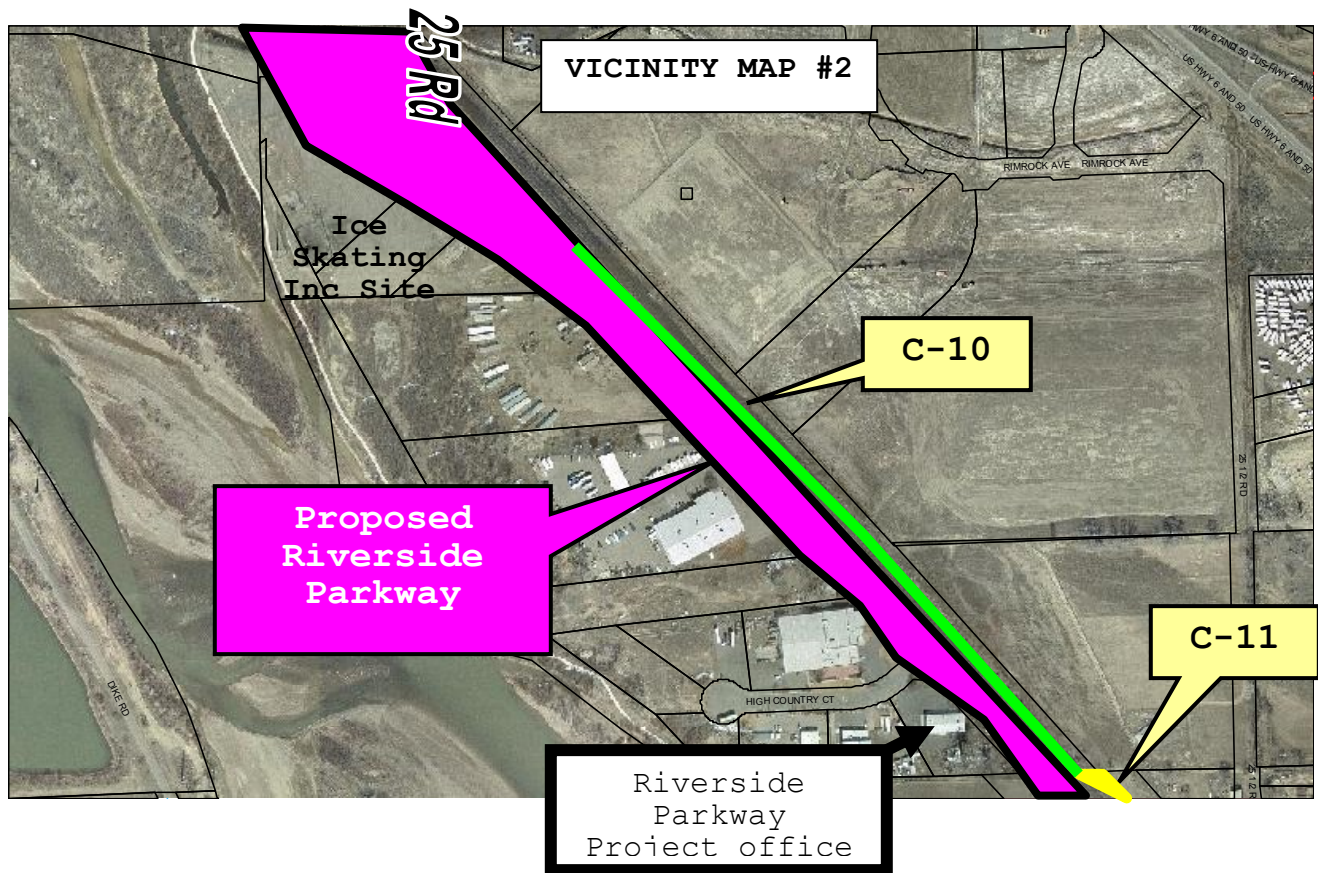
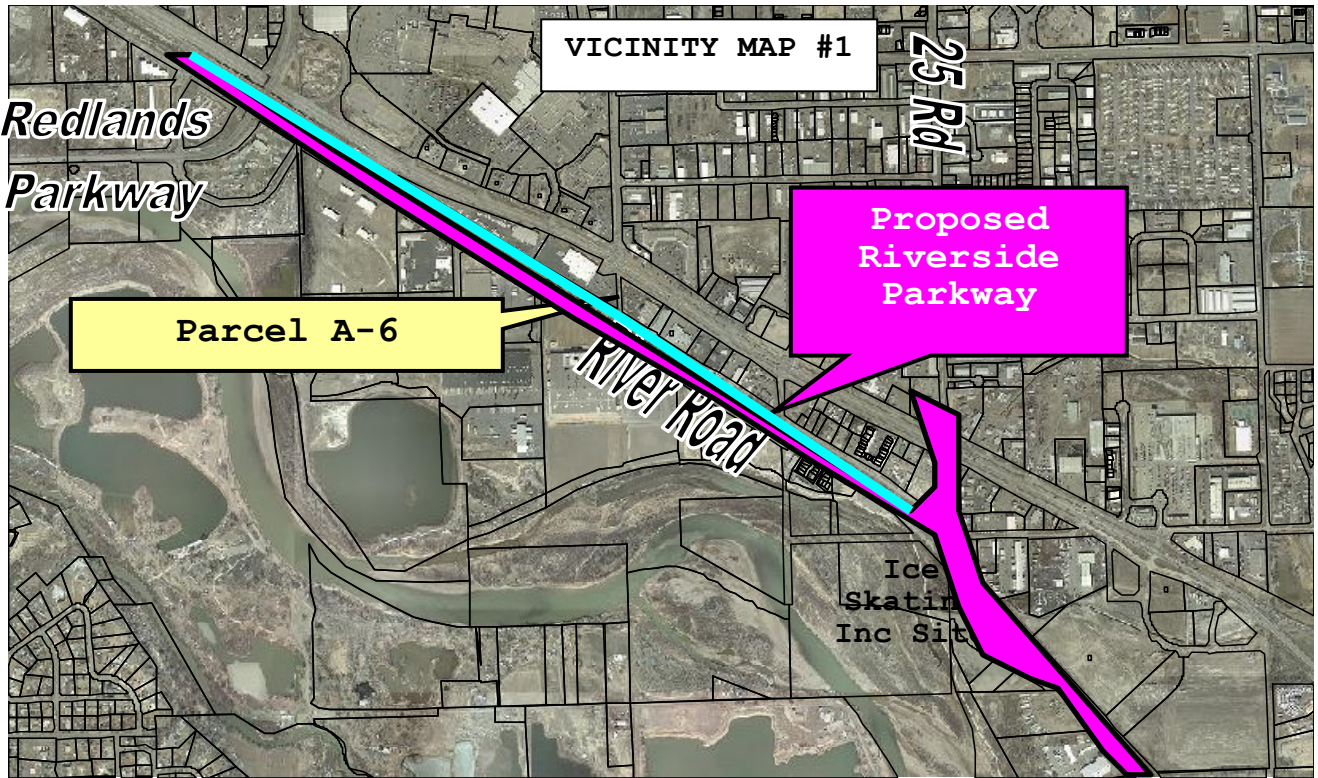
Environmental and debris cleanup of the site is budgeted at \$200,000 with \$50,000 proposed to be funded by the Riverside Parkway.

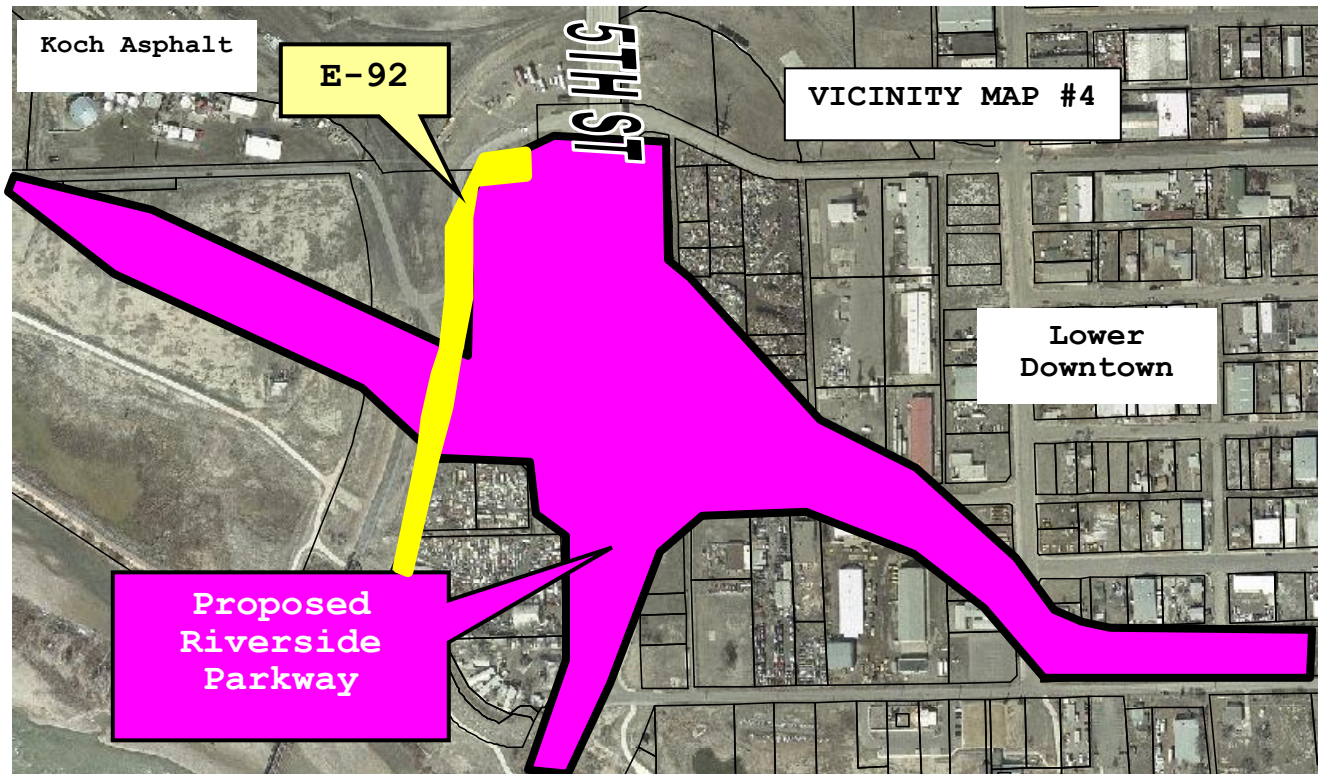
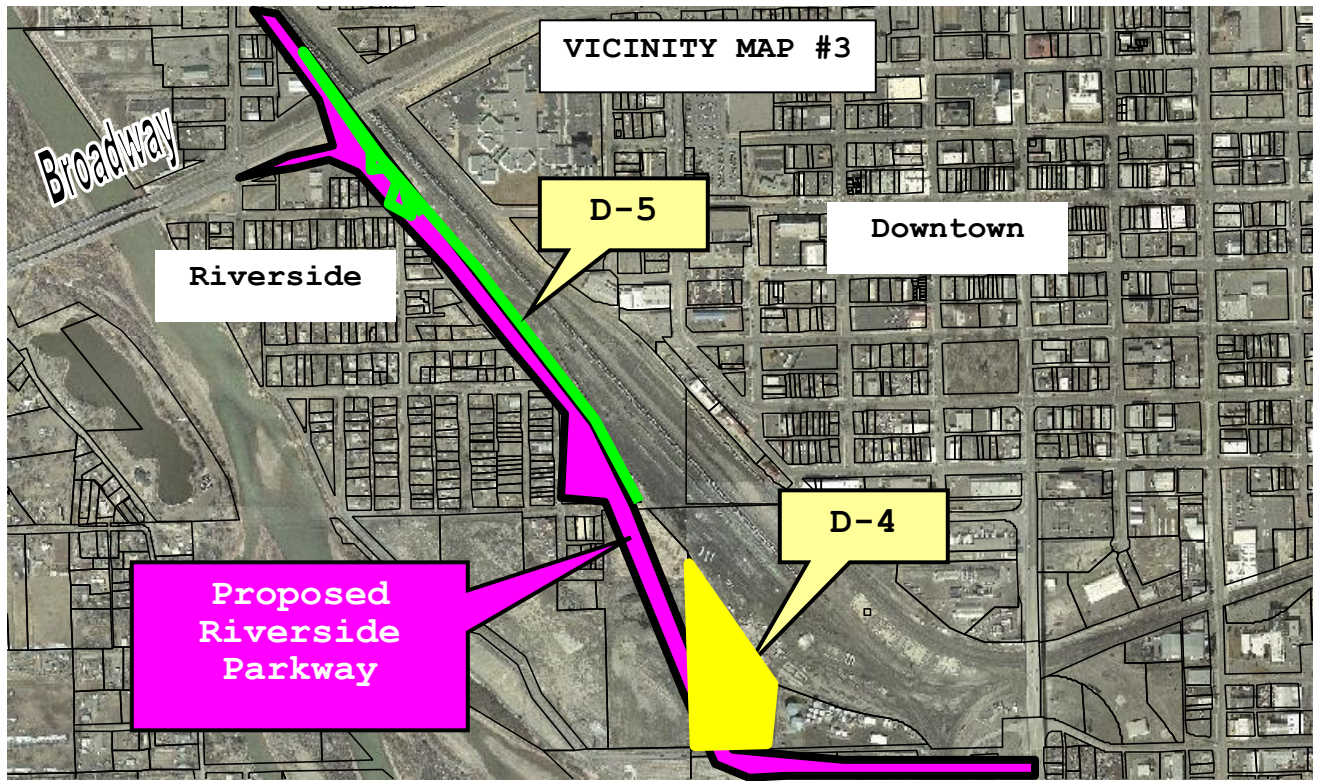


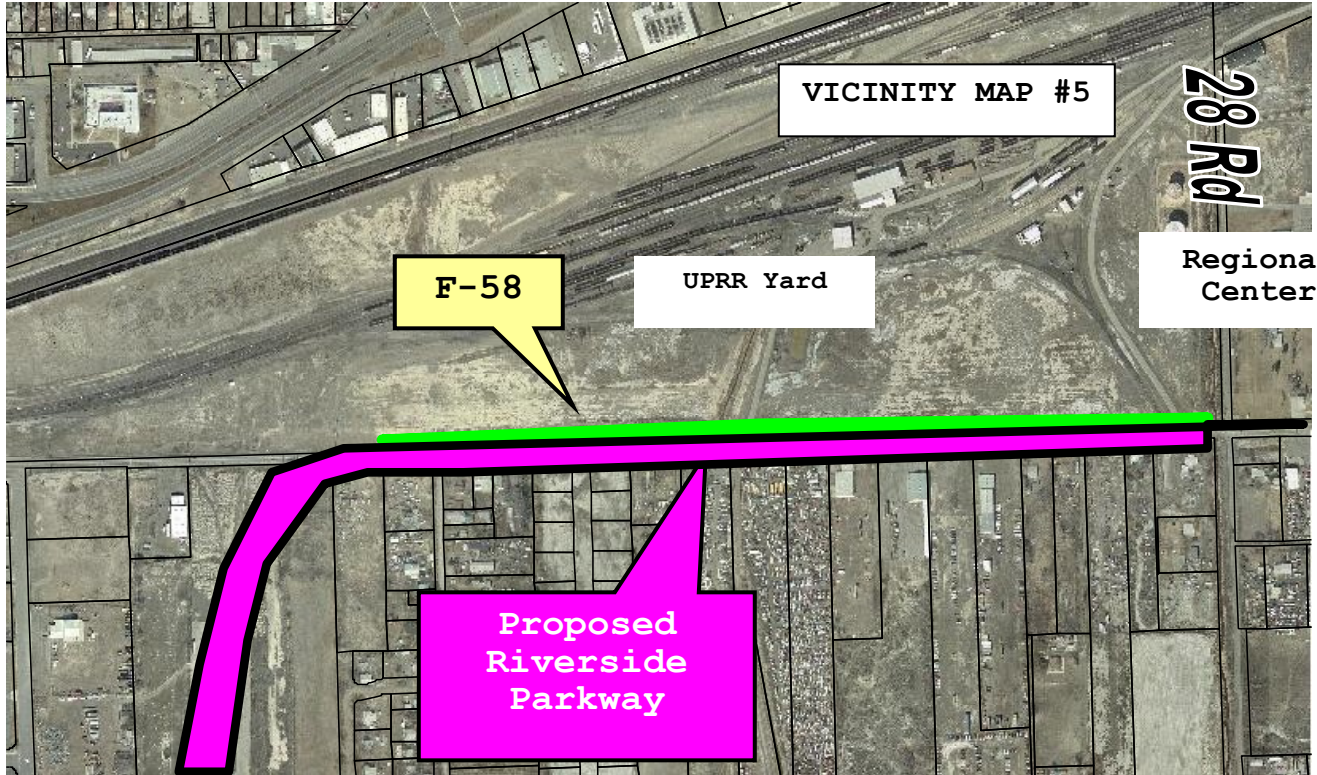
Other Issues.

- **Fencing.** The Purchase and Sale agreement stipulates that the City will construct a 6 foot high chain link fence along the entire western corridor adjacent to the railroad from 24 Rd through the Riverside neighborhood.
- **Access Road and Access Points.** As the City will be placing curbing and fencing along the western corridor, a 15 foot access road will be constructed for UPRR maintenance vehicles.
- **Communication Easements.** The purchase exempts certain communication easements from the contract so that the communication companies with fiber facilities within the current UPRR ROW will still compensate UPRR through their existing agreements.
- **Relocation of utilities on D-4.** The City will relocate, if needed, any of the UPRR utility services which service the West Yard property. This is anticipated to be minimal.

Parcel Budget. The \$19,000,000 right-of-way acquisition and relocation budget accounts for the purchase of the portions for these railroad parcels at \$3,083,615. The total to be paid to the Union Pacific Railroad is \$3,083,615.







VICINITY MAP #5

28 Rd

F-58

UPRR Yard

Regional Center

Proposed Riverside Parkway

RESOLUTION NO. _____
A RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY
FROM
UNION PACIFIC RAILROAD COMPANY

Recitals.

A. The City of Grand Junction has entered into a contract with UNION PACIFIC RAILROAD COMPANY for the purchase by the City of certain real property located within the proposed alignment of the Riverside Parkway. The properties to be acquired are referenced here by project parcel number however legal descriptions are included in their entirety in the Purchase and Sale agreement:

Project Parcel	Assessor Number	Address	Zoned	Easement Reqd (Sq Ft)	ROW Reqd (Sq Ft)	Remainder Acquisition
A-6	None	UPRR #7,26,9,8,27,18,28,10,11,12,13,14,15,16,17,19,1	I-1	3,536	203,726	---
C-10	None	UPRR #20,21,2	I-1	477	19,531	---
C-11	N/O C340	UPRR #3,22,23,24	I-1	809	6,853	---
D-4	2945-232-04-002	UPRR #6 TOTAL ACQUISITION	I-2	0	54,438	225,435
D-5	S/O C340 - Ped Bridge	UPRR #4,25,29,31	I-1	289	302,138	---
E-92	None	UPRR #34,37,35,38,36	C-2	---	23,413	---
F-58	2945-134-00-024	UPRR #5 (east of 27 1/2 Rd)	I-1	39,693	13,678	
Total square footage				44,804	623,777	225,435

B. The purchase contract provides that on or before April 20, 2005, the City Council must ratify the purchase and the allocation of funds for all expenses required to effectuate the purchase of said property.

C. Based on the advice and information provided by the City staff, the City Council finds that it is necessary and proper that the City purchase said property.

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

1. The above described property shall be purchased for a price of **\$3,083,615**. All actions heretofore taken by the officers, employees and agents of the City relating to the purchase of said property which are consistent with the provisions of the negotiated Contract to Buy and Sell Real Estate and this Resolution are hereby ratified, approved and confirmed.

2. Said **\$3,083,615** is authorized to be paid at closing, in exchange for conveyance of the fee simple title to the described property.

3. The officers, employees and agents of the City are hereby authorized and directed to take all actions necessary or appropriate to complete the purchase of the described property. Specifically, City staff is directed to effectuate this Resolution and the existing Contract to Buy and Sell Real Estate, including the execution and delivery of such certificates and documents as may be necessary or desirable to complete the purchase for the stated price.

PASSED and ADOPTED this _____ day of _____, 2005.

Attest:
Council

President of the

City Clerk

Attach 12

Purchase of Property at 2523 and 2525 River Road from Secco Inc and Red Cliff Properties LLC

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Purchase of Property at 2523 and 2525 River Road for the Riverside Parkway Project					
Meeting Date	April 20, 2005					
Date Prepared	April 14, 2005				File #	
Author	Jim Shanks Trent Prall		Riverside Pkwy Program Manager 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 City has entered into a contract to purchase portions of two parcels at 2523 and 2525 River Road from Secco Inc and Red Cliff Properties, LLC for the Riverside Parkway Project. The City's obligation to purchase this property is contingent upon Council's ratification of the purchase contract.

Budget: Sufficient funds exist in the 2005 Riverside Parkway budget to complete the City's due diligence investigations and purchase of this property:

2005 Right-of-Way Budget	\$10,000,000
2005 Right-of-Way Related Expenses to Date:	\$2,269,158
Costs Related to this Property Purchase:	
Estimated Purchase Price (ROW - Red Cliff Properties)	\$164,000
Estimated Purchase Price (easements - Secco Inc)	\$11,000
Estimated Closing Costs	\$1,000
Environmental Inspections	\$1,000
Misc environmental cleanup	\$1,000
Total Costs Related to This Request	\$178,000
2005 Remaining Right-of-Way Funds	\$7,552,842
Total Project Budget	\$91,495,000
Estimated Project Costs:	
Prelim. Engineering / 1601 Process	\$5,486,000
Other Prelim. Engineering (Admin / Stipends / Attorneys)	\$3,115,000
Utility Relocations / Street Lights	\$4,500,000
Final Design	\$2,994,000
Construction	\$52,000,000
Construction Oversight	\$4,400,000
Right-of-Way Land Purchases and Relocations	\$19,000,000
Total Estimated Project Costs	\$91,495,000
Remaining Funds / Contingency	\$0
*Includes 910 S. 4th St, 1014 S 4th St, 1554 Independent and 2502 Hw y 6&50 approved by Council on 2/2/05, 2501 Hw y 6&50 and 912, 918, and 940 S 4th St approved by Council on 2/16/05 and 402 Noland Ave and multiple CWOA properties approved on 3/2/05.	

Action Requested/Recommendation: Pass and adopt proposed resolution.

Attachments:

1. Proposed Resolution.

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 City Council has adopted details, plans, schedules and funds for the construction of the Riverside Parkway. Acquisition of portions of the property at 2325 and 2525 River Road are required to complete the Riverside Parkway along River Road.

Negotiations to purchase the subject property began on September 15, 2004. The City has obtained its own appraisal and had also paid for an appraisal obtained by the property owner. The City's appraisal estimated the fair market value of the subject property to be \$156,100 and that is the amount the City initially offered to purchase the subject property. The property owner's appraisal estimated the fair market value of the subject property to be \$175,000. The City has agreed to the higher valuation based on review of the more recent comparable property sales than the City's appraiser utilized.

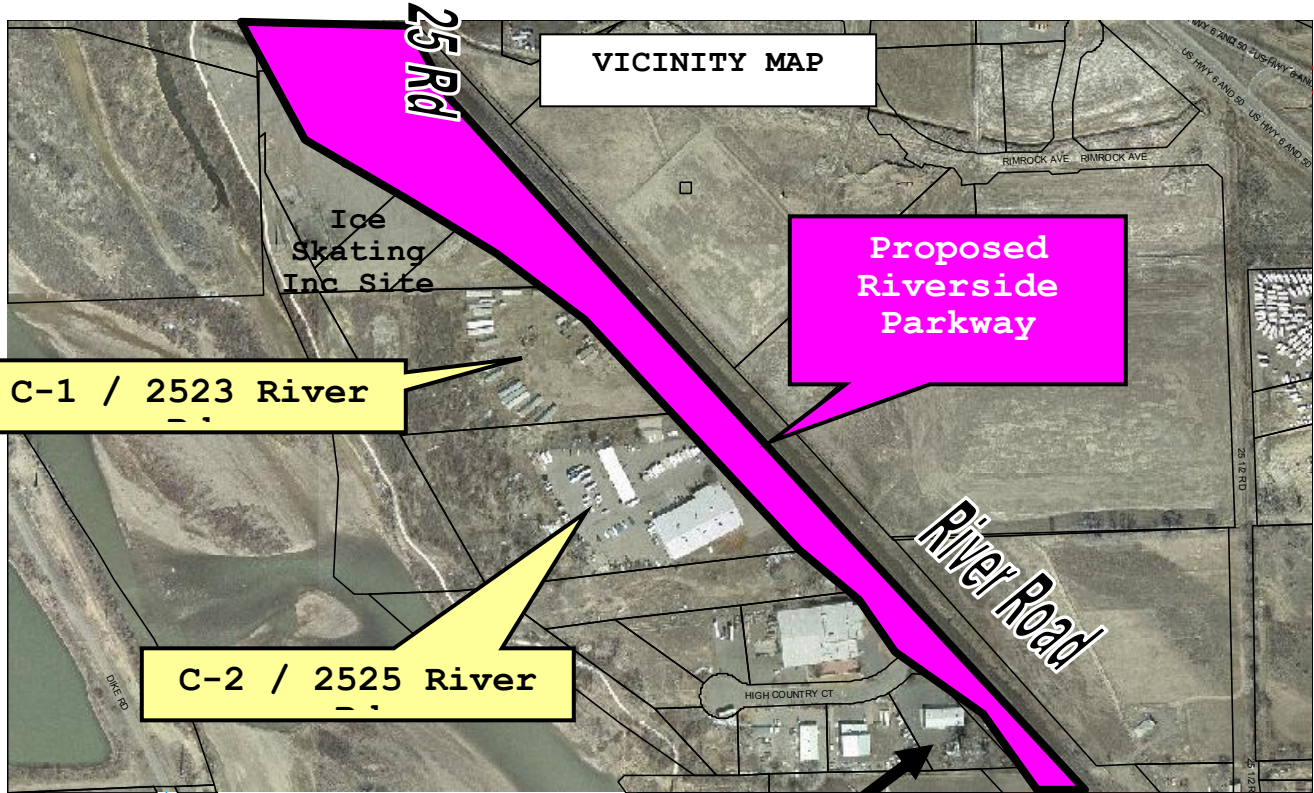
For tax purposes, the owner, Edward Clements, has created another company, Red Cliff Properties, LLC, to receive the \$164,000 income for the necessary right-of way. His primary company, Secco Inc, will receive the \$11,000 for the easement.

The subject property is located south of the proposed Ice Skating Inc site along River Road. The portions to be acquired contain the following:

Parcel	Assessor Number	Address	Zoned	Easement Reqd (Sq Ft)	ROW Reqd (Sq Ft)
C-1	2945-152-04-004	2523 River Rd	County - Industrial	6837	24821
C-2	2945-152-04-003	2525 River Rd	County - Industrial	7011	20292
			Total square footage	13848	45113

A Phase I Environmental Audit has been completed for the purchase. No special remediation requirements are anticipated.

Parcel Budget. This acquisition for the portions of parcels C-1 and C-2 had been estimated at \$117,922 based on a \$2.00 per sq ft estimate (Ice Skating Inc sold last year for \$1.75/SF). The total to be paid to the property owner is \$175,000. This is \$57,078 over the estimated amount for this parcel primarily due to a \$36,000 valuation for a portion of rail spur that crosses the needed right-of-way and easement.



VICINITY MAP

Ice Skating Inc Site

Proposed Riverside Parkway

C-1 / 2523 River

C-2 / 2525 River

River Road

Riverside Parkway Project office

RESOLUTION NO. _____
A RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY
AT 2523 and 2525 RIVER ROAD FROM
SECCO INC AND RED CLIFF PROPERTIES, LLC

Recitals.

A. The City of Grand Junction has entered into a contract with SECCO INC and RED CLIFF PROPERTIES, LLC, both care of EDWARD L. CLEMENTS JR, for the purchase by the City of certain real property located within the proposed alignment of the Riverside Parkway. The two properties to be acquired are as follows:

Parcel	Assessor Number	Address	Zoned	Easement Reqd (Sq Ft)	ROW Reqd (Sq Ft)
C-1	2945-152-04-004	2523 River Rd	County - Industrial	6,837	24,821
C-2	2945-152-04-003	2525 River Rd	County - Industrial	7,011	20,292
			Total square footage	13,848	45,113

B. The purchase contract provides that on or before April 20, 2005, the City Council must ratify the purchase and the allocation of funds for all expenses required to effectuate the purchase of said property.

C. Based on the advice and information provided by the City staff, the City Council finds that it is necessary and proper that the City purchase said property.

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

1. The above described property shall be purchased for a price of **\$175,000**. All actions heretofore taken by the officers, employees and agents of the City relating to the purchase of said property which are consistent with the provisions of the negotiated Contract to Buy and Sell Real Estate and this Resolution are hereby ratified, approved and confirmed.

2. Said **\$175,000** is authorized to be paid at closing, in exchange for conveyance of the fee simple title to the described property.

3. The officers, employees and agents of the City are hereby authorized and directed to take all actions necessary or appropriate to complete the purchase of the described property. Specifically, City staff is directed to effectuate this Resolution and the existing Contract to Buy and Sell Real Estate, including the execution and delivery of such certificates and documents as may be necessary or desirable to complete the purchase for the stated price.

PASSED and ADOPTED this _____ day of _____, 2005.

Attest:
Council

President of the

City Clerk

Attach 13

Exchange of Real Estate with the Western Colorado Botanical Society

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Exchange of Real Estate with the Western Colorado Botanical Society.					
Meeting Date	April 20, 2005					
Date Prepared	April 14, 2005				File #	
Author	Peggy Holquin			Real Estate Manager		
Presenter Name	Mark Relph			Public Works & 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 proposed exchange will allow the Botanical Society to own the land upon which the Society’s offices and Children’s Library are located.

Budget: No Fiscal Impact.

Action Requested/Recommendation: Adopt resolution re-authorizing the exchange of real estate with the Western Colorado Botanical Society.

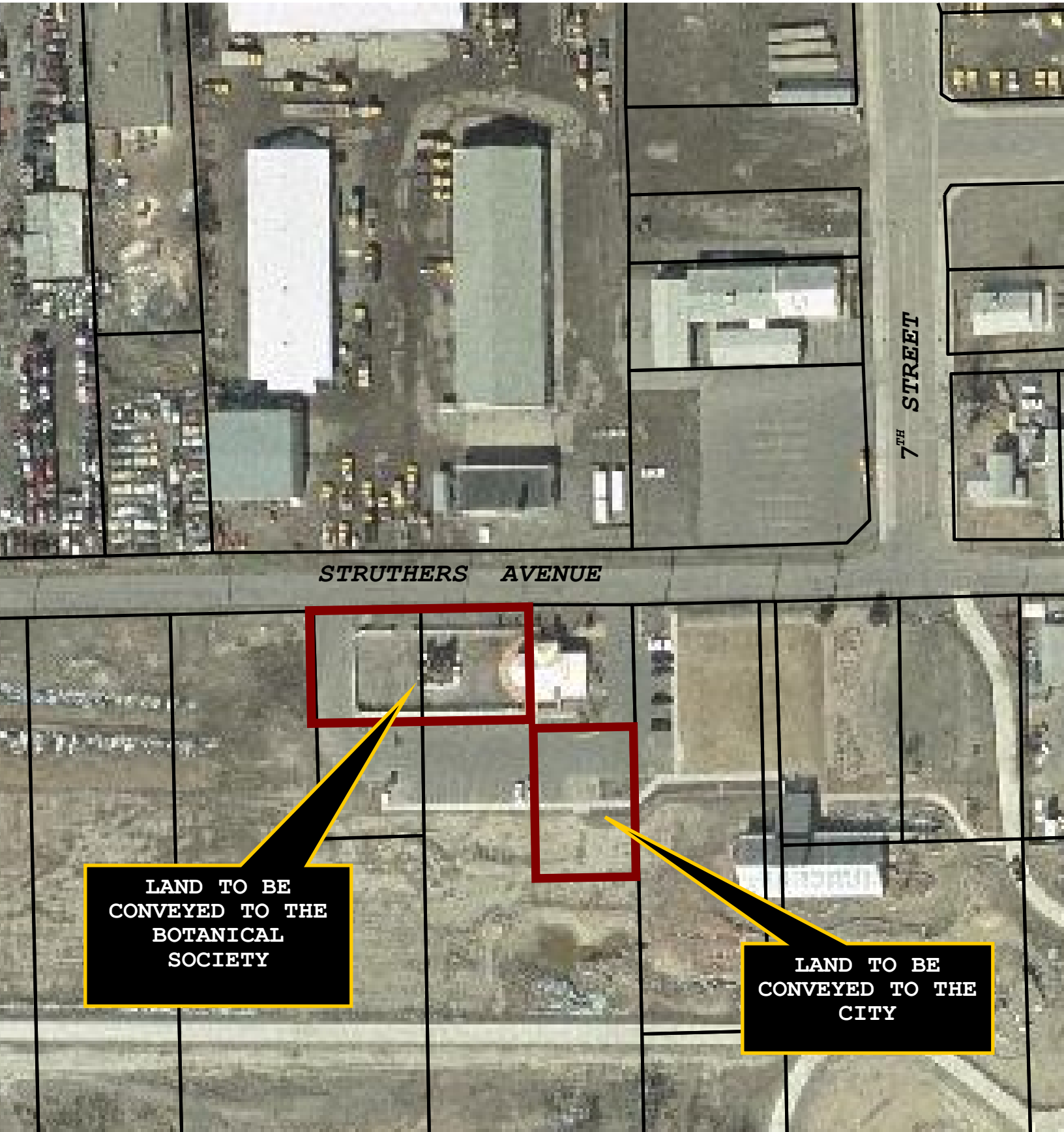
Attachments: 1) Vicinity Map; 2) Proposed Resolution; 3) Exchange Agreement.

Background Information: The City Council previously authorized the exchange with a resolution passed on January 2, 2002. The exchange was not completed for a variety of reasons, including the uncertainty of the location of the Riverside Bypass.

The agreement previously approved by Council required the Society to provide the City title insurance and a general warranty deed. Conversely, the City would not have been required to provide the Society title insurance and conveyance of the City land would have been made by quit claim deed.

City staff and Botanical Society staff are proposing that each party have the option of purchasing their own title insurance and that title for both parcels be conveyed by quit claim deed.

VICINITY MAP



STRUTHERS AVENUE

7TH STREET

LAND TO BE
CONVEYED TO THE
BOTANICAL
SOCIETY

LAND TO BE
CONVEYED TO THE
CITY

RESOLUTION NO. _____

**A RESOLUTION RE-AUTHORIZING THE EXCHANGE OF REAL ESTATE
WITH THE WESTERN COLORADO BOTANICAL SOCIETY**

WHEREAS, the City and the Western Colorado Botanical have cooperated for years to create a viable and attractive Botanical Gardens along the banks of the Colorado River; and

WHEREAS, with the prior consent of the City, the Botanical Society has constructed an office and Children's Library which are situated partially on City property and partially on property owned by the Botanical Society; and

WHEREAS, the Botanical Society has requested the exchange of an equal amount of real estate to place the Society's office and Children's Library on property which will be owned entirely by the Botanical Society; and

WHEREAS, the City Council has determined that the exchange of real estate as requested by the Botanical Society will help further the goals and objectives of both entities.

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

That the City Manager is hereby authorized to take all actions and execute all documents necessary or appropriate to effectuate the exchange of real estate with the Western Colorado Botanical Society.

PASSED and ADOPTED this _____ day of _____, 2005.

Attest:
Council

President of the

City Clerk

AGREEMENT TO EXCHANGE REAL ESTATE

THIS AGREEMENT is made and entered into this _____ day of _____, 2005, between the City of Grand Junction, a Colorado home rule municipality ("City"), and the Western Colorado Botanical Society, a Colorado nonprofit corporation ("Society").

1. Subject to the provisions herein, the City agrees to convey to the Society, by Quit Claim Deed, that certain real property described in **Exhibit "A"** attached hereto and incorporated herein by reference, hereinafter referred to as the "City Property". For the purposes of this Agreement, the fair market value of the City Property is \$20,000.00.

2. Subject to the provisions herein, the Society agrees to convey to the City, by Quit Claim Deed, that certain real property described in **Exhibit "B"** attached hereto and incorporated herein by reference, hereinafter referred to as the "Society Property". For the purposes of this Agreement, the fair market value of the Society Property is \$20,000.00.

3. The exchange and conveyance of the City Property and the Society Property shall each include all improvements thereon and appurtenant thereto, and any and all other rights appurtenant to each said property, free and clear of all taxes, special assessments, liens, mortgages and encumbrances; provided, however, that there shall be no conveyance or transfer of any water or water rights, ditches or ditch rights, which may have been used on or attributed to the respective properties.

4. Because the City Property and the Society Property are each part of and attached to larger tracts of land, this Agreement and the exchange of real property hereby contemplated is contingent upon the City of Grand Junction giving its approval to a Simple Subdivision of the larger tracts in accordance with the requirements of the Grand Junction Zoning and Development Code. The parties agree that the Society shall be responsible for all actions and all costs which are necessary and appropriate to effectuate the subdivision process. In the event the City of Grand Junction fails or refuses, within a reasonable time as agreed by the parties, to give its approval to the Simple Subdivision, for whatever reason, this Agreement shall terminate and both parties shall be released from all obligations hereunder.

5. The date of closing shall be the date for delivery of deeds as provided in paragraph 6 below. The hour and place of closing shall be designated by mutual agreement between the parties hereto, in Grand Junction, Mesa County, Colorado. Changes in time, place and date may be made with the consent of both parties. Each party shall pay its respective closing costs at closing, except as otherwise provided herein. Each party shall sign and complete all customary or required documents at or

before closing. Fees for real estate closing and settlement services shall be paid at closing by the parties equally.

6. Subject to full and complete compliance by both parties with the terms and provisions hereof, closing and possession shall occur on July 1, 2005, or, by mutual agreement, at an earlier date.

7. At closing:

(a) the City shall execute and deliver a Quit Claim Deed to the Society and shall deliver possession of the City Property to the Society free from all taxes, all liens, all tenancies and/or leasehold estates; and

(b) the Society shall execute and deliver a Quit Claim Deed to the City and shall deliver possession of the Society Property to the City, free and clear of all taxes, all liens, all tenancies and/or leasehold estates.

8. Time is of the essence hereof. If any obligation hereunder is not performed as herein provided, the non-defaulting party shall only have the following specified remedies, except as otherwise provided in this Agreement: (a) to treat this Agreement as terminated, but no damages may be recoverable. Each party specifically waives the right of specific performance.

9. All notices or other communications between the parties pertaining to this Agreement shall be in writing delivered by United States mail or Express mail, postage prepaid, or by facsimile transmission, or personally by hand or courier service, as follows:

<u>to:</u>	<u>To the City:</u>	<u>With</u>	<u>Copy</u>
Junction	City of Grand Junction	City	of Grand
1456	Attn: Real Estate Manager 250 North 5th Street Grand Junction, CO 81501-2668 Fax: (970) 256-4002	Attn: City Attorney 250 North 5 th Street Grand Junction, CO 81501-2668 Fax: (970) 244-	

To the Society:

Western Colorado Botanical Society
Attn: Executive Director
641 Struthers Avenue

Grand Junction, CO 81501
Fax: (970) 245-9001

The parties may, by notice as provided above, designate a different address to which notice shall be given.

10. This Agreement embodies the complete agreement between the parties hereto and cannot be changed or modified except by a written instrument subsequently executed by the parties hereto. No spoken or oral promises or changes to this Agreement will apply or be enforced. This Agreement and the terms and conditions hereof apply to and are binding upon the successors and assigns of both parties.

11. If a party engages or pays for an attorney to pursue any remedy hereunder, such party shall pay for its own attorney's fees and charges.

12. The parties represent to each other that the exchange of these Properties was brought about without the efforts of any brokers or agents and that neither party has dealt with any brokers or agents in connection with the exchange of the Properties. Each party agrees to defend, indemnify and hold the other harmless from any claim for real estate brokerage commissions or finder's fees asserted by any third party as a result of the sale or exchange pursuant to this Agreement.

13. This Agreement shall be governed and construed by the laws of the State of Colorado. Venue for any action shall be in Mesa County, Colorado.

14. Because each party has obtained or has had the opportunity to obtain the advice of its own legal and tax counsel, or has knowingly declined to do so, the rule of construing ambiguities against the drafter shall have no application to this Agreement.

15. The promises, agreements to pay money, liabilities and other agreements herein that must be performed after the closing shall remain enforceable despite the transfer of title. The doctrine of merger shall not apply.

16. The parties hereto have each executed and entered into this Agreement as of the day and year first above written.

of Grand Junction,
Attest:
rule municipality

For the City
a Colorado home

City Manager City Clerk

Western Colorado Botanical
Attest:
nonprofit corporation

For the
Society, a Colorado

President Secretary

Exhibit "A"

Legal Description of that portion of the "City Property" to be Quit Claimed to the Society as it presently exists:

Commencing at the Center $\frac{1}{4}$ Corner of Section 23, Township 1 South, Range 1 West of the Ute Meridian, and considering the North line of the Southwest $\frac{1}{4}$ ("SW $\frac{1}{4}$ ") of said Section 23 to bear N 89°35'57" W with all bearings contained herein being relative thereto; thence N 89°35'57" W along the North line of the SW $\frac{1}{4}$ of said Section 23 a distance of 72.0 feet to the Northwest Corner of that certain tract of land owned by the Society as described by Warranty Deed recorded in Book 2337 at Page 791 in the office of the Mesa County Clerk and Recorder, said point being the True Point of Beginning; thence S 00°24'03" W along the West boundary line of said tract of land owned by the Society a distance of 69.57 feet; thence leaving said West boundary line, N 89°40'49" W a distance of 200.09 feet; thence N 00°24'03" E a distance of 59.85 feet to a point of curvature; thence 15.71 feet along the arc of a curve to the right having a radius of 10.00 feet, a central angle of 90°00'00", and a long chord bearing N 45°24'03" E a distance of 14.14 feet to a point on the North line of the SW $\frac{1}{4}$ of said Section 23; thence S 89°35'57" E along the North line of the SW $\frac{1}{4}$ of said Section 23 a distance of 190.09 feet to the Point of Beginning, hereinafter referred to as the "City Property".

Legal Description of that portion of the "City Property" to be Quit Claimed to the Society following recordation of a Simple Subdivision Plat:

Lot Two of Western Colorado Botanical Society Subdivision, situate in the Southwest $\frac{1}{4}$ of Section 23, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, as recorded by Reception No. _____ and in Plat Book _____ at Page _____ in the office of the Mesa County Clerk and Recorder.

Exhibit "B"

Legal Description of that portion of the "Society Property" to be Quit Claimed to the City as it presently exists:

Commencing at the Center $\frac{1}{4}$ Corner of Section 23, Township 1 South, Range 1 West of the Ute Meridian, and considering the North line of the Southwest $\frac{1}{4}$ ("SW $\frac{1}{4}$ ") of said Section 23 to bear N $89^{\circ}35'57''$ W with all bearings contained herein being relative thereto; thence

S $00^{\circ}24'03''$ W along the East boundary line of that certain tract of land owned by the Society as described by Warranty Deed recorded in Book 2337 at Page 791 in the office of the Mesa County Clerk and Recorder a distance of 69.57 feet to the True Point of Beginning;

thence S $00^{\circ}24'03''$ W along the East boundary line of said tract of land owned by the Society a distance of 120.43 feet to the Southeast Corner of said tract of land;

thence N $89^{\circ}35'57''$ W along the South boundary line of said tract of land owned by the Society a distance of 72.0 feet to the Southwest Corner of said tract of land;

thence N $00^{\circ}24'03''$ E along the West boundary line of said tract of land a distance of 120.33 feet;

thence leaving the West boundary line of said tract of land, S $89^{\circ}40'49''$ E a distance of 72.0 feet to the Point of Beginning.

Legal Description of the "Society Property" to be Quit Claimed to the City following recordation of a Simple Subdivision Plat:

Lot One of Western Colorado Botanical Society Subdivision, situate in the Southwest $\frac{1}{4}$ of Section 23, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado, as recorded by Reception No. _____ and in Plat Book _____ at Page _____ in the office of the Mesa County Clerk and Recorder.

Attach 14
Byrne/JAG Grant Application

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA									
Subject		Byrne/JAG Grant Application							
Meeting Date		20 April 2005							
Date Prepared		07 April 2005					File #		
Author		Bob Russell			Services Support Lieutenant				
Presenter Name		Greg Morrison			Chief of Police				
Report results back to Council		X	No		Yes	When			
Citizen Presentation			Yes	X	No	Name			
Workshop		X		Formal Agenda			Consent		X Individual Consideration

Summary: The Byrne Memorial Grant Program has been combined with the Local Law Enforcement Block Grant under the heading of the Justice Assistance Grant Program which makes funds available to Law Enforcement entities across the United States to help provide funds relating to six purpose areas, including technology. One issue confronting Law Enforcement today is effective communication and exchange of information. A primary goal of Homeland Security on a national level and a priority for the Grand Junction Police Department is the integration of the various computer systems that exist within criminal justice agencies in Mesa County. This is part of the Police Departments ongoing efforts at integrating with the Mesa County Sheriff's Office, the Mesa County District Attorney's Office, County and District Courts, Colorado Probation and Parole, the Fruita and Palisade Police Departments. The Grand Junction Police Department is seeking to obtain grant monies in order to address that deficiency.

Budget: The Grand Junction Police Department would like to apply for grant funding under the Byrne/JAG program in an amount of up to \$100,000 to hire a consultant. A consultant would be able to provide an assessment of the best means of integrating the local systems and develop a process for implementing that system. The implementation costs would be sought from the various local governments and federal sources once the project costs are known.

Action Requested/Recommendation: The Grand Junction Police Department requests Council approval to apply for a grant of up to \$100,000 through the Byrne/JAG program.

Attachments: Grant Data Sheet.

Background Information: In order to establish a better line of communication and exchange of information is to integrate the already established computer systems in operation throughout the valley. One means of integrating these systems involves the use of middleware, or translation systems, that facilitate communication between disparate systems. The Grand Junction Police Department, Mesa County Sheriff's Office, Mesa County District Attorney's Office, and the District Courts have met and all concur this is a pressing need for Mesa County Criminal Justice.

**CITY OF GRAND JUNCTION
GRANT DATA SHEET**

DATE: 4/11/2005 REVISION NUMBER _____
 DEPARTMENT: Police CONTACT: Lt. Bob Russell PHONE: 244-3656
 SUB-RECIPIENT: _____ CONTACT: _____ PHONE: _____

CONTRACT REQUIRED FOR ALL SUB-RECIPIENTS!

GRANT NAME: JAG GRANT #: _____
 SOURCE OF FUNDS: Office of Justice Programs (FEDERAL, STATE, OTHER)
 GRANTOR: Colorado Department of Justice CONTACT: Mark Perbix PHONE: 303-239-4616

PURPOSE/PRODUCT/OUTCOME:

Funds requested are to contract for a consultant who will assess and develop a system for integrating the disparate computer systems that presently exist in the Mesa County Criminal Justice System.

IF FEDERAL /STATE FUNDS, CHECK COMPLIANCE REQUIREMENTS LIST ON BACK!

REQUIREMENTS/SCHEDULE:

Quarterly and Annual reporting

WILL THIS REQUIRE: NEW EMPLOYEE(S)? No NEW EQUIPMENT? No

FINANCIAL SUMMARY (ATTACH DETAIL):

Projected cost of project or program:	\$	<u>100,000</u>	
Estimated cost of administration:		_____	
Grant in-eligible costs (application):		_____	
Total costs of grant.....	\$	<u>100,000</u>	
Amount of grant	\$	<u>100,000</u>	
Other revenues		_____	
Total revenues.....	\$	<u>100,000</u>	
Net cost of the project to the City.....	\$	<u>0</u>	
Amount to be appropriated:	\$	<u>0</u>	

FUTURE IMPACTS:

Annual ongoing expenditures:	\$	_____	Description	_____						
Onetime/periodic expenditures:	\$	_____		_____						
Revenue account number:	Fund	<u>100</u>	Org	<u>431</u>	Account	<u>42168</u>	Pgm	<u>21</u>	Activity	_____
Expenditure account number:	Fund	<u>100</u>	Org	<u>431</u>	Account	<u>70410</u>	Pgm	<u>21</u>	Activity	_____

(If more than one account, attach a list.)

Are revenues/expenses included in the current budget? No Revised? No

APPROVALS: Department Director: [Signature] Date: 4.15.05
 Grant Coordinator: _____ Date: _____
 Finance Director: _____ Date: _____
 City Manager: _____ Date: _____
 City Council: Approved: _____ Acceptance: _____ Contracts: _____

DATES:

Application deadline _____ Award of grant: _____ Extension deadline _____
 Date of receipt: _____ Required completion date: _____ Closeout _____
 Report(s) required: _____ (date, monthly, quarterly)

ATTACH NOTES AS NECESSARY - FINANCIAL ANALYSIS, METHOD/TIMING OF PAYMENTS, MULTIPLE REQUIREMENTS, SCHEDULE, OTHER EXPLANATIONS.

City of Grand Junction
Compliance Check List

This check list is provided to help the Department Contact in identifying requirements of the grant for which the requestor is responsible. It does not move the responsibility for compliance or the monitoring of compliance of a department or sub-recipient to the Administrative Services Department

- Co-applicants
- Contract(s) Sub-recipient Source of funds Other
- Insurance/bonding

- Single Audit
- Environmental review
- Equal employment opportunity enforcement
- Davis Bacon
- Minority and/or other preference processes

- Matching funds Budgeted Unbudgeted Generated
- Program income
- Federal funds Advance or Reimbursement
- Payment requests, reports
- Debt issuance
- Cost allocation plan for indirect costs

- State checklist available
- Local determinations

- Hearings / public input / notices / signs
- Open competitive bids
- Plan for real property acquisition and replacement, relocation of people
- Inspections / grantee / grantor

- Subsequent maintenance and/or monitoring
- Subsequent restrictions of use
- Asset monitoring, inventions, patents, equipment (subsequent usage)
- Record retention
- System of documentation

- Other (explain)

**ATTACH ANY ADDITIONAL COMMENTS.
ATTACH A COPY OF THE GRANT APPLICATION, AWARD, AND OTHER DOCUMENTATION.**

Attach 15

Memorandum of Understanding with DDA to Construct a Downtown Parking Garage

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	MOA Between City & DDA to Construct a Parking Structure					
Meeting Date	20 April 2005					
Date Prepared	13 April 2005					
Author	David Varley, Assistant City Manager					
Presenter Name	Kelly Arnold, City Manager John Shaver, City Attorney Harold Stalf, Downtown Development Authority Director					
Report results back to Council		No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary: For quite some time the Downtown Development Authority (DDA) has been anxious to work with the City to build a parking structure downtown. The City has been working with the DDA and is now ready to formalize an agreement to build such a structure. The parking garage will be a public-private partnership as some of the stalls will be owned by private companies. The garage is designed to provide employee parking for downtown workers which will free up other spaces for the general public. The garage will also accommodate short term parking for visitors to the downtown area.

Budget: Tax Increment Financing (TIF) Fund and the City of Grand Junction Parking Fund

Action Requested/Recommendation: Request authorization for the City Manager to sign a Memorandum of Agreement between the City of Grand Junction and the Downtown Development Authority to build a parking structure.

Attachments:

1. Parking System Memorandum of Agreement between the City of Grand Junction and the Grand Junction Downtown Development Authority.

2. Downtown Parking System Business Plan

Background Information:

For a number of years the Downtown Development Authority (DDA) has been interested in building a parking garage downtown. Such a garage would provide spaces for downtown employees as well as shoppers and visitors to the downtown area. It will also “free up” on street parking for visitors as employees will move from the street into the garage.

Earlier this year the City and the DDA agreed to build and operate a parking garage downtown. The attached Memorandum of Agreement (MOA) details the terms of this joint venture between the City and the DDA.

The parking garage is proposed to be built on the south side of Rood Avenue between Fourth and Fifth Streets. The garage will occupy the middle section of this property while the “ends” (50’ +/-) at both Fourth and Fifth Streets will be left vacant for other development purposes.

Through use of the TIF funds the DDA has acquired the majority of the land necessary for this project. This land is on the south side of Rood and goes from Fourth Street east up to the parking lot for the Dalby-Wendland building. The value of this land is approximately \$1.4 million. The City will acquire the additional land which includes the Dalby-Wendland parking area and the Snap Photo property. The cost of this land will not exceed \$462,800 and the DDA will pay this cost. Also, the DDA or the TIF will pay up to an additional \$411,333 for site work on the land which includes items such as demolition, environmental remediation, etc. The cost of construction is estimated to be \$14,600 per parking space and there will be 324 spaces (\$4.7M).

This property will be platted such that two pieces of land (one on each end of the property) will be platted separately. These two pieces of land will be approximately 50’ by 135’ and one will be located on the Southeast corner of Fourth Street and Rood Avenue and the other will be located on the Southwest corner of Fifth Street and Rood Avenue. Once these tracts are platted they will be conveyed to the DDA at no cost to the DDA. The City and the DDA will work together to integrate these two corners into the design of the parking garage.

The proposed parking structure will be a three story structure (ground floor plus two elevated with the top floor covered) and will be designed to contain no less than 324 parking spaces. This will be a public-private partnership with up to 160 of the parking spaces being sold, leased or conveyed to private owners. It is anticipated that the garage will be “condominiumized” after construction and up to 160 spaces will be conveyed to private ownership. The remaining spaces will be publicly owned and will be used for both short and long term parking.

The City will fund the balance of the cost of construction through the Parking Fund. The City will also solicit proposals for the sale or lease of up to 160 spaces to help defray to the Parking Fund the cost of construction. Once completed, the City of Grand Junction will own and operate the parking garage.

It is anticipated that the current buildings on this property will be vacated by the end of 2005; however, the agreement with the tenants of the Commercial Federal building

allows them to stay on site until March 2006, if their new building is not ready to be occupied. Demolition of the buildings could begin as early as January 2006, but no later than April 2006.

Once this agreement is approved, the City will move forward with this project. It is estimated that a design contract will be awarded between June and October 2005. Final design of the parking garage should be completed by late fall of 2005. Construction of the garage should begin between April and June 2006 and it should be completed and ready for use no later than 31 December 2006.

Because the new parking garage is only one variable in the operation and management of parking downtown, the City and the DDA have developed and agreed on a plan for the operation and management of parking in the downtown area. This plan makes several changes and improvement to the existing parking system downtown and will be implemented in conjunction with the opening of the new parking garage. The highlights of the proposed changes to the parking system include the following:

- Discourage long term parking in the convenient, high demand parking spaces in order to make those short term parking spaces readily available for visitors to the downtown area.
- Through the fines, fees, garage and time limitations manage traffic flow and turnover of available parking.
- Provide sufficient long term parking for the employees and business owners of the downtown area.

The proposed changes to the parking system are outlined in the “Downtown Parking System Business Plan” which is attached to this report and is incorporated into the Memorandum of Agreement.

To provide oversight regarding parking in this area the City and the DDA have formed a parking management advisory group (PMAG). The highest purpose of the PMAG will be to “manage the parking system so that the parking garage, as well as existing and yet to be developed on street parking will be utilized to the maximum extent possible”. This advisory group will advise the City on the administration, management and regulation of parking in the downtown area. This group has met to review and help “pull together all the various aspects of this project.” The project will be very beneficial to downtown and the City of Grand Junction. The partnership has been working well toward this goal and anticipates that it will be successful.

The Grand Junction Downtown Development Authority
And
The City of Grand Junction

Parking System Memorandum of Agreement

Recitals.

- A. The Grand Junction Downtown Development Authority (“DDA”) is a political subdivision that exists pursuant to § 31-25-801, *et seq.*, C.R.S. The DDA was formed in 1977 to promote economic redevelopment and other activities as defined by law in Grand Junction’s historic downtown.
- B. In early 2005 the DDA and the City of Grand Junction (“City”) agreed to construct and operate a parking garage in downtown. The parking garage will be funded by the Tax Increment Capital Fund (“TIF”) managed by the DDA and the City’s Parking Fund. The DDA has been interested in constructing a parking garage for a number of years and has planned for and budgeted expenditure of the TIF for that purpose.
- C. Because both the City and the DDA are concerned about the vitality of the downtown, including the availability of accessible, convenient parking, the DDA and the City have come together to construct a parking garage for the benefit of downtown and the entire City. Because the parking garage will be only one variable in the operation and management of downtown parking, the DDA and the City have developed and agreed on a plan for the operation and management of parking in downtown. This Memorandum of Understanding acknowledges that agreement and includes specific business and financial planning elements for the use of the Parking Fund and management of the parking system in downtown.
- D. The City and the DDA have a rich history of participation in cooperative projects for the betterment of downtown; this parking system management agreement is yet another example of that cooperation. While the resulting relationship is not legally a partnership, the cooperative efforts of the DDA and the City can and by this agreement shall be viewed as a joint venture for the betterment of the City.

NOW THEREFORE, the Board of Directors of the Grand Junction Downtown Development Authority and the City Council of the City of Grand Junction state their understandings, commitments and agreements all as follows:

1. The purposes of this Memorandum of Agreement are to create:
 - (a) a framework for the collaboration, teamwork and cooperation that is essential to the acquisition of land and funding for construction of a downtown parking structure which will be used by and for the benefit of citizens and visitors to the City; and
 - (b) an understanding for the timing, the amount and the relative interests of the DDA and the City in the ongoing operation, maintenance and future of the parking garage and management of the parking system in downtown.

2. To further these purposes, the City and the DDA agree to reasonably cooperate, communicate and collaborate so that the following mutual objectives can be met. The parties understand and agree that additional approvals, documents and actions will be necessary to implement these objectives and agree to do the same. The mutual objectives of the parties are:
 - (a) the construction of a 3 story (ground floor plus two elevated levels) parking garage. The top floor shall be covered. The parking garage shall be “cast in place construction” and shall contain no less than 324 spaces; up to 160 of those spaces may be sold, leased or otherwise conveyed to private interests, subject to additional provisions of this agreement.
 - (b) The City and the DDA shall work to cooperatively design and plan for the aesthetic and architectural design of the parking garage;
 - (c) the City agrees to manage construction of the parking garage. The City will attempt to complete the construction by October 1, 2006. The City may consider input about the construction from the DDA but shall not be bound to act on the same.
 - (d) Condominiumization of the garage will occur as soon after construction as regulatory approvals allow. If spaces are sold, leased or otherwise conveyed to private interests, that sale, lease or conveyance shall be subject to covenants, conditions and restrictions and/or condominium declarations (collectively “Restrictions”).
 - (e) The City’s and any purchasers’ interests will be reflected in the condominium Restrictions. The Restrictions will include terms that apportion (on a proportionate share of ownership base) the annual maintenance cost of the garage. In addition the Restrictions will establish common and general elements and will address other aspects of operation and maintenance.
 - (f) The City will manage the construction project by providing construction management and engineering oversight by a Colorado licensed professional engineer in good standing. The construction management and engineering review and oversight shall be in accordance with the construction plans, generally accepted engineering practices and if applicable, the standards set by the City.
 - (g) The City, by and through its project management personnel, shall be responsible for the means and methods of construction and shall direct the work. The DDA may observe, monitor and examine construction means and methods but final construction decisions are the responsibility of and will be made by the City.
 - (h) The City will make available for inspection by the DDA, at the DDA’s request, all solicitations, bids and/or correspondence between the City and the project contractor(s), professional service providers and/or agents.

- (i) The DDA has acquired the majority of the land necessary for the construction of the parking garage by expending TIF funds. The land is described as follows:

Lots 1 through 5 and the west 13.3 feet of Lot 6 in Block 103 in the City of

Grand Junction

Also known by street and number as 130 North 4th Street, tax schedule number 2945-143-16-019; and

The East 11.7 feet of Lot 6 and all of Lots 7 and 8 in Block 103 in the City of Grand Junction

Also known by street and number as 441 Rood Avenue, tax schedule number 2945-143-16-021; and

All of lots 9, 10, 11 and 12 in Block 103 in the City of Grand Junction, Also known by street and number as 451 Rood Avenue, tax schedule number 2945-143-16-948,

All in Mesa County, Colorado.

The value of that land, based on the purchase price, is \$1,480,000. In addition to the land described in this agreement, the TIF will pay up to \$411,333.00 for Site Work which includes but is not limited to demolition, environmental remediation, utility movement and reconstruction and the closing of curb cut(s). If the cost of any and all required site work exceeds that cost, the City has agreed to contribute the difference. Furthermore, because of the parties' mutual interests in the parking garage, the City has agreed to cooperate and assist the DDA, at no cost, with engineering and/or project management of the Site Work.

- (j) the City has agreed to acquire the Dalby-Wendland and Snap Photo properties. The DDA will pay the cost thereof (not to exceed \$500,800).
- (k) the site plan and plat of the property shall be prepared such that two areas of land approximately 50' (east-west dimension) X 125' (north-south dimension) on the Southeast corner of 4th Street and Rood Avenue and Southwest corner of 5th Street and Rood Avenue ("Corners" or "the Corners") shall be separately platted. Once platted those lots or tracts shall belong, and be conveyed by the City to the DDA at no cost to the DDA. The Corners may be developed and/or sold as determined by the DDA in its sole discretion. Proceeds from the sale of the Corners, in whole or in part shall belong without claim by the City, to the DDA. The City and the DDA shall work to cooperatively plan for and integrate the Corners into the aesthetic and architectural design of the parking garage;
- (l) until such time as the Corners are platted and conveyed to the DDA, the DDA shall be the landlord of the Snap Photo building and as such shall be entitled to any and all rent generated therefrom. Furthermore, the DDA shall be entitled to the rent from the Valley Office and Commercial Federal

buildings and/or parking area(s), until such time as the buildings are demolished;

- (m) at such time as the Corner(s) are sold, the proceeds therefrom shall be paid to the TIF capital fund;
- (n) the City has agreed to fund through the Parking Fund the balance of the cost of construction. The City and the DDA agree that the carrying cost for the project shall not exceed the annualized percentage rate of return that the City receives on its investment portfolio. The City may solicit proposals for the sale, lease or other conveyance of up to 160 spaces to help defray the cost to the Parking Fund of the construction.
- (o) construction of the parking garage shall commence as soon as possible once the site has been delivered, cleared and all necessary approvals have been made or received. During construction the City will provide at no cost 23 parking spaces to the tenants of the Dalby-Wendland building. The allocation of those spaces shall be made by the DDA working in cooperation with the owner of the Dalby-Wendland building.
- (p) the City and the DDA shall form a parking management advisory group (“PMAG”) for the purpose of advising the City on the administration, management and regulation of parking in downtown. The purposes, goals and recommendations of the PMAG, subject to continuing approval by the City, shall be:
 - i) to establish the day-to-day management and operation of the parking garage, including but not limited to rate setting, leasing, the provision of maintenance (via contract or other suitable arrangement) and enforcement (“Management Practices”);
 - ii) implementation of the Management Practices by means that include but are not limited to the installation and use of an automated, state of the art controller and integrated garage status message board(s) to allow active management and reservation of available parking;
 - iii) the first priority for use of unused, private parking shall be for evening and weekend events sponsored or promoted by the DDA, the City and/or the Downtown Partnership. Parking shall be arranged/made available on a first come, first served basis;
 - iv) the making of recommendations on the management and expenditure of the accumulated Parking Fund resources;
 - v) the allocation and location of paid and unpaid (metered and signed) parking in the boundaries of the DDA;

- vi) the highest purpose of the PMAG will be to manage the parking system so that the parking garage as well as existing and yet to be developed on street parking is utilized to the maximum extent as provided by the Parking System Business Plan which is attached hereto and incorporated by this reference as if fully set forth.

Harry Griff, Chairman
Grand Junction Downtown Development Authority

Date: _____

Bruce Hill, President of the City Council
City of Grand Junction

Date: _____

**DOWNTOWN
PARKING SYSTEM
BUSINESS PLAN**
April 2005

INTRODUCTION

The parking system and its operations are unique because it is directed by four different departments. Administrative Services is responsible for the management of the fund and daily operations. The Police Department is responsible for enforcement. Public Works is responsible for capital construction projects, signage, traffic flow, and safety issues. Community Development is responsible for zoning and development issues, which impact parking needs and requirements. These City departments also work closely with the Downtown Development Authority (DDA) and the Downtown Association in addressing their observations, concerns, and ideas regarding downtown parking issues. The parking system's geographical boundaries cover approximately 26 blocks in the downtown area.

MISSION

To contribute to the economic vitality of the downtown area by managing parking facilities in a way that provides adequate, affordable, safe, and convenient parking.

OBJECTIVES

- Generate revenues to support maintenance, upkeep, and debt service on all parking facilities.
- Encourage public/private partnerships to promote the parking system.
- Encourage and maintain traffic movement in short-term parking areas, in support of increased activity in the downtown zone.
- Provide and manage long-term parking areas for employees and business owners, as well as encourage use of these facilities.

OPERATIONS

The parking system employs two full-time employees; a Parking Services Technician who is supervised by the Customer Service Manager, and a Police Services Technician who is dedicated to parking enforcement, and is supervised by a Police Sergeant.

Revenues are derived from collection of monies from metered parking spaces located both on the streets, and in parking lots. Currently there are 1,101 metered spaces in the downtown area. There are also parking spaces that do not have a meter, but rather a time limit, which is indicated by a sign. There are 306 free time-limited spaces downtown. With the addition of 34 handicapped, and 48 leased, we will have a total of 1,489 publicly-managed spaces. Parking rules and regulations are enforced by the issuance of violations. Fines from these violations generate additional revenue for the parking fund. Pooled interest income also is a source of revenue for the fund. Finally, annual parking permits are issued for the downtown area, generating a small amount of additional revenue.

Operating expenditures are comprised of personnel expenses and supplies for the two employees, and costs for repair and maintenance of the meters. Expenditures also

include lease expenses for four shared-revenue lots. These are lots where the real estate is owned by other agencies, and the parking fund provides and maintains the meters and is responsible for enforcement. The “lease expense” is the agency’s portion of the actual monies collected from the meters on the lot. Finally, the parking fund supports the maintenance, repair, and replacement of two vehicles.

Capital expenditures include maintenance and improvements of existing lots, and future expansion of parking facilities. Improvements of lots mainly include landscaping, lighting, and overlay/chip-seal projects. In the recent past, working capital in excess of minimum working capital has been used to fund two new parking facilities and significant improvements to two existing lots.

HIGHLIGHTS OF PROPOSED CHANGES TO PARKING MANAGEMENT SYSTEM

Summary of Changes

In order to evaluate the effectiveness of the parking management system we are conducting a review of the overall system to identify and correct existing inconsistencies in parking space composition, as well as determine on a block by block basis if the balance of short term and long term parking is appropriate. We will also examine current enforcement practices and procedures. The changes proposed will help develop a parking management strategy that is designed to:

- ✓ Discourage long term parking in the convenient, high demand parking spaces in order to make those short term parking spaces readily available for visitors to the downtown area.
- ✓ Through the fines and fees garage and time limitations, manage traffic flow and turnover of available parking.
- ✓ Provide sufficient long term parking for the employees and business owners of the downtown area.

The following changes are proposed and summarized separately from the parking garage plan which is discussed in the Parking Garage Summary portion of this document . Furthermore, it is not expected that these changes would be implemented until 2006, which would coincide with the construction of the new Parking Garage that same year.

PARKING SPACE COMPOSITION & BALANCE

The highest demand for parking is from Colorado to White Avenue and 3rd to 6th Street which is considered a “core” parking area. Within this core it is very important to maximize available parking, as well as to make the best use of that parking which is why the balance between short term and long term parking is so important.

Following are the proposed changes to the parking space composition both in and outside the core:

- **Eliminate the signed 2 hr free parking** on 3rd, 4th, 5th, & 6th Street and replace with 4 hr short term meters. These spaces are some of the highest demand, most convenient short term parking available to visitors to downtown, and because of the difficulty in enforcing these (free time-limited) types of spaces it is likely that they are used by employees for long term parking. Changing these spaces to 4 hr meters will encourage visitor use of the spaces while also allowing the option of staying a longer period of time. If employees still choose to use these spaces, they will pay a premium to park in them long term.
- **Increase time limitations** on short term meters as a *convenience to customers*. Eliminate 1 hr meters and change most of these to 2 hr meters. Increase most 2 hr meters to 4 hr meters with the exception of streets surrounding City, County, and Federal buildings. Again 4 hr meters are considered short term because they are the higher rate of \$.50/hr.
- The majority of changes are to street meters. The only **proposed parking lot changes** are 1) 600 Block of Rood to change 12-2 hr meters to 4 hr meters and 2) 500 Block of Colorado to replace ½ of the signed 2 hr free spaces with 4 hr meters and 3) Avalon lot (7th & Main) to change 11-10 hr meters to 4 hr meters because this makes more sense as short term parking directly adjacent to Main Street.
- **Eliminate unused long-term meters** on the outskirts of the downtown area providing 159 new free unrestricted parking for employees within a 2-3 block walking distance.
- **Summary** of Proposed Parking Space Changes for the “Parking Management Area”.

Type of Space	Overall		Core Area	
	change	result	change	result
10 min free	+10	26	+10	26
2 hr free	-131	137	-131	65
24 min meter	-17	0	-17	0
1 hr meter	-199	2	-94	0
2 hr meter	-85	140	+14	65
4 hr meter	+383	458	+222	256
10 hr meter	-132	501	-23	158
Net Change	* -171		-19	
*Comprised of elimination of 159 outskirt meters plus 12 spaces lost in front of parking garage				

Walker Parking Consultants estimate for small to mid-size cities, the appropriate balance of short term to long term parking is 30-40% S/T and 60-70% L/T. There are 1,489 public (City provided) spaces in the parking system. **Walker** estimates that there are 3,000 private parking spaces in the downtown area for both employee and

customer use. They estimate that 80% of these private spaces are for L/T use however our review supports a 65% L/T use and this is what is used in the calculations summarized below. For comparison purposes, the composition is presented both for public (City provided) spaces only and then with private spaces included. The following table presents the composition before and after the proposed changes for both the overall parking system and the core area:

	Type		Current	After Proposed Changes	Recommended Range
Overall Parking System	S/T	Public Only	56%	53%	S/T 30%-40%
		With Private	42%	41%	
	L/T	Public Only	44%	47%	L/T 60%-70%
		With Private	58%	59%	
Core Area	S/T	Public Only	71%	69%	S/T 30%-40%
		With Private	48%	46%	
	L/T	Public Only	29%	31%	L/T 60%-70%
		With Private	52%	54%	

Conclusions & Comments:

1. It is important and valid to include the private spaces (approximately double the number of public spaces) in this analysis. In doing so the mix of S/T to L/T parking is more appropriately balanced and more in line with the recommended range.
2. It appears as though there is only small change to the S/T composition after the proposed changes; however, we believe the current composition is overstated due to the heavy long term use of the free 2 hr signed parking which is counted as short term above. So the proposed change (2 hr signed to 4 hr metered) more effectively “enforces” the use of those spaces and therefore fairly states the S/T composition. Finally, as discussed later in the Parking Garage Summary, if we consider that some (possibly even half) of the new 4hr meters will be used as high cost long term parking, the S/T composition will decrease, the L/T composition would increase, and both would be closer to the recommended range.
3. Due to their immediate proximity to the parking system the newly created 159 free unrestricted parking spaces are counted as long term. However as expected and reasonable they are outside of the core area. The apparent low, in L/T parking, especially in the core area, is addressed in the discussion of the parking garage.

ENFORCEMENT

Currently the Police Department’s full-time enforcement officer issues over 8,000 tickets in the downtown area each year. Enforcement time is split evenly between meter enforcement, illegal parking, and the free time limited spaces. Parking restrictions are now enforced between 8am and 4pm. At this time we consider the level of enforcement to be appropriate and do not recommend hiring more enforcement personnel. One officer is enough to encourage a fair level of voluntary compliance and to keep the traffic flow moving. The only change proposed in enforcement is **to extend the hours to 8am to 5pm**. However, we do expect that enforcement efficiency and coverage will be improved upon replacing some of the free time limited signed spaces with meters as discussed above.

FINES & FEES

At this time we are proposing only one change to our fines and fees garage and that is to **increase our monthly street or lot parking permit from \$25 to \$30**. This is a change that is directly related to having a parking garage and monthly permits for that garage as discussed in that parking garage summary.

Currently, our short term meter rates are \$.50/hr and long term rates are \$.10 per hour. The overtime parking fine is \$10 and the illegal parking fine is \$15. All fines increase \$10 each week if not paid and by the 4th week are at a warrant stage which adds another \$35. As stated in the **Walker Parking Consultants** study, our fine garage and parking meter rates are compatible. **Walker** also found our rates and fines were comparable to similar size cities. Based on our experience and observations over the last 3 years since tripling the fines and doubling meter rates, we also believe that the fines and fees garage is appropriate for our downtown and in-line with the public's expectations.

FINANCIAL

At this time the Parking Fund, which is operated as a separate enterprise fund, has over \$150,000 in positive net operating revenues each year and is expecting to have over \$300,000 by 2006. The **fund balance is expected to reach \$738,000 by the end of this year, \$1 million by end of 2006, \$2.3 million by 2010, and \$3.8 million in 2014**. These projections include all of the proposed changes, however; they are before the proposed capital contribution to the garage, and annual debt service payments.

The revenue impact of the proposed changes is expected to be the additional revenues from new metered spaces on 3rd, 4th, 5th, & 6th net of a loss of violation revenue on the signed spaces for a net gain of \$57,500. Plus an additional \$5,000 from the increase in monthly street parking permits.

Minimal cost impacts may include expenses incurred to change and upgrade parking signage downtown and the possible purchase of new meters to affect the proposed parking space changes (much can be accomplished with existing inventory).

The overall impact of the proposed changes to the 10 year financial plan is very modest, but is needed to assist with the operation, construction, and debt service for a new downtown parking garage, which will be discussed next.

PARKING GARAGE

Building the parking garage may have many advantages, including accomplishing one of the parking system's objectives of developing public/private partnerships to provide additional parking facilities within the system. According to the Walker Parking Consultant report, the lowest relative supply of parking compared to demand is from Main Street to White Avenue between 3rd & 6th Street. A parking garage proposed on Rood between 4th & 5th based on the allocation of spaces below would provide an additional 258 long-term spaces, and 66 short-term spaces in the core area which would bring the overall composition to 47% S/T and 53% L/T. This composition would be very close to the recommended ranges, and in fact may be in those ranges if we

consider that it is likely that many of the new 4 hr metered spaces will effectively be used as high cost L/T parking. Construction would begin in 2006, and the garage would be open by January 1, 2007.

DETAILS

- Proposed location is south side of Rood between 4th & 5th Street. Fifty foot ends to be retained by DDA for current/future retail development which would blend and be physically connected to the parking garage.
- 324 total spaces on 3 floors, top floor covered from the elements.
- 131 allocated to Major Partners who pay their proportionate share of the construction costs and annual ongoing operating and maintenance costs.
- 127 allocated to Long Term (annual) Leases and Individual Monthly Permits rates are estimated at \$720 per year or \$60 per month. Spaces will be unassigned but not oversold, in order to ensure availability. Assuming a 90% occupancy rate, these spaces will generate \$82,296 in permit revenue each year. Following is a table comparing monthly parking rates within the parking system. The data supports the proposed \$60 monthly rate for the garage, with a 2007 opening date. Monthly rates may begin at a lower promotional rate and incrementally increase to the \$60.

	S/T Meter	Front Door Surface (Alpine)	Parking Garage	Private Lot Walking Distance	City Issued Street Parking Permit*	L/T Meter
Monthly Cost	\$80	\$50	\$60	\$40	\$25 proposed to go to \$30	\$20
*City issued permits are restricted to use at 10 hr meters and are unassigned spaces and therefore the user is not guaranteed availability of a space.						

- 66 allocated to daily parking at \$.50 per hour. Assuming 50% occupancy rate, these spaces will generate \$32,736 in meter revenue each year.
- Garage will be automated.
- Estimated land acquisition and demolition of existing buildings, and site preparation is \$2 million.
- Estimated construction cost is \$4.7 million, with major partners contributing \$1.9 million, and the parking fund \$500,000 leaving costs to finance at \$2.3 million for 10 years. This would require a debt service payment of \$320,000 per year.
- Estimated operations, maintenance, and accrual for major equipment repair and replacement is \$120 per space per year or \$38,880 annually.

Downtown Parking Garage

Owned & operated by the City of Grand Junction
cost excludes land
 April 2005

<u>w/Alpine</u>	<u>w/o Alpine</u>		
Most Probable Estimate Cost, 2006 (current +4%)=		\$4,724,992	\$2,937,811
324 Spaces (Covered) or 204 (No Cover) =		\$ 14,583	\$ 14,400
Alpine Bank, 33% Owner, 108 x \$14,583	=	\$1,574,964	-0-
 <u>Annual Operating Cost:</u>			
Operation & Maintenance @ \$100/Space		\$ 32,400	\$ 20,400
Replacement Reserve \$20/Space		<u>6,480</u>	<u>4,080</u>
Annual Operating Costs		<u>\$ 38,880</u>	<u>\$ 24,480</u>
 <i>Annual Operating Costs per Space / 324 = \$120</i>			
 <u>Alpine Bank</u>			
Operating Cost Share		<u>\$ 12,960</u>	- 0 -
Market Value of Spaces, 1 st Year		\$ 60	
Beginning 1/1/07			
Alpine Bank Cost per Space, per Month		<u>10</u>	
Alpine's Monthly Net/Space		<u>\$ 50</u>	
(before amortization of cost)			
 <u>Estimated Revenues:</u>			
127 Monthly/Annual Permit Fees at \$60/Space (90%)		\$ 82,296	\$ 82,296
66 / 54 Daily Parking Revenues (\$2/day/Space, 50%)		<u>32,736</u>	<u>26,784</u>
		<u>\$ 115,032</u>	<u>\$109,080</u>
Garage Expense		\$ 38,880	
Less Alpine's Share		<u>12,960</u>	\$ 25,920
		<u>\$ 25,920</u>	<u>\$ 24,480</u>
 Net to Parking Fund Debt Service		 <u>\$ 89,112</u>	 <u>\$ 84,600</u>

City of Grand Junction
Downtown Parking Garage
 April 2005

	Covered 3-Story <u>w/Alpine</u>	Uncovered 2-Story <u>w/o Alpine</u>
Garage Cost to (2006)	\$4,724,992	\$2,937,811
Alpine Cost (33%)	1,574,964	-0-
P.J. Inc Govern Cost (23)	<u>335,409</u>	<u>331,200</u>
Parking Fund Cost	\$2,814,619	\$2,606,611
Cash Contribution from Parking Fund	<u>500,000</u>	<u>500,000</u>
Amount to be Financed	<u>\$2,314,619</u>	<u>\$2,106,611</u>
Annual Payment Estimate with 10 Year Amortization	<u>\$ 320,000</u>	<u>\$ 285,000</u>
	↓	↓
Annual Net Income w/Parking System Changes Before Garage, 2007 to 2014	\$300,000 to \$400,000	\$300,000 to \$400,000

DDA Total Contribution to Project	\$2,353,742
Land Bought	\$1,480,000
Snap Photo Land	127,000
Site Work (Demo Environmental, etc.)	411,333
P.J. Property	<u>335,409</u>
Current Estimate	<u>\$2,353,742</u>

Downtown Parking Garage

Preliminary Schedule

1. Property needed, all under contract: *April, 2005*
2. Recommend changes to parking system [Done]
3. Business plan drafted for parking system & garage [Done]
4. Meet with Walker on preliminary design questions: [Done]
5. Environmental study: *Preliminary, Done*
6. Report to City Council on parking system & garage: *April, 2005*
7. General Meeting with C.D.: [Done]
8. Award design contract & landscaping options: *October, 2005* (1% for arts)
9. Demolition date can begin: *April 1st, 2006*
10. Construction begins: *July 1st, 2006*
11. Garage opens: *January, 2007*

PARKING FUND #308 / Long Range Financial Projection (with Garage construction transfer and debt service)

4/15/2005 9:01 AM

PARKING FUND # 308	03-ACT	04-ACT	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
<i>Assumptions: Proposed Parking System Changes are Implemented 1/1/2006. Garage is constructed 2006 and operational 1/1/2007.</i>												
OPERATING REVENUE												
Parking Meters	\$ 175,804	\$ 165,031	\$ 165,000	\$ 230,000	\$ 230,000	\$ 230,000	\$ 230,000	\$ 230,000	\$ 230,000	\$ 230,000	\$ 230,000	\$ 230,000
Parking Violations	177,710	164,131	175,000	167,500	167,500	167,500	167,500	167,500	167,500	167,500	167,500	167,500
Pooled Interest Income	8,562	16,326	26,000	34,927	33,263	31,511	29,389	26,872	23,933	20,541	16,667	12,277
Other (Parking Permits)	31,126	25,840	25,840	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
Total Operating Revenue	393,202	371,328	391,840	468,427	466,763	465,011	462,889	460,372	457,433	454,041	450,167	445,777
OPERATING EXPENSE												
Personnel	\$ 100,601	\$ 106,646	\$ 109,718	\$ 113,010	\$ 116,400	\$ 119,892	\$ 123,489	\$ 127,193	\$ 131,009	\$ 134,939	\$ 138,987	\$ 143,157
Non-Personnel Operating	118,433	115,616	129,833	50,385	51,897	53,453	55,057	56,709	58,410	60,162	61,967	63,826
Operating Capital	-	-	-	-	-	-	-	-	-	-	-	-
Total Operating Expense	219,034	222,262	239,551	163,395	168,296	173,345	178,546	183,902	189,419	195,102	200,955	206,983
OPERATING VARIANCE	\$ 174,168	\$ 149,066	\$ 152,289	\$ 305,033	\$ 298,467	\$ 291,665	\$ 284,343	\$ 276,470	\$ 268,014	\$ 258,940	\$ 249,212	\$ 238,794
Operating Coverage	179.5%	167.1%	163.6%	286.7%	277.3%	268.3%	259.3%	250.3%	241.5%	232.7%	224.0%	215.4%
CAPITAL SOURCES (USES)												
Transfers-In	-	-	-	-	-	-	-	-	-	-	-	-
Capital Expenditures	-	-	10,000	10,500	11,000	11,500	12,000	12,500	13,000	13,500	14,000	14,500
NET CAPITAL SOURCE (USE)	-	-	(10,000)	(10,500)	(11,000)	(11,500)	(12,000)	(12,500)	(13,000)	(13,500)	(14,000)	(14,500)
TOTAL REVENUE	393,202	371,328	391,840	468,427	466,763	465,011	462,889	460,372	457,433	454,041	450,167	445,777
TOTAL EXPENSE	219,034	222,262	249,551	173,895	179,296	184,845	190,546	196,402	202,419	208,602	214,955	221,483
TOTAL VARIANCE	174,168	149,066	142,289	294,533	287,467	280,165	272,343	263,970	255,014	245,440	235,212	224,294
Downtown Parking Garage												
Debt Service					(320,000)	(320,000)	(320,000)	(320,000)	(320,000)	(320,000)	(320,000)	(320,000)
Transfer Out for Construction				(500,000)	-	-	-	-	-	-	-	-
NET SOURCE/(USE) FOR GARAGE				(500,000)	(320,000)	(320,000)	(320,000)	(320,000)	(320,000)	(320,000)	(320,000)	(320,000)
BEGINNING WORKING CAPITAL	272,611	446,779	595,845	738,134	532,667	500,134	460,299	412,642	356,613	291,626	217,066	132,278
ENDING WORKING CAPITAL	446,779	595,845	738,134	532,667	500,134	460,299	412,642	356,613	291,626	217,066	132,278	36,572
MINIMUM WORKING CAPITAL @ 15%	32,855	33,339	35,933	24,509	25,244	26,002	26,782	27,585	28,413	29,265	30,143	31,047
VARIANCE FROM M.W.C.	413,924	562,506	702,201	508,158	474,890	434,298	385,861	329,027	263,213	187,801	102,135	5,524
Capital Improvement Projects:												
F16000: Parking Lot Improvements	-	-	9,500	10,000	10,500	11,000	11,500	12,000	12,500	13,000	13,500	14,000
TOTAL	-	-	9,500	10,000	10,500	11,000	11,500	12,000	12,500	13,000	13,500	14,000
2003, 2004, 2005 \$75,000 in Non Personnel Operating for downtown marketing project.												
Assumes flat revenues, 3% increase in Personnel and Operating Costs, and 5% investment income earned.												

Attach 16

Watershed Protection Memorandum of Understanding with the BLM

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Watershed Memorandum of Understanding with United States Bureau of Land Management					
Meeting Date	April 20, 2005					
Date Prepared	April 13, 2005				File #	
Author	Kelly Arnold			City Manager		
Presenter Name	Kelly Arnold, John Shaver, Dennis Kirtland, and Bruce Hill			City Manager, City Attorney, City Councilmember, and Mayor		
Report results back to Council	X	No		Yes	When	
Citizen Presentation	X	Yes		No	Name	Possible BLM Representative
	Workshop	X		Formal Agenda		Consent
						Individual Consideration

Summary: The City of Grand Junction and the United States Department of Interior Bureau of Land Management (BLM) are entering into a Memorandum of Understanding (MOU) for five (5) years towards a partnership that will ensure protection of the quality and quantity of the City's municipal water supply.

Budget: There will be some costs associated with participating in this MOU. It will include staff time and the costs of working together in developing/implementing a watershed management plan which has already started to be developed. More will be developed in the 2008-07 budget process on actual budget implications.

Action Requested/Recommendation: It is recommended that the MOU be approved and direct staff to begin implementing the steps outlined in the MOU.

Attachments: The attachments are the MOU and the map of the watershed area that is covered by this MOU.

Background Information: This is the culmination of an effort that stems from the watershed ordinance discussion in late 2002. From that discussion, Council made a commitment to enter into watershed MOU's with the three governmental agencies (Forest Service, Mesa County, and BLM) that have interests in and around the City's watershed in the Kannah Creek and Whitewater Creek basins. This watershed is the primary source of municipal water for the City of Grand Junction. In May, 2004 the City and USFS ratified a similar MOU. Then in November, 2004 the City and Mesa County ratified a similar MOU. This is the last MOU with the public agencies that have any influence with the watershed area.

As shown on the map attachment titled "Area of Interest", the watershed area is approximately 58,834 acres. Under BLM control is 2,560 acres. The MOU contemplates that both parties will work together on efforts that include:

BLM MOU Memo – Page 2

- ✓ The BLM will provide the City meaningful involvement in development and implementation of any land-use plans or programs;
- ✓ Assisting each other in developing further information or communicating formally on the watershed area through maps, data collection, and semi-annual meetings;
- ✓ Cooperate together establishing and implementing stewardship practices, including grazing plans and erosion control and noxious weeds control plans.
- ✓ Work together and other agencies in developing a comprehensive watershed assessment and work program that will improve the overall health of the watershed.

A team of City staff and Council members met a several times with representatives of the Grand Junction BLM office. Both teams now recommend the MOU to both of the respective agencies for approval.

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
CITY OF GRAND JUNCTION
AND THE
UNITED STATES DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT
GRAND JUNCTION FIELD OFFICE

This MEMORANDUM OF UNDERSTANDING is hereby made and entered into by and between the City of Grand Junction, hereinafter referred to as the “City” and the United States Department of Interior Bureau of Land Management, Grand Junction Field Office, hereinafter referred to as “BLM.”

A. PURPOSE:

To formalize a partnership between the City and BLM to ensure protection of the quality and quantity of the City’s municipal water supply; and

To develop and implement a system for communication and consultation between the City and the BLM in the processes and practices of developing and implementing local, state and federal land use actions; and

To ensure active involvement by each party in new and existing project planning and development within the Grand Junction Watershed Area outlined on the attached map (Appendix A) which is incorporated by this reference as if fully set forth. The land area represented by Appendix A that is owned or controlled by the City and/or the BLM shall be known and referred to for purposes of this agreement as “the Area of Interest.”

B. STATEMENT OF MUTUAL BENEFIT AND INTERESTS:

The BLM and the City are committed to working as partners; the mutual benefits and interests of the partnership shall be to protect the municipal watershed area. Appendix B to this agreement lists the laws, regulations, policies and historical documents that are pertinent to this course of action.

The BLM and the City recognize that land use policy and/or development decisions made or not made by one party affect the other. Because of that, the parties understand and agree that it is mutually beneficial to cooperate in land-use planning, development approval(s), policy development and implementation and decision-making.

The BLM and the City further recognize the need to notify and involve each other before, during and after action(s) concerning and involving the Area of Interest. Areas of mutual interest to the BLM and to the City are listed at Appendix C. Appendix C may be amended by mutual agreement of the parties.

C. THE BLM SHALL:

1. Provide the City an opportunity for meaningful involvement in the development and implementation of land-use plans, programs, and decisions for BLM lands.

The BLM shall consider those views, opinions and analyses in its decision making processes. The BLM will ensure that the City has a meaningful role and opportunity for input into resource management plans, special project plans and activity level plans so that the BLM can ensure resource protection for the City's water supply as allowed under law, regulation and policy as it now exists or may be amended.

2. When and where possible, assist the City in the collection of land usage data and information for lands within the Area of Interest as is required by the City, so long as such collection is consistent with the Privacy Act of 1974, as amended. The BLM will notify the City of observed conditions which may appear to threaten water quality and/or quantity. The BLM agrees to describe the condition(s), in writing as soon as practicable, to the City.
3. Provide the City the opportunity to review and comment on proposed actions under consideration by the BLM that are within the Area of Interest.
4. Make available to the City, upon request, nonproprietary information and resources concerning BLM lands located in and above gradient of the City's watersheds.

D. CITY SHALL:

1. Provide the BLM the opportunity to review and comment on proposed actions under consideration by the City that are within the Area of Interest.
2. Establish and work to implement stewardship practices, including grazing plan(s), erosion control and noxious weed control, on those parcels owned by the City within the Area of Interest.
3. Require its contractors, lessees, licensees, permittees and agents performing work for or on behalf of the City on BLM lands to meet all applicable BLM requirements.

E. BOTH PARTIES SHALL:

1. Cooperate in permitting and land-use decision making especially when the decision has or may have a direct impact on water quality and/or water quantity. That cooperation shall be made and/or given in a manner consistent with the responsibilities and authorities assigned by this agreement and other applicable law or policy.
2. Work together to maximize benefits from available financial and human resources while protecting, preserving and safeguarding the City's water quantity and quality. Attaining that goal will be easier if the parties become more efficient and effective by reducing the duplication of effort and working to attain better overall coordination of land and ecosystem management.
3. Establish periodic meetings to review projects and activities and to share information and data collected (monitoring data, analyses, site inspection reports, traffic counts/data, trail logs, inspections reports, *etc.*).
4. Make available digital spatial data including supporting documentation (Metadata) with the following information: data sources, data steward, description of the data, source vintage, source scale reliability and attributing scheme;
 - a. Under the terms of this agreement, only non-classified data may be shared. If automated resource data is shared, it must be verified to the standards of the producing agency. It will be the responsibility of the Parties to request updates to the data. Data updates/information requests or exchanges made under or pursuant to this agreement shall not require a Freedom of Information or Open Records Act request.
 - b. The data provided under or pursuant to this agreement is not warranted for a particular purpose. Neither is it warranted for a purpose(s) other than the purpose(s) for which it was collected or generated by the producer, whether that is the City or the BLM.
5. Provide, where feasible, monetary or in-kind resources to conduct a comprehensive watershed assessment. This comprehensive watershed assessment is planned in cooperation with the City, Bureau of Land Management, Forest Service and other landowners, permittees, licensees, lessees, *etc.*, owning land or conducting activities within the City's watershed. It is anticipated that when the watershed assessment is completed, it will result in the identification of various projects that, when accomplished, will improve the overall watershed health.

F. IT IS MUTUALLY UNDERSTOOD AND AGREED BY AND BETWEEN THE PARTIES:

1. FREEDOM OF INFORMATION ACT (FOIA). Any information furnished to the BLM under this instrument is subject to the Freedom of Information Act (5 U.S.C. 552).
2. PARTICIPATION IN SIMILAR ACTIVITIES. This instrument in no way restricts the BLM or the City from participating in similar activities with other public or private agencies, organizations and individuals.
3. COMMENCEMENT/EXPIRATION/TERMINATION. This MOU takes effect upon the signature of the BLM and City and shall remain in effect for five (5) years from the date of execution. This MOU may be extended or amended upon written request of either the BLM or the City and the subsequent written concurrence of the other Party. Either the BLM or City may terminate this MOU with a 60-day written notice to the other Party.
4. RESPONSIBILITIES OF PARTIES. The BLM and City and their respective agencies and officers will handle their own activities and utilize their own resources, including the expenditure of their own funds, in pursuing these objectives. Each party will carry out its separate activities in a coordinated and mutually beneficial manner as described in this agreement.
5. PRINCIPAL CONTACTS. The principal contacts for this instrument are:

Bureau of Land Management
Catherine Robertson,
Field Manager
Grand Junction Field Office
2815 H Road
Grand Junction CO 81506
Phone: 970-244-3000
FAX: 970-244-3089
E-Mail: catherine_robertson@co.blm.gov

City of Grand Junction
Kelly Arnold,
City Manager
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501
Phone: 970-244-1508
FAX: 970-244-1456
E-Mail: Kellya@ci.grandjct.co.us

SECONDARY CONTACTS:

Raul Morales,
Associate Field Manager
Grand Junction Field Office
2815 H Road
Grand Junction CO 81506
Phone: 970-244-3066
FAX: 970-2634-3089
E-Mail: raul_morales@co.blm.gov

Terry Franklin, Water Services
Superintendent
City of Grand Junction
2553 River Road
Grand Junction, CO 81505
Phone: 970-244-1495
FAX: 970-244-1426
E-Mail: Terryf@ci.grandjct.co.us

6. NON-FUND OBLIGATING DOCUMENT. Nothing in this agreement shall obligate either the BLM or City to obligate or transfer any funds. Specific work projects or activities that involve the transfer of funds, services, or property among the various agencies and offices of the BLM and City will require execution of separate

agreements and be contingent upon the availability of appropriated funds. Such activities must be independently authorized by appropriate authority. This MOU does not provide such authority. Negotiation, execution and administration of each such agreement must comply with all applicable statutes and regulations.

7. ESTABLISHMENT OF RESPONSIBILITY. This agreement is not intended to and does not create, any right, benefit or trust responsibility, substantive or procedural, enforceable at law or equity, by a party against either the City or the United States, its agencies or their respective officers or employees.
8. AUTHORIZED REPRESENTATIVES. The signatories below are authorized to act in their respective areas for matters related to this agreement.

THE PARTIES HERETO have executed this instrument.

CITY OF GRAND JUNCTION

BUREAU OF LAND MANAGEMENT

Mayor

Field Manager

Date _____

Date _____

Appendices:

- Appendix A: City of Grand Junction Municipal Watershed Map- 2004
- Appendix B: Laws, Regulations, Policies and Historical Documents
- Appendix C: Projects of Mutual Interest

Appendix B
Laws, Regulations, Policies and
Historical Documents

For the Bureau of Land Management:

- The National Environmental Policy Act of 1969, (42 USC. 4321 et seq., as amended
- Multiple Use-Sustained Yield Act of 1960
- The Federal Land Policy and Management Act of 1976 (FLPMA); Public Law 94-579, as amended (43 U.S. Code §§ 1701-1785).
- Clean Water Act (Federal Water Pollution Control Act) of 1972; Public Law 92-500, as amended (33 U.S. Code §§ 1251-1387)
- 1987 *Grand Junction Resource Area Resource Management Plan and Record of Decision*. Bureau of Land Management, Grand Junction District, Grand Junction Field Office, Grand Junction, Colorado.
- 1996. Riparian Area Strategy Plan, BLM.
- 1996 *Standards for Public Land Health and Guidelines for Livestock Grazing Management in Colorado*. Bureau of Land Management, Colorado State Office, Lakewood, Colorado.

For the City of Grand Junction:

- Clean Water Act (33 U.S.C. 1251, et seq., as amended)
- Article XIV, Section 18 of the Colorado Constitution and legislation pursuant thereto; namely, C.R.S. §29-1-201, et seq.
- Article XX, Section 10 of the Colorado Constitution to providing for Home Rule and the City's Charter
- Local Government Land Use Enabling Act, C.R.S. §29-20-105, et seq.
- Title 31 of the Colorado Revised Statutes
- Grand Junction Code of Ordinances, as amended
- Grand Mesa Slopes management plan and agreement

Appendix C
Projects of Mutual Interest

The City and the BLM will work collaboratively on the following types of applications and/or proposals that may be filed with the BLM or which may be generated by the BLM or which may impact the Area of Interest. It is intended that the City will review and comment on and as appropriate participate in:

- Sales, exchanges, leases or other conveyances of lands and any changes in designation of parcels for exchange in to or out of private ownership by or under the authority or jurisdiction of the BLM Grand Junction Field Office;
- Mineral withdrawals and revocations;
- Issuance of authorizations for roads, power lines, pipelines, telephone lines and other projects;
- Planning information, resource information and resource management plans;
- Schedule of proposed actions, environmental assessments and environmental impact statements;
- BLM designations of special use areas; *i.e.*, community rock sources, communication site complexes;
- Oil, gas and mineral exploration, development, production and reclamation plans including sand and mineral material contracts and plans of operation;
- Proposed timber sales and timber management;
- Water storage and/or diversion project(s);
- Recreation plans;
- Revisions of grazing allotment management plan(s);
- Fuels reduction plans, especially prescription burning that could result in short term increase in sediment yield.

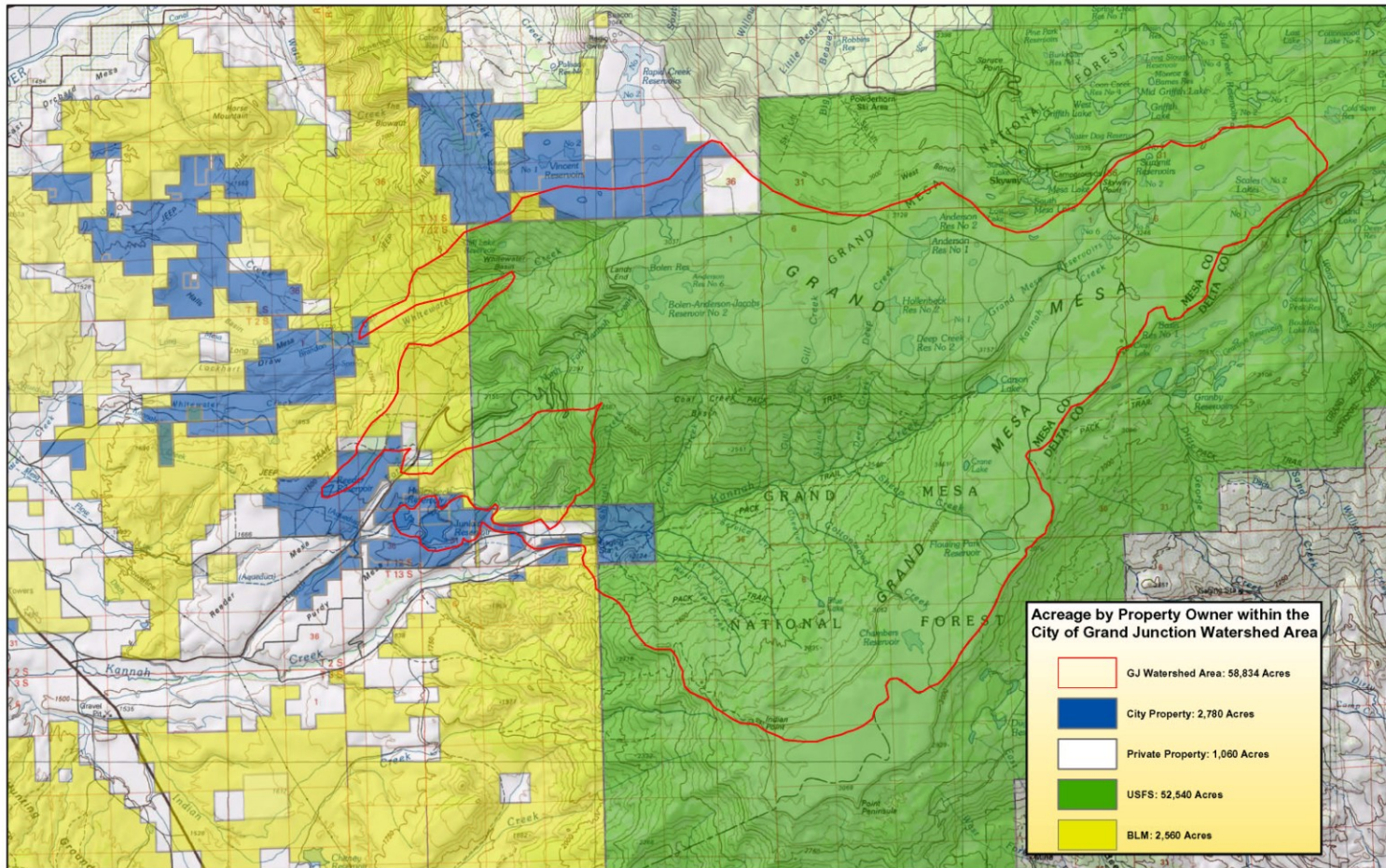
The BLM will be afforded review and comment on the following types of applications or proposals that may be filed with the City and which may impact the Area of Interest, including but not limited to:

- Residential subdivisions, mobile home parks and commercial or industrial development; sand and gravel leases, contracts and/or exploration or extraction; solid waste disposal sites and sewage treatment sites within three air miles of BLM lands;
- Public roads, power lines, pipelines, telephone lines and similar rights-of-way;
- Building or special use permits that may affect BLM lands;
- City zoning and/or subdivision regulations, amendments and changes;
- Pesticide spraying/pesticide use proposals done or made in anticipation of spraying;
- Dust prevention plans;

- City snow plowing on public roads crossing BLM lands in the Area of Interest;
- Multi-use (motorized and non-motorized) trail construction;
- Actions affecting existing access to BLM lands or actions that may create a new access to BLM lands;
- When and where possible, the BLM will assist the City in installation of signs, as proposed by the City, for educating the public on efforts to protect the City's water quality/the health of the watershed lands. The BLM will approve the wording and location of "municipal watershed boundary" signs to be located on BLM lands.

_____ BLM
_____ City

City of Grand Junction Watershed Area



Attach 17

Public Hearing – Growth Plan Amendments for Pear Park Neighborhood Plan Special Study Areas

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Pear Park Neighborhood Plan Special Study Areas					
Meeting Date	April 20, 2005					
Date Prepared	April 15, 2005				File PLN-2004-147	
Author	David Thornton		Principal Planner			
Presenter Name	David Thornton Tim Moore		Principal Planner Public Works Manager			
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 City and County Planning Commissions met jointly in a public hearing on March 31, 2005 to consider three potential amendments to the adopted 2004 Pear Park Neighborhood Plan. The City Planning Commission recommended that City Council approve changes to the City’s Growth Plan Future Land Use Map for the Teller Court Special Study Area and the D Road (between 30 Road and 32 Road, south side) Special Study Area; and recommended no change to the D ½ Road Corridor Right-of-Way Street Cross Section.

1. Changes to the Teller Court Special Study Area include amending the Future Land Use map from “Commercial” and Commercial/Industrial” land uses to “Commercial/Industrial” and “Industrial” land uses.
2. Changes to the D Road Special Study Area include amending the Future Land Use Map:
 - from “Estate” density range between 2 and 5 acres per parcel to “Residential Medium” density range between 4 and 8 units per acre for sub-areas A, B and C,
 - from “Conservation” and “Estate” to Residential Medium Low” density range between 2 and 4 units per acre for sub-area D, and
 - from “Estate” and “Park” to Conservation” for sub-areas E and F.

These changes (amendments) were also approved by the Mesa County Planning Commission (the County Planning Commission is the final approval authority for the Mesa Countywide Land Use Plan).

Budget: NA

Action Requested/Recommendation: Hold a public hearing and adopt by resolution the Pear Park Neighborhood Plan Future Land Use Map amendments as recommended by the City Planning Commission at their joint Planning Commission meeting with Mesa County Planning Commission on March 31, 2005. Mesa County approved these changes to the Future land Use Map.

Attachments:

- Background Information/Analysis
- Public Comments received at the February 22nd Open House
- February 24, 2005 Letter from 8 residents
- Minutes of March 31st Joint Planning Commission Public Hearing
- Teller Court Future Land Use Study Area Exhibit
- South Side of D Road (between 30 and 32 Rd) Future Land Use Study Area Exhibit
- D Road Study Area Future Land Use Options Exhibit
- D ½ Road Section Exhibit
- Resolution

A. BACKGROUND INFORMATION/ANALYSIS

On December 9, 2004 the City of Grand Junction and Mesa County jointly adopted a plan for the Pear Park Neighborhood. In the Community Image and Character Chapter of the Plan under “Implementation Strategies” on page 46, the third strategy reads, “...future study of two areas for potential changes to the Future Land Use Map shall be conducted in the first quarter of 2005 and brought back to both Planning Commissions by April/May 2005. The areas to be furthered studied are:

1. Teller Court Area – located west of 30 Road; and
2. D Road Area – located south of D Road to the River, between 30 Road and 32 Road.

In addition, at the Plan adoption hearing before City Council on January 5, 2005, staff was given direction to take a look at an additional special study area:

3. the D ½ Road Right-of-Way Street Section and the Plan’s requirement for 80 feet of road width, (See D ½ Road Section Exhibit.)

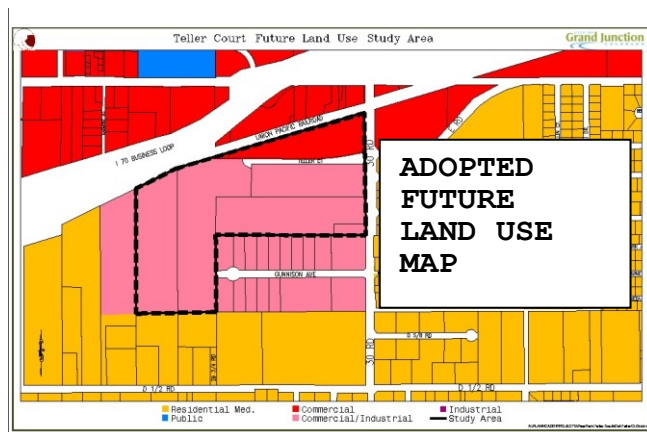
Staff has conducted a planning process for these three special study areas and requests that the City and County Planning Commissions consider the recommendations.

B. PLANNING PROCESS/PUBLIC COMMENT

The special areas planning process began in January 2005. Public input was solicited at two focus group meetings, a public open house, individual meetings with property owners upon request and written comments, phone calls, e-mail, and personal communications. The public open house held February 22 was well attended by approximately 120 people. Notice of the open house was mailed to every property owner in the planning area (approximately 4,600) announcing the 3 topic areas of discussion. On March 31, 2005 a joint City County Planning Commission Public Hearing was held for consideration of the three special study areas adoption.

C. Special Study Areas

1. **Teller Court Area** – located west of 30 Road.



Three options were developed by staff in an effort to facilitate public review and comment by the affected property owners as well as the general public. Currently the study area is designated “Commercial/ Industrial” on the Future Land Use map, except the property located at 489 30 Road which is designated “Commercial”.

Option 1 recommends that the entire area be designated “Commercial/ Industrial” including 489 30 Road.

Teller Court Future Land Use Study Area

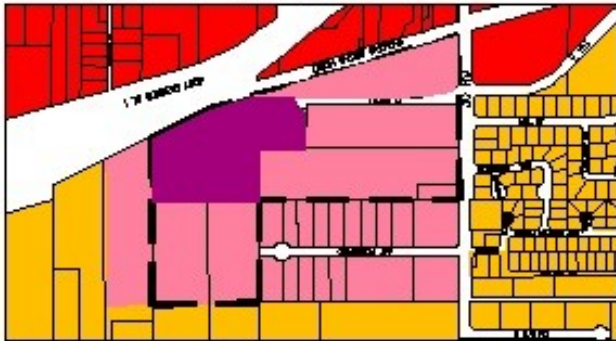


OPTION 1

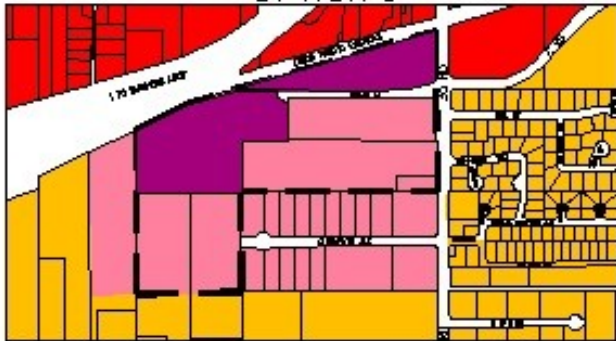
Grand Junction



OPTION 2



OPTION 3



■ Residential Med. ■ Commercial ■ Industrial
■ Public ■ Commercial/Industrial Study Area

Option 2 recommends that all of the study area be designated “Commercial/ Industrial” except for the Northwest corner of the study area which would be designated “Industrial”. This industrial area includes the northern portions of 2968 D ½ Road and 2991 Teller Court.

Option 3 expands option 2 by increasing the “Industrial” area to include 489 30 Road.

Handouts at the focus group and open house included a use matrix from the Development Code for the commercial and industrial zone districts which implement the above Future Land Use Designations.

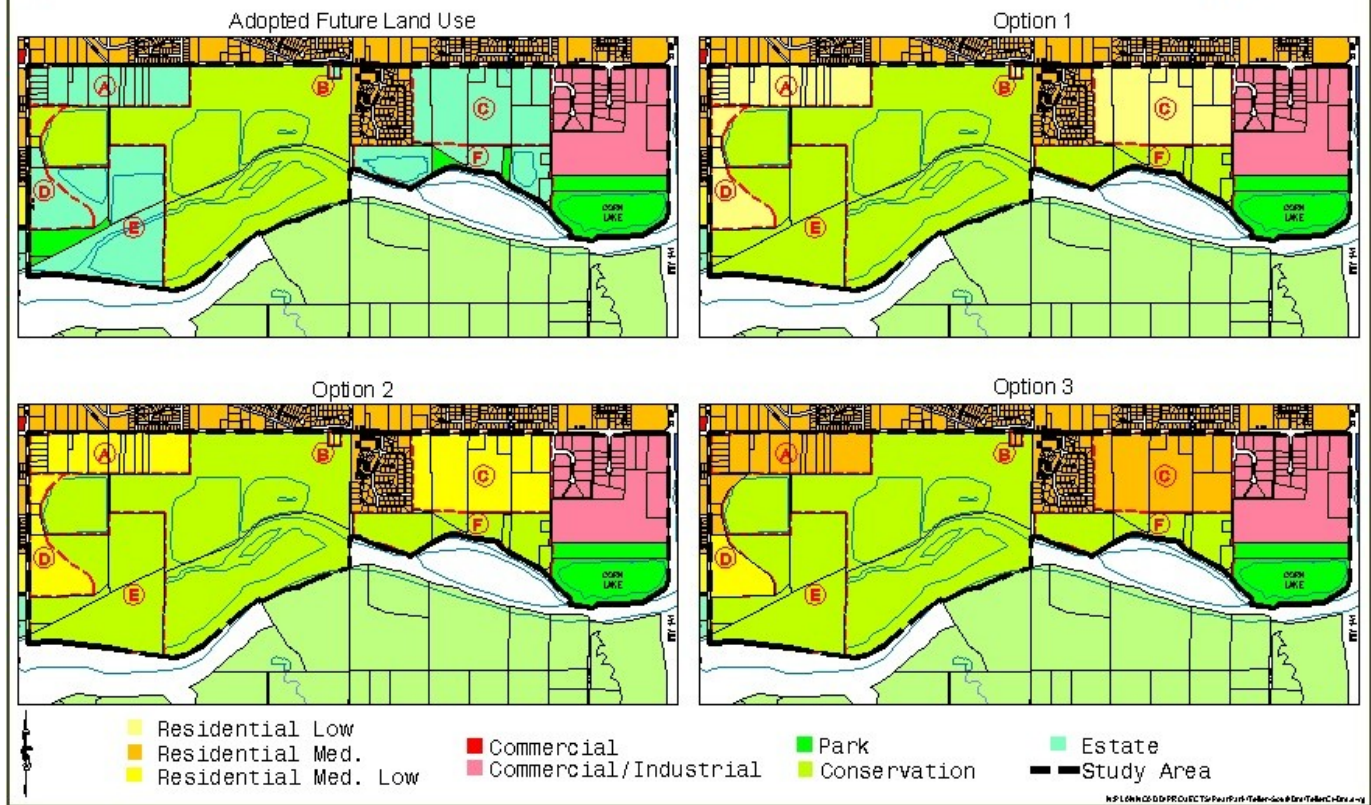
Public Comments:

A majority of public comments, including property owners within the study area, support option 3.

There were some in favor of option 1. Please see attached comments.

The City Planning Commission recommends adopting option 3. The Mesa County Planning Commission agreed, and approved Option 3.

2. **D Road Area** – located south of D Road to the River, between 30 Road and 32 Road.



Three options were developed by staff in an effort to facilitate public review and comment by the affected property owners as well as the general public. Currently the study area is a mixture of “Estate”, “Park” and “Conservation” designations. The study area was separated into six sub-areas (A thru F). For sub-areas E and F all three options recommend changing the current Land Use designation from “Estate”, “Conservation” and “Park” to “Conservation”. This recommendation is supported by the public, as well as staff due to the proximity to the Colorado River and existing floodplain and wetlands. Sub-areas A thru D are different for each of the three options as follows. (Please also see the attached D Road Study Area Future Land Use Options exhibit.)

Option 1 recommends minor changes, recognizing existing parcel size. The Future Land Use designation for sub-areas A thru D would change from “Estate” and “Conservation” to “Residential Low”, with densities between one half acre to 2 acres per dwelling unit. Option 1 would make the Future Land Use designation consistent with current parcel sizes, while still allowing for additional growth in the area. It supports the land use strategy of transitioning density from higher density areas (north of the study area) to lower density areas (Colorado River and wildlife areas bordering the study area on the south).

Option 2 recommends increasing the density by one category in intensity to “Residential Medium Low”, two to four units per acre. This option provides for a more urban population density in an area that has sanitary sewer and other urban services available. It provides for additional land classified as “Residential Medium Low”, a land use category that is not very abundant in Pear Park at this time. The majority of Pear Park is classified as “Residential Medium” with densities between four and eight units per acre. This option allows for single family detached housing. This option also allows for the transitioning of density from higher density areas to the north (“Residential

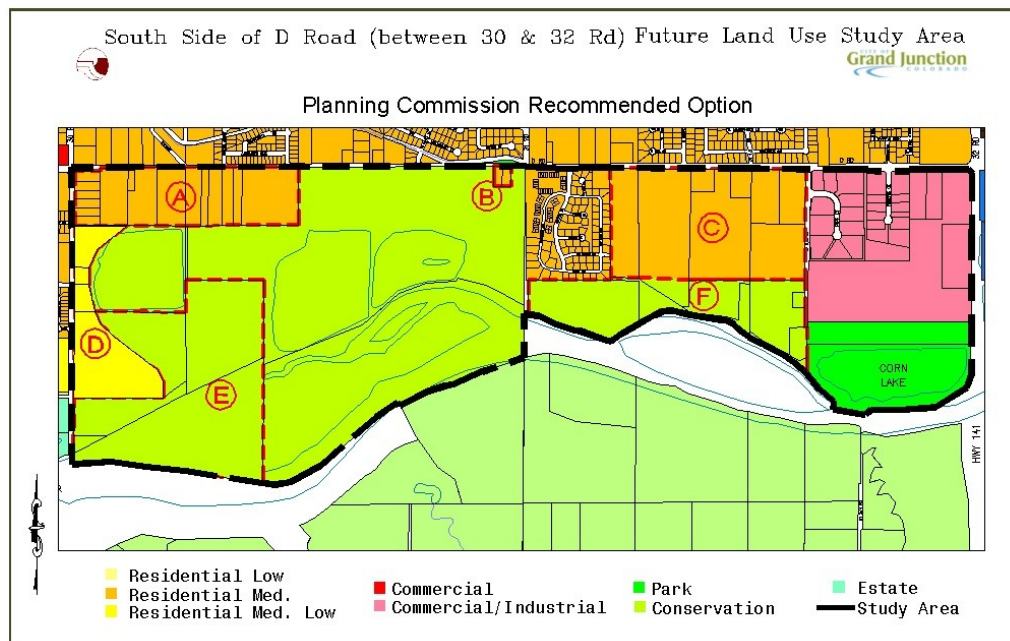
Medium”) to the Colorado River and wildlife areas bordering the study area on the south (“Conservation”).

Option 3 recommends increasing the density designation to “Residential Medium”, four to eight units per acre for sub-areas A thru D except the southern portion of sub-area D which is being recommended for “Residential Medium Low”, two to four units per acre. This option would make sub-areas A, B, C and the north half of D the same designation as the majority of Pear Park. Adequate public utilities/services are in place or can be easily extended to accommodate future growth within this designation. This option provides for a mix of housing types, including attached residential and multifamily dwellings. The ability to transition from the higher densities to the north and the conservation areas to the south would be more limited under this option and would have to occur through zoning. This option would also locate higher density in close proximity to the Commercial/Industrial designated area at the east end of the study area near 32 Road.

Public Comments:

A majority of public comments support option 1 or option 3. The property owners within the study area generally support option 3 and much of the public at large support option 1. However; many supporters of Option 3 found Option 2 acceptable. Both option 2 and 3 allow a potential density of 4 units per acre Please see attached comments.

The City Planning Commission recommends Option 3 for sub-areas A, B, C, E and F and modifying sub-area D to be all “Residential Medium Low” for sub-area D. The Mesa County Planning Commission agreed and adopted these changes to the Future Land Use Map.



D ½ Road corridor re-evaluation:

City Council adopted the Pear Park Plan on January 5, 2005. At the public hearing, a core group of residents expressed concern related to the Right-of-Way (R-O-W) width identified in the Plan for the D ½ Road corridor. As a result, Council asked staff to review the need for the 80 Foot R-O-W on D ½ Road as described in the plan.

Public Process

The D ½ Road R-O-W width issue was included in the public process for identifying the Future Land Uses in the two Special Study Areas to provide additional citizen feedback regarding the adopted street standard for D ½ Road. While Council has initially approved the 80 foot cross section as shown, there was a desire to take additional public comment to determine if the cross section should be reconsidered. Over 120 people attended the Open House held on February 22, 2005. Residents were presented with three options (see discussion on pages 10 & 11). The three options all utilize the same standard pavement width, and differ only on the sidewalk or edge treatment. Written comments were received related to the three options with 11 expressing a preference for the narrower 60 foot R-O-W width, 6 supporting the 80 foot R-O-W, one preferred a 70' R-O-W and 5 respondents preferred something wider than 60', but did not specify a width.

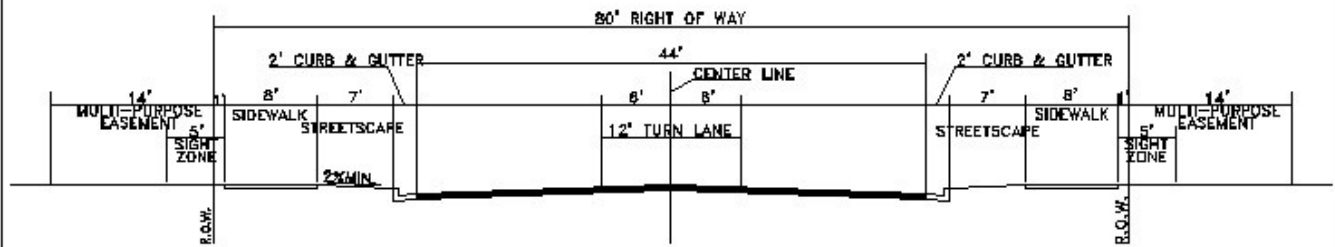
Public Hearing

At the March 31st joint Planning Commission meeting with the City of Grand Junction and Mesa County, the issue was discussed as part of the public hearing. Ultimately, the joint Planning Commissions unanimously re-affirmed the need for the 80 Foot R-O-W along the D ½ Road corridor.

The proposed D ½ Road Section had previously been adopted as part of the Grand Valley Circulation Plan in July 2004, with that document re-classifying D ½ Road (29 Road to 32 Road) from an Urban Collector with detached path(s), (varying from 70' to 80' width), per the Urban Trails Plan to a Minor Arterial (80').

Staff re-examined the needs of all modes of transportation on this corridor for the current planning window to the Year 2030 (Build-Out) and also possibilities of future growth beyond the current Urban Growth Boundary.

There is currently no plan to widen or improve D ½ Road in the current 10-year capital plan for the City or the County. The adopted corridor cross-section affects developing parcels in terms of required right-of-way dedication only.



"D 1/2" ROAD SECTION

N.T.S.

**PEAR PARK 2004
STREET CROSS SECTION**

(A part of the Grand Valley Circulation Plan)

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Roadway Elements

Vehicular Transportation

Mesa County/Grand Junction Regional Transportation Planning Office's traffic model predicts traffic growth for the D 1/2 Road Corridor as shown in the table below:

D 1/2 Road Corridor Traffic Volumes

<i>Segment</i>	<i>2000 ADT*</i>	<i>2030 ADT</i>	<i>% Growth</i>
29 Rd to 30 Rd	756	8500	1024%
30 Rd to 31 Rd	5510	7600	35%
31 Rd to 32 Rd	4205	6000	46%

ADT: Average Daily Traffic (both directions)

* actual counts

Growth in traffic volumes occurs not only from increased population density with eventual build-out, but is also the result from changes in traffic patterns. Volumes will

increase with increased connections to the Pear Park Area with projects like the 29 Road viaduct which will provide a direct connection between D and North Avenue, the future interchange at 29 Road and I-70 B and the future interchange at 29 and I-70. People in the vicinity of D ½ Road may choose D ½ Road over D Road as a route to 29 Road and the Riverside Parkway. The segment of D ½ Road from 29 Road to 30 Road will change radically with the potential population growth on the neighboring vacant land and the 29 Road connections to Orchard Mesa and North Avenue drawing through traffic that previously chose other routes.

With the adopted access management policies, two through lanes of travel, with a center turn lane, (“3 Lane Section”) can handle these volumes and any contemplated changes to the Future Land Use in D ½ Road areas east of 33 Road. While operational characteristics vary, these through volumes are similar to current volumes on Grand Avenue between 7th and 12th or 5th Street between Grand and North Avenues. Additional widening may need to occur at individual intersections.

Transit

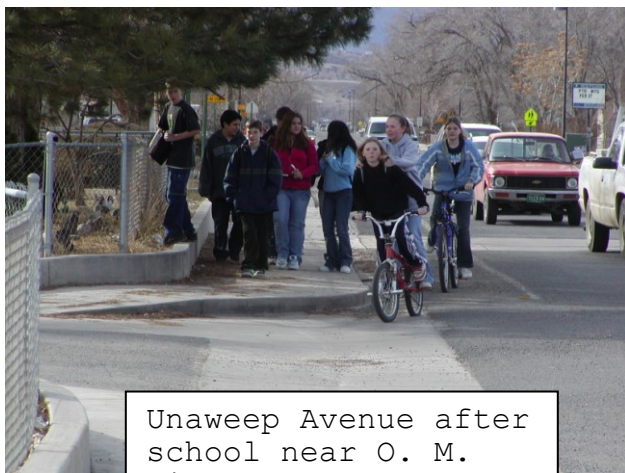
Currently, D ½ Road has eight transit stops between 30 and 32 Roads, mostly inaccessible by sidewalk routes and not compliant with the requirements Americans with Disabilities Act (ADA)

As growth occurs, transit stops may expand to the west, between 29 and 30 Roads. Transit stops require 8’ clear landing area (sidewalk clear from obstructions such as utilities) to be compliant with ADA. Public transportation is very important to the young, the elderly, the disabled and people without other transportation opportunities.

Bicyclists

All major corridors in the Urban Growth Area include planned striped and separated bicycle lanes on both sides of the street. The 2001 adopted Urban Trails Plan and the revised Urban Trails Plan adopted as part of the Pear Park Neighborhood Plan also calls for striped bicycle lanes on these routes.

Pedestrians

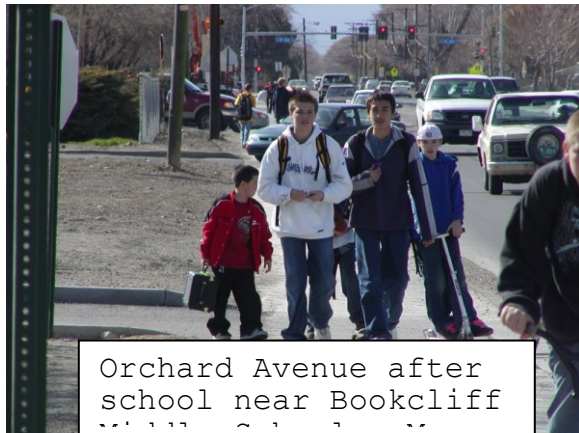


Unaweep Avenue after school near O. M.

For the purposes of this report, the term pedestrian includes a variety of users of the sidewalk including, but not limited to, people from the very young to school age to the elderly, people with strollers, joggers, people in wheelchairs or scooters for the mobility impaired, skateboarders, and very young bicyclists.

Demand for pedestrian facilities in terms of number of potential users will increase with the growth of population in the Pear Park Area. Destinations for pedestrians will

also increase with three schools, three parks, and a commercial area existing or proposed to be located along this corridor.



The opportunity for alternate routes for pedestrians and cyclists is denied by the lack of east-west connectivity in existing neighborhoods and as created by major drainages like Lewis Wash that force destination-oriented pedestrians to the major streets like D ½ Road.

Increased width of sidewalk is needed to handle pedestrian school traffic and accommodate multiple types of users discussed above. A 5' sidewalk typically

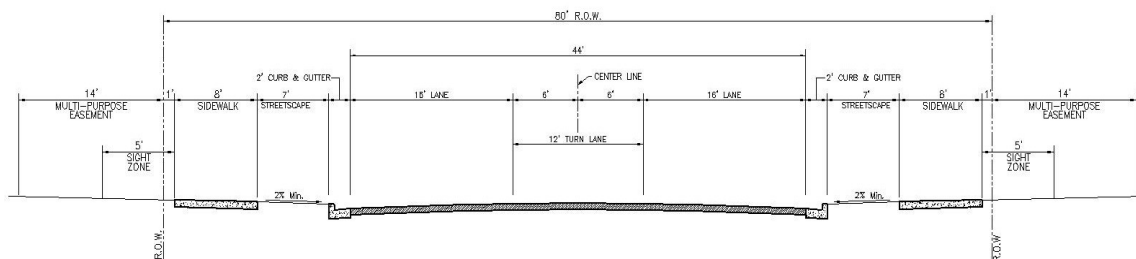
used on the Urban Collector section as a “retrofit” to existing conditions along school routes (Unawep Avenue and Orchard Avenue) is marginally sufficient to meet the use of school traffic.

Separation of the walk from the road edge is desirable with a landscape buffer, where width is available, to increase pedestrian safety where traffic volumes and speeds are high, buffer road noise and enhance the aesthetic appeal of this major corridor in Pear Park for both the motorist and the pedestrian.



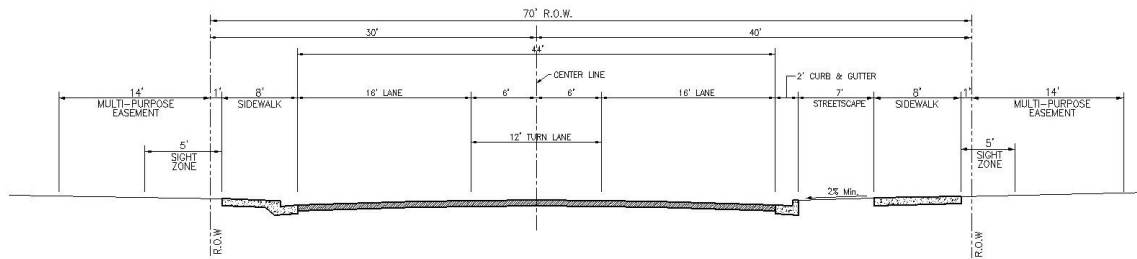
Street trees require 6’-7’ minimum planter width to be viable plantings and to minimize damage to adjacent concrete.

The Urban Trails Plan calls for a detached/off street trail paralleling D ½ Road, along both sides of the roadway for most of the 29 to 32 Road area.



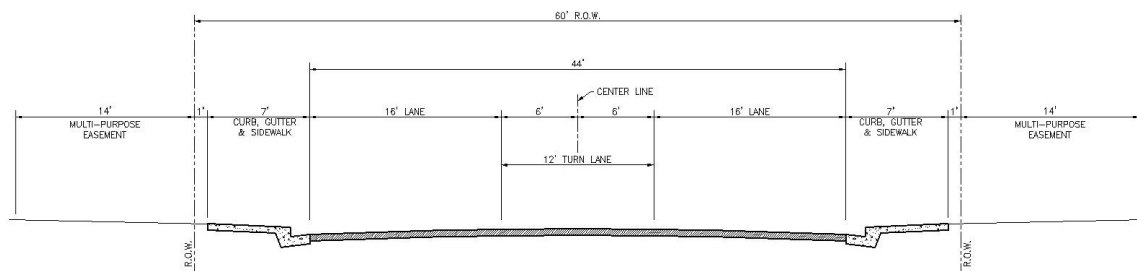
80' Right-of-Way

- Two travel lanes, Center turn lane, bike lanes both sides
- 8' sidewalks both sides
- 7' landscape buffer
- Flexibility for spot widenings at intersections, bus pull outs.



70' Right-of-Way

- Two travel lanes, center turn lane, bike lanes both sides
- Detached path on one side, attached walk on other side
- Generally complies with Urban Trails Plan
- May be used where right-of-way is not available on one side



60' Right-of-Way

- Two travel lanes, center turn lane, bike lanes both sides
- Attached 5' walk on both sides
- Does not comply with Urban Trails Plan
- Does not allow for spot widenings at intersections or transit stops without additional right-of-way acquisition.
- Generally fits with existing subdivisions.

Written response from participants in the Open House indicate that:

- 11 of the 23 respondents preferred the 60' right-of-way
- 6 of the 23 respondents preferred the 80' right-of-way
- 1 of the 23 respondents preferred the 70' right-of-way
- 5 of the 23 respondents preferred something more than the 60' right-of-way, but did not specify an option
- Other respondents commented on other issues.

Planning Commission recommends No Changes to the D ½ Road Right-of-Way (Street Cross Section for D ½ Road) as currently shown in the 2004 Pear Park Neighborhood Plan for the following reasons:

- Pavement widths on the adopted D ½ Road cross section are found to be adequate to accommodate short-term and long-term needs for growth in the area.
- Pedestrian demand due to population growth, new schools, new parks, and lack of other alternatives must be served safely.

- Access to transit stops on this corridor must be provided for people of all abilities.
- The adopted D ½ Road street cross section provides planning solutions that meet the goals of the Pear Park Plan.
- Reducing the right-of-way width does not adequately allow for appropriate widths sidewalks and landscape buffer strips on both sides.
- General public safety.
- The adopted D ½ Road street cross section encourages other modes of transportation.

If City Council concurs with the Planning Commission recommendations, no further action is required.

D. COMPLIANCE WITH MASTER PLANS AND ZONING & DEVELOPMENT CODES

Rationale for adopting and amending the Pear Park Neighborhood Plan is articulated in the Grand Junction Growth Plan and the Mesa Countywide Land Use Plan. The plan contains language that directs staff to conduct neighborhood and area plans. Neighborhood Plans are also to be consistent with section 3.2.8 of the Mesa County Land Development Code 2000 and section 2.5.C of the Grand Junction Zoning and Development Code.

The Mesa County Planning Commission may approve Neighborhood Plan amendments only if it is determined that the proposed Plan is consistent with the overall purpose and intent of the Mesa County Master Plan and with any intergovernmental agreements then in effect between the County and any other unit of government and only after consideration of each of the following criteria. The City Planning Commission may recommend approval of a plan amendment if it is consistent with the purpose and intent of the Growth Plan and meets the following criteria.

Master Plan Approval Criteria (section 3.2.8 of the Mesa County Land Development Code) and Growth Plan Amendment Review Criteria (section 2.5.C of the Grand Junction Zoning and Development Code)

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

Findings: A more detailed look at the three special study areas revealed a desire and need to provide a wider variety of future land uses than anticipated in the 1996 Plan.

- b. Events subsequent to the adoption of the Master Plan have invalidated the original premises and findings;

Findings: The Pear Park area is developing at a faster pace than other areas of the Grand Valley. It is anticipated that growth will continue with the extension of the Riverside Parkway to 29 Road and the construction of the 29 Road Bridge and viaduct.

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

Findings: The Pear Park Neighborhood has become one of the fastest growing areas in the Grand Valley partially due to improved access to the neighborhood through major transportation improvements completed over the past few years (30 Road underpass) and programmed for the near future (29 Road bridge, viaduct and D Road). The 2004 Pear Park Plan identified the need to review 3 special study areas.

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

Findings:

1. In the Community Image and Character Chapter of the Pear Park Plan under "Implementation Strategies" on page 46, the third strategy reads, "...future study of two areas for potential changes to the Future Land Use Map shall be conducted in the first quarter of 2005 and brought back to both Planning Commissions by April/May 2005.
2. In addition, at the Plan adoption hearing before City Council on January 5, 2005, staff was given direction to take another look at the D ½ Road Right-of-Way and the Plan's requirement for 80 feet of road width.

The new plan (or amendment) is necessary and recommended in the 1996 Plans. The following goals and policies support the Pear Park Neighborhood Plan amendments.

Goal 1, Policy 1.8: The City and County will use zoning and special area policies (adopted as part of this plan) to describe the preferred types of non-residential development in different parts of the community.

Goal 9, Policy 9.1: The City and County will update existing area plans and create new plans where more detailed planning is needed....

Goal 9, Policy 9.2: The City and County will encourage neighborhood designs which promote neighborhood stability and security.

Goal 10, Policy 10.4: The City and County will encourage development designs that enhance the sense of neighborhood.

Goal 13, Policy 13.4: The Community's streets and walkways will be planned, built, and maintained as attractive public spaces.

Goal 14, Policy 14.1: The City and County will maintain open planning processes, providing opportunities for all affected parties to participate in public workshops and hearings involving plan amendments, area planning and periodic plan reviews.

Goal 14, Policy 14.2: The City will use its newsletter, public service announcements and other media sources to notify the public of all public meetings and events.

Goal 14, Policy 14.3: The City and County will provide a variety of options for people to express their views on public issues, including formal and informal public meetings, mail-in comments sheets on specific proposals and other mechanisms.

Goal 20, Policy 20.2: The City and County will support efforts to maintain or improve the quality of green spaces along the Colorado and Gunnison Rivers.

Goal 21, Policy 21.3: The City and County will encourage the preservation of natural hazard areas for use as habitat and open space.

Goal 22, Policy 22.4: The City and County will coordinate with appropriate public agencies to minimize or mitigate potential conflicts between proposed development, wildlife and agricultural uses.

Goal 23, Policy 23.8: The City and County will require vehicular, bike and pedestrian connections between adjacent projects when such connections improve traffic flow and safety.

Goal 23, Policy 23.10: The City and County identify and develop a coordinated trails system in cooperation with appropriate community interests.

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

Findings: A current inventory, analysis, and public input shaped the policies of the plan. As a result, the community facilities are adequate, or can be provided, to serve the scope of land uses proposed.

- f. An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use; and

Findings: The City/County Planning Commissions directed staff in 2004 to look further at the future land use needs in two areas of the Pear Park neighborhood. In 2005 City Council directed staff to take another look at

the D ½ Road corridor. The Grand Junction Growth Plan and the Mesa Countywide Land Use Plan encourage neighborhood planning to better address and plan for the growth of the community.

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

Findings: The plan amendments will provide benefits for the Pear Park Area, and the community as a whole. These Plan amendments reflect the current needs of the Pear Park area as gathered from public meetings and associated communications.

GROWTH PLAN AND MESA COUNTYWIDE LAND USE PLAN ACTION ITEMS SUPPORTING THE PEAR PARK NEIGHBORHOOD PLAN AMENDMENTS

The Grand Junction Growth Plan and the Mesa Countywide Land Use Plan lists specific action items that need to be accomplished. As part of the Pear Park Neighborhood Plan planning process many of these action items were either accomplished by the Pear Park Plan amendment process or were further supported by the implementation strategies included in the Pear Park Neighborhood Plan. Section H, “Plan Implementation Strategies” of both the City and County master plans include the following Action Items that directly relate to Pear Park:

Zoning and Development Code

- Strengthen regulations to minimize development in the floodplain of the Colorado and Gunnison Rivers. Building footprints and impervious areas should be concentrated on the land outside the floodplain. (Goal 20)

Area Plans, Corridor Plans and Neighborhood Programs

- Involve residents and businesses in the area (neighborhood) plan process to identify neighborhood priorities. (Goal 10)
- Use the area (neighborhood) plan process to develop area specific strategies for corridors and neighborhoods with unique needs. (Goal 13)
- Adopt a riverfront overlay district along the Colorado River to ensure that development is compatible with natural and recreational resources. (Goal 20)

Parks and Open Space

- Support the Colorado Riverfront Commission’s efforts toward a Colorado riverfront greenway. (Goal 20)
- Implement the Parks Master Plan providing an interconnected system of neighborhood and community parks throughout the urbanized area. (Goal 26)

Transportation and Trails

- Develop street standards and site design alternatives that incorporate elements, such as street trees, parkway strips, medians and other features that contribute to the street as an attractive public space. (Goal 13)

- Incorporate sidewalks, landscaping and appropriate lighting and bikeway improvements into all roadway improvement projects. (Goal 13)

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Pear Park Neighborhood Plan Amendments, Planning Commission makes the following findings of fact and conclusions:

4. The proposed Teller Court Future Land Use Map changes and the South Side of D Road (between 30 and 32 Roads) Future Land Use Map changes “amendments to the Future Land Use map” are consistent with the purpose and intent of the Growth Plan, the Countywide Land Use Plan and the Persigo Agreement.
5. Changes to the D ½ Road Right-of-Way (Street Cross Section for D ½ Road) as currently shown in the 2004 Pear Park Neighborhood Plan are not recommended for the following reasons:
 - Pavement widths were found to be adequate to accommodate short-term and long-term needs for growth in the area.
 - Pedestrian demand due to population growth, new schools, new parks, and lack of other alternatives must be served safely.
 - Access to transit stops on this corridor must be provided for people of all abilities.
 - Provides planning solutions that meet the goals of the Pear Park Plan.
 - Reducing the right-of-way width does not adequately allow for appropriate widths sidewalks and landscape buffer strips on both sides.
 - General public safety.
 - Encourages other modes of transportation.
6. The review criteria in Section 2.5.C of the Grand Junction Zoning and Development Code and Section 3.2.8 of the Mesa County Land Development Code have all been met.

PLANNING COMMISSION RECOMMENDATION

Approval of the following actions respective to the three special study areas in the Pear Park Neighborhood Plan:

1. Teller Court Special Study Area Future Land Use Map – Recommend change to the Future Land Map to reflect Option 3 – changing the Future Land Use Map to Industrial for all of the parcel located at 489 30 Road and the northern approximate half of the parcel at 2968 D ½ Road and the northern approximate three quarters of the parcel at 2991 Teller Court. (See Teller Court Future Land Use Study Area Exhibit).
2. D Road (between 30 and 32 Road, south side) Special Study Area Future Land Use Map – Recommend changes to the Future Land Map to reflect the following for Sub-areas A, B, C, D, E, and F.

- A. From “Estate” to “Residential Medium”
 - B. From “Estate” to “Residential Medium”
 - C. From “Estate” to “Residential Medium”
 - D. From “Conservation” and “Estate” to “Residential Medium Low”
 - E. From “Estate” and “Park” to “Conservation
 - F. From Estate” and “Park” to Conservation
- (see South Side of D Road between 30 and 32 Roads Future Land Use Map Exhibit).
3. D ½ Road Corridor Right-of-Way Study – **No Changes** recommended to Road Cross Section (see D ½ Road Section Exhibit).

PUBLIC COMMENTS

PEAR PARK OPEN HOUSE

February 22, 2005

Right-of-Way/Transportation needs of D ½ Road between 29 Road and 32 Road.

Comments:

- 60' wide. No More.
- Traffic stop light –D ½, 31 Road– many deaths from accidents. People going into wash. Ask Clifton Fire Department.
- More utilities to move on south side of D ½ Road: ditches, utilities, water meters. North side has bike path. 80' would be expensive.
- 80' right-of-way.
- Widen D ½ as currently proposed. Most residents can't see the real impact of the future use of this road.
- Not over 60 ft.
- 60' ROW is more than adequate for D ½ Road.
- 80' right-of-way.
- 80' right-of-way is the plan I support.
- More use by kids as time progresses; need walking ROW.
- 29 Road thoroughfare; need bike access – safe and deliberate – not access to allow motorists to overwhelm and be aggressive (it happens!) to bicyclists.
- Promote air quality and alternatives to motorized transportation.
- 60 feet is adequate. It works for 30 Road, which is less than 60' out to out of sidewalk!!
- The taxpayers need to weigh in on this!
- If you can't make 60 feet work, we need new planners. Unawep is okay with 60 feet.
- People are being told this won't happen for 10 years, but aren't being told that the 40' requirement stays for when anyone develops! We are stating that we are against the 40' ROW in the area of 30 Road west to 29 Road on D ½. What is there is fine! 30 Rd. is now handling the same projected traffic numbers for D ½ Rd!! It is 3 lanes!
- No 8' detached sidewalks! No need! Who maintains the green strips in between? (And the walks).
- Work with the 60' ROW, 6' sidewalks are adequate.
- People should not lose driveways when development happens behind them! (And have to change the orientation to the back of their houses!)
- Driveways: I was told my Mr. Moore that if a driveway going out into a main road is not able to be changed to a developed property (newly developed), it does not need to be taken off the minor arterial (D ½ for example).
- I'm afraid of my son getting injured on a bicycle, but I don't remove all bicycles! No need to remove peoples' driveways off main roads! It is their responsibility to be careful. You don't need to remove all driveways!

- D ½ Road Options: 80' right-of-way seems crazy for D ½ Road. I would think that what they did on 30 Road or Unawep would be more than ample, and those are only 60'. If they do 80 feet, who will take care of the landscaping and maintenance?
- At present, 30 & D ½, southeast corner, has a privacy fence up that is preventing a clear view to oncoming traffic from the south when you are making a right hand turn onto 30 Rd. You have to pull out quite a bit to get a clear view to turn safely.
- Our main concern is at present D ½ is heavily traveled. If you increase the size the road can handle, there will be an increase in the traffic. What are your plans on noise control? Especially for the homes which are built close to the present D ½ Rd.
- We have a problem at this time in our back lots from 30 ½ & D ½ Rd. since we aren't far from the road.
- Individual privacy fence on southeast corner of 30 Rd. & D ½ Rd. is dangerous; restricted view on S. 30 Rd. from D ½ west bound.
- 60 foot road.
- I prefer 60' right-of-way.
- Widening seems a good idea, but traffic control is a very important issue and must be dealt with.
- We do not need 80' of road on D ½. 60' of right-of-way is adequate. 80' is just too much.
- Stop light at 31 & D ½.
- Sidewalk on 31 Rd.
- Prefer 60' right-of-way.
- Should be planned for future growth, but not to excess in width.
- 60' right-of-way is plenty.
- The detached sidewalk design is a good design for safety and aesthetics. A possible lessened setback or qualification as landscape buffering would make this more appealing to landowners.
- Need a stoplight at the intersection of 31 & D ½ Roads.
- Walking trail on 31 Rd., north to south.
- I would prefer seeing the 70' ROW on D ½ between 29 – 32 Roads (given the options presented).
- It would be a mistake to have narrow treeless ROW widths along this corridor. Where possible, do the 80' ROW with landscape boundaries and detached walk.
- Where possible, incorporate adjacent public and school property into the streetscapes...further detach the walk ...further increase the landscape.
- We do not need another hardscape corridor like Patterson. We do need tree lined, pedestrian friendly corridors
- I attended the meeting held at the Sonrise church on 30 Rd and reviewed the maps and plans and wanted to share them with my husband before giving input. D1/2 Rd corridor options we felt it was worth doing it right the first time and using the 80 foot right of way. Of course I don't live on D 1/2 but I do travel it and would love a safe walking sidewalk along it.
- It is obvious that whoever is attempting to plan the "D ½ Road Corridor" knows very little about the traffic patterns and traffic flow in this area. We are told that D ½ Road has a traffic flow of 800 cars per day. I find this very difficult to

believe! D ½ Road between 30 & 32 Roads may approach this volume, since that is where the majority of traffic flow is located. Anyone familiar with the area would know that westbound traffic on D ½ Road either goes north or south on 30 Road and then west on D Road, since D ½ Road ends at 29 Road. The only time D ½ Road traffic is heavy is when D Road is closed and D ½ Road is used as a detour! It would be interesting to know the location of the traffic counter that produced the 800 vehicle figure! It was probably not between 29 and 30 Road! In closing, considering anything other than the 60" ROW for D ½ Road shows just how ill-conceived this part of the Plan is! To consider "taking" people's property, removing trees, lawns and landscaping and depriving citizens of their property rights in order to satisfy someone's mistaken concept of a "corridor to nowhere" makes absolutely no sense at all! The westward traffic flow is on D Road, D ½ Road! D Road goes on thru, D ½ does not!

Potential Future Land Use Changes to Teller Ct. Study Area

Comments:

- Option 3
- Option 3 preferred.
- Option 3
- Option 1: concerned about heavy traffic use on 30 Rd. Very busy now with all housing being built.
- I like Option #1 on Teller Court.
- Teller Court Option 1.
- I would like to see this area remain the way it currently is. Option 3. Everything blends well w/surrounding uses.
- Option 1 is the best option. Keep the heavy industrial property to the outskirts areas.
- Option 3 or industrial.
- Prefer Option 1.
- Option 3 preferred. Will consider Option 2 so long as it's I-1.
- Option 3 leaves room for some heavy industry and allows for lighter I-11 zoned industry. Commercial use would be better along 30 Rd.
- Option 3
- Option 3
- On Teller Ct., I prefer Option 3.

Potential Future Land Use Changes to D Road Study Area

Comments:

- Option 3
- Keep lower densities in this area; Option 1.
- I prefer Option #3 for my lot; 3017 D Rd.
- Keep as is or Option 1.
- Adopted Future Land Use.

- Area C: I support residential “low” density in that study area for the following reasons.
 - Encourage mixed use. The area is already saturated with high density zoning.
 - Traffic accessibility on D Road between 30 & 31; I’m concerned about peak times, bottlenecks, etc.
 - Quality of life preservation; meaning a lower use buffer up to the river/wildlife areas is good for whole area: residents, visitors on river path, wildlife.
 - Stormwater drainage; concrete does not absorb water.
- I think option 3 on the south side of D Rd. make the most sense, because it is the closest to the existing land uses.
- Option 2 or Option 3 with 60’ road.
- Option 2 or Option 3.
- I like Option #2 or #3 on the south side of A Road.
- Definitely prefer Option 2 or 3 on future development.
- Prefer south side of D Road dev.
- Concern over high traffic volume.
- Support low density sites.
- Need buffer between development & roads.
- I would like to see density match current surrounding properties; i.e., Option 3. The entire valley needs affordable housing; \$200 & below. Wages do not compare w/homes at \$250,000+, and people are having trouble. Please.
- Option 3 seems to make the most sense.
- Traffic (quantity) flow will NOT be affected by higher density along D Road, because the traffic flow (quantity) is already going to be heavy because of the Riverside Parkway project. The denser, the better.
- Grand Junction is in desperate need of more affordable housing, and the Pear Park area is the place to do just that.
- I represent Habitat for Humanity, and I believe that the Pear Park area would benefit from the change in land use on D Road from Estate to MF 4-8.
- This area is not suitable for Estate, but is suitable for MF 4-8. This would be consistent with adjacent areas.
- Option 3.
- Prefer Option 1.
- Option 3
- Option 3 makes sense.
- Option 3
- D Road study area; keep current land use.
- D Road study area; keep as current land use.
- The Option 3 seems to be the most reasonable and fair to the current landowners who would want to retain the full value of their land, and it is more consistent with existing land uses.
- Would prefer that the “Adopted Future Land Use” NOT be altered.
- I am in full support for the changes in zoning for the area of 3041 D Rd – Option 3. I am a board member for Habitat for Humanity and am asking for the changes for density located on this parcel to place at least 25 – 30 lots for housing, as we

are all aware of the lack of low income housing here in Mesa County. So please accept my vote, and I want to challenge all to speak up for this change.

- Option 3
- Option 2 sounds like a good deal.
- Option 2 looks good for subdivision.
- Landowner north of the D on the map, request Option 3. Thank you.
- On D Road, 30 to 32 Rd., I prefer Option 2 of the three presented.
- I attended the meeting held at the Sonrise church on 30 rd and reviewed the maps and plans and wanted to share them with my husband before giving input. We both feel the lower the density below D Rd the better to preserve that beautiful area so we like Option 1.
- Would like to see the lowest density possible. Concerned about traffic. Also concerned about people that have animals. How will this affect them? We are living in this area because it has more of a country feel. Do not want to be in the city.
- Would like to see Pear Park area go higher density with more homes. Current property owners were unanimous about Option 3 at the focus group meeting.DRAFT

February 24, 2005

RECEIVED
MAR 30, 2005

City Council Members,
Planning Commission Members:

Many of us attended the most recent open house for the Pear Park Plan. The presentation was impressive, but it was disappointing to see the obvious bias on the part of the presenters, that exposes a disregard for our more important concerns, not the least of which is our private properties.

Of particular concern is the imposition upon the taxpayers in the valley, a decision that is going to have long-term financial consequences. That decision regards 'taking' additional land from all of the residents owning properties along D $\frac{1}{2}$ and E Roads. In the case of D $\frac{1}{2}$ Road, eighty feet, and E Road, one hundred feet, when it's sixty now! It was presented as though this land taking was an urgent necessity, when, in fact, it really is not.

Projected traffic volumes can be accommodated within current road right-of-way widths. For example, from the published *Pear Park Neighborhood Plan - 2004*, page 13, it shows 30-Road between E and D $\frac{1}{2}$ carrying **9644** cars per day in 2000. On D $\frac{1}{2}$ Road, it shows **8500** cars per day, projected for 2030. We are told the City must have a street width of eighty feet to accommodate this growth, yet a greater traffic volume already exists on 30-Road, which is a 3-lane, with bike paths and sidewalks both sides, measuring 56 $\frac{1}{2}$ feet out to out of sidewalks. (The sidewalks are 5 $\frac{1}{2}$ feet wide. They could be 7 feet and still fit within the current 60-foot right-of-way!) Examining the materials presented at the Open House, it becomes apparent that the extra widening is being done, not for traffic considerations, but to accommodate extra wide detached sidewalks with 'green-strip planting' between the walks and the curbs, AND another 'green-strip' outside of the walks! This is not necessary! It defies justification!

Before you, the Council Members and Planning Commissioners commit to this, on behalf of the taxpayers in this City, who are going to bear the long term financial impact of these kinds of decisions, we appeal to your senses. **You are the last line of defense we have.**

Before this is decided, we need those who are pushing for adoption of it to first face the taxpayers with a **realistic cost study**, and let the taxpayers weigh in on the matter. The long term financial impact of your decision will be forever imposed on all taxpayers, so they should be allowed to choose if they want to commit to this.

Projections made by Pear Park residents show that this right-of-way widening on the 3 miles of D $\frac{1}{2}$ Road will take 7 $\frac{1}{4}$ acres from we landowners along it. That translates into a loss of buildable land that represents 30 homesites lost. Thirty lots lost reduces potential Transportation Impact Fees by \$45,000. A typical new home pays \$1,200 a year in property taxes, causing a revenue loss of \$36,000 per year forever! Widening sidewalks to eight feet, at a mere \$6 per lineal foot adds \$156,000 to the expense. It will be necessary to move back 120 power poles at \$1000 each. D $\frac{1}{2}$ Road has 3 $\frac{1}{2}$ miles of irrigation channel that would have to be set back. At \$10 per foot, it'd be \$218,000 extra. 320 existing water meters have to be moved back at \$150 each is \$48,000. The land itself, if you are intending to pay the people from whom you're taking it, at \$10 per lineal foot, will come to \$312,000. Denying as many people as possible frontage access onto their road would impose expense on the property loser of relocating their drives to a side or rear access, likely costing more than they're to be paid for their lost land! Then, there's the cost of replacing people's fences and landscaping. And, who provides irrigation to the landscaping? Who maintains it? It will become unsightly if no-one does!

These above ADDITIONAL costs come to \$936,000. That amount being expended from the general fund, with another \$36,000 or more each year in lost tax revenues! Is this a burden the taxpayers WANT to have imposed on them. Do they even know about this?

You may operate under the delusion that this won't really cost the City or the taxpayers, that you can slide these costs onto developers, but realistically, those costs will be built-into the prices of their new homes, and come right back around onto the citizenry! Let's stop kidding ourselves! The cost of housing is already becoming unaffordable to low to moderate income people. Your traffic impact fees were tripled last summer. City imposed costs and fees already add \$12,000 to the cost of every new home, before construction even starts! Think about this please!

If you stay within the current 60-foot right-of-way, these extra costs can be avoided. (And, likely these estimates are conservative.)

What do we want to pay to create 'boulevards' of our average streets? Is this really necessary? Does the additional expense make sense?

Keep in mind that City Planning keeps pressing to impose as high a density in these areas of Pear Park as possible. The caliber of resident that gravitates to higher density settings is no secret to anyone on the Council or Commission.

The projected traffic can easily be accommodated within the sixty foot right-of-way that exists. For example, 30-Road today. Another example, the new 29-Road at Orchard is within a 60-foot r-o-w! Please find employees that can do this! That tree-lined, wide-setback sidewalked 'Boulevard Look' is inappropriate to the setting you intend to impose it into! And especially, we don't need one of these every half mile. D-Road is already eighty feet. You're now doing it on D½ Road, then again doing one even wider on E-Road! (A hundred foot r-o-w is what Patterson is near Oxbow Subdivision!)

The **eight foot sidewalk** issue should be considered on its own. It is not a realistic width to impose everywhere. Eight foot sidewalks should be limited to within a half-mile of schools, or similar pedestrian generating locations. The rare pedestrian in this City in more outlying locations can be easily accommodated with a 5½ to 6 foot walk width. Many recently improved streets within the City are nominally five foot width, such as the new 29-Road. With the integral curb formed into it, it makes an actual 5½ foot width. Another example, 30-Road from D-Road north to Patterson! Also, the recently improved Unawep Avenue, from Highway 50 clear to 29-Road. 5½ feet wide full length! Unawep was recently completed! This width is very adequate.

There is no denying that this decision will impact the cost of housing. Pear Park is the prime area with promise of allowing both decent AND affordable housing. This is an appeal for your consideration for what we taxpayers and home buyers are going to be asked to bear as a result of your decision.

Laurence Bingham 2932 D½ Rd
Richard Graves 2967 D½ Rd
Edward W. [unclear] 2937 D½ Rd
Paul Kernen 2963 D½ Rd
William A. Halliday 2997 D½ Rd
Grace Kernen 2963 D½ Rd 242-262
 2619 Foxglove Ct.
 241-2448

**MESA COUNTY PLANNING COMMISSION
GRAND JUNCTION PLANNING COMMISSION
JOINT HEARING
MARCH 31, 2005**

Chairman Bruce Kresin of the Mesa County Planning Commission called the hearing to order at 7:00 p.m. The hearing was held at Grand Junction City Hall Auditorium, 250 North 5th Street, Grand Junction, Colorado.

In attendance, representing the City of Grand Junction Planning Commission, were: Patrick Carlow, Roland Cole, Chairman Paul Dibble, Thomas Lowrey, Lynn Pavelka-Zarkesh, and Reginald Wall.

In attendance, representing the Mesa County Planning Commission, were: Terri Binder, George Domet, Michael Gardner, Chairman Bruce Kresin, and John Justman.

In attendance, representing City of Grand Junction Community Development, were: Eric Hahn, Jamie Kreiling, Laura Lamberty, Kathy Portner and David Thornton.

In attendance, representing the Mesa County Department of Planning and Development, were: Kurt Larsen and Keith Fife. Ken Simms, Regional Transportation Planning Office was also present. Kristy Pauley was present to record the minutes.

There were approximately 28 citizens present throughout the hearing.

Chairman Kresin announced there were items on the agenda which County Planning Commission needed to continue. These were 2004-250 MP1 Flynn/Young Master Plan Amendment and 2004-248 RZ1 Flynn/Young Rezone.

MESA COUNTY PLANNING COMMISSION MOTION: Commissioner Binder moved to continue these items to 5/24/05 and 6/2/05 respectively. Commissioner Gardner seconded the motion. A vote was called and was approved, 5-0.

Chairman Kresin announced the agenda item for the evening. Mesa County project #2004-110 MP2 Amendments to the Pear Park Neighborhood Plan, an element of the Mesa County Master Plan, aka Grand Junction project #PLN-2004-247 Amendments to the Pear Park Neighborhood Plan, a part of the Grand Junction Growth Plan.

Chairman Kresin outlined the three special study areas.

1. Teller Court Study Area Future Land Use Map
2. D Road (between 30 and 32 Road, south side)
3. D ½ Road Corridor Right-of-Way Study

Chairman Paul Dibble of the Grand Junction Planning Commission welcomed all to the hearing. He gave the locations of the three study areas. He noted these areas were referred back to the Planning Commissions after the Pear Park Neighborhood Plan was adopted. Staff will present the projects as they relate to each other then will separate each area for discussions. The Planning Commissions will discuss these items with staff. Then the public will comment and the Planning Commissions will discuss them for a recommendation.

David Thornton, Principal Planner, City of Grand Junction. Mr. Thornton presented a PowerPoint presentation. He noted in December, 2004, the Plan went forward with the City Planning Commission recommending the Plan and forwarding it to City Council and the County Planning Commission adopting the Plan. The adopted Plan included direction to conduct special studies in two areas of Pear Park by May 2005. Staff conducted a public input procedure as part of the special studies. The City Council added a third study area in their adoption of the Plan – a review of the D ½ Road corridor and right-of-way. A public open house was conducted in Pear Park and notices were sent to residents. Two focus group meetings were held, as well as individual meetings with property owners upon request. Public input was also solicited through written comments, phone calls, e-mails and personal communications.

Mr. Thornton discussed the Teller Court Area. A Future Land Use Map was shown. There are six parcels within this area. Option 1 recommends the entire area be designated “commercial/industrial” including 489 30 Road. Option 2 – recommends all of the area be designated “commercial/industrial”, except for the northwest corner of the study area, which would be designated “industrial”. Option 3 – expands options 2 by increasing the “industrial” area to include 489 30 road. Staff recommended option 3.

D Road Area. Six sub-areas were identified. Three options were recommended. Staff recommended Option 2. They looked at the area as if they were increasing incrementally the densities. Part of the requests from property owners originally was to increase the density from what was estate density, 2-5 acre lot sizes. Mr. Thornton explained each of the three options.

D ½ Road Right-of-Way Cross Section. Staff recommended no change to the adopted Pear Park Plan. Eric Hahn, City of Grand Junction Public Works Department presented a PowerPoint slide show. He noted there was concern from the neighborhood regarding this cross-section. The Pear Park Plan includes an 80’ right-of-way, 3 lane road section for D ½ Road, including landscaping and 8’ sidewalks detached from the curb. There were many comments during the public process. The Pear Park Plan envisions 3 parks and schools near the D ½ Road corridor. D ½ Road is not safe to walk on. They need more bike paths. Noise pollution is also a problem.

Mr. Hahn agreed that pedestrian and bicycle facilities are lacking along the corridor and surrounding neighborhoods. There are limited connections between the neighborhoods, as well. D ½ Road is currently a two lane road without turn lanes or shoulders. Commissioner Cole asked if these were projected for improvement. Mr. Hahn indicated they were not in the Capital Improvement Plan at this time.

Projected future conditions (2030)

- between 29 and 32 Roads, we are planning for:
- 3 elementary schools and 3 parks
- 15 acre neighborhood commercial area
- over 4000 homes within ¼ of a mile

Population is estimated at 22,000 at build out. D ½ and D Roads will be the only east-west corridors between 29 Road and 32 Road.

D ½ Road corridor goals -

1. Provide capacity for year 2030; up to 8500 vehicles per day
2. Safe transportation corridors for all modes of transportation
3. Pedestrian and bicycle facilities needed

Following are several issues associated with this corridor. There are dangerous left turns. There is close access spacing and too many accesses. There are many residential driveways accessing directly onto D ½ Road. There are limited sidewalks and pedestrian facilities and a lack of bicycle facilities. There is poor interconnectivity in the neighborhoods that forces all types of traffic to D ½ Road. There is also a growing demand for transportation – new schools, parks and commercial areas. Most importantly, there is a growing population. New roadway connections will bring additional traffic through the area. Right-of-way constraints include existing houses on large lots that are not re-developing. Old subdivisions typically have dedicated 60-70' of right-of-way along D ½ Road.

Traffic needs and solutions –

Two thru lanes with a center turn lane combined with access control will safely accommodate all projected traffic with:

- bike lanes
- sidewalks
- landscape buffers
- transit pull-outs

Bicycle facilities -

- dedicated, striped bike lanes are part of every city/county major urban street proposed cross-section
- separating on-street operating space of cyclists from vehicles enhances safety and desirability of corridor
- separating commuter/skilled cyclist from pedestrians and young cyclists provides an added measure of safety

Pedestrian facilities -

School children, parents with strollers, handicapped/mobility impaired, young/leisure cyclists, neighbors, joggers, families, elderly.

Mr. Hahn gave information concerning sidewalk widths.

Landscape buffer/park strip. Separates pedestrians from active traffic lanes, etc.

Tree plantings.

- creates vertical height to street
- aids in traffic calming
- aids in noise reduction
- increases life of asphalt up to 60% in warm climates
- reduces urban air temps in summer months
- treats pollutants at their source
- generally adds to property values

Mr. Hahn listed advocates of detached walks and park strips.

The information given carries projected traffic volumes beyond the year 2030, provides for an excellent pedestrian corridor as well as a good corridor for bicycles. It will provide an attractive appearance with a residential feel. It also allows for transit stops, utilities and intersection widening, etc.

Mr. Hahn emphasized that an 80' right-of-way is the ideal; however, in many locations along D ½ Road this will not be possible due to existing development and conditions. The 80' right-of-way would be required for new development adjacent to D ½ Road and would be built sometime in the future by the City and/or County and funded, in-part, by transportation capacity payments (also known as transportation impact fees) paid by these new developments.

Local examples were shown, demonstrating different types of corridors.

In summary, Mr. Thornton noted again that an open house was held in Pear Park at the beginning of this process. The public had a couple of months to call, or send emails, as well. Regarding the Teller Court area staff heard option 3 was preferred by the focus group. It was approximately half and half at the open house. Staff's evaluation included the zone districts that would be acceptable in each of these categories. Staff recommended option 3.

D Road South Area – option 3 was preferred by the focus group. At the open house many felt no change was needed. Some felt a desire to increase the density to option 3. One goal of the Pear Park Neighborhood Plan looked at the Colorado River as a resource to minimize impacts in that corridor. The goal is to try to transition the intensity of use as you head south towards the river. Staff recommended option 2.

D ½ Road Right-of-Way Cross Section. There were comments on both sides of this area from the public. Some were concerned with wider right-of-ways and what it will do to their properties. Many said we need to plan for the future; cars, pedestrians, bikes, etc. Staff recommended no change from the adoption of the Plan in December.

Chairman Kresin noted the hearing would be broken into the three study areas. Questions would be taken from the Planning Commissions, then the public.

Teller Court Area – there were no comments from the public. Chairman Dibble felt it made a fine transition from industrial to the north rather than strictly a commercial aspect. Option 3 does that and has an industrial buffer. There will be less density of traffic and perhaps less pollution. He was in favor of staff's recommendation of option 3.

MESA COUNTY PLANNING COMMISSION MOTION: Commissioner Gardner moved the Teller Court Area be approved with Option 3 as recommended by staff. Commissioner Binder seconded the motion. A vote was called and approved, 5-0.

GRAND JUNCTION PLANNING COMMISSION MOTION: Commissioner Cole moved to adopt Option 3 for the Teller Court Area based on staff recommendations and findings and forward it on to City Council. Commissioner Wall seconded the motion. A vote was called and approved, 6-0.

Dr. Dibble asked for questions regarding the study area of D Road South. There were none from the Planning Commissions.

J.D. Miller and Gabe DeGabriel from Habitat for Humanity presented maps of the area. Mr. Miller stressed the importance of affordable housing and land values. He requested an amendment of the growth plan and Pear Park Plan for this area to option 3. He noted Area A is zoned estate and staff recommended 2-4 du/acre. He requested 4-8 du/acre, option 3. He gave figures on the costs of raw land for different densities. He presented photos of smaller houses on smaller lots in Camelot subdivision for a comparison. He felt the transition to the river is good but other areas should also be considered for transition. He wanted the Pear Park Plan to reflect the RMF 4-8 for the area. He noted it was consistent with much of the existing area.

Man, 3029 D Road. He agreed with the previous speaker and asked the Commissions to consider option 3. Property density would support that amount of homes and would help the area.

Man, 31 5/8 Road. He felt option 3 is the best and would prefer that as a landowner.

Kathy Van Deuser, 515 Sable Drive, Fruita. Realtor. She supported option 3 for the reason of affordable housing. It is difficult for average income families to purchase homes. Many homes are in the \$300,000 range and many cannot afford that. The river and wildlife refuge provide enough natural buffer that these areas that change to 4-8 would be easily supported.

Bernadette Fuoco, 3131 D Road. She is surrounded by Riverbend Subdivision and would like 4-8 zoning. When she purchased it was farm ground around them. At that time, many were against developing. She has 50 acres there. She is finding it a continuous battle for water, hard to get crops out. She has cattle, and neighbors complain about her roosters crowing and the smell of animals. People want views too. It is becoming increasingly difficult to have her quality of life. She would like the higher density so she could move to another property where she can continue her way of life.

Commissioner Lowrey asked for clarification on sub-area D, west end. Mr. Thornton clarified in option 2, it is residential medium-low, in option 3, the north half is residential medium and the south half is residential-medium low.

Chairman Dibble said they are basically stepping up one land use category with each option. He asked what the differential is between 2-4 build out and 4-8; i.e., what would be the density increase. Mr. Thornton gave figures for the increases. In subarea A, it ranges between 7 and 19 housing units. There is a minimum lot size of 2 acres but you can also have 5 acre lots. Option 1 is 19 to 79 housing units. Option 2 is 79 to 158. Option 3 is 158 and 316 housing units.

Subarea B - Estate is 2 homes. Option 1 is 1-2 homes. Option 2 is 2-4. Option 3 is 4-8 units.

Subarea C - under current land use it is 14 to 33. Option 1 is 33 to 134. Option 2 is 134 to 268. Option 3 is 268 to 536 homes.

Subarea D. - current land use category is 5-11. Option 1 is 11-44. Option 2 is 44 to 89. Option 3 is 55 to 111.

Chairman Dibble asked about topographic problems. Mr. Thornton noted it is relatively flat. The only issue might be the way the properties are carved now and trying to redevelop due to the shape of existing parcels. Chairman Dibble asked given the mixes and what is available in other areas, what would this do or would the impact be if we added another 480 to 900 homes there. Mr. Thornton responded much of the Pear Park area is already residential medium. This would be in the same land use category. They would just be increasing the number of acres that will allow for greater density. Chairman Dibble noted the public said they needed more affordable housing units in the area. His concern was the mix. Would this create more availability? The higher density the wildlife will suffer. This would be 980 under option 3 and about half that under option 2.

Commissioner Binder asked about D Road. There are a large number of homes from option 2 to option 3. She questioned how the roadway would look. Mr. Thornton said D Road would be an 80' right-of-way, the same as D ½. It could handle all that traffic.

Ken Simms, Regional Transportation Planning Office. He noted there was not a problem with the 3 lane road section as planned if going with the higher density option.

Commissioner Cole asked staff for their thinking on the north side of D Road, medium residential. Were they trying to step down coming into the wildlife area? Mr. Thornton agreed that was their thinking. There was a desire to transition in stepping down density and impacts of the wildlife area.

Chairman Kresin asked about public comments on option 1 or 3. If owners supported 3, then why recommend option 2? Half of the boundary is already transitioning in option 2. Under option 3 it doesn't add that much more additional footage. Basically it looked like a toss-up between staff's comments and public comments, for option 2 and option 3. Mr. Thornton noted they should consider the entire Pear Park Plan future land use map and also implementing the map. Under option 3 there is the ability to transition as you get closer to the river. Both options 2 and 3 allow 4 units per acre.

Commissioner Gardner asked about the area west of parcel C being a 4-8 area (Riverbend Subdivision). How long has it been there? Mr. Thornton thought since the early 80s. Staff looked at densities there. Build out density is just under 6 du/acre. It is a PUD.

Chairman Dibble asked about Riverbend lot sizes. Mr. Thornton noted there were 8-plexes and single family homes.

Commissioner Cole said given the public testimony and comments in the meetings concerning this, it is the public's desire for option 3 and he would support that. Commissioner Lowrey agreed, with the exception of the north half of area D. A and C would go with option 3 but he recommended keeping all of D at 2-4. Anything adjoining D Road could be of higher density.

Chairman Dibble said his first inclination was to protect the wildlife, allowing those to build adequate build outs up to 4 units per acre in option 2. At the same time, there is

enough of residential medium (option 3) land available in Pear Park. There is a need for all diversities of building envelopes. There is also a need for \$300,000 homes and adequate affordable housing in Pear Park. If as stated, there is adequate availability, Pear Park in the year 2030; option 2 would be a better way to go. He could support option 3 as well.

GRAND JUNCTION PLANNING COMMISSION MOTION: Commissioner Lowrey moved all of parcels A, B and C be allowed to develop at residential medium, 4-8, but all of parcel D be only at medium-low residential at 2-4. Parcels E and F would follow under conservation. This motion to be forwarded to City Council. Commissioner Cole seconded the motion. A vote was called and approved, 6-0.

MESA COUNTY PLANNING COMMISSION MOTION: Commissioner Binder moved on study area 2, option 3 be adopted with the amendment of parcel D being medium-low residential at 2-4 and parcels A, B and C at residential medium, 4-8. Parcels E and F remain as conservation. There was no second. The motion failed.

MESA COUNTY PLANNING COMMISSION MOTION: Commissioner Gardner moved on study area 2 to approve staff's recommendation for option 2. Commissioner Domet seconded the motion. A vote was called and failed 2-3. Commissioners Binder, Justman and Kresin were opposed.

Chairman Dibble noted the City forwards their recommendation to City Council for final approval and Mesa County is the final approval.

MESA COUNTY PLANNING COMMISSION MOTION: Commissioner Justman moved on study area 2 to approve option 3 with no amendments. Mr. Larsen said if you do not agree there is no change, under the Code. If the County approves this motion, it would be consistent with the City's recommendation without the change of parcel D.

Chairman Dibble clarified that the north part of D consisted of 3 lots and had a difference in build out of 2-3 units. He felt it was not that significant if it builds out at 3 or 6. It is not a parcel that would greatly influence the build out.

Commissioner Justman moved to change parcel D to medium-low residential. Commissioner Binder seconded the motion. A vote was called and approved, 4-1. Commissioner Gardner was opposed.

At this time, a brief recess was called.

D ½ Road Right of Way Corridor. Staff recommended no change.

Public Comments: Janet Hollingsworth, 774 Elm. Member, Urban Trails Committee. She supported the detached sidewalks.

Mike Queally, 1994 Bison Court. He also owns 2953 D ½ Road. He has heard there will be a D ¼ Road, but there was no mention of that tonight. He would agree that detached sidewalks are safer. He would also agree that detached sidewalks create a boulevard look and contributes to higher property values. He asked if 60, 70 or 80 foot

right-of-ways create no transitions. Every time there is a curve or angle there is more expense. He would encourage and support a compromise of a 70' right-of-way. That would keep the bike lanes and create a 5' wide street scape and 6' detached sidewalks.

Rich Traver, 667 D ½ Road. He conducted a study in response to a 3/2/05 Daily Sentinel headline. He talked to builders and developers. The study shows the breakdown of land and construction costs and fees, which was labeled and submitted as Exhibit A. He knows someone who wanted to take back acreage and merge with a neighbor next door doing a subdivision. She wanted to do a lot line adjustment but she would lose her driveway frontage and have to put it in the back of her property. He noted there is much unused land on properties at the rear. He was told they would have to put up fences along the street. Who will maintain the strips outside the fence to the street? He noted on Patterson Road, between 29 and 32 Roads, there are 72 direct driveways. He wondered if property owners would lose land and will they be reimbursed? Will their taxes be reduced?

Mary Ann Traver. She presented a photo of the view looking across D ½ Road to her neighbors. She went to Orchard Mesa Middle School yesterday and never found four groups together on sidewalks. Mr. Thornton mentioned it being tight when kids walked from school. There were no masses or mobs. There are only 5 ½' sidewalks there. 6' would be adequate. She thought 8' sidewalks were overkill. In her neighborhood, there are views, with chain link fences. It looks good. Boxing people in would not be good. She enjoys the openness. She would like to have the choice of fences. As for a 40' right-of-way, she had heard properties wouldn't be cut into. There are many properties where the 40' right-of-way couldn't be done. She didn't think it was made clear about fencing and also questioned on-street parking. There are 18 wheelers and buses that people drive. Where will they park? She didn't understand the comment regarding street quieting. There will be the same amount of traffic. The numbers for traffic on 30 Road now is higher than the projected traffic for D ½ Road later on. Bookcliff Middle School sidewalks work fine and they're not 8'. Not all people are in the same place at the same time. Many pictures staff showed with detached sidewalks showed weeds. Who will take care of these? It might be safer, but she felt sidewalks were not needed at 8'. Her section in the west end was to be addressed separately. She thought it sounded like a blanket decision on the whole thing. It was mentioned that D and D ½ are the only roads going east/west, but many people will use I-70 B.

Tom Holly, 2936 D ½ Road. There were pictures shown of 8' sidewalks that didn't have many people on them. He felt staff should look at 60' right-of-ways and nice sidewalks. He was not asking to make do with less, just do the same as done elsewhere in the city and county. D Road density is substantially more than D ½, yet staff still wants the 80' right-of-way. There are less people living on D ½ Road. He wondered about grass and trees along the sidewalks. Where will the water come from? Who will be liable for this? At another City Council meeting, it was recommended for staff to go to a public meeting, but staff didn't want to listen to the public. He hasn't been given a reason for the 80' right-of-way. It was mentioned that there would be pull outs for buses. Why doesn't staff listen to people who have objections? A detached sidewalk can be made with a 60' right-of-way. There don't have to be 8' sidewalks. Kids don't always walk on the sidewalk, no matter what size it is. He felt a 60' right-of-way is adequate.

Vicki Holly, 2936 D ½ Road. Many people have small acres. They are taking a lot of property for the right-of-way. If this happens, it would be in their front room and they could spit on the road.

Mike Queally. He wondered if there was a proposal for D 1/4. Road. He also asked what will happen with the driveways for existing homes. If people want to sell the back portions of their property will they be forced to give up their driveways?

Eric Hahn. Mr. Hahn could not speak to the issue of the fences. Regarding 60' vs. 80' right-of-ways, vehicular capacity is essentially the same. Vehicular capacity is diminished by the number of accesses on that street. Traffic studies show significant diminishing of the capacity if accesses are not controlled on that corridor. That is why they want to reduce accesses. Chairman Dibble asked about the width of the asphalt. 60' right-of-way, 12' center turn lanes, two 12' thru lanes, and 4' additional on each side striped for bike lanes. It is still 44' of pavement width, regardless of which section you're looking at. Right-of-way width varies now. There was continuing discussion on widths. Access control is crucial. When possible they will eliminate driveways. The capacity of the street is diminished by accesses. Two thru lanes with a center turn lane will safely accommodate all projected traffic with the adopted access management policies, major intersection widening and transit improvements/turn outs.

Chairman Kresin asked when elimination of driveways would take place. Mr. Hahn said it would be on a case by case basis. The issue is a future planning issue. Chairman Dibble asked about the future scenario. Mr. Hahn indicated there would be some cases where driveways will remain. Mailboxes should stay put. Commissioner Wall asked what happens if the City asks someone to move their driveway. Mr. Hahn said they will try to have the area designed to access a development itself, or at least an easement dedication to the new internal street. If a lot is not part of a subdivision, they can't force a developer to go to a resident and ask them to get rid of a driveway. There are flexible tools for future situations.

Mr. Hahn noted there would be no parking on the D ½ Road corridor, regardless of the width. Commissioner Binder asked if existing sections of D ½ Road adjacent to development with existing 60' right-of-way, had sidewalks. Mr. Hahn indicated there were in some places. Right-of-ways and sidewalk locations and widths vary in the area. Commissioner Binder also asked if there are areas without sidewalks that have homes there, then how would that sidewalk get built. Mr. Hahn responded they would have to deal with each area differently. Commissioner Gardner asked about the maintenance of the streetscapes. Mr. Hahn said in terms of subdivisions, the HOAs would be required to maintain them. Each residence would be required to maintain their strip when not in a subdivision. Not all areas would be grass or trees. Many things could occur, rocks or xeriscaping.

Mr. Hahn noted there are many corridor areas that are adequate but they are trying to take things a step further and make them better. Chairman Dibble said safety of the children is a great issue. The further away from vehicular traffic, the better. Traffic growth projections of 1024% is huge between 29 and 30 Roads. The west end of D ½ Road does end at 29 Road. It will connect to 29 Road in some way. Ken Simms said that number is because there are 1000 or less cars/day at this time. This is projecting 8500 in 2030. He was comfortable with the volume.

Mr. Hahn commented on noise abatements. The question was asked how can detached paths give noise abatement. If there is vertical landscaping, it can deflect sound. They have an opportunity to muffle noise somewhat.

If adopted, there won't be an 80' right-of-way overnight. It is a tool. Can we put detached sidewalks in a 60' right-of-way? They can try. They could do a detached sidewalk on one side and attached on the other. It would be tight, and is not easy to do. They could do some sections with both. They could reduce the 8' sidewalk. 8' was suggested to allow multiple uses on the sidewalks. People will also leisure walk. 80' right-of-way and 8' width sidewalks are flexible.

Chairman Dibble asked about transit turnouts and the safety aspects. Mr. Thornton replied Grand Valley Transit only goes as far west as 30 Road in Pear Park. They do anticipate as the area builds out they will have new routes. D and D ½ would be logical corridors.

Kathy Portner, City Community Development, said because a road is classified as a minor arterial they wouldn't require anyone to fence their front yard. City code allows for fencing at the time of subdivision development. Perimeter fences are where lots back up to a collector or arterial. City Planning Commission determines what type of fence is appropriate. Typically they will require fences along back yards in that case, but wouldn't require front yards. Subdivision fences are the responsibility of the HOA. A 14' landscape strip between the fence and the sidewalk could be reduced to 5 feet with a detached sidewalk. Street trees put into the public right-of-way and in City limits can be maintained by the City's forestry division. The HOA must water them, however.

Mr. Thornton said they are looking at D ½ as a different corridor. It is going to be a Pear Park "main street". They are hoping to encourage an environment for walking as well, especially with the planned schools and parks in the area.

Commissioner Cole asked for clarification of staff recommendation. Mr. Thornton said they recommend no action to the Plan as adopted in December.

Commissioner Carlow said there is an undertone of the 80' right-of-way being required everywhere and immediately. He didn't hear that at all from the staff. If they drop back to 60' or 70' it would benefit developers. He didn't hear that at all. He would be reluctant of cutting 80' paths anywhere.

Chairman Kresin presented a letter dated 2/24/05 addressed to City Council and Planning Commission members from 8 homeowners on D ½ Road and asked that it be entered into the record as Exhibit B.

MESA COUNTY PLANNING COMMISSION MOTION: Commissioner Binder moved for no change to the road cross section as per staff's recommendation. Commissioner Gardner seconded the motion. A vote was called and approved, 5-0.

Chairman Dibble was in favor because it deals with transportation and safety issues.

CITY OF GRAND JUNCTION MOTION: Commissioner Cole moved to adopt staff's recommendation of no change and forward it on to City Council. Commissioner Lowrey seconded the motion. A vote was called and approved, 6-0.

MESA COUNTY PLANNING COMMISSION MOTION: Commissioner Binder moved regarding 2004-110 MP2 Amendments to the Pear Park Neighborhood Plan to approve the resolution for amendments as recommended by the Mesa County Planning Commission and adopt Resolution MCPC 2005-002 and certify to the Board of County Commissioners. Commissioner Domet seconded the motion. A vote was called and approved, 5-0.

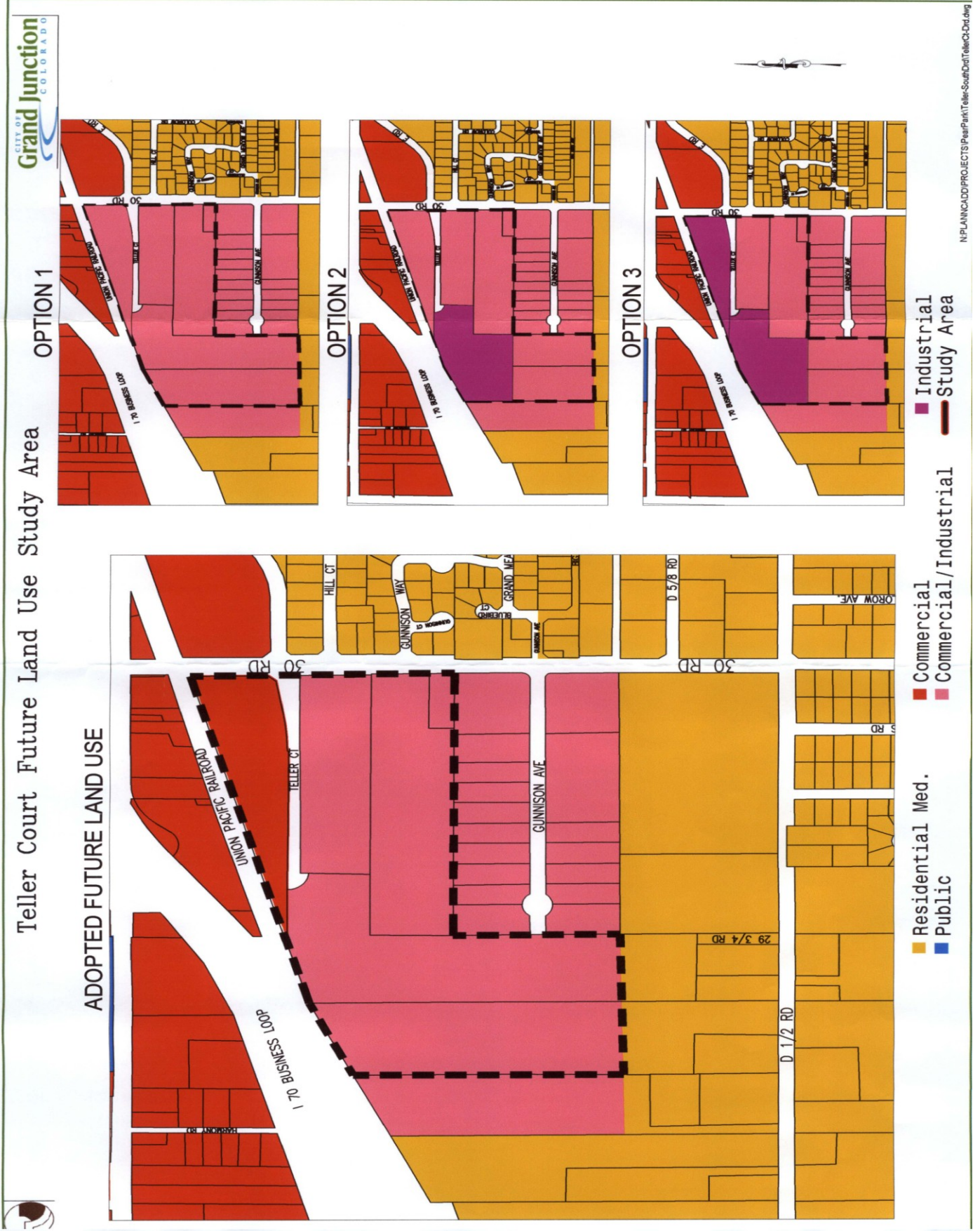
Commissioner Binder moved to adjourn. Chairman Kresin seconded the motion. The hearing was adjourned at 10:07 p.m.

Respectfully Submitted,

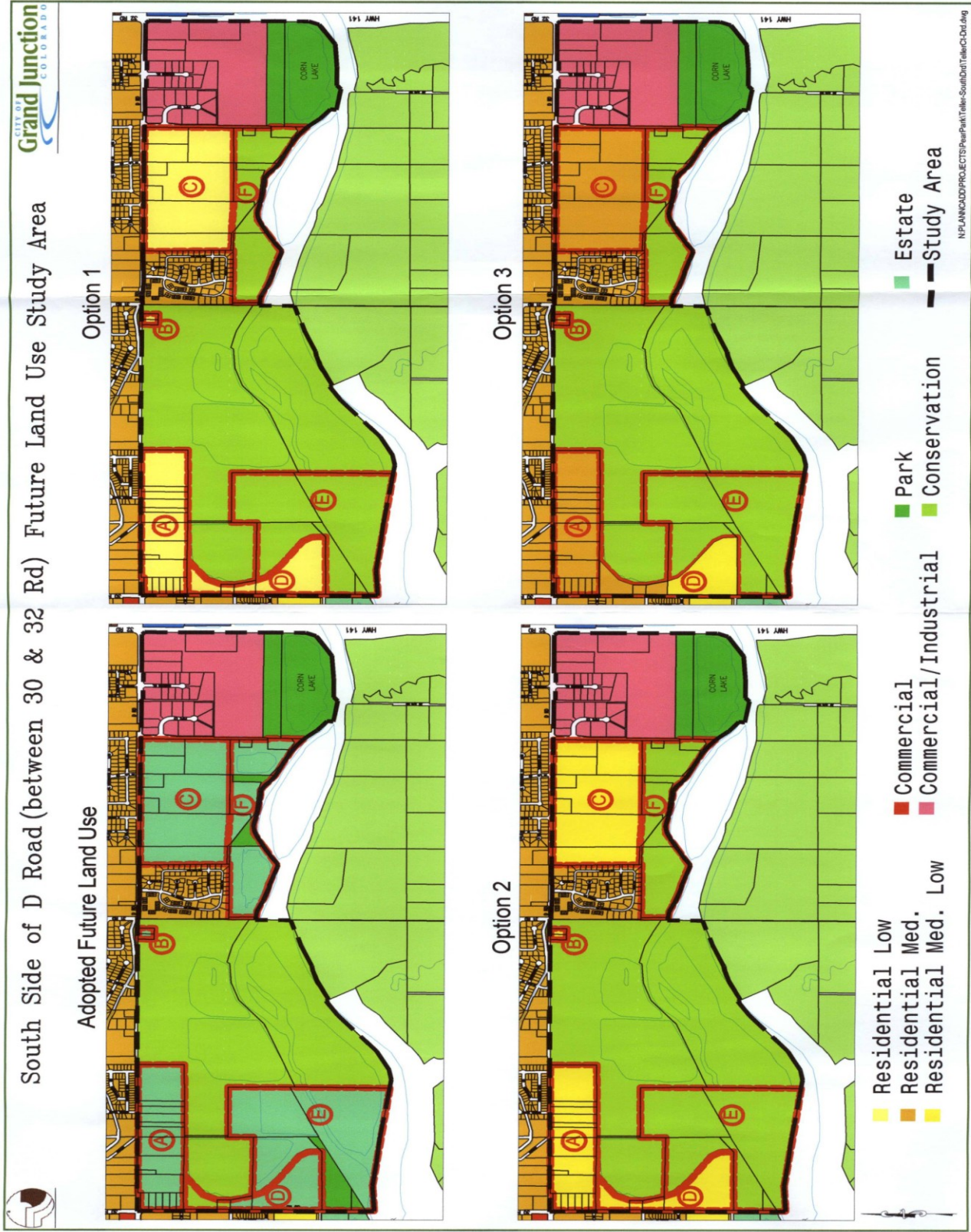
Terri Binder, Secretary

No signature required from City of Grand Junction Planning Commission.

Teller Court Future Land Use Study Area Exhibit



South Side of D Road (between 30 and 32 Rd) Future Land Use Study Area Exhibit



D ROAD STUDY AREA FUTURE LAND USE OPTIONS

Study Area	Acres	Current Land Use	Range in the number of Res. Units	Option 1	Range in the number of Res. Units	Option 2	Range in the number of Res. Units	Option 3	Range in the number of Res. Units
A	39.6	Estate	7 to 19	Res Low	19 to 79	Res Med Low	79 to 158	Res Medium	158 to 316
B	1.1	Estate	0	Res Low	0 to 2	Res Med Low	2 to 4	Res Medium	4 to 8
C	67.1	Estate	14 to 33	Res Low	33 to 134	Res Med Low	134 to 268	Res Medium	268 to 536
D	22.4	Conservation and Estate	5 to 11*	Res Med Low	11 to 44	Res Med Low	44 to 89	Res Medium and Res Med Low	55 to 111
E	84.6	Park and Estate	up to 4*	Conservation	up to 4*	Conservation	up to 4*	Conservation	up to 4*
F	42	Park and Estate	up to 10*	Conservation	up to 5*	Conservation	up to 5*	Conservation	up to 5*
TOTALS			26 to 77		63 to 268		259 to 528		485 to 980

NOTES:

Definitions of Land Use Categories:

“Residential Low” = one half acre to 2 acres/Unit

“Residential Medium Low” = 2 to 4 units/acre

access.

“Residential Medium” = 4 to 8 units/acre

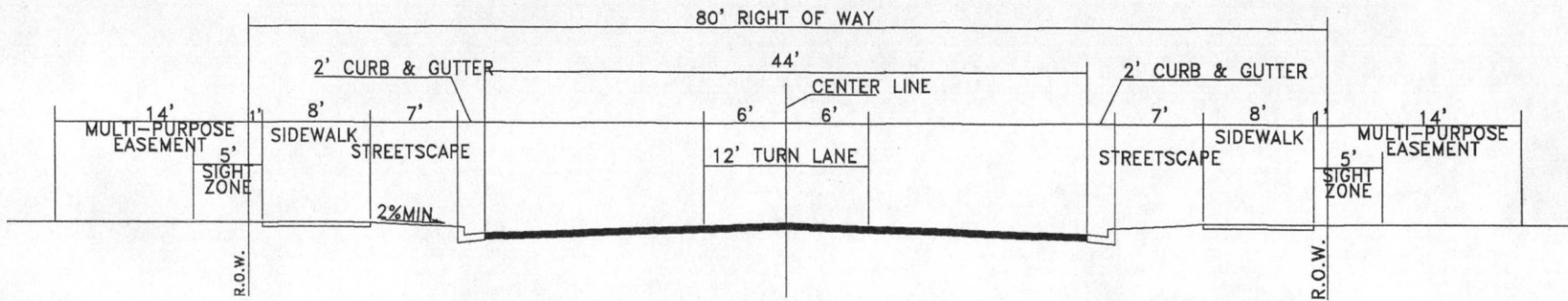
“Estate” = 2 to 5 acres/unit

“Conservation” = Conservation areas with minimal public

Does allow up to one unit per five acres

recreation sites

“Park” = Active park and



“D 1/2” ROAD SECTION

N.T.S.

**PEAR PARK 2004
STREET CROSS SECTION
(A part of the Grand Valley Circulation Plan)**

RESOLUTION No. 71-05

A RESOLUTION ADOPTING AMENDMENTS TO THE PEAR PARK NEIGHBORHOOD PLAN AS A PART OF THE GRAND JUNCTION GROWTH PLAN

Recitals:

The Community Image and Character Chapter of the *Pear Park Neighborhood Plan* under "Implementation Strategies" on page 46, reads, "...future study of two areas for potential changes to the Future Land Use Map shall be conducted in the first quarter of 2005 and brought back to both Planning Commissions by April/May 2005. The areas to be furthered studied are:

- Teller Court Area – located west of 30 Road; and
- D Road Area – located south of D Road to the River, between 30 Road and 32 Road.

At the *Pear Park Neighborhood Plan* adoption hearing before the Grand Junction City Council January 5, 2005, staff was directed to consider additional public comment on an additional special study area as follows:

- the D ½ Road Street Section and the Plan's requirement for 80 feet of Right-of-Way width,

A public open house and two focus group meetings were conducted over the course of the past three months in regard to the special study areas of the *Pear Park Neighborhood Plan*;

The City of Grand Junction and Mesa County Planning Commissions (Planning Commissions) held a joint public hearing on *Pear Park Neighborhood Plan* on March 31, 2005, after proper notice;

The Grand Junction Community Development staff and Mesa County Planning Department staff made recommendations for approval of the proposed amendments to the *Pear Park Neighborhood Plan* in a Project Review dated March 16, 2005;

The City and County Planning Commissions considered and approved the following amendments to the *Pear Park Neighborhood Plan*, March 31, 2005, at their joint public hearing, after proper notice. The City Council accepted that recommendation except as noted below.

1. Teller Court Special Study Area Future Land Use Map – approved changes to the Future Land Map to reflect Option 3 which changes the Future Land Use Map to Industrial for all of the parcel located at 489 30 Road and the

northern approximate half of the parcel at 2968 D ½ Road and the northern approximate three quarters of the parcel at 2991 Teller Court.

2. D Road (between 30 and 32 Road, south side) Special Study Area Future Land Use Map – approved changes to the Future Land Map to reflect the following for Sub-areas A, B, C, D, E, and F.
 - A. From “Estate” to “Residential Medium”
 - B. From “Estate” to “Residential Medium”
 - C. From “Estate” to “Residential Medium”
 - D. From “Conservation” and “Estate” to “Residential Medium Low”
 - E. From “Estate” and “Park” to “Conservation
 - F. From Estate” and “Park” to Conservation

The City Council designated Sub-area B from “Estate” to Residential Low”

3. Considered changes to the D ½ Road Corridor Right-of-Way – No Changes recommended to Road Cross Section.

The Grand Junction Planning Commission at the March 31, 2005 hearing found that the proposed *PEAR PARK NEIGHBORHOOD PLAN* Amendments are consistent with the review and approval criteria of section 2.5.C of the *Grand Junction Zoning and Development Code* and recommends approval to City Council.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE PEAR PARK NEIGHBOHROOD PLAN AMENDMENTS (CHANGES TO THE FUTURE LAND USE MAP) ARE HEREBY ADOPTED AND MADE A PART OF THE GRAND JUNCTION GROWTH PLAN.

PASSED on this 20th day of April, 2005

ATTEST:

City Clerk

President of the Council

Attach 18

Public Hearing – Rezoning Jacobson Property Located at 738 26 Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Jacobson Rezone, 738 26 Road					
Meeting Date	April 20, 2005					
Date Prepared	April 11, 2005				File # RZ-2004-304	
Author	Lori V. Bowers		Senior Planner			
Presenter Name	Lori V. Bowers		Senior 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 checked="" type="checkbox"/>	<input type="checkbox"/>	Name	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Consent	<input checked="" type="checkbox"/>
			Formal Agenda			Individual Consideration

Summary: A request for approval to rezone 37.95 acres of land from RSF-2 (Residential single-family, not to exceed 2 units per acre) to RMF-5 (Residential multi-family, not to exceed 5 dwelling units per acre). The request precedes an application for a major subdivision. To be in compliance with the Growth Plan, a rezone must be granted. The Growth plan requires a minimum density of 4 units per acre or a maximum of 8 units per acre. RMF-5 is in the mid range. The Planning Commission has recommended the zoning designation of RSF-4.

Budget: N/A

Action Requested/Recommendation: Hold a public hearing and consider final passage of the re-zoning ordinance.

Background Information: See attached Staff Report/Background Information

Attachments:

16. Staff report/Background information
17. General Location Map and Aerial Photo
18. Growth Plan Map
19. Zoning Map
20. Zoning Ordinance

BACKGROUND INFORMATION				
Location:		738 26 Road		
Applicants:		Marion Jacobson, owner; Widick & Assoc. Developer; O'Connor Design Group, c/o Pat O'Connor, representative.		
Existing Land Use:		Single family residence, vacant land		
Proposed Land Use:		Residential subdivision		
Surrounding Land Use:	North	I-70; North of I-70 a large lot residential subdivision (Partridge Farms)		
	South	Unplatted parcels and platted residential		
	East	Large lot residential subdivision		
	West	Bookcliff Gardens and large lot subdivision		
Existing Zoning:		RSF-2		
Proposed Zoning:		RMF-5		
Surrounding Zoning:	North	PD, RSF-1, RSF-2 / County RSF-R		
	South	RSF-2, RSF-4 and RMF-5		
	East	RSF-2		
	West	B-1 and RSF-2		
Growth Plan Designation:		Residential medium, 4 to 8 du/ac		
Zoning within density range?		X	Yes	No

STAFF ANALYSIS:

1. Background: The property located at 738 26 Road is bounded by Interstate 70 on the north; a single-family residence on 24.5 acres on the south; a large lot subdivision to the east and Bookcliff Gardens, G 1/2 Road and Sunpoint North Subdivision (undeveloped) on the west. The property was annexed into the City in 2000, as part of the G Road North Annexation. This annexation area consisted of annexing 274 acres of land. The G Road North Enclave had been enclaved since May 7, 1995. Under the 1998 Persigo Agreement with Mesa County, the City is to annex all enclave areas within 5 years. At that time the existing County zoning was applied to

these properties with the understanding that at the time of redevelopment they would need to come into conformance with the Growth Plan for this area.

2. Consistency with the Growth Plan: To be consistent with the Growth Plan, the applicant must request a rezone for their property. The Growth Plan suggests that this property develop within the “Residential Medium” category, which is 4 to 8 dwelling units per acre. The current zoning is RSF-2, (residential single-family, not to exceed 2 dwelling units per acre). The request to rezone to RMF-5, (residential multi-family, not to exceed 5 dwelling units per acre), is consistent with the Growth Plan by being in the mid-range of the spectrum.

3. Consistency with Section 2.6 of the Zoning and Development Code

Rezone requests must meet all of the following criteria for approval:

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

State law requires the City to zone newly annexed areas within 90 days of the annexation. Since this was such a large area for annexation the area property owners requested that the proposed City zoning be identical with existing Mesa County zoning for enclaves. Therefore the zoning was not in error at the time of adoption. At that time it was noted that the proposed RSF-R and some of the proposed RSF-2 zone districts did not conform to the Growth Plan's Future Land Use Map recommended densities. It was determined at that time that any future development on these properties may include rezoning to higher densities supported by the Growth Plan Future Land Use map. (ANX-2000-114).

b. 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 character of the neighborhood is changing due to the transition from rural to urban development in this area near I-70, as anticipated by the Growth Plan. The construction of Wilson Ranch, The Estates Subdivision, the recent rezoning of Blue Heron Meadows proposed subdivision and other possible zone changes for further development near this property are currently changing this area. Current growth trends within the City remain constant.

c. 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 “e” 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.

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

The proposal does conform to the goals and policies of the Growth Plan and the requirements of the Zoning and Development Code.

- e. 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. Road improvements to G ½ Road as well as 26 Road have been discussed regarding future impact from additional traffic. At the required neighborhood meeting held on November 19, 2004, one of the major concerns was in regards to traffic. Design standards will be addressed during the subdivision process.

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

The re-zoning request is to accommodate the Growth Plan/Future Land Use Map. It was always the intent to re-zone the property upon future development, not based on the availability of other land supplies.

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

The proposed zoning change will allow the property to be developed at a density that will support its infrastructure needs and the natural

geographic constraints of the property. The property is situated only 3 miles directly north of the core of the City, and promotes the desire for compact and fiscally responsible development patterns. There are wetlands and a large pond on the property, all of which can be enhanced by the proposed future subdivision.

FINDINGS AND CONCLUSIONS:

After reviewing the Jacobson Rezone application, RZ-2004-304, for a rezone to RMF-5, staff makes the following findings of fact and conclusions:

1. The requested rezone is consistent with the Growth Plan
2. The review criteria of Section 2.6.A. of the Zoning and Development Code have been met.

PLANNING COMMISSION RECOMMENDATION: At their regularly scheduled meeting of January 25, 2005, the Planning Commission held a Public Hearing and denied the request for recommendation of the zoning designation of RMF-5 for the Jacobson Rezone application, file number RZ-2004-304. On March 22, 2005, the Planning Commission discussed the proposal again and gave a recommendation for RSF-4 zoning.

**GRAND JUNCTION PLANNING COMMISSION
MARCH 22, 2005 MINUTES (DRAFT)
7 p.m. to 8:58 p.m.**

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

In attendance, representing the City Planning Commission, were Paul Dibble (Chairman), Roland Cole, Tom Lowrey, Lynn Pavelka-Zarkesh, William Putnam, Reginald Wall and Patrick Carlow.

In attendance, representing the City's Community Development Department, were Bob Blanchard (Community Development Director), Kathy Portner (Planning Manager), Lori Bowers (Sr. Planner), and Senta Costello (Assoc. Planner).

Also present were Jamie Kreiling (Asst. City Attorney) and Eric Hahn (Development Engineer).

Terri Troutner was present to record the minutes.

There were approximately 23 interested citizens present during the course of the hearing.

V. GENERAL DISCUSSION

Council remand of the Jacobson Rezone (RZ-2004-304)

While the Planning Commission had originally denied the petitioner’s request for an RMF-5 zone district, no alternate zone had been applied. Options available as allowed by the Growth Plan included RSF-4, RMF-5 and RMF-8.

Commissioner Lowrey restated his position that the density afforded by the RMF-5 zone district was too high and incompatible with the surrounding area. While he would be in favor of a density even less than the available options, he felt he could support an RSF-4 zone.

Chairman Dibble noted that the only real differences between the RSF-4 and RMF-5 zone districts were slightly larger lot sizes and greater setbacks with the RSF-4 zone. He, too, felt he could support the RSF-4 zone. In response to the petitioner’s original request for a multi-family zone district, he noted that duplex units were still allowed on corner lots in RSF-4 zone districts.

Commissioner Cole said that he’d originally voted for the RMF-5 zone district application, and he continued to feel that it was an appropriate choice.

MOTION: (Commissioner Lowrey) “Mr. Chairman, for the rezone request for the property located at 738 26 Road, the Jacobson Rezone, file RZ-2004-304, I move that the Planning Commission forward a recommendation of approval for the RSF-4 zoning district [finding that it meets] applicable criteria in section 2.6 of the Zoning and Development Code.”

Commissioner Wall seconded the motion.

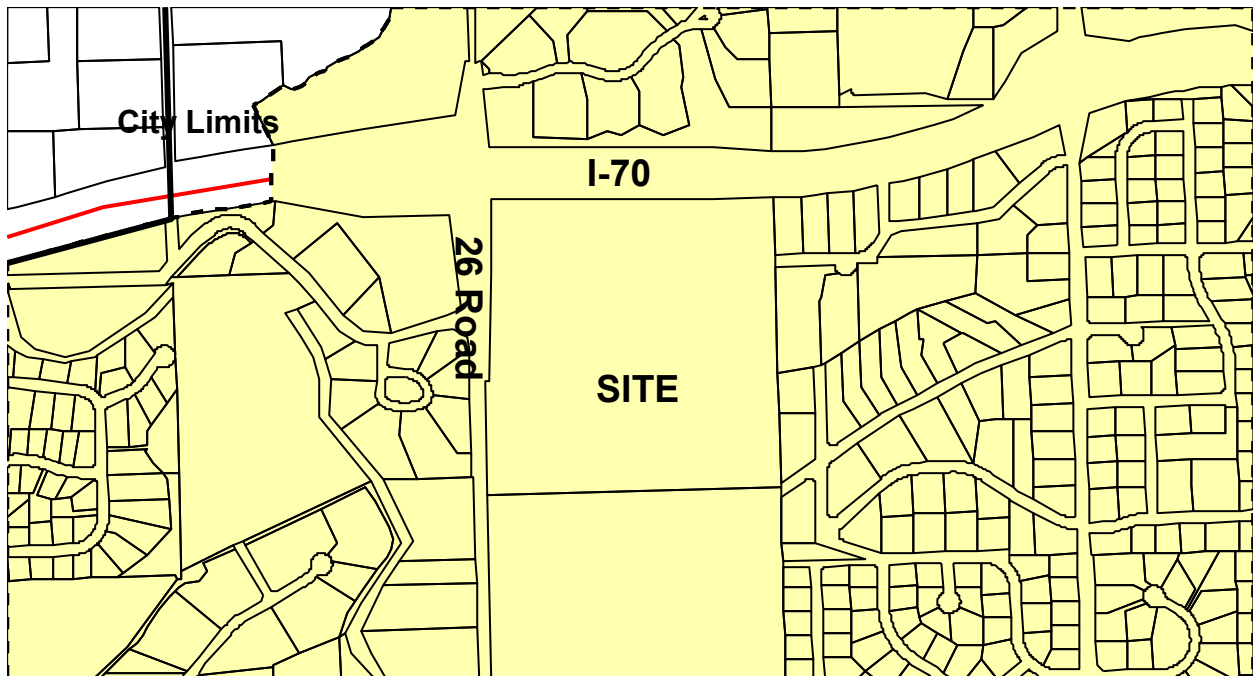
Commissioner Cole said that since it appeared there was a prevailing intent among planning commissioners to go with the RSF-4 zone district, he withdrew his initial opposition and lent his support to the RSF-4 zoning option.

A vote was called and the motion passed unanimously by a vote of 7-0.

With no further business to discuss, the public hearing was adjourned at 8:58 p.m.

Site Location Map

738 26 Road



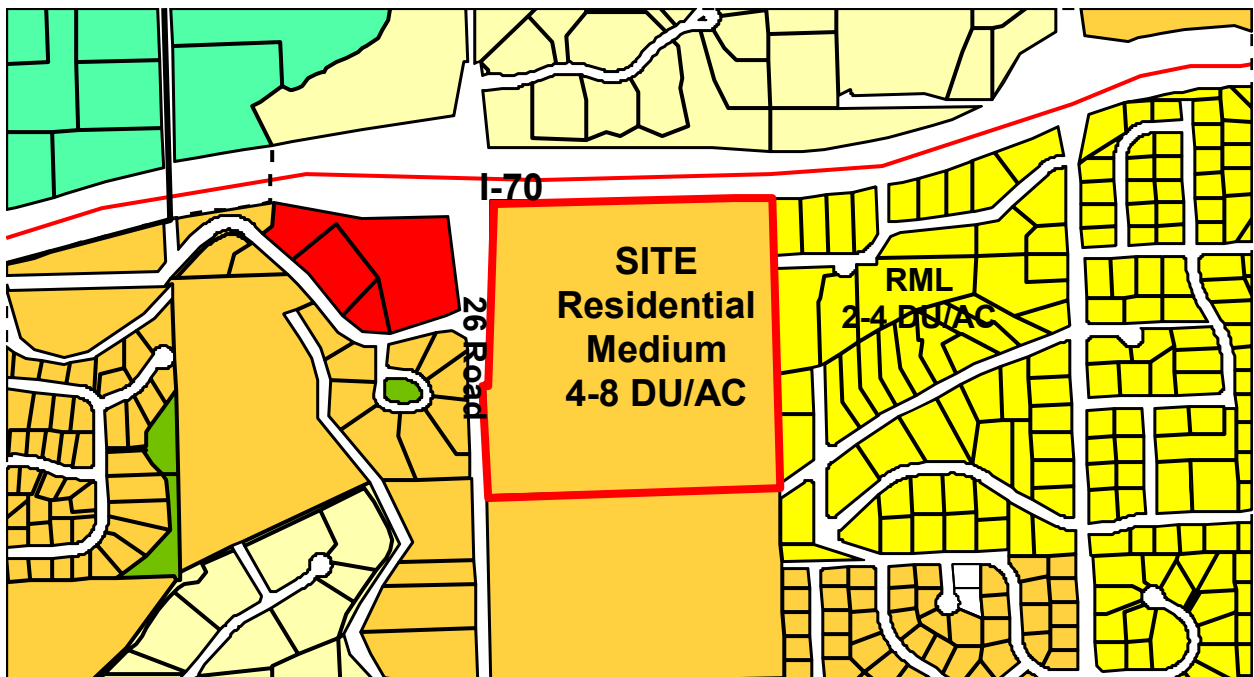
Aerial Photo Map

738 26 Road



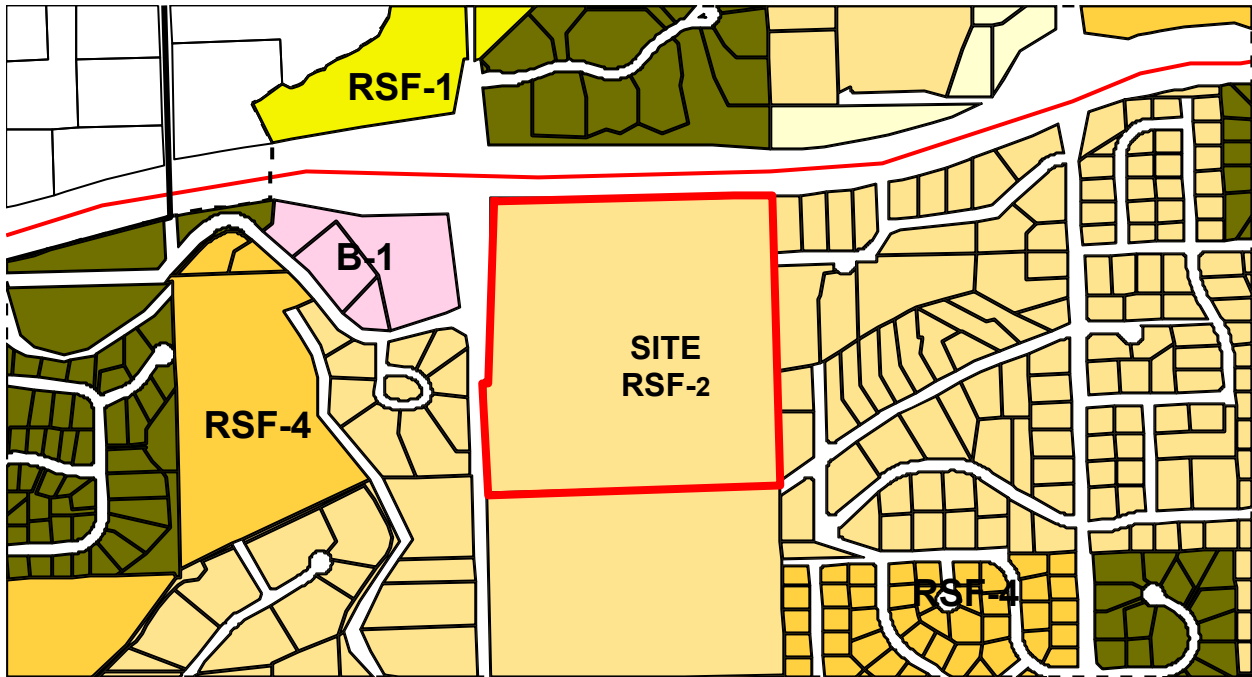
Future Land Use Map

738 26 Road



Existing City and County Zoning

738 26 Road



Ordinance No. 3754

ZONING 37 ACRES OF LAND LOCATED
AT 738 26 ROAD

Recitals.

A rezone from the Residential Single Family - 2 (RSF-2) district to the Residential Single-Family - 4 (RSF-4) district has been requested for the property located at 738 26 Road for purposes of developing a residential subdivision. The City Council finds that the request meets the goals and policies and future land use set forth by the *Growth Plan* (Residential Medium, 4-8). City Council also finds that the requirements for a rezone as set forth in Section 2.6 of the Zoning and Development Code have been satisfied.

The Grand Junction Planning Commission, at its March 22, 2005 meeting reviewed the proposal and recommended the rezone request from the RSF-2 district to the RSF-4 district.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE PARCEL DESCRIBED BELOW IS HEREBY ZONED TO THE RESIDENTIAL SINGLE-FAMILY - FOUR (RSF-4) DISTRICT:

738 26 Road, Tax Parcel ID # 2701-353-00-061; totaling 36.973 acres.

Uses Permitted are those as listed in the Zoning and Development Code for the RSF-4 zoning designation.

INTRODUCED for FIRST READING and PUBLICATION this 6th day of April, 2005.
PASSED on SECOND READING this 20th day of April, 2005.

ATTEST:

City Clerk

President of Council

Attach 19

Public Hearing – Brookwillow Village Planned Development Amendment

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Brookwillow Village Planned Development					
Meeting Date	April 20, 2005					
Date Prepared	April 13, 2005			File #PP-2004-130		
Author	Lori V. Bowers		Senior Planner			
Presenter Name	Lori V. Bowers		Senior Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary: Public Hearing and Consider Final Passage of a proposed ordinance to amend the existing PD Ordinance No. 3088 for Brookwillow Village Planned Development located at 650 24 ½ Road, and consider approval of the proposed private streets within the subdivision.

Budget: N/A

Action Requested/Recommendation:

Hold a public hearing and consider the final passage of an Ordinance amending the existing PD Ordinance No. 3088 and consider a recommendation for private streets within the proposed subdivision.

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. Zoning Ordinance

BACKGROUND INFORMATION					
Location:		650 24 ½ Road			
Applicants:		Halls Partnership LLC, owner; Grace Homes, developer; Marc Maurer, representative			
Existing Land Use:		Vacant land			
Proposed Land Use:		Planned Residential Subdivision			
Surrounding Land Use:	North	Valley Grown Nursery			
	South	Undeveloped land			
	East	Vacant land			
	West	Existing residential with vacant land			
Existing Zoning:		PD 11.7			
Proposed Zoning:		PD 9.7			
Surrounding Zoning:	North	RMF-8			
	South	RMF-8			
	East	RMF-8			
	West	RMF-12			
Growth Plan Designation:		Residential Medium High – 8 to 12 Du/Ac			
Zoning within density range?		X	Yes		No

ANALYSIS:

1. Background:

In December of 1998, the Outline Development Plan with an overall design density of 11.7 dwelling units per acre, (with the condition that ultimate build-out of the Hall ODP would not be less than 8 dwelling units per acre) was approved by the Planning Commission. The City Council also approved Ordinance No. 3088 approving the rezone of the property from RSF-R to the Planned Residential zoning district. On January 18, 2000 a request for approval of a 2-year extension for the deadline to submit a Preliminary Plan for the Hall Property ODP was approved. The extension

request allowed for a submittal of a Preliminary Plan no later than January 20, 2002. The property then changed ownership and the new owner requested additional time to study and prepare a plan for the newly-acquired property. An 18-month extension to submit a Preliminary Plan was granted. A Preliminary Plan was due by July 20, 2003 with the conditions as presented originally. In June of 2004 the applicants submitted the proposed plan. With the Planning Commission's recommendation, accompanying this plan will be an amended zoning ordinance for City Council's approval. The current zoning map for the City of Grand Junction shows the property to still be zoned PD.

2. Consistency with the Growth Plan:

The Growth Plan shows this area as residential medium high development with a density range from 8 to 12 units per acre. This project is consistent with that designation. The applicants propose a density of 9.7 dwelling units per acre.

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:

a) The Outline Development Plan review criteria in Section 2.12.B of the Zoning and Development Code.

1) The Growth Plan, Major street plan and other adopted plans and policies.

Brookwillow Village implements the goals and objectives of each of the various plans by designing a cohesive neighborhood in an area identified by the Growth Plan for multifamily projects with a density between 8.0 and 11.0 units per acre. A previous submission (RZO-1998-192, Hall Property) had an approved ODP with a density of 11.7 units per acre but no site plan was ever approved and the ODP has since lapsed. Now under new ownership, this new proposal reduces the density thereby freeing up more usable open space and still meets the required intents of the various City plan and policies and the density objective profiled in the Growth Plan.

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

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

There was no error in the zoning at the time of adoption. A rezone request to provide 9.2 dwelling units per acre versus the established 11.7 dwelling units per acre is required with this application.

- b. 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 been a change in character in the area due to new growth trends and development transitions in the area. The proposed rezone is compatible with the surrounding uses since this site is on the periphery of the rapidly-developing 25 ½ Road corridor to the east, complemented by new commercial development on the north side of Patterson between 24 and 25 ½ Roads and near the recent addition of a new church on the corner of 24 ½ Road and G Road with Spanish Trails Subdivision just west of the church on G Road.

- c. 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 should be compatible with the future redevelopment of this area. The proposed plan has addressed the street network, extra parking has been provided, storm water and drainage issues have been reviewed as well as lighting.

- d. The proposed rezone to PD 9.2 is within the allowable density range recommended by the Growth Plan. This criterion must be considered in conjunction with criterion e 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 PD zone district, therefore this criterion is met.

- e. 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.

It does conform with the Growth Plan and other City regulations and guidelines.

- f. 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 or will be made available and can address the impacts of development consistent with the PD zone district.

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

The zoning map has shown this area to be zoned PD since 1998, and it is consistent with adjacent zoning on other properties.

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

The proposed PD zone will benefit the community by providing more efficient infrastructure and provide future interconnectivity for the developing neighborhood.

- 3) The planned development requirements of Chapter Five of the Zoning and Development Code.

The application has been developed in conformance with the purpose of Chapter Five of the Zoning and Development Code by providing more effective infrastructure; a greater quality and quantity of public and private open space; other recreational amenities; and a needed housing type and/or mix.

- 4) Section 5.4.F. Development standards.

Planned developments shall minimally comply with the development standards of the default zone. In this case the default zone would be RMF-8.

- 1. Setback standards are provided on the plans for the different pods of development. They are consistent with or greater than the RMF-8 zoning district.
- 2. Open space for this project equals 12.6 acres disbursed across the 30 acre site. The required amount based on 200 SF per bedroom for the multi-family area equals 3.27 acres.
- 3. Fencing and screening is deviant of the Code for the western boundary of the site. 24 1/2 Road requires that a 14-foot landscape buffer with perimeter fence be required if this were a straight zone. The intent of this project is to not create an enclave but rather provide for an open and accessible network of open spaces without fence barriers at the periphery of the site. Screening shall consist of 2 to 3 foot berms that undulate in height and planted with landscape materials for the desired screening effect. The applicant requests a minimum of 10 landscape easement along 24 1/2 Road. Fencing for the community recreation area and single family detached zone shall not be greater than

4 feet tall and shall be visually transparent such as pickets; chain link fencing will not be allowed. Screening for patios, etc. may be 4-foot tall or privacy walls designed to match the surrounding architecture. Refuse enclosures shall be completely screened from view with a six foot screen fencing or other architecturally designed enclosure.

4. This project will set the tone for compatibility with the neighborhood since this is the first of this type of development in this immediate area.

5. Landscaping shall conform to applicable requirements, such as parking lot landscaping and buffer areas. Entry feature signage will be provided to identify the neighborhood complex. Landscape with special planting will provide a backdrop to the signage. Signage shall comply with the Code requirements.

6. Parking is provided in excess of the Code requirements. 1.8 spaces are required per condominium unit (90 units = 162 spaces). Townhouse units (143 units = 258 spaces). Single family attached and detached (59 units = 118 spaces). An additional 117 parking spaces are available for guest parking, as there are places where no parking is allowed on the private street sections.

7. Street development standards were reviewed per TEDS. There are private streets and drives. Private streets need a recommendation from the Planning Commission to City Council for approval within this project. Pedestrian safe movement from the parking areas to the buildings and the centralized mailbox areas is provided. The Primary access from 24 ½ Road will have a boulevard entrance. A secondary access is also proposed for 24 ½ Road to the far south end of the property. This entrance will be shared when the property to the south redevelops. Half road Urban Collector Street improvements will be installed along the north boundary of the site (F ¾ Road alignment) also along the east boundary of the site (24 ¾ Road alignment). Secondary access to the dwelling units is provided using private streets. The single family detached units will be accessed with private streets terminating in cul-de-sacs sized to meet the City standards for Public Works and the Fire Department.

G. Deviation from Development Default Standards:

The Planning Commission may recommend that the City Council deviate from the default district standards subject to the provision of any of the community amenities listed below. In order for the Planning Commission to recommend and the City Council to approve deviation the listed amenities to be provided shall be in excess of what would otherwise be required by the Code, and in addition to any community benefits provided pursuant to Density bonus provisions in Chapter Three. These amenities include:

1. Transportation amenities including but not limited to, trails other than required by the multimodal plan, bike or pedestrian amenities or transit oriented improvements, including school and transit bus shelters;

The applicants feel they have provided a pedestrian oriented village concept to enhance the resident's sense of well being, develop a unique neighborhood character and to provide meaning and value both for now and for years to come.

2. Open space, agricultural land reservation or land dedication of 20% or greater;

The overall open space for this project totals 42% of the site.

3. Community facilities for provision of public services beyond those required for development within the PD;

The applicants state that they are providing pocket parks with active and passive areas. Gazebos and picnic areas, tot-lots and a pet park are also proposed.

4. The provision of affordable housing for moderate, low and very low income households pursuant to HUD definitions for no less than twenty (20) years; and

The applicants feel that by providing a mix of housing types, in close proximity to work and shopping areas, recreation amenities on site and using low volume plumbing fixtures to minimize sewage demands the project will be more affordable.

5. Other amenities, in excess of minimum standards required by this Code, that the Council specifically finds provide sufficient community benefit to offset the proposed deviation.

Other proposed amenities, but not required by the Code are: Gazebos, picnic areas, tot lots, pet park with appropriate amenities.

5) An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed.

A Phasing Schedule has been provided. Phase 1, is 98 units consisting of 20 single-family, 68 townhouses and 10 condominiums. Phase 2, totals 114 units consisting of 30 single-family units, 64 townhomes and 20 condominium units. Phase 3 totals 80 units, consisting of 9 single-family units, 11 townhomes and 60 condominium units. Anticipated completion dates are as follows: Phase 1, December of 2006; Phase 2, June of 2008; and Phase 3 by January 2010.

6) The property is at least twenty (20) acres in size.

The property is slightly over 30 acres in size and meets this requirement.

1. The applicable preliminary plat criteria in Section 2.8.B of the Zoning and Development Code have been met.
2. The applicable site plan review criteria in Section 2.2.D.4 of the Zoning and Development Code.
3. The approved ODP, if applicable. In this case the ODP has expired.
4. The approved PD rezoning ordinance, if adopted with an ODP. In this case the Ordinance is being amended.
5. An appropriate, specific density for all areas included in the preliminary plan approval has been provided.
6. The area of the plan is at least five (5) acres in size or as specified in an applicable approved ODP. This site is just over 30 acres in size.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Brookwillow Village application, PP-2004-130 for a Planned Development, Preliminary Development Plan, staff recommends that the Planning Commission make the following findings of fact and conclusions:

7. The requested Planned Development amendment and the Preliminary Development Plan are consistent with the Growth Plan.
8. The review criteria in Section 2.12.C.2 of the Zoning and Development Code have all been met.
9. The review criteria in Section 2.8.B of the Zoning and Development Code have all been met.
10. The review criteria in Section 2.2.D.4 of the Zoning and Development Code have all been met.
5. The criterion of private streets, Section 6.7.E.5.

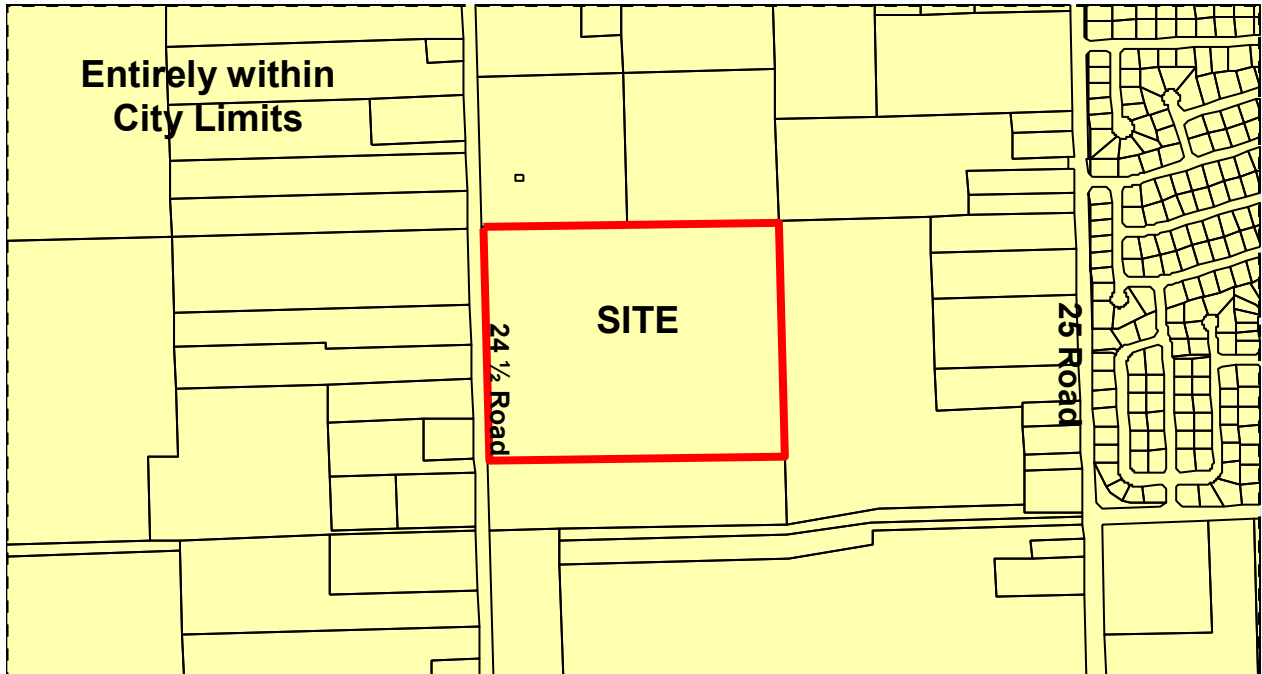
PLANNING COMMISSION RECOMMENDATION:

1) The Planning Commission forwards a recommendation of approval of Brookwillow Village Planned Development, Preliminary Development Plan, file number PP-2004-130, containing private streets to the City Council with the findings and conclusions listed above.

2) The Planning Commission forwards a recommendation of approval to the City Council amending Zoning Ordinance No. 3088.

Site Location Map

650 24 1/2 Road



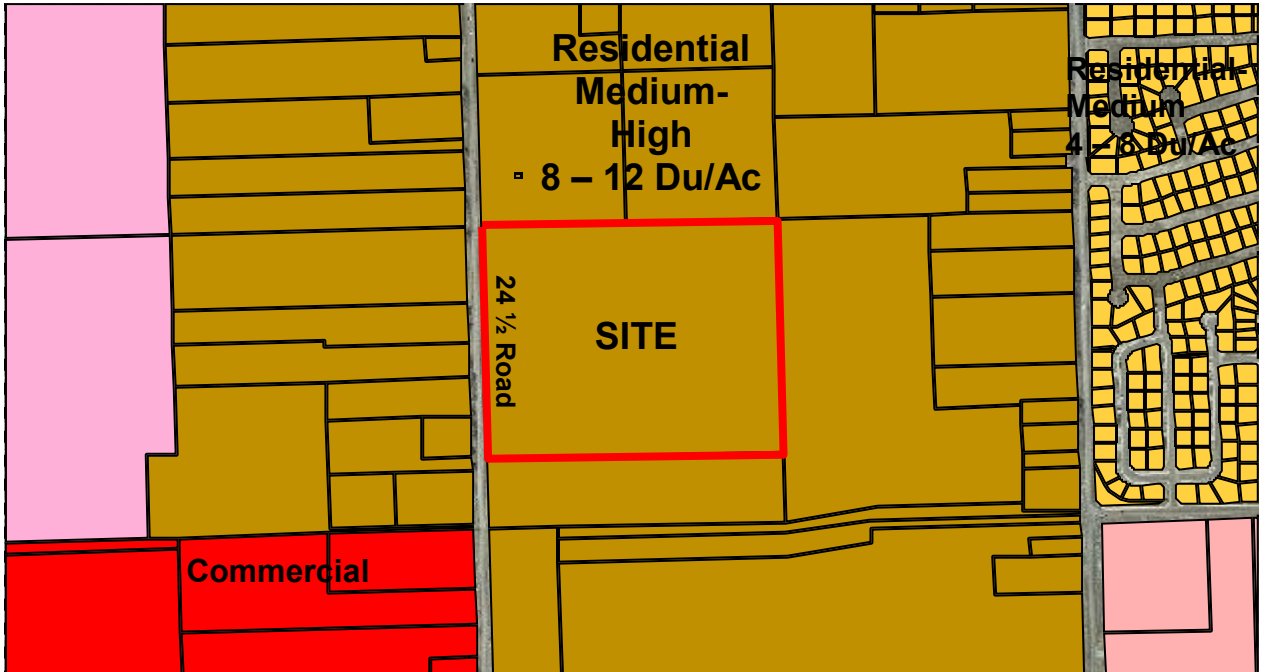
Aerial Photo Map

650 24 1/2 Road



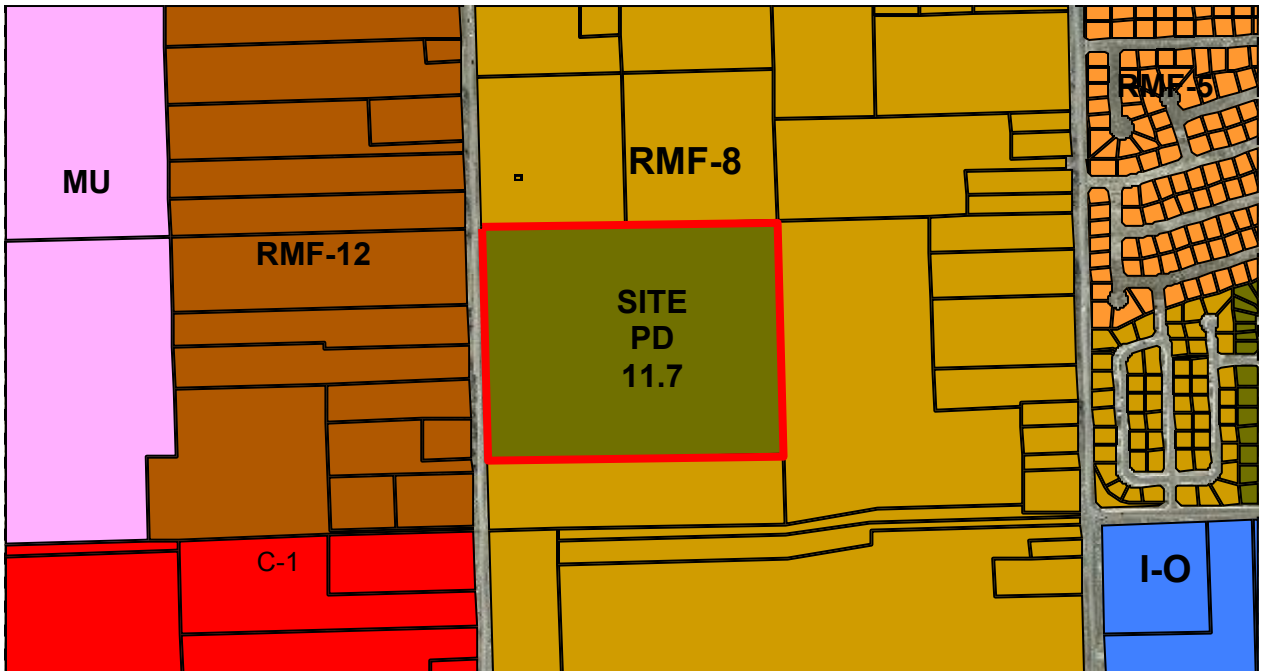
Future Land Use Map

650 24 ½ Road

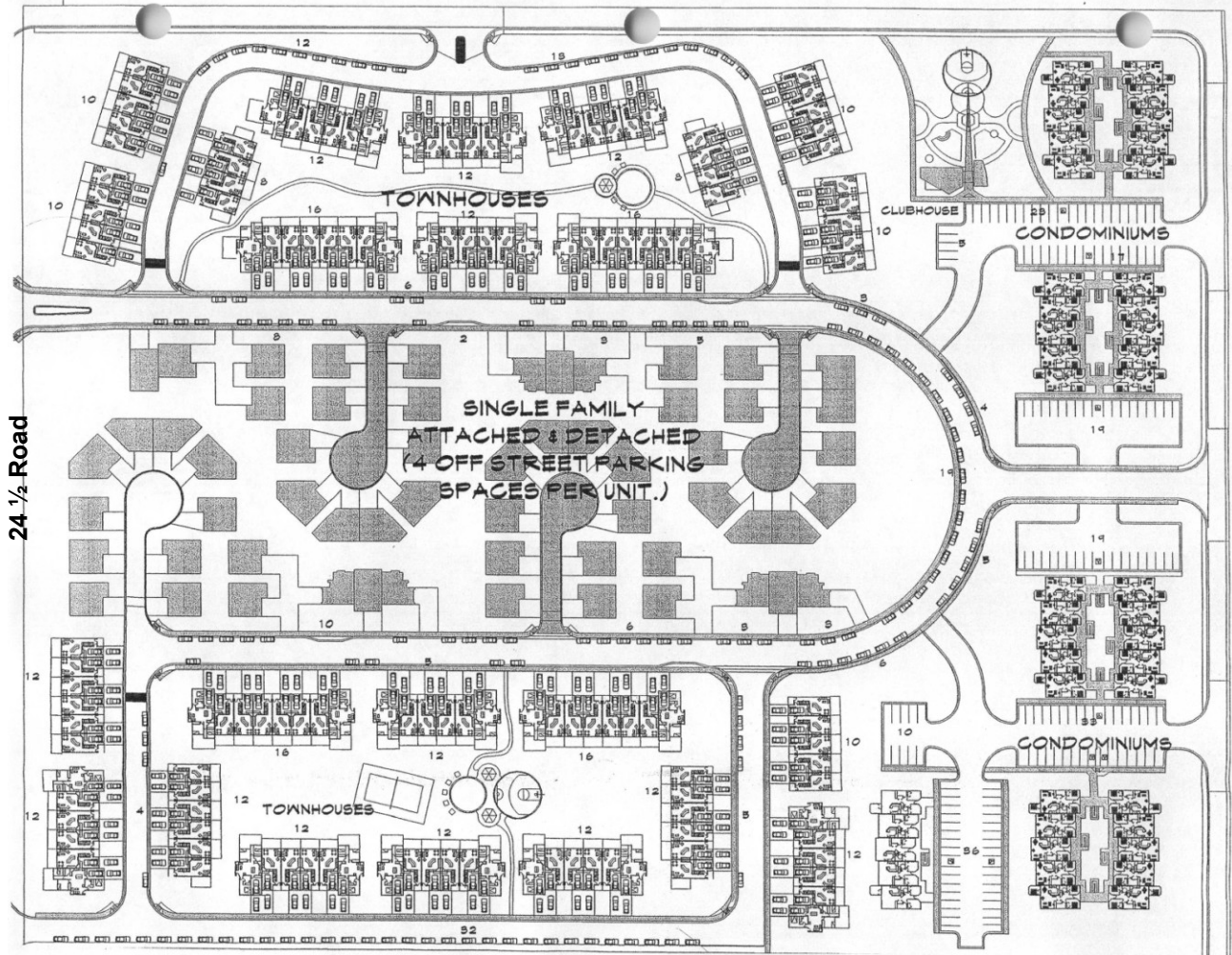


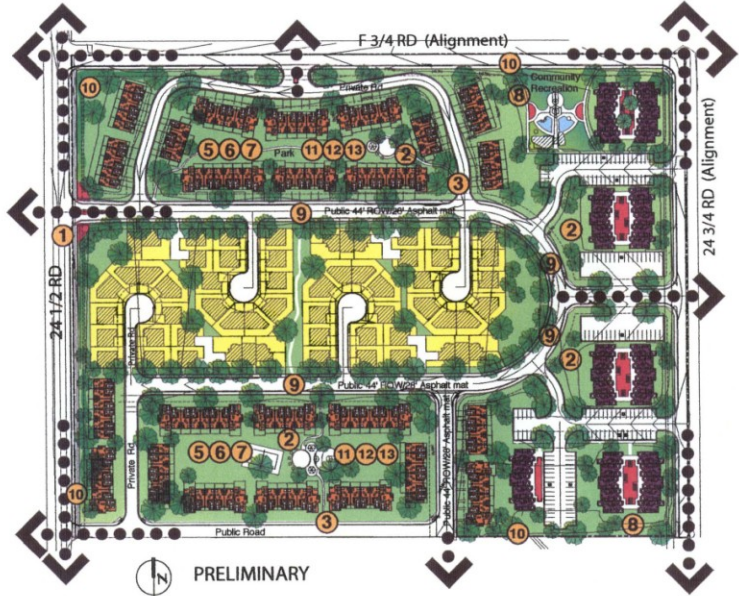
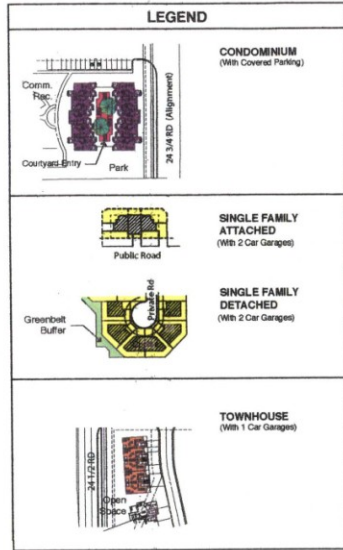
Existing City and County Zoning

650 24 ½ Road



Site Map





CONCEPT - DIAGRAM #2
BROOKWILLOW VILLAGE

Achieved Density (±) 9.7 DUA
 Copyright Genesis Designs: Architecture + Planning, P.C. - 06-07-04 ©
 Revised 03-10-05

650 24 1/2 Rd. Grand Junction, CO Plan is not to scale. Information is approximate and subject to change. Genesis Designs: Architecture + Planning, P.C. Ph. 970-245-6065 Fax 970-245-7568

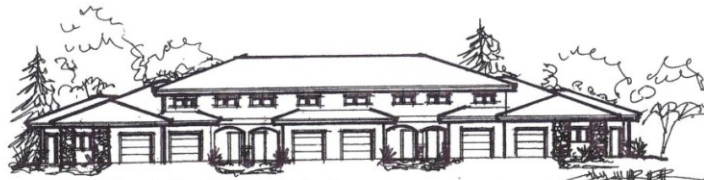
DATA

BLDG TYPE	UNITS	% MIX	UNITS
CONDO	Multi-family	31%	90
	High Density		
TNHSE	Multi-family	49%	143
	Medium Density		
Detached Attached	Single family	20%	59
TOTAL		100%	292

SITE (±) 30.032 Acres
Allowed: 8.0 to 12.0 DUA = (±) 240 to 360 Units
Zoned: PD 11.7 DUA = (±) 350 Units
Proposed: (±) 9.7 DUA (Avg.) = (±) 292 Units
Phasing: Multiple phases from F 3/4 Road South.
Roads:
 Primary: 44' ROW/28' Asphalt mat. Potential detached sidewalk & L.S. median with boulevard entry. Private 22' wide w/ Cul-de-sac.
 Secondary:

DESIGN GOALS:

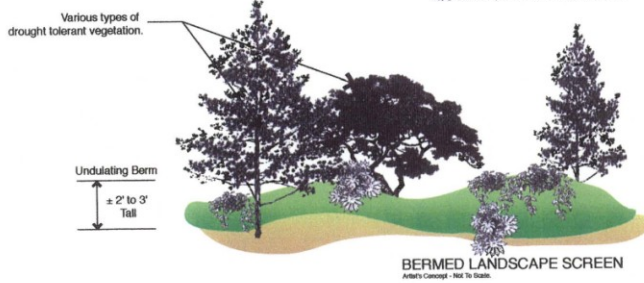
- 1) Landscaped Entrance Features @ 24 1/2 Road
- 2) Pocket Parks with active and passive areas
- 3) Pedestrian pathway system
- 4) Potential art features
- 5) Gazebos
- 6) Picnic areas
- 7) Tot-lots
- 8) Pet Park
- 9) Pedestrian safe street crossings
- 10) Extensive buffering at periphery
- 11) Extensive park-like/open space setting with landscape features
- 12) Use of energy efficient building practices
- 13) Use of Xeriscape principals with native/semi native vegetation for water conservation and drought tolerance



TOWNHOUSE CONCEPT - TYPICAL 6 PLEX
Artist's Concept - Not To Scale.
 Copyright Genesis Designs, Architecture + Planning, P.C. - 06/07/04 ©



CONDOMINIUM CONCEPT - TYPICAL 10 PLEX
Artist's Concept - Not To Scale.
 Copyright Genesis Designs, Architecture + Planning, P.C. - 06/07/04 ©



BERMED LANDSCAPE SCREEN
Artist's Concept - Not To Scale.



PRIVACY FENCE @ SFD UNITS
Artist's Concept - Not To Scale.

CONCEPT - DIAGRAM #4
BROOKWILLOW VILLAGE - PROPOSED FEATURES



Ordinance No. 3755

AMENDING ORDINANCE NO. 3088

ZONING A PARCEL OF LAND AT 625 24 1/2 ROAD

Recitals.

A rezone from Planned Residential 11.7 units per acre (PR-11.7) to Planned Development 9.7 units per acre (PD 9.7) has been requested for the property located at 625 24 1/2 Road, previously known as the Hall property, now to be known as Brookwillow Village, for purposes of developing a residential project of mixed housing types on 30.032 acres, as follows: 59 single family attached and detached; 143 townhouses; and 90 condominium units, for a total of 292 dwelling units. The City Council finds that the request meets the goals and policies and future land use set forth by the Growth Plan (8 to 12 units per acre). City Council also finds that the requirements for a rezone as set forth in Section 2.6 of the Zoning and Development Code have been satisfied.

The Grand Junction Planning Commission, at its March 22, 2005 hearing, recommended approval of the rezone request from PR -11.7 to PD 9.7 and approval of the Preliminary Planned Development (PD) for Brookwillow Village.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE PARCEL DESCRIBED BELOW IS HEREBY ZONED PLANNED DEVELOPMENT 9.7 UNITS PER ACRE (PD 9.7):

Lot 2, Hall Minor Subdivision

- 1) The uses allowed for this zone and property shall be single family attached and detached, townhomes and condominiums.
- 2) The underlying zoning is RMF-8.
- 3) The development will contain at a minimum a community clubhouse for meetings, gatherings and special events; three tot-lots, pet park with appropriate waste disposal, gazebos, picnic areas, two half-court basketball courts, sand volleyball court and a pedestrian pathway system.
- 4) The ordinance further allows for public and private streets. Public Streets 44 feet of Right-of-way with a 28 foot asphalt mat, with detached sidewalk. Private streets to be 22 feet wide with a Cul-de-sac. All street crossings to be marked for safe pedestrian crossing.
- 5) The ordinance allows for a deviation from the required subdivision perimeter fencing by providing an undulating berm with landscaping, 2 to 3 feet tall.
- 6) Buffering and setbacks are as follows, and as provided in the project narrative and concept drawings dated March 10, 2005:

- Along 24 1/2 Road, Single-family detached areas require a minimum 25 foot landscape buffer strip along the entire 24 1/2 Road section. Front setback is 20 feet, side setback is 5 feet and rear setback is 15 feet.
- Townhouse areas require a minimum 10 landscaping easement along the entire street section. Front setback is 20 feet, Side setbacks are 10 between units and the rear setback is a minimum 10 feet from the landscape easement.
- Along 24 3/4 Road, the condominium area requires a 10 foot landscape buffer strip along the entire 24 3/4 Road section and a setback of 25 feet from the road.
- Detached sidewalk shall be installed for the subdivision along 24 3/4 Road. A TCP (Transportation Capacity Payment) credit will be allowed for the installation of the sidewalk.

INTRODUCED on first reading on the 6th day of April, 2005 and ordered published.

PASSED on this 20th day of April, 2005.

ATTEST:

City Clerk

President of Council

Attach 20

Public Hearing – Growth Plan Amendment for Burkey Park Property

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject	Request approval of a Growth Plan Amendment from "Residential Medium 4-8" to "Park" for 1 property located at 2980 F Road, Burkey Park Property							
Meeting Date	April 20, 2005							
Date Prepared	April 14, 2005				File # GPA-2005-060			
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 final passage of the Resolution to change the Growth Plan designation from "Residential Medium 4-8" to "Park".

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:

21. Staff report/Background information
22. Vicinity Map / Aerial Photo
23. Growth Plan Map
24. Resolution

AGENDA TOPIC: GPA-2005-060 – Burkey Park Growth Plan Amendment

ACTION REQUESTED: Request approval of a Growth Plan Amendment from "Residential Medium 4-8 du/ac" to "Park" for 1 property located at 2980 F Road;

<i>STAFF REPORT / BACKGROUND INFORMATION</i>			
Location:		2980 F Road	
Applicants:		Owner: City of Grand Junction Representative: David Thornton / Senta L. Costello	
Existing Land Use:		Vacant	
Proposed Land Use:		City Park	
Surrounding Land Use:	North	Single Family Residential	
	South	Single Family Residential	
	East	Single Family Residential	
	West	Single Family Residential	
Existing Zoning:		County RSF-R	
Proposed Zoning:		City CSR	
Surrounding Zoning:	North	County RSF-4	
	South	County PD 4.5 du/ac	
	East	County RSF-4	
	West	County RMF-5	
Growth Plan Designation:		Park / Residential Medium 4-8 du/ac	
Zoning within intensity range?		X	Yes
			No

PROJECT DESCRIPTION: Consideration of an amendment to the Growth Plan Future Land Use Map to re-designate the property located at 2980 F Road from "Residential Medium 4-8" to "Park".

RECOMMENDATION: Staff recommends approval.

ANALYSIS:

1. Background:

The 0.869 acre site is located at the southwest corner of the future Burkey Park site and is currently zoned RSF-4 in the County. The Future Land Use designation is Residential Medium 4-8 du/ac. The adjacent 17.576 acre is also a part of the future park and is designated Park on the Future Land Use map. Staff is requesting the Growth Plan Amendment to change the 0.869 acre site to match the rest of the park land with a Park designation.

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.

This property was acquired in 2001 to be developed along with the 17.576 acre site that was dedicated to the City of Grand Junction for a future park. The Future Land Use map designation for the property was not updated to reflect the new park use anticipated for the property.

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

This property was acquired in 2001 to be developed along with the 17.576 acre site that was dedicated to the City of Grand Junction for a future park. The Future Land Use map designation for the property was not updated to reflect the new park use anticipated for the property.

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

The surrounding 17.576 acres is designated as a future park. This property was acquired with the intention of adding it to the land to be developed as a park.

- 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.

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.

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

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

Goal 17: To promote a healthy, sustainable, diverse economy.

Policy 17.3 The City and County will support public and private projects which increase the attractiveness of the community for residents and tourists.

Goal 26: To develop and maintain an interconnected system of neighborhood and community parks, trails, and other recreational facilities throughout the urban area.

Policy 26.1 The City will update and use the Parks Master Plan to guide future park and recreation development in Grand Junction and surrounding areas in Mesa County.

Policy 26.2 The City will develop and maintain a network of recreation areas and facilities.

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

Adequate public facilities are currently available and can address the impacts of development consistent with a Park designation. There are many potential issues for this property if it were to develop separately from the park (access, buffer requirements, etc.)

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

This property is an additional 0.869 acres that will be utilized as part of the future park site.

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

The proposed designation and future park use provide benefits that the general public and surrounding neighborhood will gain at this location.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Burkey Park application, GPA-2005-060 for a Growth Plan Amendment, staff recommends that the City Council 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 Park designation to City Council, making the findings of fact and conclusions listed in the staff report.

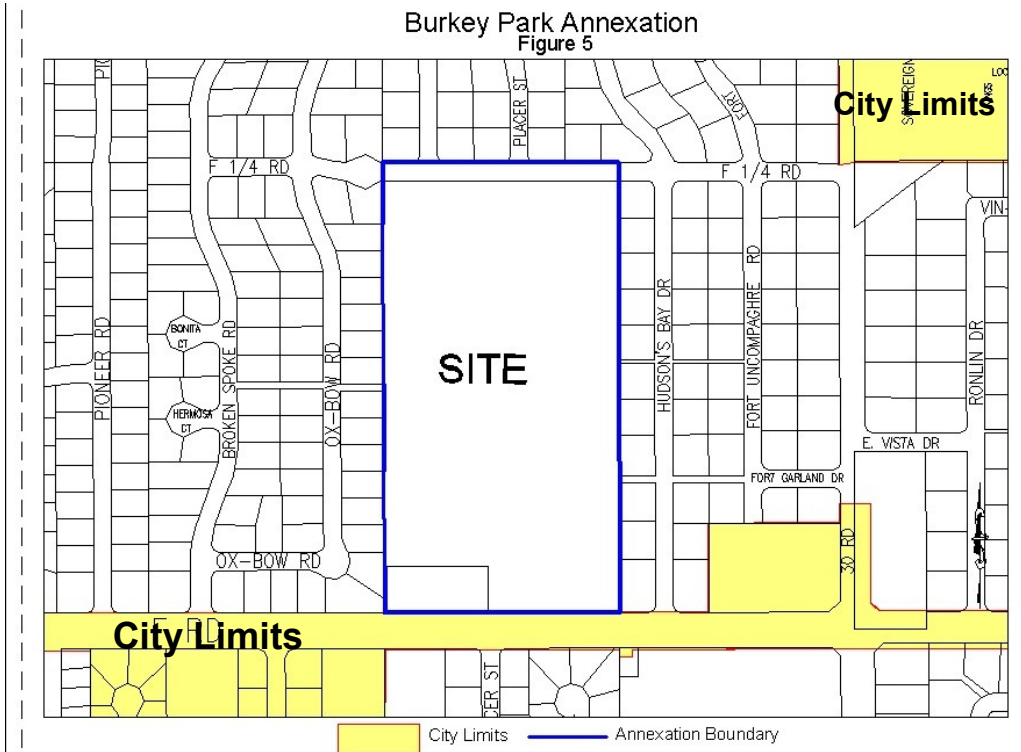
Attachments:

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

Site Location Map

Figure 1

Burkey Park Annexation
Figure 5



Aerial Photo Map

Figure 2



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 0.869 acres located at 2980 F Road from "Residential Medium 4-8 du/ac" to "Park"

Recitals:

A request for the Growth Plan amendment has been submitted in accordance with the Zoning and Development Code to the City of Grand Junction. The applicant has requested that approximately 0.869 acres located at 2980 F Road from "Residential Medium 4-8 du/ac" to "Park" on the Future Land Use Map.

In a public hearing, the City Council reviewed the request for the proposed Growth Plan amendment and determined that it satisfied the criteria as set forth and established in Section 2.5.C of the Zoning and Development Code and the proposed amendment is consistent with the purpose and intent of the Growth Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE GRAND JUNCTION GROWTH PLAN IS AMENDED IN THE FOLLOWING WAY:

That approximately 0.869 acres of property, located at 2980 F Road is designated as Park on the Future Land Use Map. The boundary description of the area being more fully described as follows:

BEG SW COR SE4SE4 SEC 5 1S 1E N 180FT E 291.2FT S 180FT W 291.2FT TO BEG EXC S50FT FOR RD ROW B-1370 P-194 MESA CO RECDS

CONTAINING 0.869 (37853.64 sq. ft.), more or less, as described.

PASSED on this _____ day of _____, 2004.

ATTEST:

President of Council

City Clerk

Attach 21

Public Hearing – Iris Court Enclave Annexation & Zoning Located at 2250 S. Broadway

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Annexation and zoning of the Iris Court Enclave Annexation located at 2250 South Broadway					
Meeting Date	April 20, 2005					
Date Prepared	April 14, 2005				File #ANX-2005-028	
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: Consider the annexation and zoning for the Iris Court Enclave Annexation. The Iris Court Enclave Annexation is located at 2250 South Broadway and consists of 1 parcel on 0.35 acres. The zoning being requested is RSF-2 (Residential Single Family 2 du/ac).

Budget: N/A

Action Requested/Recommendation: Public hearing to consider final passage of annexation and zoning ordinances.

Background Information: See attached Staff Report/Background Information

Attachments:

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

STAFF REPORT / BACKGROUND INFORMATION			
Location:		2250 South Broadway	
Owner:		LaVonne L Hunt	
Existing Land Use:		Single Family Residence	
Proposed Land Use:		Single Family Residence	
Surrounding Land Use:	North	Commercial Center	
	South	Open Space	
	East	Open Space	
	West	Single Family Residential	
Existing Zoning:		County RSF-4	
Proposed Zoning:		City RSF-2	
Surrounding Zoning:	North	B-1	
	South	CSR	
	East	CSR	
	West	RSF-2	
Growth Plan Designation:		Residential Low ½ - 2 ac/du	
Zoning within density range?		X	Yes
			No

Staff Analysis:

ANNEXATION:

This annexation area consists of annexing 0.35 acres of land. Under the 1998 Persigo Agreement with Mesa County the City is to annex all Enclave areas within 5 years. State law allows a municipality to annex enclave areas unilaterally after they have been enclaved for a period of three years. The Iris Court Enclave has been enclaved since May 4, 1997.

The Iris Court Enclave is one of 3 annexations within the Urban Growth Boundary being considered at the same time for annexation. Letters have been sent to all affected property owners giving them notice of the intent to annex.

Zone of Annexation: The requested zone of annexation to the RSF-2 district is consistent with the Growth Plan density of Residential Low ½ - 2 ac/du. The existing County zoning is RSF-4. Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the RSF-2 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.

The following annexation and zoning schedule is being proposed.

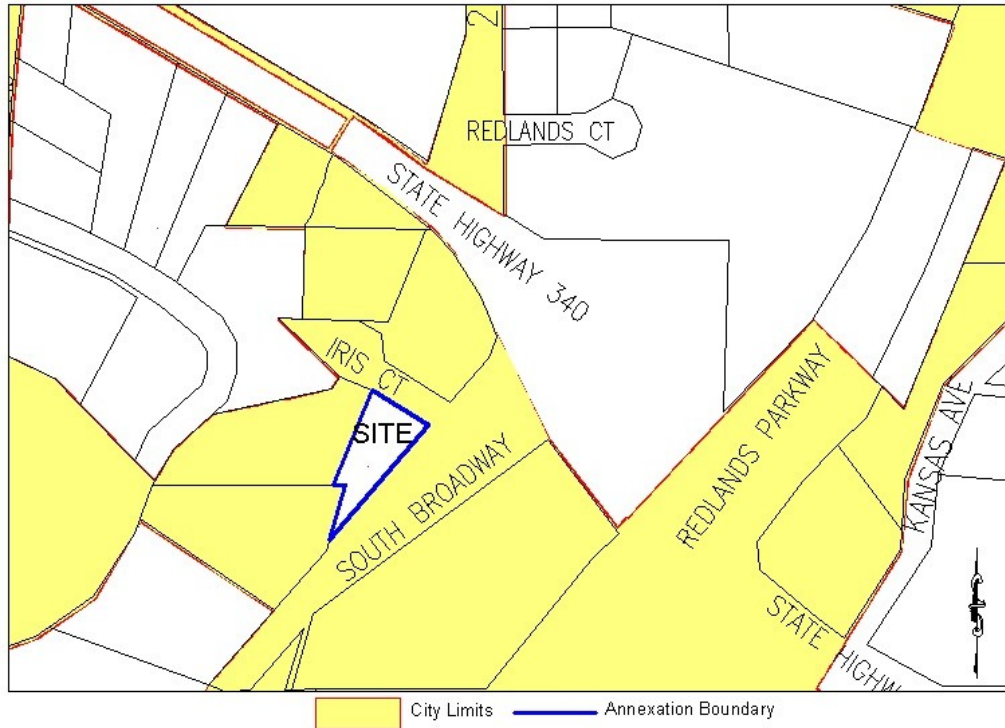
<u>ANNEXATION SCHEDULE</u>	
March 16, 2005	Notice of Intent to Annex & (30 Day Notice)
March 22, 2005	Planning Commission considers Zone of Annexation
April 6, 2005	First Reading on Annexation & Zoning by City Council
April 20, 2005	Public hearing on Annexation and Zoning by City Council
May 22, 2005	Effective date of Annexation and Zoning

IRIS COURT ENCLAVE ANNEXATION SUMMARY

File Number:	ANX-2005-028	
Location:	2250 South Broadway	
Tax ID Number:	2945-073-00-016	
Parcels:	1	
Estimated Population:	2	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	1	
Acres land annexed:	0.35 ac	
Developable Acres Remaining:	0.0 ac	
Right-of-way in Annexation:	0.0 ac	
Previous County Zoning:	RSF-4	
Proposed City Zoning:	RSF-2	
Current Land Use:	Single Family Residence	
Future Land Use:	Single Family Residence	
Values:	Assessed:	= \$8,390
	Actual:	= \$105,290
Address Ranges:	2250 South Broadway	
Special Districts:	Water:	Ute Water
	Sewer:	City of Grand Junction
	Fire:	Grand Junction Rural Fire
	Irrigation/Drainage:	Redlands Water & Power
	School:	Mesa County School District #51
	Pest:	Redlands Mosquito Control

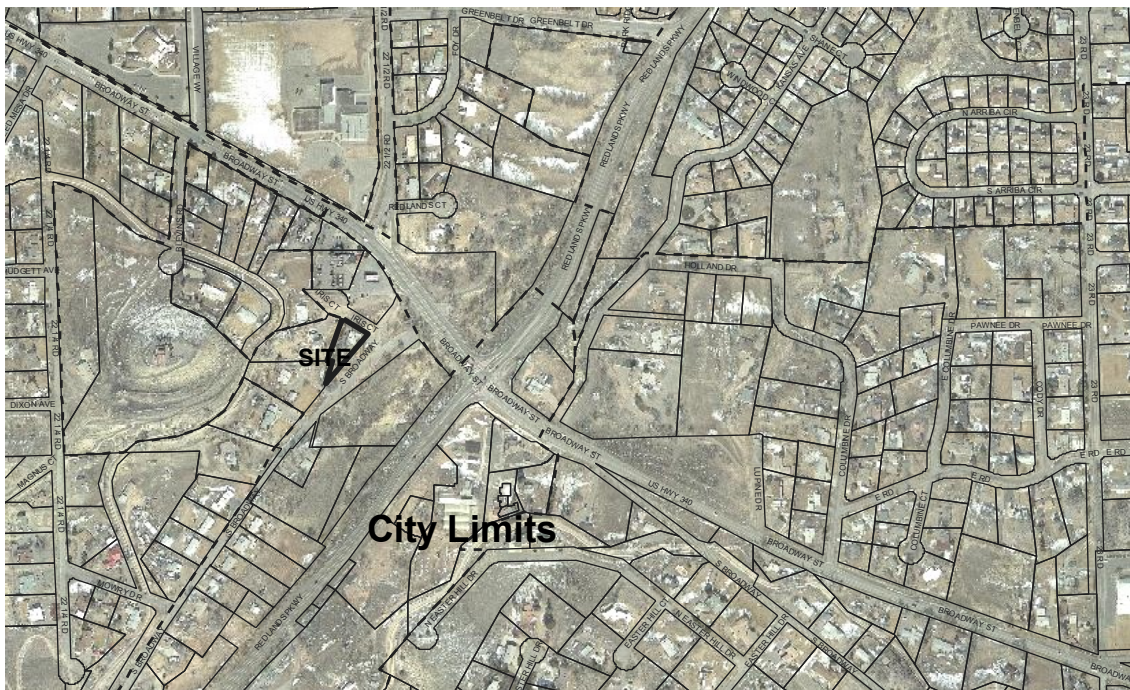
Site Location Map

Figure 1



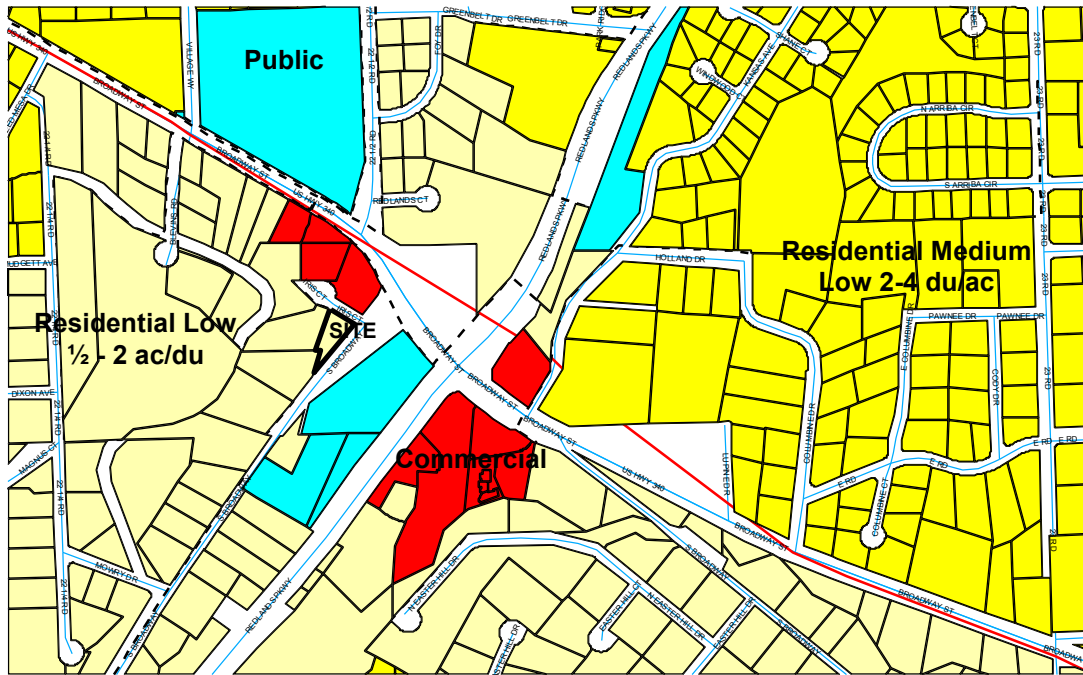
Aerial Photo Map

Figure 2



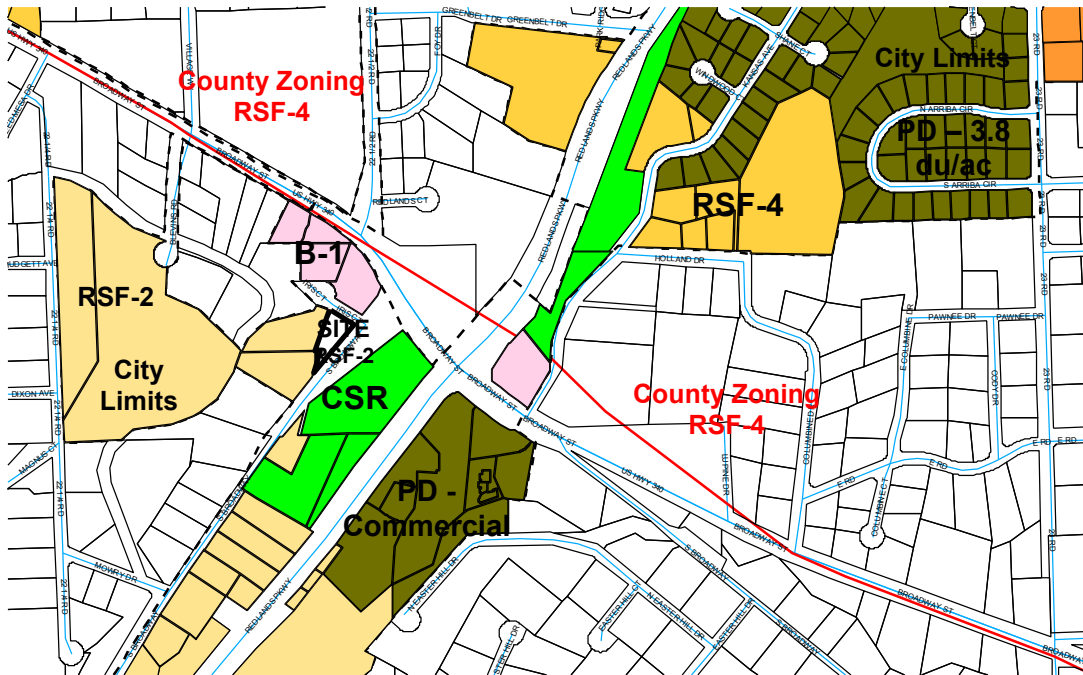
Future Land Use Map

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."

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

**IRIS COURT ENCLAVE ANNEXATION
LOCATED AT 2250 SOUTH BROADWAY**

CONSISTING OF APPROXIMATELY 0.35 ACRES

WHEREAS, on the 16th day of March, 2005 the City Council of the City of Grand Junction gave notice that they will consider for annexation to the City of Grand Junction, a tract of land in the County of Mesa, State of Colorado, commonly known as the Iris Court Enclave, and more particularly described as follows:

A parcel of land located in the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section 7, Township 1 South, Range 1 West, Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Southeast corner of Lot 1 of Iris Court Subdivision, as recorded in Plat Book 9, Page 77, public records of Mesa County, Colorado and assuming the East line of said Lot 1 bears N22°16'08"E with all other bearings referenced herein relative thereto; thence from said POINT OF BEGINNING, along the East line of said Lot 1, N22°16'08"E a distance of 170.00 feet to the Southerly Right of Way of Iris Court as shown on plat of said Iris Court Subdivision; thence along said Right of Way S57°41'52"E a distance of 111.25 feet to the Westerly Right Of Way of South Broadway; thence along said Right Of Way S41°13'08"W a distance of 250.34 feet; thence N16°37'43"E a distance of 94.37; thence N89°58'52"W a distance of 20.50 feet to the POINT OF BEGINNING.

Said parcel contains 0.35 acres (15,230 sq. ft.) more of less as described

The area proposed to be annexed is entirely contained within the boundaries of the City of Grand Junction and said area has been so surrounded for a period of not less than 3 years, pursuant to 31-12-106(1). C. R S.

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 commonly known as the Iris Court Enclave, is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 16th day March, 2005.

ADOPTED and ordered published this ____ day of _____, 2005.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE IRIS COURT ENCLAVE ANNEXATION TO
RSF-2**

LOCATED AT 2250 S BROADWAY

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Iris Court Enclave Annexation to the RSF-2 zone district for the following reasons:

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

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-2 zone district be established.

The Planning Commission and City Council find that the RSF-2 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 RSF-2 with a density not to exceed 2 units per acre.

IRIS COURT ENCLAVE ANNEXATION

A parcel of land located in the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section 7, Township 1 South, Range 1 West, Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Southeast corner of Lot 1 of Iris Court Subdivision, as recorded in Plat Book 9, Page 77, public records of Mesa County, Colorado and assuming the East line of said Lot 1 bears N22°16'08"E with all other bearings referenced herein relative thereto; thence from said POINT OF BEGINNING, along the East line of said Lot 1,

N22°16'08"E a distance of 170.00 feet to the Southerly Right of Way of Iris Court as shown on plat of said Iris Court Subdivision; thence along said Right of Way S57°41'52"E a distance of 111.25 feet to the Westerly Right Of Way of South Broadway; thence along said Right Of Way S41°13'08"W a distance of 250.34 feet; thence N16°37'43"E a distance of 94.37; thence N89°58'52"W a distance of 20.50 feet to the POINT OF BEGINNING.

Said parcel contains 0.35 acres (15,230 sq. ft.) more or less as described

Introduced on first reading this 6th day of April, 2005 and ordered published.

Adopted on second reading this _____ day of _____, 2005.

Mayor

ATTEST:

City Clerk

Attach 22

Public Hearing – PS Substation Enclave & Zoning Located on 29 Road Just South of F Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Annexation and zoning of the PS Substation Enclave located on 29 Road just south of F Road						
Meeting Date	April 20, 2005						
Date Prepared	April 14, 2005				File #ANX-2005-027		
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"/>	Yes	When	
Citizen Presentation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda			Consent	<input checked="" type="checkbox"/> Individual Consideration

Summary: Consider the annexation and zoning for the PS Substation Enclave Annexation. The PS Substation Enclave Annexation is located on 29 Road just south of F Road and consists of 1 parcel on 0.06 acres. The zoning being requested is RMF-5 (Residential Multi-Family 5 du/ac).

Budget: N/A

Action Requested/Recommendation: Public hearing to consider final passage of annexation and zoning ordinances.

Background Information: See attached Staff Report/Background Information

Attachments:

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

STAFF REPORT / BACKGROUND INFORMATION				
Location:		29 Road just south of F Road		
Owner:		Xcel Energy		
Existing Land Use:		Electrical substation		
Proposed Land Use:		Electrical substation		
Surrounding Land Use:	North	Residential		
	South	Residential		
	East	Commercial Shopping Center		
	West	Church		
Existing Zoning:		County RSF-R		
Proposed Zoning:		City RMF-5		
Surrounding Zoning:	North	City RMF-5		
	South	City RMF-5		
	East	PD - Commercial		
	West	City RMF-5		
Growth Plan Designation:		Residential Medium 4-8 du/ac		
Zoning within density range?		X	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of annexing 0.06 acres of land. Under the 1998 Persigo Agreement with Mesa County the City is to annex all Enclave areas within 5 years. State law allows a municipality to annex enclave areas unilaterally after they have been enclaved for a period of three years. The PS Substation Enclave has been enclaved since October 23, 1994.

The PS Substation Enclave is one of 3 annexations within the Urban Growth Boundary being considered at the same time for annexation. Letters have been sent to all affected property owners giving them notice of the intent to annex.

Zone of Annexation: The requested zone of annexation to the RMF-5 district is consistent with the Growth Plan density of Residential Medium 4-8 du/ac. The existing County zoning is RSF-R. Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The following annexation and zoning schedule is being proposed.

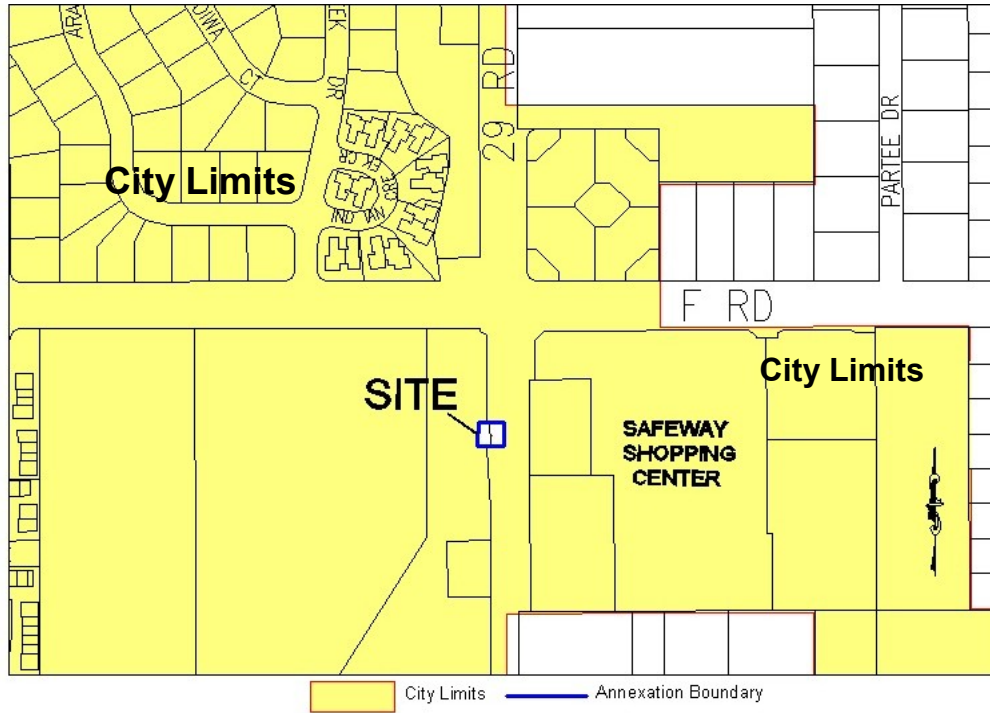
<u>ANNEXATION SCHEDULE</u>	
March 16, 2005	Notice of Intent to Annex & (30 Day Notice)
March 22, 2005	Planning Commission considers Zone of Annexation
April 6, 2005	First Reading on Annexation & Zoning by City Council
April 20, 2005	Public hearing on Annexation and Zoning by City Council
May 22, 2005	Effective date of Annexation and Zoning

PS SUBSTATION ENCLAVE ANNEXATION SUMMARY

File Number:	ANX-2005-027
Location:	29 Road just south of F Road
Tax ID Number:	2943-071-00-001
Parcels:	1
Estimated Population:	0
# of Parcels (owner occupied):	0
# of Dwelling Units:	0
Acres land annexed:	0.06
Developable Acres Remaining:	0
Right-of-way in Annexation:	1,795 sq ft
Previous County Zoning:	RSF-R
Proposed City Zoning:	RMF-5
Current Land Use:	Electrical substation
Future Land Use:	Electrical substation
Values:	Assessed: Information not available
	Actual: Information not available
Address Ranges:	595 29 Road
Special Districts:	Water: Ute Water
	Sewer: Central Grand Valley Sanitation
	Fire: Grand Junction Rural Fire District
	Irrigation/Drainage: Grand Valley Water Users / Grand Junction Drainage District
	School: Mesa County School District #51
	Pest: N/A

Site Location Map

Figure 1



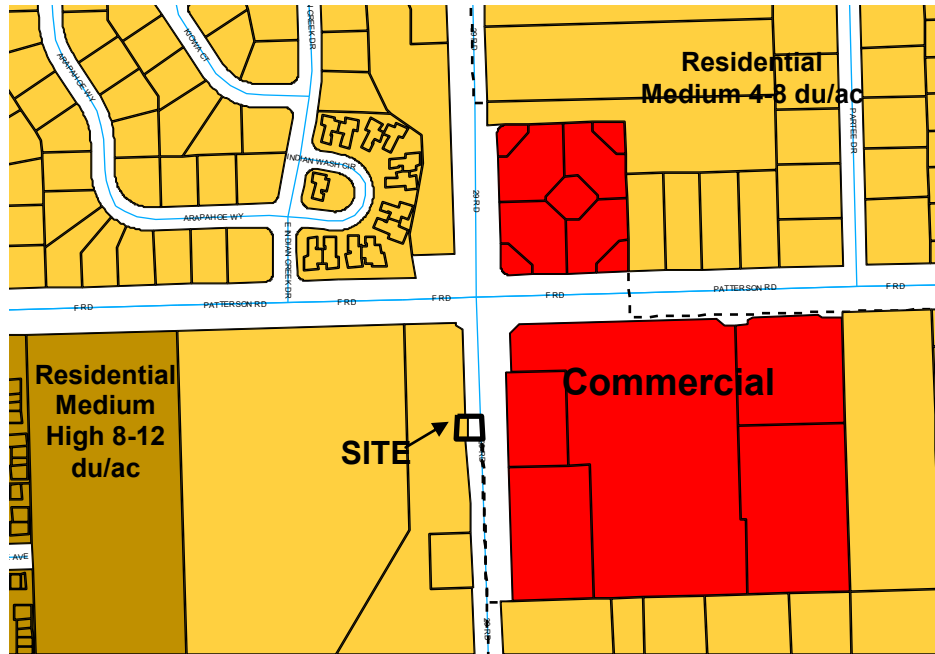
Aerial Photo Map

Figure 2



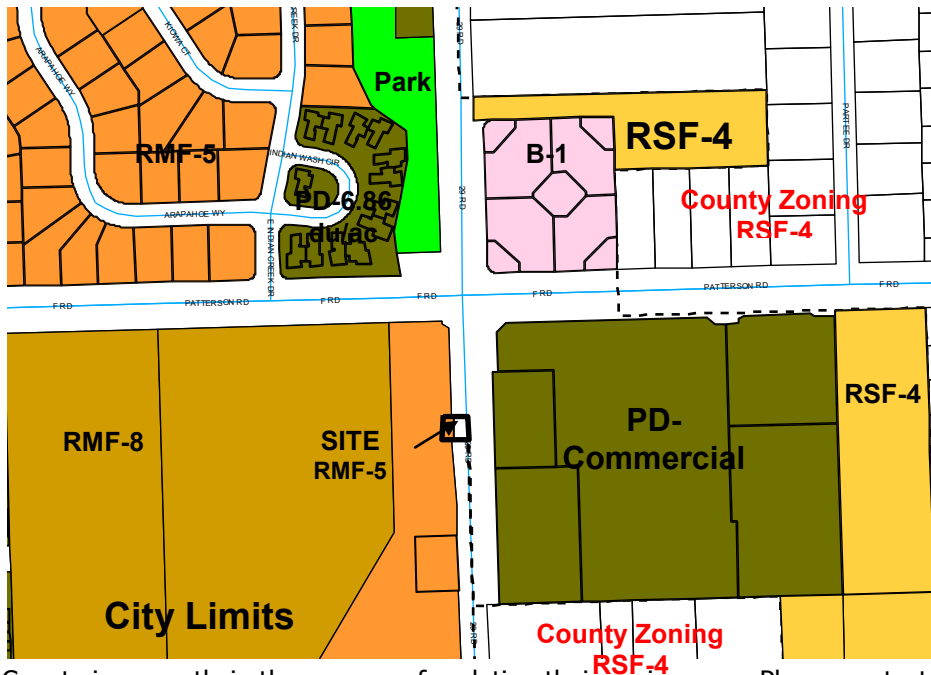
Future Land Use Map

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

PS SUBSTATION ENCLAVE ANNEXATION

LOCATED AT 29 ROAD JUST SOUTH OF F ROAD

**AND INCLUDING A PORTION OF THE
29 ROAD RIGHT-OF-WAY**

CONSISTING OF APPROXIMATELY 0.06 ACRES

WHEREAS, on the 16th day of March, 2005 the City Council of the City of Grand Junction gave notice that they will consider for annexation to the City of Grand Junction, a tract of land in the County of Mesa, State of Colorado, commonly known as the PS Substation Enclave, and more particularly described as follows:

A parcel of land located in the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4) of Section 7, Township 1 South, Range 1 East, Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the Northeast corner of said Section 7 assuming the East line of the NE1/4 NE1/4 of said Section 7 bears S00°03'29"E with all bearings contained herein relative thereto; thence S00°03'29"E along the East line the NE1/4 NE1/4 of said Section 7, a distance of 254.00 feet to the POINT OF BEGINNING; thence continuing along said East line S00°03'29"E a distance of 50.00 feet; thence S89°56'31"W a distance of 58.00 feet; thence N05°40'09"E a distance of 50.10 feet; thence N89°56'31"E a distance of 53.00 feet to the POINT OF BEGINNING

Said parcel containing 2,767 square feet more or less as described.

The area proposed to be annexed is entirely contained within the boundaries of the City of Grand Junction and said area has been so surrounded for a period of not less than 3 years, pursuant to 31-12-106(1). C. R. S.

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 commonly known as the PS Substation Enclave, is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 16th day March, 2005.

ADOPTED and ordered published this ___ day of _____, 2005.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE PS SUBSTATION ENCLAVE ANNEXATION TO
RMF-5**

LOCATED ON 29 ROAD JUST SOUTH OF F ROAD

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the PS Substation Enclave Annexation to the RMF-5 zone district for the following reasons:

The zone district meets the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and/or are generally compatible with appropriate 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 zoned RMF-5 with a density not to exceed 5 units per acre.

PS SUBSTATION ENCLAVE ANNEXATION

A parcel of land located in the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4) of Section 7, Township 1 South, Range 1 East, Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the Northeast corner of said Section 7 assuming the East line of the NE1/4 NE1/4 of said Section 7 bears S00°03'29"E with all bearings contained herein relative thereto; thence S00°03'29"E along the East line the NE1/4 NE1/4 of said Section 7, a distance of 254.00 feet to the POINT OF BEGINNING; thence continuing

along said East line S00°03'29"E a distance of 50.00 feet; thence S89°56'31"W a distance of 58.00 feet; thence N05°40'09"E a distance of 50.10 feet; thence N89°56'31"E a distance of 53.00 feet to the POINT OF BEGINNING

Said parcel containing 2,767 square feet more or less as described.

Introduced on first reading this 6th day of April, 2005 and ordered published.

Adopted on second reading this _____ day of _____, 2005.

Mayor

ATTEST:

City Clerk

Attach 23

Public Hearing – Webb Crane Enclave Annexation & Zoning Located at 728, 738, 745, 747 23 ½ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Annexation and zoning of the Webb Crane Enclave Annexation located at 728, 738, 745, and 747 23 ½ Road						
Meeting Date	April 20, 2005						
Date Prepared	April 14, 2005				File #ANX-2005-029		
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"/>	Yes	When	
Citizen Presentation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda			Consent	<input checked="" type="checkbox"/> Individual Consideration

Summary: Consider the annexation and zoning for the Webb Crane Enclave Annexation. The Webb Crane Enclave Annexation is located at 728, 738, 745, and 747 23 ½ Road and consists of 4 parcels on 16.89 acres. The zoning being requested is M-U (Mixed Use) and I-1 (Light Industrial).

Budget: N/A

Action Requested/Recommendation: Public hearing to consider final passage of annexation and zoning ordinances.

Background Information: See attached Staff Report/Background Information

Attachments:

- 35. Staff report/Background information
- 36. Annexation - Location Map / Aerial Photo
- 37. Growth Plan Map / Zoning Map
- 38. Annexation Ordinance
- 39. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION				
Location:		728, 738, 745, and 747 23 ½ Road		
Owner:		Perea Family Ltd Partnership; Lily Silzell Trust; James R Hardy; James R Arnott and Patricia C Arnott		
Existing Land Use:		3 Single Family Residences; Warehouse/Storage facilities		
Proposed Land Use:		3 Single Family Residences; Warehouse/Storage facilities		
Surrounding Land Use:	North	I-70; Industrial uses; Single Family Residences		
	South	Single Family Residential / Agricultural		
	East	Agricultural		
	West	Single Family Residential; Industrial uses		
Existing Zoning:		County C-2		
Proposed Zoning:		City MU and I-1		
Surrounding Zoning:	North	PD – Industrial (Rezone request to I-1 and RSF-E 2 nd reading 3/16); M-U (Mixed Use)		
	South	I-2; M-U		
	East	M-U		
	West	I-1; I-2		
Growth Plan Designation:		Mixed Use / Commercial - Industrial		
Zoning within density range?		X	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of annexing 16.89 acres of land. Under the 1998 Persigo Agreement with Mesa County the City is to annex all Enclave areas within 5 years. State law allows a municipality to annex enclave areas unilaterally after they have been enclaved for a period of three years. The Webb Crane Enclave has been enclaved since March 19, 2000.

The Webb Crane Enclave is one of 3 annexations within the Urban Growth Boundary being considered at the same time for annexation. Letters have been sent to all affected property owners giving them notice of the intent to annex.

Zone of Annexation: The requested zone of annexation to the M-U AND I-1 districts are consistent with the Growth Plan intensities of Mixed Use / Commercial - Industrial. The existing County zoning is C-2. Section 2.14 of the Zoning and Development Code

states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

In order for the zoning 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:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The following annexation and zoning schedule is being proposed.

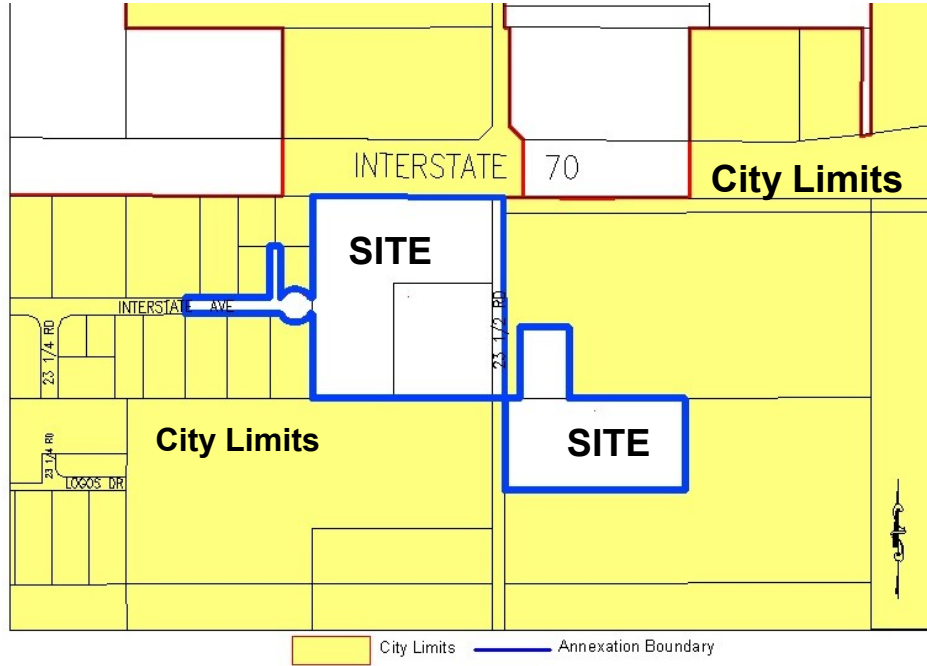
<u>ANNEXATION SCHEDULE</u>	
March 16, 2005	Notice of Intent to Annex & (30 Day Notice)
March 22, 2005	Planning Commission considers Zone of Annexation
April 6, 2005	First Reading on Annexation & Zoning by City Council
April 20, 2005	Public hearing on Annexation and Zoning by City Council
May 22, 2005	Effective date of Annexation and Zoning

WEBB CRANE ENCLAVE ANNEXATION SUMMARY

File Number:	ANX-2005-029	
Location:	728, 738, 745, and 747 23 ½ Road	
Tax ID Number:	2701-323-00-090; 2701-323-00-091; 2701-324-00-038; 2701-324-00-039	
Parcels:	4	
Estimated Population:	7	
# of Parcels (owner occupied):	2	
# of Dwelling Units:	3	
Acres land annexed:	16.89 ac	
Developable Acres Remaining:	16 ac +/-	
Right-of-way in Annexation:	41,384 sq. ft.	
Previous County Zoning:	C-2	
Proposed City Zoning:	M-U; I-1	
Current Land Use:	3 Single Family Residences; Warehouse/Storage facilities	
Future Land Use:	3 Single Family Residences; Warehouse/Storage facilities	
Values:	Assessed:	= \$151,550
	Actual:	= \$811,250
Address Ranges:	728, 738, 745, and 747 23 ½ Road	
Special Districts:	Water:	Ute Water
	Sewer:	City of Grand Junction
	Fire:	Grand Junction Rural Fire District
	Irrigation/ Drainage:	Grand Valley Irrigation; Grand Junction Drainage
	School:	Mesa Co School District #51
	Pest:	N/A

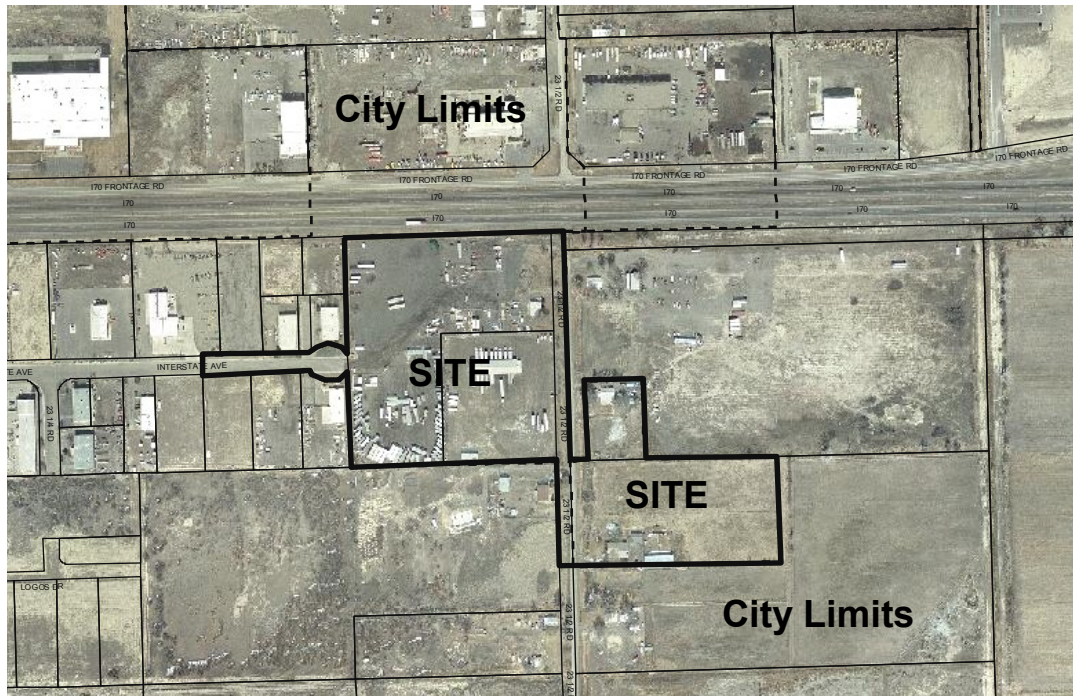
Site Location Map

Figure 1



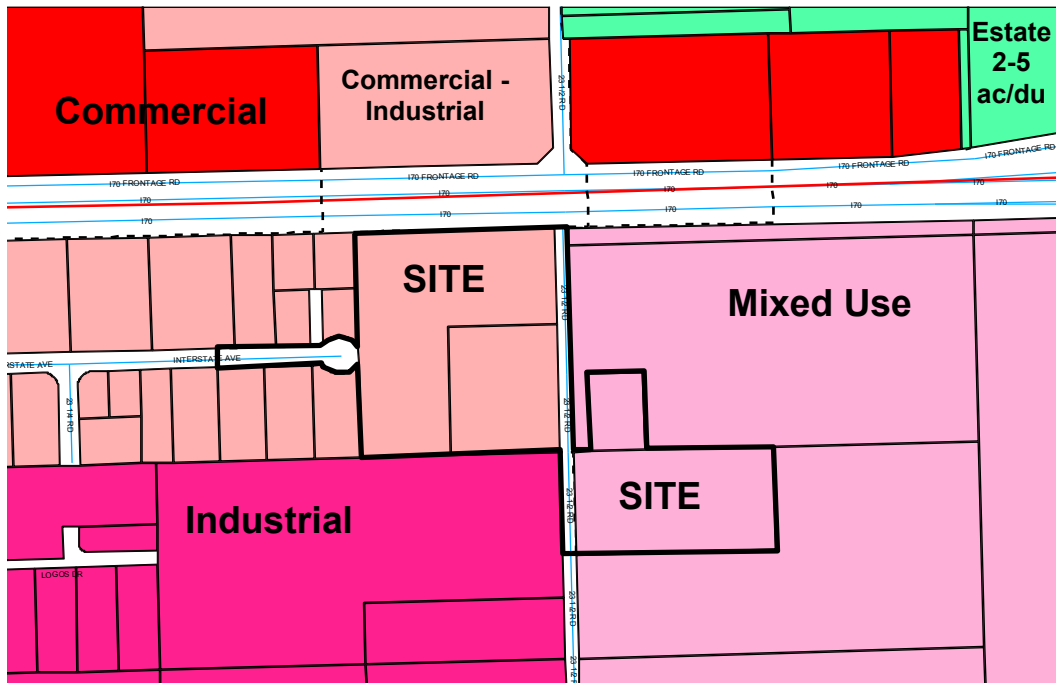
Aerial Photo Map

Figure 2



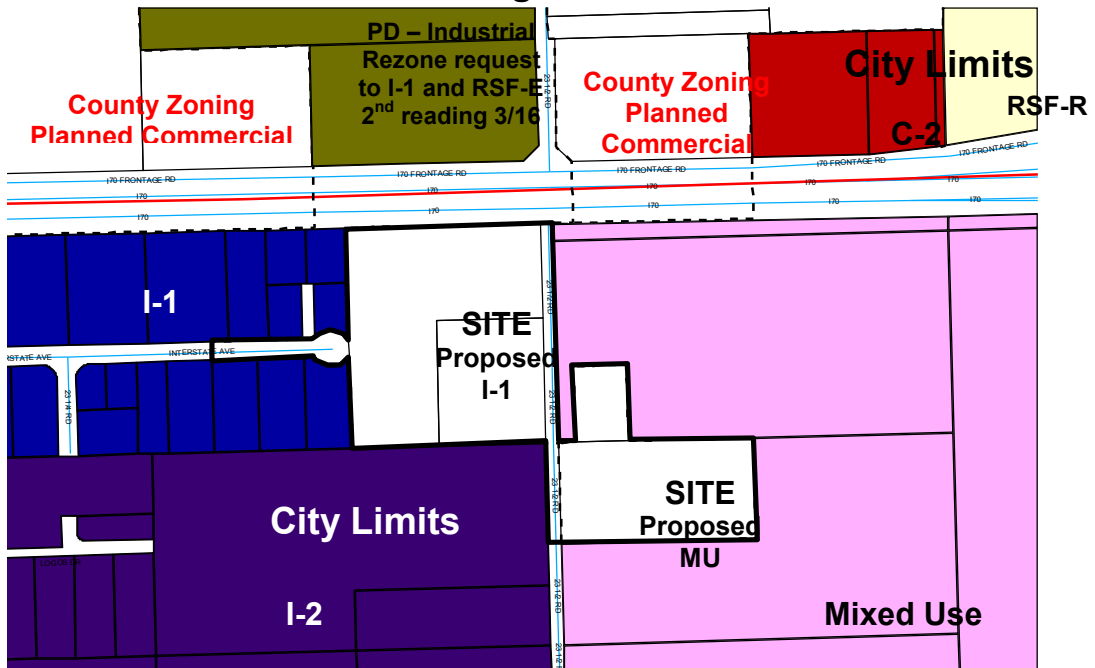
Future Land Use Map

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

WEBB CRANE ENCLAVE ANNEXATION

LOCATED AT 728, 738, 745, AND 747 23 ½ ROAD

**AND INCLUDING A PORTION OF THE
23 ½ ROAD AND INTERSTATE AVENUE RIGHTS-OF-WAY**

CONSISTING OF APPROXIMATELY 16.89 ACRES

WHEREAS, on the 16th day of March, 2005 the City Council of the City of Grand Junction gave notice that they will consider for annexation to the City of Grand Junction, a tract of land in the County of Mesa, State of Colorado, commonly known as the Webb Crane Enclave, and more particularly described as follows:

A parcel of land located in the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) and the Northwest Quarter of the Southeast Quarter (NW1/4 SE1/4) of Section 32, Township 1 North, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

BEGINNING at the Southwest Corner of the Northeast Quarter of the Northeast Quarter of the Southwest Quarter (NE1/4 NE1/4 SW1/4) of said Section 32, and assuming the West line of the NE1/4 NE1/4 SW1/4 of said section 32 bears N00°04'46"E for a basis of bearings with all bearings contained herein being relative thereto: thence from said POINT OF BEGINNING along said West line N00°04'46"E a distance of 300.02 feet to the South Right of Way of Interstate Avenue recorded on the plat of Interstate Commercial Park, Plat Book 12, Page 288 of the Mesa County, Colorado public records; thence along said South Right of Way the following four courses, N89°59'13"W a distance of 8.05 feet; thence 114.86 feet along the arc of a 60.00 foot radius curve, concave North, through a central angle of 109°40'50", whose long chord bears S84°51'10"W with a long chord length of 98.11 feet; thence 21.68 feet along the arc of a 25.00 foot radius curve, concave Southwest, through a central angle of 49°40'48", whose long chord bears N65°08'49"W with a long chord length of 21.00 feet; thence N89°59'13"W a distance of 325.19 feet to the Northwest corner of Lot 4, Block 3 of said Interstate Commercial Park; thence N00°00'47"E a distance of 60.00 feet to the North Right of Way of said Interstate Avenue; thence along said North Right of

Way, S89°59'13"E a distance of 298.19 feet to the Southeast corner of Lot 14A of the Subdivision of Lots 14 & 15, Block One, Interstate Commercial Park, as recorded in Plat Book 13, Page 241 of the Mesa County, Colorado public records; thence along the East line of said lot 14A, N00°00'42"E a distance of 159.99 feet; thence S89°59'26"E a distance of 40.00 feet to the Northwest corner of Lot 15A of said Interstate Commercial Park; thence along the West line of said lot 15A S00°00'47"W a distance of 156.35 feet to the Southwest corner of said lot 15A; thence continuing along the South line of said lot 15A the following three courses: 7.99 feet along the arc of a 25.00 foot radius curve, concave Northwest, through a central angle of 18°19'15", whose long chord bears N49°29'37"E with a long chord length of 7.96 feet; thence 114.86 feet along the arc of a 60.00 foot radius curve, concave South, through a central angle of 109°40'50", whose long chord bears N84°49'36"E with a long chord length of 98.11 feet; thence S89°59'13"E a distance of 8.12 feet to the West line of the NE1/4 NE1/4 SW1/4 of said Section 32; thence along said West line N00°04'46"E a distance of 301.11 feet to the NW Corner of the NE1/4 NE1/4 SW1/4 of said Section 32; thence along the North line of the Northeast Quarter of the Southwest Quarter of said Section 32 S89°59'03"E a distance of 659.95 feet to the Northeast Corner of the Southwest Quarter of said section 32; thence along the East line of the NE1/4 SW1/4 of said section 32 S00°05'18"W a distance of 661.12 feet to the Southeast Corner of the NE1/4 NE1/4 SW1/4 of said Section 32; thence along the South line of the Northwest Quarter of the Northwest Quarter of the Southeast Quarter (NW1/4 NW1/4 SE1/4) N89°59'32"E a distance of 63.96 feet; thence N00°05'39"E a distance of 250.00 feet; thence N89°59'32"E a distance of 174.24 feet; thence S00°05'39"W a distance of 250.00 feet to said South line; thence along said South line N89°59'32"E a distance of 421.17 feet; thence S00°04'35"W a distance of 330.44 feet; thence S89°58'53"W a distance of 659.44 feet to the East line of the NE1/4 SW1/4; thence along said East line N00°05'16"E a distance of 330.56 feet to the Southeast Corner of NE1/4 NE1/4 SW1/4; thence along the South line of the NE1/4 NE1/4 SW1/4 of said Section 32 N89°59'07"W a distance of 659.85 feet to the POINT OF BEGINNING.

Said parcel contains 16.89 acres (735,620 sq. ft.) more or less, as described

The area proposed to be annexed is entirely contained within the boundaries of the City of Grand Junction and said area has been so surrounded for a period of not less than 3 years, pursuant to 31-12-106(1). C. R S.

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 commonly known as the Webb Crane Enclave, is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 16th day March, 2005.

ADOPTED and ordered published this ___ day of _____, 2005.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE WEBB CRANE ENCLAVE ANNEXATION TO
M-U AND I-1**

LOCATED AT 728, 738, 745, and 747 23 ½ Road

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Webb Crane Enclave Annexation to the M-U AND I-1 zone districts for the following reasons:

The zone districts meet 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 M-U AND I-1 zone districts be established.

The Planning Commission and City Council find that the M-U AND I-1 zoning is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following property shall be zoned M-U AND I-1 with a density not to exceed 24 units per acre in the M-U district.

WEBB CRANE ENCLAVE ANNEXATION

M-U

N2SW4NW4SE4 SEC 32 1N 1W and also, BEG 2574.82FT W + 1980FT N OF SE COR SEC 32 1N 1W E174.24FT N 250FT W 174.24FT S TO BEG

I-1

BEG SE COR NE4NE4SW4 SEC 32 1N 1W S 89DEG56'20SEC W370FT N 410FT N 89DEG56'20SEC E 370FT S 410FT TO BEGEXC E 20FT FOR ROW PER B-1306 P-27 MESA CO RECORDS and also, NE4NE4SW4 & SE4SE4NW4 LYG S OF I-70 SEC

32 1N 1W EXCBEG SE COR SD NE4NE4SW4 S 89DEG56'20SEC W 370FT N 410FT
N 89DEG56'20SEC E 370FT S 410FT TO BEG & EXC E 20FTFOR ROW PER B-1306
P-27 MESA CO RECORD

Introduced on first reading this 6th day of April, 2005 and ordered published.

Adopted on second reading this _____ day of _____, 2005.

Mayor

ATTEST:

City Clerk

Attach 24

Jarvis Property Master Plan

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Jarvis Property Master Plan					
Meeting Date	April 20, 2005					
Date Prepared	April 19, 2005					
Author	Kathy Portner		Planning Manager			
Presenter Name	Bob Blanchard		Community Development Director			
Report results back to Council	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When	
Citizen Presentation	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda	<input type="checkbox"/>	Consent	<input checked="" type="checkbox"/> Individual Consideration

Summary: Contract with the professional planning firm, Winter & Company, to complete Jarvis Property Master Plan, Phase II.

Budget: \$79,075 from City Council contingency.

Action Requested/Recommendation: Authorize the City Manager to sign a contract with Winter & Company to complete Jarvis Property Master Plan, Phase II, in an amount not to exceed \$79,075. Additional information will be presented to the City Council on the Kit-of-Parts option prior to finalizing the contract to determine whether it will be included.

Attachments:

Draft Scope of Work

Background Information: The Final Report for the Jarvis Property Master Plan lists five tasks as recommended "Next Steps", as follows:

- Task 1: Program Development and Feasibility Analysis
- Task 2: Packaging the Product for Marketing/Entitlement Process
- Task 3: The Entitlement Process
- Task 4: Developer Selection Process
- Task 5: Implementation

Staff is recommending that the City proceed with Tasks 1 and 2, with the assistance of Winter & Company.

Winter & Company was selected from 11 firms that responded to an RFQ/RFP to produce the Jarvis Property Master Plan. The RFP stated that “the successful firm might be retained for future phases of implementing the redevelopment, including the recruitment and selection of a developer for the property”. If the decision is to proceed with Phase II, staff recommends that we contract with Winter & Company once again.

Winter & Company has submitted a proposed Scope of Work for Phase II (see attached). Phase II of the master plan will include refinement of land use densities and the identification of specific streetscape and public amenity elements. Three-dimensional modeling will be generated to allow all stakeholders to understand the relationship of proposed land uses and individual developments to each other, to downtown, to the river, to the trail and to existing adjacent neighborhoods. The modeling will ensure that the primary design elements and design principles are reflected in the refinement of the preferred development scenario. Note that the timeline assumes a start date of June 1, 2005.

It is recommended that Community Development staff proceed with the entitlement process at the conclusion of Phase II, which would include amending the Growth Plan and rezoning the property to allow anticipated development to proceed. At the completion of Phase II and the entitlement process, City Council will be at another decision point to either sell the property or to select a partner to develop the property.

Proposed Scope of Work

Phase I of the Jarvis Property Master Plan has allowed the community, especially neighboring residents and property owners, to engage in a visioning process for a new mixed-use destination that will provide new housing and employment opportunities for the Grand Junction community. Working closely with the Winter & Company consultant team, the City will continue the dialogue with the community to more accurately define the physical characteristics of this development.

Phase II of the master planning process will include refinement of land use densities and the identification of specific streetscape and public amenity elements. Three-dimensional modeling will be generated to allow all stakeholders to understand the relationship of proposed land uses and individual developments to each other, to downtown, to the river, to the trail and to existing adjacent neighborhoods. The modeling will ensure that the primary design elements and design principles are reflected in the refinement of the preferred development scenario.

The purpose of Task I is to work closely with City Council and City Staff to detail the land uses and densities identified in the Jarvis Property Master Plan. Locations for each recommended land use will be delineated, including residential, industrial, flexible space and R & D; commercial; mixed use; and public amenities and civic facilities. The plan will specify square footage amounts, densities and units per acre. Task I contains several subtasks:

1.1 Refinement Charrette in Grand Junction

Four members of the consultant team will spend three days/two evenings in Grand Junction to refine preferred alternative "Village Concept D" into conceptual development plan(s) that delineate specific land uses, building densities, building types, infrastructure requirements and public/civic amenities. Concurrent with the development plans, the consultant team will also generate massing models and a viability analysis to allow City Council to fully understand the spacial and fiscal implications of the development plans. The charrette will include informal work sessions with City Council and City Staff, as well as formal presentations of interim findings and recommendations. Stakeholder interviews will be conducted, when necessary, to gather additional information and comments from vested agencies such as adjacent neighborhoods, Fish and Wildlife, FEMA, CDOT and others. The charrette will culminate with a formal presentation to City Council that summarizes findings and consultant team recommendations.

A number of issues raised during Phase I of the Jarvis Property Master Plan will be addressed. Riverside Parkway access will be confirmed and integrated into potential street configurations. Other issues to be resolved include:

- Building footprints: size and location
- Parking: on-site, on-street and trailhead parking
- Public Amenities: parks, pathways, plazas, public facilities and trailhead locations
- Infrastructure and Circulation
- Pedestrian and Bicycle Access
- Overhead Utility Realignment Options and Implications
- Revegetation and Natural Resource Protection

The goal of the design charrette will be to refine land use configurations, establish an

infrastructure framework including street networks, identify and analyze product types and public amenities. A variety of options for establishing a street pattern and for parcel shapes will be analyzed. Extension of the existing, traditional street grid will be considered and tested alongside other street network configurations. The following list of issues and concerns was developed in Phase I of the master planning process and will be considered during the refinement process. The resolution of each of the following issues will influence and inform the character of the development:

- The extent and location of the flood plain
- The alignment of the overhead power lines and the extent/location of the easement
- The character and configuration of the internal street network
- The character of and interface with Riverside Parkway
- The location of the 2nd access from Riverside Parkway
- The interface and connection to Riverside Neighborhood
- The long-term implications of parcel and street configurations
- The amount of flex space vs. residential units

Members of the consultant team will work in tandem to generate products on site that will allow Council and City Staff to evaluate the pros and cons of the recommended development plans. The following elements will be generated on site:

Modeling

An important component to design refinement is to understand and direct the scale and massing of future development to ensure that future building configurations and road alignments are in keeping with the vision of the property. During the charrette in Grand Junction, the consultant team will generate digital, three-dimensional massing studies that reflect the desired character and configuration of product types and will be used to assess massing, scale and building heights and the relationship of buildings to the river edge.

Draft Viability Analysis

The refined plan will be grounded with a solid understanding of market and economic conditions. The following tasks will be completed to enable the City to understand the fiscal implication of specific land uses and product types and to understand roles and responsibilities of the city and the development team (to be selected in later phases of the project):

A. Market Evaluation: The preferred scenario generated in Phase I included a mix of land uses and market conditions. The next step is to confirm the level of demand for each land use and product type, and analyze the existing supply by generating an analysis of potential competitive projects. The data derived from this detailed evaluation will be used to generate the development proforma, including revenues and absorption rates.

B. Analysis of Revenues: The proposed land uses and development densities will ultimately generate revenue, in terms of finished product and land sales. The revenue attributed to each use (retail, industrial, flex space, and residential) will be estimated. A development proforma will be constructed to model revenues derived from rents and sales of completed structures and to account for potential revenues realized by a master developer for land sales of sub-areas of the refined master plan.

C. Expenditure Analysis: The preferred development scenario will be evaluated to identify

horizontal and vertical development costs. The projected on- and off-site infrastructure requirements will be accounted for in the overall development proforma. The analysis will include assumptions regarding bonding potential and debt service, depending on the magnitude of the required infrastructure.

D. Net Revenue Evaluation: The development proforma will also estimate net revenues and identify the magnitude of public subsidies required, if any. The model will identify the rate of return for the development and will provide a basis for the City's negotiations with a potential developer.

E. Public Financing Strategies: In the event that the infrastructure costs exceed the revenue potentials for the preferred uses, the City may want to consider establishing one or more public financing options to create an externalized revenue source. The additional resources may be necessary to encourage a developer to implement the balance of the project.

Task1.1 Fees: \$25,640

Optional Approach: Kit-of-Parts Interactive Workshop with City Council

The consultant team will prepare a "Kit-of-Parts" for use in an interactive workshop with City Council to refine the Jarvis Property Master Plan. The goal of the workshop is to develop conceptual development plans using "building blocks" that represent different building types and land uses. The Kit-of-Parts Interactive Workshop with City Council would occur the first day of the 3-day Charrette and allow council members to work in small groups to create refined master plans scenarios. Each kit will contain an assortment of three-dimensional building blocks representing different building types for a variety of land uses including residential, commercial, flex space and public amenities. Each group will be asked to configure the building blocks on a base map of the site based on locational preferences and street configurations. Fiscal information will be developed that will allow participants to understand the "trade-offs" inherent in their preferences and choices. Rules and assumptions will be established and presented to ensure that each group is working under the same parameters to develop fiscally responsible development configurations.

Optional Task Fees: \$8,700



1.2 Final Revisions

Based on feedback received during the public workshop, the refined development plan will be revised to accurately reflect recommended changes to land use configurations, development densities, street configurations, pedestrian systems and public amenities. The Massing Models and Draft Viability Analysis generated during the on-site charrette will be finalized to reflect the final development plan.

Task Fees: \$14,180

Task I Consultants:	Winter & Company, Economic Planning Systems
Task I Project Timeframe:	8 Weeks
Task I Fees:	\$39,820 (plus Optional Task @ \$8,700 = \$48,520)
Task I Deliverables:	Preferred Land Use Plan for the Jarvis Property; Land Use Densities including residential units per acre; 3-D computer generated Massing Models; Draft Viability Analysis

The primary purpose of this task is to integrate documentation generated in Task I into an illustrated information package that can be presented to the community and potential developers. A development summary will be created that includes a series of 2- and 3-dimensional graphic representations of the project and individual product types, which the City can use for marketing to potential developers and investors. The information will also be useful

as the City enters into subsequent phases of the project (Entitlement, Developer Selection and Implementation) and conducts development submittal review and entitlement. This step of encapsulating the development is important and will ensure that future investors and developers fulfill the expectations of the community and respond to the vision established during Phase I and Phase II of the master planning process.

The refined master plan will be revised based on feedback from the Grand Junction community including public workshop participants, city staff, the Resource Panel, City Council and the Planning Commission. The viability analysis will be refined to reflect final revisions and the information will be consolidated into an abbreviated summary to be included in the illustrated information package.

2.1 Illustrative Site Plan

An illustrative site plan will be developed, which depicts the site's relationship to the River, Riverside Neighborhood, railroad tracks, Riverside Parkway and Downtown. The rendering will be useful in generating enthusiasm and interest in the project and most importantly, for use in communicating the community's vision to potential developers. Individual building footprints, land use and circulation networks will be delineated and rendered to create a detailed representation of the development plan.

Task Fees: \$4,350

2.2 Proforma Summary

A short, encapsulated summary of the Viability Analysis will be generated that highlights the financial implications of the preferred scenario. This informative sheet should accompany any reproduction of the site plan.

Task Fees: \$3,120

2.3 Public Outreach

The consultant team will provide the Illustrative Site Plan, Massing Model, Revised Viability Analysis and Proforma to City Staff for distribution to the public for review and comment. City Staff will assume responsibility for facilitating a public meeting to receive feedback on the refinement phase of the project.

Task Fees: \$0

2.4 Resource Panel

The Resource Panel will reconvene in Grand Junction to review the final recommendations of the city. The Resource Panel will present their findings to City Council and Planning Commission in an informal work session. Resource Panel members include Dana Crawford, from Urban Advisors, Skip Behrhorst from Aspen and Henry Burgwyn from the Burgwyn Company, all prominent players in Colorado development community. Additional panel members may be invited to participate at the request of City Council and City Staff. The Resource Panel will be facilitated by Nore Winter and Heather Gregg of Winter & Company and Andrew Knudtsen of Economic Planning Systems. Following the Resource Panel, a formal presentation to City Council and the Planning Commission will be conducted present Resource Panel findings and final recommendations from the consultant team. Consultants facilitating the presentation will be Nore Winter and Heather Gregg from Winter & Company and Andrew Knudtsen from Economic Planning Systems.

Task Fees: \$8,870

2.5 Final Revisions

If necessary, the consultant team will revise project documentation based on feedback from the Public Workshop and joint work session w/ City Council and Planning Commission.

Task Fees: \$5,495

Task 2 Consultants: Winter & Company, Economic Planning Systems

Task 2 Project Timeframe: 12 Weeks

Task 2 Fees: \$21,835

Task 2 Deliverables: Illustrative Site Plan; Proforma Summary; Resource Panel Summary Memorandum; Development Summary (11x17, two sided)

Total Project Timeframe: 20 Weeks

Total Project Fees: \$61,655

Project Expenses: \$8,720: travel, printing, plotting, etc.

Total Project Cost: \$70,375

Option Task : \$8,700

Total Project Cost: \$79,075

1.1 Refinement Charrette in Grand Junction *Week of June 20th
 Task Fees: \$25,640
 Modeling; Draft Viability Analysis; Market Evaluation (Analysis of Revenues, Expenditure Analysis, Net Revenue Evaluation, Public Financing Strategies)
 Optional Approach: Kit-of-Parts Interactive Workshop: Fees: \$8,700

1.2 Final Revisions *Week of July 11th
 Task Fees: \$14,180

Task I Consultants: Winter & Company, Economic Planning Systems
Task I Project Timeframe: 8 Weeks (Preparation, Attendance, Revisions)
Task I Fees: \$39,820 (plus Optional Task @ \$8,700 = \$48,520)
Task I Deliverables: Preferred Land Use Plan for the Jarvis Property; Land Use Densities including residential units per acre; 3-D computer generated Massing Models; Draft Viability Analysis

2.1 Illustrative Site Plan *Week of August 1st
 Task Fees: \$4,350
 2.2 Proforma Summary Week of August 1st
 Task Fees: \$3,120
 2.3 Public Outreach Week of September 12th
 Task Fees: \$0
 2.4 Resource Panel Week of September 26th
 Task Fees: \$8,870
 2.5 Final Revisions Week of October 17th
 Task Fees: \$5,495

Task 2 Consultants: Winter & Company, Economic Planning Systems
Task 2 Project Timeframe: 12 Weeks
Task 2 Fees: \$21,835
Task 2 Deliverables: Illustrative Site Plan; Proforma Summary; Resource Panel Summary Memorandum; Development Summary (11x17, two sided)

Total Project Timeframe: 20 Weeks
Total Project Fees: \$61,655
Project Expenses: \$8,720: travel, printing, plotting, etc.
Total Project Cost: \$70,375

NOTE: The schedule will be revised in the final contract to change the charrette dates to July and revise the rest of the schedule accordingly.