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

WEDNESDAY, MAY 18, 2005, 7:00 P.M.

**** NOTE CHANGE IN START TIME ****

CALL TO ORDER

Pledge of Allegiance

Invocation – Mike Meyers, River of Life Alliance Church

PRESENTATIONS

AWARD FROM THE HISTORIC PRESERVATION BOARD TO PJ MCGOVERN/P&L
PROPERTIES LLC FOR THE BUILDING AT 101 SOUTH THIRD

PRESENTATION OF THE DISTINGUISHED BUDGET AWARD FOR NATIONAL
RECOGNITION ON THE BIENNIAL BUDGET BOOK FOR 2004 AND 2005 FROM THE
GOVERNMENT FINANCE OFFICERS ASSOCIATION OF THE UNITED STATES AND
CANADA AND THE GFOA CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN
REPORT FOR THE FISCAL YEAR 2003

PROCLAMATIONS / RECOGNITIONS

PROCLAIMING THE WEEK OF MAY 15 THROUGH MAY 21, 2005 AS “EMERGENCY
MEDICAL SERVICES WEEK”

PROCLAIMING MAY 19, 2005 AS “ENTREPRENEURSHIP DAY”

CITIZEN COMMENTS

***** CONSENT CALENDAR ***®**

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

Action: Approve the Summary of the May 2, 2005 Workshop and the Minutes of the April 20, 2005 and May 4, 2005 Regular Meetings

2. **Setting a Hearing for Zoning the Irwin/Riverfront Annexation, Located at 586 Rio Verde Lane & 616 22 ¾ Road** [File #ANX-2004-305] [Attach 2](#)

Introduction of a proposed zoning ordinance to zone the Irwin/Riverfront Annexation, RSF-4, Residential Single Family – 4 units/acre & CSR, Community Services & Recreation, located at 586 Rio Verde Lane & 616 22 ¾ Road. The annexation consists of 19.69 acres and two (2) 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. The other parcel proposed for annexation is owned by the State of Colorado, Parks & Outdoor Recreation, who are requesting annexation due to the fact that a portion of their property is already in the City limits.

Proposed Ordinance Zoning the Irwin/Riverfront Annexation to Residential Single Family – 4 Unit/Acres (RSF-4) & Community Services & Recreation (CSR) Located at 586 Rio Verde Lane & 616 22 ¾ Road

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

Staff presentation: Scott D. Peterson, Associate Planner

3. **Setting a Hearing for the Theobold Annexation No. 1 and 2, Located at 3060 D Road** [File #ANX-2005-073] [Attach 3](#)

The applicants for the Theobold Annexation, located at 3060 D Road, have presented a petition for annexation as part of a preliminary plan. The applicants request approval of the Resolution referring the annexation petition, consider reading of the Annexation Ordinance, and requesting Land Use Jurisdiction immediately. The annexation area consists of 4.41 acres of land and 0.78 acres of canal easement. This is a serial annexation.

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

Resolution No. 81-05 – 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, Theobold Annexation No. 1 and 2, Located at 3060 D Road

®Action: *Adopt Resolution No. 81-05*

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Theobold Annexation No. 1, Approximately 4.41 Acres, Located at 3060 D Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Theobold Annexation No. 2, Approximately 0.78 Acres, Located at 3060 D Road

Action: *Introduction of Proposed Ordinances and Set a Hearing for July 6, 2005*

Staff presentation: Lori V. Bowers, Senior Planner

4. **Setting a Hearing for the Beagley II Annexation, Located at 2932 and 2938 D ½ Road** [File #ANX-2005-099] [Attach 4](#)

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 12.43 acre Beagley II Annexation consists of 2 parcels and contains a portion of the D ½ Road right-of-way.

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

Resolution No. 86-05 – 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, Beagley II Annexation, Located at 2932 and 2938 D ½ Road and Including a Portion of the D ½ Road Right-of-Way

®Action: *Adopt Resolution No. 86-05*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Beagley II Annexation, Approximately 12.43 Acres, Located at 2932 and 2938 D ½ Road and Including a Portion of the D ½ Road Right-of-Way

Action: *Introduction of Proposed Ordinance and Set a Hearing for July 6, 2005*

Staff presentation: Senta L. Costello, Associate Planner

5. **Setting a Hearing for the Beanery Annexation, Located at 556 29 Road** [File #ANX-2005-078] [Attach 5](#)

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 1.65 acre Beanery Annexation consists of 1 parcel.

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

Resolution No. 87-05 – 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, Beanery Annexation, Located at 556 29 Road and Including a Portion of the 29 Road Right-of-Way

®Action: *Adopt Resolution No. 87-05*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Beanery Annexation, Approximately 1.65 Acres, Located at 556 29 Road and Including a Portion of the 29 Road Right-of-Way

Action: *Introduction of Proposed Ordinance and Set a Hearing for July 6, 2005*

Staff presentation: Senta L. Costello, Associate Planner

6. **Setting a Hearing for the Bookcliff Middle School Annexations, Located at 2935 Orchard Avenue** [File #ANX-2005-101] [Attach 6](#)

Resolution referring a petition for annexation and introduction of proposed ordinances. The 20.6 acre Bookcliff Middle School Annexations consist of 1 parcel, includes a portion of the Orchard Avenue right-of-way, and is a 3 part serial annexation.

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

Resolution No. 88-05 – 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, Bookcliff Middle School Annexations, No. 1, 2, and 3, Located at 2935 Orchard Avenue and Including a Portion of the Orchard Avenue Right-of-Way

®Action: *Adopt Resolution No.88-05*

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Bookcliff Middle School Annexation No. 1, Approximately 0.04 Acres of Orchard Avenue Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Bookcliff Middle School Annexation No. 2, Approximately .67 Acres of Orchard Avenue Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Bookcliff Middle School Annexation No. 3, Approximately 19.89 Acres, Located at 2935 Orchard Avenue

Action: Introduction of Proposed Ordinances and Set a Hearing for July 6, 2005

Staff presentation: Senta L. Costello, Associate Planner

7. **Setting a Hearing Zoning the Hutto Annexation, Located at 676 Peony Drive**
[File #ANX-2005-054] [Attach 7](#)

Introduction of a proposed zoning ordinance to zone the Hutto Annexation RSF-2 located at 676 Peony Drive.

Proposed Ordinance Zoning the Hutto Annexation to RSF-2, Located at 676 Peony Drive

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

Staff presentation: Senta L. Costello, Associate Planner

8. **Setting a Hearing for the Shadow Run at the Ridges Planned Development** [Attach 8](#)
[File #PP-2005-014]

The applicants propose to develop a multi-family community on a lot already approved for a maximum density of 7.5 dwelling units per acre. The plan consists of three, four-plex buildings and eleven duplex buildings, for a total of 34 dwelling units on 4.99 acres, resulting in a density of 6.8 units per acre. The request is also for approval of private streets within the subdivision, which requires City Council approval and will be considered at second reading.

Proposed Ordinance Zoning Lot 1, Block 18, The Ridges Subdivision, Filing Number 3

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

Staff presentation: Lori V. Bowers, Senior Planner

9. **Sole Source Purchase of Flo Dar Meters** [Attach 9](#)

This is for the sole source purchase of portable flow meter monitors to be used in sewage conduit flowing to the Persigo Waste Water Treatment Plant. The purchase is currently scheduled for replacement in 2005.

Action: Authorize the City Purchasing Manager to Purchase Eight (8) Flo-Dar Monitors from Water Technology Group in the Amount of \$71,359

Staff presentation: Ronald Watkins, Purchasing Manager
Mark Relph, Public Works and Utilities Director

10. **Multifunction Biphasic Monitor Defibrillators and Accessories** [Attach 10](#)

Approval to purchase five new Monitor Defibrillators and various accessories from the Zoll Medical Corporation for the Fire Department EMS Division.

Action: Authorize the Purchasing Department to Procure Five Monitor Defibrillators and Accessories in the Amount of \$107,857

Staff presentation: Rick Beaty, Fire Chief

11. **Contract with Mesa County for Building Inspection Services** [Attach 11](#)

The City's contract with Mesa County for building inspection services is up for renewal. Since 1988, the City has contracted with Mesa County under the present arrangement in which the County's Building Official performs all building inspection functions within the City. The contract term is two years, and either party may terminate the contract upon 90 days' notice.

Action: Authorize the City Manager to Execute the Contract with Mesa County for Building Inspection Services

Staff presentation: John Shaver, City Attorney

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

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

12. **Construction and Design Contracts** (Items a, b, and c may be awarded under one motion)

a. **Construction Contract for 5th Street Concrete Repair and Overlay** [Attach 12](#)

The 5th Street Concrete Repair and Overlay project generally consists of full width milling and 2" overlay of 5th Street from Grand Avenue north to North Avenue.

Action: Authorize the City Manager to Sign a Construction Contract for the 5th Street Concrete Repair and Overlay to United Companies of Mesa County in the Amount of \$225,522.00

Staff presentation: Mark Relph, Public Works and Utilities Director

b. **Construction Contract for 2005 Waterline Replacements, Phase I** [Attach 13](#)

The 2005 Waterline Replacements, Phase 1 project consists of the replacement of approximately 1¼ miles of water lines in the following locations:

- Along the north side of Hwy. 6 Bypass (North Ave.) from Motor St. to 1st St.
- Along the east side of First Street from North Avenue to Orchard Avenue.
- Along the south side of Orchard Avenue from 5th Street to 7th Street.

Action: Authorize the City Manager to Sign a Construction Contract for the 2005 Waterline Replacements, Phase 1 to M.A. Concrete Construction, Inc., in the Amount of \$ 447,357

Staff presentation: Mark Relph, Public Works and Utilities Director

c. Undergrounding Overhead Lines for Riverside Parkway

[Attach 14](#)

The construction of the Riverside Parkway will require the relocation of many overhead power lines. This contract will underground approximately 1.1 miles of power line from approximately 25 Road to Broadway. The letter from Xcel Energy is an "invoice" stating that the undergrounding cost is estimated at \$272,110.

Action: Authorize the City Manager to Sign a Purchase Order with Xcel Energy to Relocate the Existing Overhead Power Lines Underground on River Road from 25 Road to Broadway

Staff presentation: Mark Relph, Public Works and Utilities Director

13. City Code Publishing Contract

[Attach 15](#)

Authorize negotiation for a contract to review, analyze, reformat and reprint the City's reference manuals ("Revised Municipal Code"), having the Codes posted to a web site, with full search capabilities, a web-accessible subscription service and continuously maintain and update the various codes.

Action: Authorize the City Clerk and City Attorney to Negotiate a Contract for the Review, Republishing, Reprinting and Continuous Update of the "Revised Municipal Code" with Code Publishing, Inc. in an Amount Not to Exceed \$100,000 to Include Review, Formatting, Republishing, Internet Hosting with Search Capabilities, Subscription Service, Hot Links, Printing and Frequent Updating

Staff presentation: Stephanie Tuin, City Clerk
John Shaver, City Attorney

14. **Purchase of Real Property Located at 2927 and 2927 1/2 D 1/2 Road (Pear Park Area)** [Attach 16](#)

The City has entered into a contract to purchase the property at 2927 and 2927 1/2 D 1/2 Road. The City's obligation to purchase the property is contingent upon Council's ratification of the contract.

Resolution No. 89-05 – A Resolution Authorizing the Purchase of Real Property Located at 2927 D 1/2 Road and 2927 1/2 D 1/2 Road

®Action: Adopt Resolution No. 89-05

Staff presentation: Mark Relph, Public Works and Utilities Director

15. **Intergovernmental Agreement with CDOT for Interchange Study at 29 Road and I-70B Interchange (CONTINUED FROM THE MAY 4, 2005 MEETING)** [Attach 17](#)

The proposed Intergovernmental Agreement with Colorado Department of Transportation (CDOT) will reimburse CDOT for anticipated expenses associated with the 1601 Interchange Study for 29 Rd and I-70B.

Resolution No. 90-05 – A Resolution Authorizing an Intergovernmental Agreement between the City of Grand Junction and the Colorado Department of Transportation (CDOT) Regarding 29 Road and I-70B Interchange Approval Process

®Action: Adopt Resolution No. 90-05

Staff presentation: Mark Relph, Public Works and Utilities Director

16. **Public Hearing – 2005 CDBG Program Year Funding for the 2005 Action Plan, a Part of the 2001 Five-Year Consolidated Plan** [Attach 18](#)

City Council will consider which activities and programs to fund and will prioritize and recommend levels of funding for CDBG projects for the 2005 Program Year.

Action: 1) Receive Public Input on the Use of the City's 2005 CDBG funds; 2) Consider the CDBG City Council Subcommittee Recommendation for Funding Six Projects for the City's 2005 CDBG Program Year Action Plan; 3) Set a Hearing for Final Adoption of the CDBG 2005 Action Plan for June 15, 2005

Staff presentation: David Thornton, Principal Planner

17. **Public Hearing – Iris Court Enclave Annexation and Zoning, Located at 2250 South Broadway** [File # ANX-2005-028] (CONTINUED FROM MAY 4, 2005 MEETING) [Attach 19](#)

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

18. **Public Hearing – PS Substation Enclave Annexation and Zoning, Located on 29 Road Just South of F Road** [File # ANX-2005-027] (CONTINUED FROM MAY 4, 2005) [Attach 20](#)

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. 3760 – 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. 3761 – An Ordinance Zoning the PS Substation Enclave Annexation to RMF-5, Located on 29 Road Just South of F 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

19. **Public Hearing – Webb Crane Enclave Annexation and Zoning, Located at 728, 738, 745 and 747 23 ½ Road** [File # ANX-2005-029] (CONTINUED FROM MAY 4, 2005) [Attach 21](#)

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. 3762 – 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. 3763 – An Ordinance Zoning the Webb Crane Enclave Annexation to M-U and I-1, 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. 3762 and 3763

Staff presentation: Senta L. Costello, Associate Planner

20. **Public Hearing – Anson Annexations No. 1, 2, 3 & 4 and Zoning Located at 2729 B ¼ Road** [File # ANX-2005-036] [Attach 22](#)

Acceptance of a petition to annex and consider the annexations and zoning for the Anson Annexations. The Anson Annexations are located at 2729 B ¼ Road, includes a portion of the B ¼ Road right-of-way, consists of 1 parcel on 3.53 acres, and is a four part serial annexation. The zoning being requested is RSF-4.

a. Accepting Petition

Resolution No. 91-05 – A Resolution Accepting a Petition for Annexation Making Certain Findings, Determining the Property Known as the Anson Annexations No. 1, 2, 3, and 4, Located at 2729 B ¼ Road and a Portion of the B ¼ Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3764 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Anson Annexation No. 1, Approximately 0.006 Acres of B ¼ Road Right-of-Way

Ordinance No. 3765 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Anson Annexation No. 2, Approximately 0.02 Acres of B ¼ Road Right-of-Way

Ordinance No. 3766 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Anson Annexation No. 3, Approximately 0.05 Acres of B ¼ Road Right-of-Way

Ordinance No. 3767 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Anson Annexation No. 4, Approximately 3.53 Acres Located at 2729 B ¼ Road, Including a Portion of B ¼ Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 3768 – An Ordinance Zoning the Anson Annexation to RSF-4, Located at 2729 B ¼ Road

®Action: Adopt Resolution No. 91-05, Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 3764, 3765, 3766, 3767, and 3768

Staff Presentation: Senta L. Costello, Associate Planner

21. **Public Hearing - Burkey Park Annexation and Zoning Located at 2980 F Road** [File # GPA-2005-060] [Attach 23](#)

Acceptance of a petition to annex and consider the annexation and zoning for the Burkey Park Annexation. The Burkey Park Annexation is located at 2980 F Road and consists of 2 parcel on 19.19 acres. The zoning being requested is CSR.

a. Accepting Petition

Resolution No. 92-05 – A Resolution Accepting a Petition for Annexation Making Certain Findings, Determining the Property Known as the Burkey Park Annexation at 2980 F Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3769 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Burkey Park Annexation, Approximately 19.19 Acres, Located at 2980 F Road

c. Zoning Ordinance

Ordinance No. 3770 – An Ordinance Zoning the Burkey Park Annexation to CSR, Located at 2980 F Road

®Action: Adopt Resolution No. 92-05, Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 3769 and 3770

Staff Presentation: Senta L. Costello, Associate Planner

22. **Public Hearing – First Supplemental Appropriation Ordinance for 2005**
(CONTINUED FROM MAY 4, 2005 MEETING) [Attach 24](#)

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

Ordinance No. 3771 – An Ordinance Making Supplemental Appropriations to the 2005 Budget of the City of Grand Junction

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3771

Staff presentation: Ron Lappi, Administrative Services and Finance Director

23. **Public Hearing – Amendment to Chapter 4, Code of Ordinances Regarding Special Events (CONTINUED FROM MAY 4, 2005 MEETING)** [Attach 25](#)

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.

Ordinance No. 3772 – An Ordinance Amending Part of Chapter 4 of the City of Grand Junction Code of Ordinances Relating to Alcoholic Beverage Licensing

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3772

Staff presentation: John Shaver, City Attorney

24. **Public Hearing - Correct Scrivener's Error in Parking Code** [Attach 26](#)

On December 6, 2000, Ordinance No. 3320 was adopted, containing Section 36-22, regarding parking privileges for the handicapped. Due to a scrivener's error, the word "not" was omitted from that Section describing exceptions to the privileges for handicapped parking. This amendment is designed to correct the scrivener's error.

Ordinance No. 3773 – An Ordinance Amending Part of Chapter 36 of the City of Grand Junction Code of Ordinances relating to Handicapped Parking Privilege

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3773

Staff presentation: John Shaver, City Attorney

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

26. **OTHER BUSINESS**

27. **ADJOURNMENT**

Attach 1

Minutes of Previous Meetings May 2, April 20, May 4, 2005

GRAND JUNCTION CITY COUNCIL WORKSHOP SUMMARY May 2, 2005

The City Council of the City of Grand Junction, Colorado met on Monday, May 2, 2005 at 7:02 p.m. in the City Hall Auditorium to discuss workshop items. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody Gregg Palmer, Jim Spehar, Doug Thomason and President of the Council Bruce Hill.

Summaries and action on the following topics:

- 1. CITY COUNCIL ASSIGNMENTS:** Council President Bruce Hill distributed a proposed assignment list to open up discussion on the various Council commitments. City Manager Kelly Arnold reminded Council the need to assign two Councilmembers to the new Parking Management Advisory Group for the parking garage. Council President Hill added that there is also the Storm Water Management (5-2-1 Committee) Group. Councilmember Coons advised that the Methamphetamine Task Force has also requested a Council representative. Councilmember Thomason volunteered for Strategic Team #3. Councilmember Palmer advised that it is not necessary for two Councilmembers to be on the parking committee. Councilmember Coons volunteered for the Housing Authority, Councilmember Beckstein volunteered for Strategic Team #2 (I-70 Utilization), Councilmember Thomason volunteered for the Strategic Plan Committee addressing weeds and Councilmember Doody volunteered for both the Gateway & Beautification Strategic Team and the 5-2-1 Committee.

Action Summary: Councilmembers accepted their new assignments and directed the Clerk to place the item on the Wednesday agenda for formal adoption.

- 2. CITY OWNED PROPERTY** - This is a continuation of the City Council's discussion for City owned property. Public Works & Utilities Director Mark Relph reviewed this topic. He reviewed the history of the ongoing discussion regarding the three properties that have been discussed previously with Council. Council decided to take no further action on those properties. Regarding the other properties, one out in the adobes, 120 acres that was to be proposed for a trade with BLM. He said the BLM is not interested due to the cumbersome exchange process and there being no obvious value to them.

Councilmember Spehar suggested a particular piece owned by BLM that is valuable as a part of the City's watershed that might have public value.

Mr. Relph next reviewed a tract off of Little Park Road. There is a proposal to subdivide it into two parcels, one developable and one to remain as open space. One tract would be 13 acres and worth approximately \$380,000 to \$500,000. Any purchasers would have to retain access to the trail.

Councilmember Palmer asked if a public vote would be required to proceed with the proposal. Mr. Relph said there is no restriction on the deed requiring such a vote. Councilmember Palmer asked if the City was going to dedicate proceeds for a specific community benefit rather than put it in the general fund, such as affordable housing.

Council President Hill said the mountain biking group (COPMOBA) should have a chance to make comments first as well as the Urban Trails Committee.

City Manager Kelly Arnold noted that COPMOBA urged that an access be retained for vehicles too.

Councilmember Beckstein expressed concern that any new owners might begin thinking of the access as a private access. Mr. Relph said they would need to make that clear on the deed but agreed there is potential for that.

Council President Hill reiterated that biking and trail groups should be included in discussions. Councilmember Palmer said they could be agreeable if a specific project is identified for the proceeds.

Councilmember Spehar said certainly the staff should talk to the surrounding property owners like the BLM.

Council asked about the coordination with the Lunch Loop trail areas. Mr. Arnold said discussions are taking place. Council President Hill said this piece should be included in that discussion as well.

Mr. Relph said the next two items are Blue Heron and South Rim properties. He said staff was directed to talk to the Mesa Land Trust about their interest. He distributed a letter from Rob Bleiberg of Mesa Land Trust which stated these particular properties are of no value to them. Councilmember Coons asked if he had spoken to the Audubon Society. Mr. Relph said that he had not and he felt the Blue Heron properties may have some value in the future due to development occurring in that area.

Mr. Relph said the Hutto Property is part of an old sewer lagoon. He said that it has been cleaned up but it is down below the bluff and is in the floodplain. He

said that it was discussed to possibly “bank” it as wetlands. With the removal of the tamarisk, the property has become wetlands.

Councilmember Spehar said the City could use it for wetlands credit if the Riverside Parkway takes out wetlands. Mr. Relph said that there is no need to have the property banked but thought the City should reduce the water and thus mosquito habitat. Mr. Relph however thought wetland banking could be used for the Big Pipe project.

Mr. Relph said that Dunn and the Southside Community Park properties will be used for Riverside Parkway. Mr. Relph said, regarding the property north of I-70 at G Road, the airport will be willing to take property but does not want to pay for it and the BLM has no interest in the property because the property has no access.

Councilmember Palmer stated that the City should just give the property to the Airport. He said the purpose of this discussion is to identify properties the City has no use for and may be disposed of.

Councilmember Spehar agreed with giving the property to the Airport.

Mr. Relph said the Monument Village open space was a mistake and that the City should give the open space back to HOA.

Mr. Relph said, regarding the Steam Plant, the City is reassessing their options regarding the clean up and the groundwater clean up. He thought that it might be less expensive if the right development partner is found. He said the prior owner has participated in some of the clean up. Mr. Relph said the City has approximately \$250,000 in the clean up with a potential for another \$250,000.

Councilmember Doody asked why the clean up stopped. Mr. Relph said that there were some cautions that came up so there was a need for testing and monitoring the area for those cautions.

Councilmember Palmer asked if the previous owners are still participating. City Attorney John Shaver said the previous owners are only there for the PCB's and the next step is to pursue an RFP and look at the project relative to the contamination. Mr. Arnold said the previous owners are still open to help improve the appearance of the adjacent power plant.

Council President Hill asked about the Brownfield's grant. Mr. Relph said there is still a possibility; having a developer participating will enhance the probability for a Brownfield's grant.

Council President Hill stated that he feels that it is the City's duty to get it cleaned up for the citizens.

Mr. Relph said the next item is the 3rd and Main parking lot. He said DDA has had recent contact from an interested party and may hear something back soon.

Council President Hill asked if Council was ok with DDA pursuing that development. Councilmember Spehar felt perhaps it should be maintained as open space in the downtown or requiring open space as a part of a development proposal. Another possibility is with the workforce housing project, a trade for housing property. Councilmember Palmer said the City should look at an RFP to see what opportunities are out there. Councilmembers Coons and Thomason agreed, Councilmember Doody felt the open space would be best for the downtown area, and Councilmember Beckstein thought that a combination between the two with a proposal that will allow pedestrians to congregate. Mr. Arnold said that staff needs to work with DDA on a draft RFP. Councilmember Spehar said that staff will need to evaluate the need for parking as well.

Mr. Relph said the last piece is on Webster Road. He suggested the City donate the property to Habitat for Humanity. Councilmember Coons asked to be recused, because she is on the volunteer committee with the Habitat for Humanity. City Attorney Shaver said a recusal may not be necessary. Council was comfortable with her participation.

Councilmember Doody asked if the City will get any credit for such donations. City Attorney Shaver stated the property goes back on tax rolls but there is no credit per se.

City Council favored the donation to Habitat for Humanity.

Mr. Relph said there are two additional parcel properties not previously discussed. The first property is another Hutto lagoon property which is isolated and surrounded by an other property owner. He said the adjacent owner wants to use the property for open space in conjunction with a development further south. Mr. Relph said the property owner has offered \$1,500.00 for the property.

Mr. Relph recommends Council accept the offer and require the property owner to replat his property to include this parcel so no additional development can occur. Council agreed. The second parcel is a lot on Orchard Mesa with a sewer main through it. He said Habitat for Humanity has some interest but the sewer main is deep and will be costly to relocate. Mr. Relph advised that Habitat for Humanity could possibly find assistance in moving the line. Mr. Arnold said Habitat would have to provide an easement on the south side. Council was in favor of that.

Councilmember Palmer asked how many other properties have not been discussed. Mr. Relph said he has copies of the list of properties and that he has marked off those that have been discussed. Mr. Relph said he will have staff reevaluate those that have no restrictions. Mr. Relph said once the Riverside Parkway Project is complete, there will be a number of remnants that can also be included on the list.

Councilmember Spehar inquired about properties identified for park purposes. Mr. Shaver replied it will depend on how it is being tracked.

Action Summary: After review of these City properties, Council is in favor of looking further into a possible trade with BLM of the 120 acres, continue discussions with parties in interest of the Little Park property, look to “banking” the Hutto sewer lagoon as wetlands for possible credit during the Big Pipe Project, conveying the property north of I-70 to the Airport, returning the Monument Village open space back to the HOA, pursuing development of the RFP for the steam plant, work with the DDA pursuing development possibilities for the 3rd and Main Street parking lot in conjunction with evaluating the need for it to stay as parking, donate the Webster property and the Orchard Mesa property to Habitat for Humanity, convey the other Hutto lagoon property to Michael Queally and re-evaluating the rest of the list of City properties.

Adjourn

The meeting adjourned at 9:05 p.m.

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

April 20, 2005

The City Council of the City of Grand Junction convened into regular session on the 20th day of April 2005, at 7:35 p.m. in the City Auditorium. 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 were City Manager Kelly Arnold, City Attorney John Shaver and City Clerk Stephanie Tuin.

Council President Hill called the meeting to order. Councilmember Enos-Martinez led in the pledge of allegiance. The audience remained standing for the invocation by Councilmember Harry Butler.

PRESENTATIONS

PRESENTATION OF APPRECIATION PLAQUES TO OUTGOING CITY COUNCILMEMBERS

Council President Hill, Council President Pro Tem Palmer and Councilmember Spehar presented the appreciation plaques to outgoing Councilmembers Harry Butler, Bill McCurry, Dennis Kirtland, and Cindy Enos-Martinez.

City Manager Arnold announced the public reception that will be held for the outgoing Councilmembers on April 25 from 4 p.m. to 6 p.m.

PRESENTATION OF CERTIFICATE OF APPOINTMENT

HORIZON DRIVE ASSOCIATION BUSINESS IMPROVEMENT DISTRICT

Eileen Blanchard was present to receive her certificate of appointment for the Horizon Drive Association Business Improvement District.

CITIZEN COMMENTS

Wes Smith and Liz Archuleta addressed City Council as employees with AlSCO. The company heard they were going to address City Council and offered them a much better proposal. They thanked Council for allowing them to come.

CONSENT CALENDAR

It was moved by Councilmember Enos-Martinez, seconded by Councilmember McCurry and carried by roll call vote to approve Consent Items #1 through #8.

1. **Minutes of Previous Meetings**

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**

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

3. **Setting a Hearing on the First Supplemental Appropriation Ordinance for 2005**

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

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

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

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

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

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

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

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]

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

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]

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*

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Jarvis Master Plan Contract

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

Bob Blanchard, Community Development Director, reviewed this item. He explained the request is to allow the City Manager to negotiate a contract for the next phase of the Jarvis Master Plan. He said this contract will include refinement of the conceptual Master Plan, including some modeling, and then prepare materials for marketing. The kit-of-parts is an optional element that is not available tonight but will be brought to Council before the contract is finalized. Council President Pro Tem Palmer wanted confirmation that the kit-of-parts option can be deleted from the contract. Mr. Blanchard said yes.

City Council was supportive of the project and looks forward to continuing the process.

Councilmember Butler moved to 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. Councilmember Kirtland seconded the motion. Motion carried.

Acquisition of 934 S. 4th Street for the Riverside Parkway Project

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

Mark Relph, Public Works & Utilities Director, reviewed this item. Mr. Relph advised that this is the last piece needed for this section of the Riverside Parkway. He indicated that the owners appraisal valued the property at \$209,000 which is nearly twice what the City has estimated the value to be (\$115,000). He showed photographs of the various structures on the property. Mr. Relph said the City has placed a protective lease on the main house but there are tenants in the other units. He said the City will pay any rent

difference for comparable housing for the tenants for a period of 42 months. Mr. Relph did not feel the amount the owners were asking was appropriate.

Councilmember Spehar inquired about the indication that the tenants' rents are based on financial means. Mr. Relph said there are no housing vouchers involved and the rent is based on their income.

Council President Hill noted that with the various subsidies and the house, the total amount would be \$163,000. Mr. Relph agreed.

Council President Pro Tem Palmer agreed with Mr. Relph's assessment after a site visit.

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

Council President Pro Tem Palmer moved to adopt Resolution No. 67-05. Councilmember Spehar seconded the motion. Motion carried by roll call vote.

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

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.

Mark Relph, Public Works & Utilities Director, reviewed this item. He displayed a number of site photos of the various strips of property along the railroad. The railroad properties are very critical for the Riverside Parkway. Two appraisals were conducted with the City's being just over \$3 million. The railroad's appraisal was less but the City's policy is to pay at least the City's appraisals. Mr. Relph pointed out a six acre parcel, where not all of the property will be needed. He suggested the acquisition price be paid out of general government funds and then look at use of the remnant after the construction of the road.

Other stipulations were placed on the sale by the railroad. The railroad wants a six foot chain link fence between the tracks and the road. They have asked for a gravel access road with various access points. They also asked for communication easements for fiber optics and the relocation of utilities on one of the parcels.

Councilmember Spehar asked Community Development Director Bob Blanchard about coordinating this with the Jarvis Master Plan. Mr. Blanchard said he will assure that is the case. Council President Hill mentioned the second access to Jarvis will also need to be considered.

Councilmember Kirtland asked why the appraisals were so far apart. Mr. Relph said it related to the comparables used and the City's appraisers were probably more on target. Mr. Relph said it is worth noting that the City is applying to the PUC for a \$5 million payment which will be applied to the Riverside Parkway construction.

Councilmember Enos-Martinez advised her husband is an employee of the Union Pacific Railroad but has no financial interest in this transaction.

Councilmember Spehar asked if there were discussions to have the railroad cover their stipulations in exchange for the City paying the higher price. City Attorney John Shaver said that was not specifically discussed.

Mr. Relph said if the railroad linked this sale to the PUC application, it might slow down the process.

The policy was discussed in detail and Council agreed to stand firm with their existing policy.

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

Councilmember Kirtland moved to adopt Resolution No. 68-05. Councilmember Enos-Martinez seconded the motion. Motion carried by roll call vote.

Purchase of Property at 2523 and 2525 River Road from Secco Inc., and Red Cliff Properties, LLC for the Riverside Parkway Project

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.

Mark Relph, Public Works & Utilities Director, reviewed this item. He noted that the owner is the same but under two different companies. He said that two appraisals were conducted and the City agrees with the higher appraisal as it was based on more recent sales, so the total price along with the closing costs will be \$178,000.

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

Councilmember Spehar moved to adopt Resolution No. 69-05. Councilmember McCurry seconded the motion. Motion carried by roll call vote.

Exchange of Real Estate with the Western Colorado Botanical Society

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

Mark Relph, Public Works & Utilities Director, reviewed this item. He explained that prior to when the Riverside Parkway work began, the Botanical Gardens had requested this exchange. At the time the City was not sure of the Riverside Parkway alignment so the City held off on considering their request. The Parkway alignment is north of the property so there will be no affect.

Council President Pro Tem Palmer asked why the Gardens want to make the exchange when they have a long term lease on the land. Mr. Relph thought it was that the Botanical Gardens want to mortgage the property that has the improvements.

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

Councilmember Kirtland moved to adopt Resolution No. 70-05. Councilmember Enos-Martinez seconded the motion. Motion carried by roll call vote with Council President Pro Tem Palmer voting NO.

JAG Grant Award

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.

Greg Morrison, Chief of Police, reviewed this item. He explained that these funds are awarded to Mesa County and the City annually. It is split 50-50 between the two agencies and it will probably be used for some technology upgrade.

Council President Pro Tem Palmer moved to authorize the City Manager to sign a contract accepting \$21,445 from the JAG Program. Councilmember McCurry seconded the motion. Motion carried.

Byrne/JAG Grant Application

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.

Greg Morrison, Chief of Police, reviewed this item. He explained this is a grant that the department has to apply for. The purpose of the funds will be to integrate the records system between the City, the County, the District Attorney's Office and the Courts. The monies would be used to hire consultants to accomplish that goal. There is no local match required.

Councilmember Spehar noted that this has been an idea for ten years and he would really like to see the goal accomplished. Chief Morrison said it is a real technological challenge and the systems may be very expensive.

Councilmember Enos-Martinez was pleased the City was going forward with this because the two agencies work and cooperate together and to have their systems compatible will be a benefit to the entire community.

City Manager Arnold inquired as to the status of this federal funding. Chief Morrison advised the funds are shrinking, like all similar federal funding. Mr. Arnold added similar to the CDBG funds.

Councilmember Spehar moved to authorize the Police Department to apply for a grant of up to \$100,000 through the Byrne/JAG Program for this technical effort. Council President Pro Tem Palmer seconded the motion. Motion carried.

Memorandum of Understanding with DDA to Construct a Downtown Parking Garage

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.

City Manager Kelly Arnold reviewed this item, displaying a conceptual drawing of the structure. The structure will be owned by the Parking Fund of the City. It has been in the works for about a year. The location is the corner of 4th and Rood. He then deferred to DDA Director Harold Stalf for the details.

Mr. Stalf said a bond was issued in December 2003 to get this project going. Several locations were looked at. He said there will be several hundred spaces for employee parking for downtown employers and then a hundred spaces for public shopper parking. If approved, it would be built in 2006.

City Manager Arnold said there will be 324 covered spaces. He said 160 spaces will be sold on a permanent basis and the structure will be three stories. He said the top and part of the second floor would be sold and the rest of the second floor would be leased. He said the bottom floor would be used for the public using downtown. Mr. Arnold said the City has joined a Parking Association and Assistant City Manager David Varley will be attending some training at a conference in Florida. He said the majority of the land has been acquired by DDA and the City will construct the building. He felt the ability is there to work on operational issues and there will also be the ability to add another floor on the building. They believe the building will pay for itself after ten years.

Councilmember Kirtland asked why the top floor will be covered. Mr. Arnold said it makes it more marketable.

Councilmember Spehar asked if the reasoning is that 160 employees' cars will be taken off the street, thus freeing up street parking spaces for visitors. Mr. Stalf responded affirmatively.

Council President Pro Tem Palmer supported the project and expressed that it has been worked on for a long time.

Council President Hill said this is a significant move forward in the downtown and he is pleased that the project does not take away existing spaces. It is important that citizens know that the City has looked at the business model so it is fiscally responsible.

City Manager Arnold stated there are still hurdles to come and more land that needs to be acquired. He said the cost per space has been estimated at \$14,000+.

City Attorney Shaver advised two changes to the MOU, section 2j, the number should be \$500,800 and Section 2k the dimensions should be 50' by 125'.

Council President Pro Tem Palmer moved to authorize the Mayor to sign a Memorandum of Agreement between the City of Grand Junction and the Downtown Development Authority to build a parking structure. Councilmember Enos-Martinez seconded the motion. Motion carried.

Council President Hill called a recess at 9:06 p.m.

The meeting reconvened at 9:18 p.m.

Watershed Protection Memorandum of Understanding with the Bureau of Land Management

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.

Kelly Arnold, City Manager, reviewed this item. He noted the City has entered into agreements with Mesa County and the Forest Service for protection of the City's watershed. He displayed a map of the City's watershed area and identified the area under the BLM's jurisdiction. The proposed MOU is similar to the other two agreements. He noted the highlights of the agreements and advised that he, the City Attorney, Councilmember Kirtland, and Council President Hill all worked on negotiating this agreement.

Councilmember Kirtland said they worked cooperatively with BLM and that he is pleased to get to this point. He said the City will need to be diligent to help facilitate and be available to the other agencies.

Council President Hill expressed his appreciation of Mr. Arnold's and Mr. Shaver's work on this agreement. He said this agreement comes forward purposefully this evening so that this Council that has worked so hard can put their final approval on it. Mr. Raul Morales from the BLM was representing Catherine Robertson he said they look forward to working with the City to protect the watershed.

Councilmember Butler said he is pleased that the water will remain a good quality and thanked those that worked on the agreement.

Council President Pro Tem Palmer agreed. He said it was a long and difficult issue and appreciates the effort and time.

Councilmember Spehar expressed his appreciation also for the efforts of all involved.

Councilmember Kirtland moved to authorize the Mayor to sign a Memorandum of Understanding with the Bureau of Land Management for Watershed Protection. Councilmember Spehar seconded the motion. Motion carried.

**Public Hearing – Growth Plan Amendments for Pear Park Neighborhood Plan
Special Study Areas** [File #PLN-2004-147]

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.

The public hearing was opened at 9:45 p.m.

David Thornton, Principal Planner, reviewed this item. When the Pear Park Neighborhood Plan was approved, one of the action plans was to look at two Special Study areas and to look at street cross sections in the area. They embarked upon a public process which included a public open house, an area wide mailing, and held two focus groups. On March 31st, the City and County Planning Commissions met in a joint session. The County Planning Commission approved and the City Planning Commission made a recommendation to the City Council for these issues.

Mr. Thornton explained the three different study areas. He said for the first study area, the Teller Court area, three options were looked at. First is to change zoning from commercial to commercial/industrial, the same as the surrounding areas. Option two is to change the entire area to commercial/industrial and the third option is to change the study area to expand the industrial area to include 489 30 Road. The Planning Commission recommends option three. He explained what the options mean. Mr. Thornton said the second study area is an area that is located south of D Road, with many conditions to consider, Staff identified six different sub-areas so they could be addressed individually. Mr. Thornton said that Staff took three options to the Joint Planning Commissions and all three options identified sub-areas E and F as conservation areas. He said option 1 increased the density of A through D sub-areas by one step; option 2 stepped up the density by two steps, and option 3 stepped it up three steps for sub-areas A through D, except for the southern portion of sub-area D. The Planning Commission recommended option 3, modifying sub-area D to Residential Medium Low.

Councilmember Spehar questioned increasing the density adjacent to conservation areas. Mr. Thornton thought the sub-areas A, B, and C should be the same and that the Planning Commission was comfortable with the higher density.

Council President Hill questioned why there was no consideration of additional commercial at the corner of 30 and D Road. Mr. Thornton said there was not as there will be other commercial areas nearby.

Mr. Thornton then deferred to Public Works Manager Tim Moore regarding the street section. Public Works Manager Tim Moore said that on February 22nd it was an issue at the open house. Three options were shown at the open house. Eleven people submitted written comments and then it went to public hearing at the Joint Planning Commission meeting. The unanimous recommendation is not to change the standard.

Mr. Moore advised that the School District has plans for two more schools along the D ½ Road corridor and also the existing Chatfield Elementary is a multi-use facility that has a large number of soccer fields. The City will be supporting that type of mixed use on the new school sites. They estimate a large population growth in that area and they want to ensure safe modes of travel for all modes of transportation. He said due to the street plan in the area, D ½ Road is really the only through corridor so it will likely be the most used. They estimate there will be 8,500 vehicles per day, similar volumes to 12th Street and 7th Street. Mr. Moore said there will also be around 4,000 home sites within one quarter mile. The direct connection with 29 Road will also increase traffic and there is also an anticipated neighborhood commercial node on that roadway.

Council President Hill asked about the dramatic increase in traffic that is anticipated. He asked if the modeling included the 29 Road connections and if another separate crossing was included. Mr. Moore said certainly the Riverside Parkway but not another crossing. The planning horizon for this is 2030.

Council President Pro Tem Palmer felt that eight foot sidewalks are excessive. Mr. Moore said that will be evaluated internally and if they make that change, it will be changed in the City-wide standards.

Mr. Thornton clarified the comments from the survey. He said there was no question specifically about the width of the sidewalk. He conceded that for 23 out of 24 hours per day, there probably is little need for that width of a sidewalk.

Council President Hill asked for public comments. Councilmember Spehar asked that the issues be separated for the rest of the consideration.

Council President Hill asked if there was anyone to speak regarding Teller Court .

There were none.

He asked if there was anyone to speak on the D Road Special Study Area.

Kathy Vandezer, 513 Sable Drive, asked Council to consider option 3, south of D Road, the recommended option.

Gabe De Gabriel, 315 Grand View Park Drive, representing Habitat for Humanity, said he supports the recommendation, option 3, which will create an opportunity for affordable housing. He said they feel that the change in the Growth Plan will allow for affordable development on a piece of property they are contracting to buy.

Marianne Traver, 2967 D ½ Road, referred to her letter dated April 17th. She expressed her opposition to the eight foot sidewalk. She said that most of the stores will be a mile away and people will drive, not walk. She felt that there will only be a short time before and after school when there will be pedestrians present and felt a six foot sidewalk would be safe for kids. The bike lane adds a buffer from traffic. She supported a sixty foot right-of-way. Ms. Traver said the numbers show less traffic on D ½ Road than on 30 Road.

Rich Traver, 2967 D ½ Road, said that he became aware of one resident that will lose her driveway and the City plans to take ten feet along the corridor without consideration. He said they will lose their frontage and they will be required to fence their front yard. Mr. Traver then said there will be a strip outside the fence that will need to be maintained. He suggested the residents be able to make their own decision on how their frontage will look and keep their driveways. There are 120 driveways existing. For example, on 30 Road, there are direct access driveways and there is no conflict. He said if approved, at least allow the homeowners to maintain their frontage and make their own decision on fencing and keep their driveways.

There being no further comments, Council President Hill closed the public hearing at 10:22 p.m.

Mr. Thornton advised that with D ½ Road being a minor arterial, the current Code does not allow direct access to D ½ Road. He said when areas are developed, a developer would be required to build an internal road and then the rear yard would need to be fenced, so a perimeter fence may be required for new subdivisions. The Code requires a landscape strip outside the fence and it depends on the sidewalk configuration.

Councilmember Enos-Martinez clarified that the current residents will not be required to put in a fence. Mr. Thornton said that is correct.

Councilmember Spehar asked if it would be required only for new development. Mr. Thornton said yes. He said also that it is known that there is not going to be an eighty foot right-of way for the entire three miles. Mr. Moore concurred, as long as there is no redevelopment; there is no requirement to move the driveways.

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

The City Council decided to consider each item individually.

Council President Pro Tem Palmer moved to adopt Resolution No. 71-05, Part 1, regarding the Teller Court study area, with the recommendation of option 3. Councilmember Enos-Martinez seconded the motion. Motion carried by roll call vote.

Councilmember Spehar moved to adopt Resolution No. 71-05, Part 2, regarding the D Road study area, option 3, including the recommendation from the Planning Commission to change sub-area D to Residential Medium Low, and designating sub-area B from "Estate" to Residential Low. Councilmember Kirtland seconded the motion. Motion carried by roll call vote, with Councilmember Enos-Martinez voting NO.

Regarding Part 3, the street cross-section, Council President Pro Tem Palmer stated that he is having difficulty with the 80 foot right-of-way and the 8 foot sidewalks. He feels that it is too excessive.

Councilmember Spehar stated that he supports the study of the entire policy regarding sidewalks but is not supportive of doing it piecemeal in this manner. He recalled an instance when the sidewalk was not required in a certain area and the surrounding area had the sidewalks, he felt that it was not planned for the future. He said that the City should encourage pedestrians to walk instead of driving. He said that he supports the Planning Commission recommendation.

Councilmember Butler stated that he supports the wide sidewalks.

Council President Hill said that from the standpoint of future, planning the whole width is a concern when it is planning for an area that is experiencing rapid growth. He felt that it is Council's responsibility to have the vision and plan a corridor. He said that one of the questions that is asked is why two sidewalks. He felt that instead of 16 feet of sidewalk, 8 feet on each side of the road, create one 8 foot sidewalk on the school side of the road. He said the City needs to start planning the area and leave room for the future. He also supports the Planning Commission's recommendation.

Councilmember Kirtland said that he agrees with Councilmember Spehar. He said that it will be a number of years before that area will be developed and with the density and traffic that is projected, the City will have an additional right-of-way and the flexibility. He felt this is something the City needs to look at today and create the expectation for developers. He stated the City should make this commitment today and that this is the right thing to do.

Councilmember Spehar moved to adopt Resolution No. 71-05, Part 3, regarding no changes to the D ½ Road cross section. Councilmember Kirtland seconded the motion. Motion carried by roll call vote, with Council President Pro Tem Palmer voting NO.

Public Hearing - 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. The Planning Commission has recommended the zoning designation of RSF-4.

The public hearing was opened at 10:45 p.m.

Mike Joyce, 450 Hillside Drive, Mesquite, NV, identified the developer and the representatives present. Mr. Joyce first addressed why they are requesting RMF-5 zoning. He said the Growth Plan does designate the property as residential medium but when the property was annexed, the City zoned it to the existing County zone. He said the developer was told a rezone would be required prior to development to conform to the Growth Plan designation. He said a sizeable pond and wetland areas make 40% of the property undevelopable and the property is close to I-70 which will also make other areas undevelopable. He described the surrounding uses and the surrounding zoning. He said to support the compliance with the rezone criteria; he contended the existing zoning was in error and the reasons why. Secondly, there has been a change in character and he stated the reasons why. Thirdly, he said the development will be compatible with the neighborhood, facilities and the services that are available. The fourth criterion is met in that the development conforms to the goals of the Growth Plan. They will look at ways to mitigate concerns of adjacent owners with lower densities. He said Criterion 5 relates to adequate facilities and services, which are available and Criterion 6 is that this was designated as residential medium so there was a need for this type of development. Criterion 7 is for the benefit of the community or neighborhood and the development will meet the goals so they will be meeting that criterion. He said the Planning Commission reheard the matter in March and recommended approval. He said the neighbor's concerns were identified and the issues were discussed with City Staff and determined the primary access would be from G ½ Road and have a secondary access to the south, with only a pedestrian access from Cottonwood Drive. He concurred that there is site distance problem with using Cottonwood Drive so that would not be recommended. He said there are 20 to 23 acres that are developable, under the RMF-5 with the actual density will be 2.6 du/ac which is less than what the neighbors are asking for.

Councilmember Spehar asked why he is asking for RMF-5. Mr. Joyce said they want to have smaller lots.

Lori V. Bowers, Senior Planner, then reviewed this item. She agreed that the proposal meets the Growth Plan criteria and the rezone criteria. Ms. Bowers described the Growth Plan designation and agreed they need a rezone to develop. She described the hearing that occurred at Planning Commission which resulted in a Planning Commission recommendation of RSF-4. She said the range allowed is 4 to 8.

Council President Hill asked for public comment.

Roy Lambert, Jr., 2615 Chestnut Drive, is opposed to RMF-5. He said that it goes against the zoning ordinance and noted the over burden of schools and public safety if this is changed to RMF-5. He said that there is already a safety hazard on 26 1/2 Road. Mr. Lambert asked for denial.

Mike Doring, 2632 Chestnut Drive, owns two parcels within 300 feet of the eastern boundary of the subdivision. Mr. Doring opposes the change to RMF-5. He said that it will affect property values and felt that the reason they need higher density is due to the site constraints. He said there will only be one ingress/egress off of 26 Road which will create site problems. Mr. Doring said that if RMF-5 is granted, then another developer will come and try to do the same thing. He opposes any change.

Mike McGinnis, 2645 Cottonwood Drive, has the same concerns as Mr. Doring, one access. He said most properties are about an acre and he does not understand why the designation is so high. He questioned the high density that the City needs to keep the wetlands and feels that they want to build too much on too little property. Mr. McGinnis hopes the Planning Commission's recommendation is upheld.

Myron Barker, 2648 Cottonwood, said the proposed site plan is 80% building sites around the wetlands and steeper slopes by the pond. Mr. Barker asked if the TCP payments will address the sidewalk and so on if this many people are added to 26 Road.

John Stevens, 2631 Cottonwood Drive, said that he truly believes that the RMF-5 will not be conducive to the area and feels that it is not going to fit. He said with the increase of pedestrians and traffic in the Cottonwood Subdivision where there are no curb, gutter or sidewalks, there will be an increase of danger for children. He feels that more residents would be a concern and does not want to deter their development but feels RMF-5 would not be conducive.

Fred Hahn, 2629 Cottonwood and 743 Ash Drive, is concerned with more traffic coming out of Cottonwood Drive. He feels that it is not designed to handle that much traffic.

Harry Griff, 2636 Chestnut, is in favor of the infill development but feels it needs to be compatible with the surrounding neighborhoods and stated that RMF-5 isn't compatible at all. He said his main concern is to the south where there is another parcel and is worried

that the two subdivisions will connect. He agrees they should have the right to develop but feels that it has to be compatible.

There were no further comments.

The public hearing was closed at 11:22 p.m.

Tom Volkmann, representing the applicant, said that it's apparent of the opposition of stands on compatibility. The staff said the application meets the criteria and compatibility is not the same as identical. He said the ingress and egress as proposed does not affect Cottonwood Drive. He said this property is designated in the Growth Plan as 4 to 8 units per acre and the Growth Plan provides consistency and predictability. Mr. Volkmann said the RSF-2 is not acceptable under the Growth Plan. He said the RMF-5 is due to the lot size and said much of the property is not developable.

Mr. Joyce compared the two zone districts and advised there is not that much of a difference between RSF-4 and RMF-5 but it is limited to what can be done in that district.

Councilmember Spehar asked what is allowed in RMF-5 that is different from RSF-4. Mr. Joyce said RMF-5 allows townhomes and RSF-4 allows duplexes on a corner lot.

Council President Hill clarified that the Planning Commission's recommendation can be supported with a simple majority but to approve the RMF-5 zoning it will take a supermajority for the approval.

Council President Pro Tem Palmer advised the supermajority is needed to overturn the Planning Commission's recommendation of RSF-4.

Councilmember Spehar said the developer knew the wetlands existed and it is not Council's duty to compensate for those constraints. He said that he is comfortable staying with the Planning Commission's recommendation as long as it complies with the Growth Plan.

Council President Pro Tem Palmer said that clearly the Planning Commission had some difficulty with its decision. He supports the Planning Commission's recommendation.

Councilmember Butler said he feels that RSF-4 is more compatible with the surrounding areas.

Councilmember McCurry agreed.

Councilmember Enos-Martinez said she feels that even with RSF-4 it still will not satisfy the neighbors. She said that she supports the Planning Commission's recommendation but could go either way.

Councilmember Kirtland said that he agrees with Councilmember Spehar and that the improvements will come with time. He wants to encourage creativity with developers, to deal with difficult pieces of property.

Council President Hill said the rural environment is becoming urban development and that will take advantage of existing services. He said the building industry has to maximize the resources and if a slight change from RSF-4 to RMF-5 will keep that down some, he could support RMF-5.

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

Councilmember Kirtland moved to adopt Ordinance No. 3754 as RMF-5 on second reading and ordered it published. Councilmember Enos-Martinez seconded the motion. Roll call vote. Motion failed with Councilmembers Spehar, Butler, and Palmer voting NO (not a super majority).

Council President Pro Tem Palmer moved to adopt Ordinance No. 3754 with RSF-4 as recommended by Planning Commission on second reading and ordered it published. Councilmember Spehar seconded the motion. Motion carried by roll call vote with Councilmembers Enos-Martinez, Kirtland, and McCurry voting NO.

Due to the lateness of the hour, a discussion ensued on what items should still be addressed. Only Item 20 was time sensitive.

Council President Hill asked if there was objection to going on to Item 20. There was none.

Public Hearing - Brookwillow Village Planned Development Amendment [File # PP-2004-130]

Public Hearing and Consider Final Passage of a proposed ordinance to amend the existing Planned Development 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.

The public hearing was opened at 11:50 p.m.

Ron Weidler, representing Hall LLC, reviewed the request. He described the parcel and the surrounding zoning. He identified the different types of zoning in the existing plan. He said they are proposing a bullnose type of access. He identified the park and open space that has been proposed. He said there will be active recreation and a passive trail with private streets which will not have sidewalks but there is a trail system

throughout the property. He said there is a pet park in the southern portion of the subdivision and about 42% of the overall project is open space. He then displayed the phasing plan with a total of 297 units, with a density of 9.7 du/ac. He said the utilities are available but they will need an extension to the north.

Councilmember Kirtland asked where this concept came from. Mr. Weidler said he is not the planner but he did a multifamily project in Battlement Mesa.

Lori V. Bowers, Senior Planner, then reviewed this item. She described the location and the surrounding uses. She said the Future Land Use map designation is 8 to 12 units per acre. She said the requested zoning is downzoning but the request is consistent with the rezone criteria of the Zoning and Development Code and since this is a Planned Development, they will look at how it deviates from the straight zone and what the benefits will be. Ms. Bowers said the setbacks are considerably greater than the requirement but the fencing and screening is a deviation. She said there will be a fourteen foot buffer and a fence required but the developer wants to keep it open along 24 ½ Road. She said the parking is in excess of the Code requirements but the streets are in compliance with TEDS. Ms. Bowers said the developer is asking for private streets and the Planning Commission is recommending approval. She said the perimeter fences will be replaced with undulating berms.

Council President Hill asked where the sidewalks are. Ms. Bowers pointed out that there will be no sidewalks on the private streets.

Councilmember Kirtland asked if staff thought the fencing detail was a good idea. Ms. Bowers said staff did not have a problem with the fence deviation request taking into account the open concept.

Daren Carei, Hall LLC Partner, said they, through the design phase, have gotten feedback from the planners. The plan is to get away from the standard cookie cutter development. He said the intent is to have a more of an open concept with an internal trail style sidewalk system. He said they are trying to avoid the sidewalk concept along 24 ½ Road and have more of an open landscaped look.

Councilmember Spehar said that he is concerned with pedestrians from Home Depot. He feels that it should be a condition to have sidewalks along 24 ½ Road.

Council President Hill said that he was under the assumption that 24 ½ Road was the City's responsibility, through the TCP process.

Mr. Weidler said that was correct. He said there are many drainage issues relative to the road and if the developer puts in only half of the street improvements, it would create a rollercoaster problem. He said it could be a problem when the road is rebuilt as the road profile may change.

City Manager Kelly Arnold said the City will want sidewalks. City Attorney Shaver said that the developer will need to show the right-of-way, the actual placement on the site is the question.

Council President Hill said the fact is that through the TCP, the sidewalks will go in.

Mr. Carey said if a sidewalk goes in he wants to discuss a different configuration. The Council did not have problem with that.

Council President Hill asked for public comment. There was none.

The public hearing was closed at 12:20 a.m.

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)

Councilmember Spehar moved to adopt Ordinance No. 3755 on second reading and ordered it published and recommended approval of the private streets within the proposed subdivision. Council President Pro Tem Palmer seconded the motion. Motion carried by roll call vote.

Council President Hill recommended continuing the remaining items to the next meeting. Staff asked that the Burkey Park Growth Plan Amendment be considered.

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]

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

The public hearing was opened at 12:22 a.m.

Senta L. Costello, Associate Planner, reviewed this item. She described the location of the property and identified the piece that is being presented for a Growth Plan Amendment in order to make it part of the park site.

There were no public comments.

The public hearing was closed at 12:24 a.m.

Council President Pro Tem Palmer noted this piece of land had a house on it and was zoned differently than the rest of the park property.

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”

Councilmember Butler moved to adopt Resolution No. 72-05. Council President Pro Tem Palmer seconded the motion. Motion carried by roll call vote.

THE FOLLOWING ITEM WAS CONTINUED UNTIL MAY 4, 2005 REGULAR CITY COUNCIL MEETING.

Public Hearing – Iris Court Enclave Annexation and Zoning, Located at 2250 South Broadway [File # ANX-2005-028]

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

THE FOLLOWING ITEM WAS CONTINUED UNTIL MAY 4, 2005 REGULAR CITY COUNCIL MEETING.

Public Hearing – PS Substation Enclave and Zoning, Located on 29 Road Just South of F Road [File # ANX-2005-027]

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

THE FOLLOWING ITEM WAS CONTINUED UNTIL MAY 4, 2005 REGULAR CITY COUNCIL MEETING.

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

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

NON-SCHEDULED CITIZENS & VISITORS

There were none.

OTHER BUSINESS

There were none.

ADJOURNMENT

The meeting adjourned at 12:24 a.m.

Stephanie Tuin, MMC
City Clerk

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

May 4, 2005

The City Council of the City of Grand Junction convened into regular session on the 4th day of May 2005, at 7:30 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody, Gregg Palmer, Jim Spehar, Doug Thomason and President of the Council Bruce Hill. 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 Coons led in the pledge of allegiance. The audience remained standing for the invocation by David Eisner, Congregation Ohr Shalom.

PROCLAMATIONS / RECOGNITIONS

PROCLAIMING MAY 14, 2005 AS "GRAND JUNCTION LETTER CARRIERS STAMP OUT HUNGER DAY"

PROCLAIMING MAY 14, 2005 AS "KIDS DAY AMERICA/INTERNATIONAL"

PROCLAIMING MAY AS "ASTHMA AWARENESS MONTH IN MESA COUNTY"

PROCLAIMING MAY 15TH AS "PEACE OFFICERS MEMORIAL DAY" AND MAY 15TH – MAY 21ST AS "POLICE WEEK"

PROCLAIMING MAY 9TH THROUGH JUNE 5TH AS "BUCKLE UP AMERICA MONTH"

APPOINTMENTS

ELECTION OF MAYOR AND MAYOR PRO TEM/ADMINISTER OATHS OF OFFICE

Councilmember Bruce Hill was elected as President of the Council/Ex Officio Mayor. Councilmember Gregg Palmer was elected as President of the Council Pro Tem/Ex Officio Mayor Pro Tem.

Stephanie Tuin, City Clerk, administered the Oath of Office to Council President Hill and Council President Pro Tem Palmer.

Council President Hill continued presiding over the remainder of the meeting.

COUNCIL ASSIGNMENTS FOR 2005-2006

Resolution No. 73-05 – A Resolution Appointing and Assigning the City Councilmembers to Represent the City on Various Boards and Organizations

Councilmember Palmer moved to adopt Resolution No. 73-05. Councilmember Coons seconded the motion. Motion carried.

CONSENT CALENDAR

It was moved by Councilmember Spehar, seconded by Councilmember Beckstein and carried by roll call vote to approve Consent Items #1 through #11.

1. **Minutes of Previous Meetings**

Action: Approve the Summary of the April 18, 2005 Additional Workshop and the Summary of the April 18, 2005 Workshop

2. **Vacation of Easement Located at 597 ½ Grand Cascade Way** [File #VE-2005-025]

The applicant proposes to vacate the south 41.00 ft. of a 55.00 ft. easement located in the Falls Subdivision adjacent to 597 ½ Grand Cascade Way and Patterson Road. The Planning Commission recommended approval of this easement vacation request on April 26, 2005, making the Findings of Fact/Conclusion identified in the staff report.

Resolution No. 74-05 - A Resolution Vacating the South 41.00 Ft. of a 55.00 Ft. Utility, Fence, and Sign Easement Located at 597 ½ Grand Cascade Way

Action: Adopt Resolution No. 74-05

3. **Vacation of Easement Located in Independence Ranch Filings #12 & #13** [File #FPP-2004-243]

The applicant proposes to vacate a temporary turn-around easement and a 44 ft. utility easement created in Filings #7 and #8 of Independence Ranch Subdivision. The Planning Commission recommended approval on April 26, 2005.

Resolution No. 75-05 - A Resolution Vacating a Temporary Turnaround Easement and a 44 Ft. Utility Easement Located in Independence Ranch Filings #7 and #8

Action: Adopt Resolution No. 75-05

4. **Setting a Hearing on Zoning the Anson Annexation, Located at 2729 B ¼ Road** [File #ANX-2005-036]

Introduction of a proposed zoning ordinance to zone the Anson Annexation RSF-4, located at 2729 B ¼ Road.

Proposed Ordinance Zoning the Anson Annexation to RSF-4, Located at 2729 B ¼ Road

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

5. **Setting a Hearing on Zoning the Burkey Park Annexation, Located at 2980 F Road** [File #GPA-2005-060]

Introduction of a proposed zoning ordinance to zone the Burkey Park Annexation CSR, located at 2980 F Road.

Proposed Ordinance Zoning the Burkey Park Annexation to CSR, Located at 2980 F Road

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

6. **Setting a Hearing for the Chatfield III Annexation, Located at 3156 and 3164 D ½ Road** [File #ANX-2005-057]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 24.781 acre Chatfield III Annexation consists of 2 parcels.

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

Resolution No. 76-05 – 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, Chatfield III Annexation, Located at 3156 and 3164 D ½ Road Including a Portion of the D ½ Road Right-of-Way

Action: Adopt Resolution No. 76-05

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Chatfield III Annexation, Approximately 24.781 Acres, Located at 3156 and 3164 D ½ Road Including a Portion of the D ½ Road Right-of-Way

Action: Introduction of Proposed Ordinance and Set a Hearing for June 15, 2005

7. **Setting a Hearing for the Reynolds Annexation, Located at 3077 D ½ Road**
[File #ANX-2005-058]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 6.55 acre Reynolds Annexation consists of 1 parcel and is a 2 part Serial Annexation

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

Resolution No. 77-05 – 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, Reynolds Annexations #1 and #2, Located at 3077 D ½ Road

Action: Adopt Resolution No. 77-05

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Reynolds Annexation #1, Approximately 1.48 Acres, Located at 3077 D ½ Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Reynolds Annexation #2, Approximately 5.07 Acres, Located at 3077 D ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for June 15, 2005

8. **Setting a Hearing for the Swan Lane Annexation, Located at the South End of Swan Lane** [File #ANX-2004-249]

Resolution referring petition for annexation and introduction of a proposed ordinance. The 4.47 acre Swan Lane Annexation consists of 6 parcels and a portion of the Broadway and Swan Lane Rights-of-Way.

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

Resolution No. 78-05 – 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, Swan Lane Annexation, Located at the South End of Swan Lane and Including a Portion of the Broadway and Swan Lane Rights-of-Way

Action: *Adopt Resolution No. 78-05*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Swan Lane Annexation, Approximately 4.47 Acres, Located at the South End of Swan Lane and Including a Portion of the Broadway and Swan Lane Rights-of-Way

Action: *Introduction of Proposed Ordinance and Set a Hearing for June 15, 2005*

9. **Amendment to Resolution No. 56-05 for the Vacation of a Temporary Turnaround Easement in the North Crest Industrial Subdivision** [File #PFP-2005-280]

The City Council approved a vacation of a temporary turnaround easement at the April 6, 2005 meeting. In reviewing the final resolution, it was noticed that there was an error in the legal description, and a condition of approval by the Planning Commission has erroneously be left off of the resolution. The petitioners are aware of the oversight and have indicated that they do not object to the inclusion of the condition in the revised resolution.

Resolution No. 79-05 – A Resolution Amending Resolution No. 56-05 to Vacate a Temporary Turnaround Easement, Utility Easement, and Ingress/Egress Access Easement in the North Crest Industrial Park

Action: *Adopt Resolution No. 79-05*

10. **Setting a Hearing to Correct Scrivener's Error in Parking Code**

On December 6, 2000, Ordinance No. 3320 was adopted, containing Section 36-22, regarding parking privileges for the handicapped. Due to a scrivener's error, the word "not" was omitted from that Section describing exceptions to the privileges for handicapped parking. This amendment is designed to correct the scrivener's error.

Proposed Ordinance Amending Part of Chapter 36 of the City of Grand Junction Code of Ordinances relating to Handicapped Parking Privilege

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

11. **Purchase of High Cube Van Mounted with Sewage TV Inspection System**

This is for the purchase of a 2005 GMC Truck with an Aires mounted sewage TV inspection system body. This unit inspects and records the condition of sewer and drainage lines for the City of Grand Junction as well as other customers in the valley. The existing unit is currently scheduled for replacement in 2005, as identified by the annual review of the fleet replacement committee.

Action: Authorize the City Purchasing Manager to Purchase a 2005 GMC Truck with Aires Mounted Sewage TV Inspection System Body Unit from Williams Equipment, Henderson, CO in the Amount of \$142,220.

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Sidewalk Dining Applications

A number of downtown restaurants are seeking the opportunity to serve alcohol outdoors along Main Street. Rendezvous of Grand Junction (317 Main St.), Dolce Vita II (336 Main St.), and Crystal Café (314 Main St.), have submitted applications for a revocable permit for use of the public right-of-way in front of their business. These businesses have the required permits from the DDA for use of the sidewalk, but are required to have a revocable license from the City of Grand Junction to expand their licensed premise, permitting alcohol sales. The current ordinance requires outdoor facilities to end service at 10 pm. Several of the applicants have requested that this be extended to 12 midnight, still well in advance of their licensed closing time.

Harold Stalf, Executive Director DDA, reviewed this item. He reviewed the applications and ordinances that allowed the process to take place. He said three restaurants are applying this year are Crystal Café and Bake Shop, Rendezvous of Grand Junction and Dolce Vita II.

Council President Pro Tem Palmer expressed his concern about enforcement as he has received a number of complaints. He said the main concern is how the sidewalks are maintained and there are many times other chairs, bicycles and dress racks are also out on the sidewalk that impede the walkway. Councilmember Spehar agreed. Mr. Stalf said he has spoken with the establishments about such concerns as well as storage of their chairs and tables. He has not been overly aggressive in enforcing the dress racks being on the sidewalks. He agreed with being more aggressive and firm on maintaining the walkway.

Councilmember Spehar particularly pointed out the problem with the dress racks.

Councilmember Coons said this is a good opportunity to stress the Council's concern. Mr. Stalf appreciated the new direction; he now knows that Council supports more enforcement and stricter maintenance of the venues on the sidewalks.

Councilmember Thomason inquired if those asking for later hours are planning to keep food service open late. Mr. Stalf said Dolce Vita II currently serves alcohol and food on their current patio past ten o'clock. City Attorney Shaver said there is food service required under the Liquor Code.

Resolution No. 83-05 – A Resolution Authorizing the Lease of Sidewalk Right-of-Way to Rendezvous of Grand Junction, Ltd.

Resolution No. 84-05 – A Resolution Authorizing the Lease of Sidewalk Right-of-Way to the Crystal Café and Bake Shop

Resolution No. 85-05 – A Resolution Authorizing the Lease of Sidewalk Right-of-Way to Dolce Vita II

Council President Pro Tem Palmer moved to adopt Resolution Nos. 83-05, 84-05, and 85-05 and extend the hours until midnight. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

ISO Certification Funding Request

The Business Incubator Center, Chamber of Commerce, and Grand Junction Economic Partnership have been working to develop resources for local manufacturing firms to obtain ISO certification and will be requesting financial assistance in the amount of \$25,000 from the City of Grand Junction.

Thea Chase, Business Incubator Center, reviewed this item. She introduced Monty Rutherford with Mid America Manufacturing Technology Center. She also introduced a number of folks in the audience as supporters of this request. She explained the certification program with the assistance of a PowerPoint presentation.

Mr. Rutherford explained the history of the term ISO, which is the Greek word for equal. It is a standard for manufacturing. The certification will level the playing field. Ms. Chase then related the importance of using the Hamilton Sundstrand plant as an example. She said with the plant closing, a number of functions will be relocated to Singapore and a number of the functions will be outsourced. She said with the ISO certification, some of those outsourcing jobs can be outsourced to those here in Grand Junction that are being laid off.

Mr. Rutherford said there are a number of opportunities besides the aerospace products that could potentially employ those being laid off.

Ms. Chase explained what the requirements will be for financial assistance being provided for certification. The request is time sensitive. She said the State of Colorado has pledged \$25,000 and they are asking for a local match of \$50,000, \$25,000 from the City and \$25,000 from the County.

Councilmember Doody is ISO certified as a machinist and is familiar with the ISO certification process. He shared with Council some of the benefits of the certification and said that almost every company requires an ISO certification. He supports the request.

Council President Pro Tem Palmer asked why this is not already the cost of doing business and pursued by these companies. Ms. Chase explained that the cost of \$50,000 is a risk because it is for a potential, rather than guaranteed.

Councilmember Coons asked how many companies have inquired and would take advantage of this program. Also, she asked if businesses outside the City limits can apply. Third, she inquired if Mesa County is being asked to participate in the funding.

Ms. Chase responded that approximately 11 companies have applied for the assistance and the Business Incubator Center is asking Mesa County for matching funds.

Mr. Rutherford said if these 11 companies go through the process, Grand Junction will have the largest number of certified companies in a concentrated area.

Councilmember Spehar thought the City should go forward and react in an appropriate way to the Sundstrand situation. He asked if the monies would have to be repaid if the companies do not maintain the certification and fulfill the other requirements. Ms. Chase said they would.

Council President Pro Tem Palmer asked how many companies the \$75,000 will help. Ms. Chase said it is their estimation that ten companies will take advantage of the funding and the companies will all be within Mesa County. Councilmember Doody asked if any of the companies are from the Incubator. Ms. Chase said yes but prior to her tenure.

Council President Hill asked if the companies will be signing a contract and be obligated to repay. Chamber Executive Director Diane Schwenke assured Council they will. She noted that several of the companies existing are highly skilled.

Councilmember Beckstein asked how long it will take to get the certification. Mr. Rutherford said there are three companies in the process and are looking to get a

sizeable portion of the Sundstrand work immediately. He said several of the other companies are looking at expanding and will probably hire some of the former employees. Mr. Rutherford said the smaller companies can get certified in four months and the larger companies take five months for the certification.

Councilmember Spehar moved to authorize financial assistance from the City economic development fund in the amount of \$25,000 for this ISO Certification process. Councilmember Palmer seconded the motion. Motion carried.

Council President Hill recognized Troop 358 in the audience.

He also recognized County Commissioners Meis and Bishop who were present.

Public Hearing – Vacating Right-of-Way, Located at 774 Old Orchard Road [File #VR-2004-201]

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 of an acre. 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.

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

Pat Cecil, Development Services Supervisor, reviewed this item. He identified the location of the request and the surrounding zoning and future land use designation. The vacation is within the Old Orchard Estates subdivision. He said there is no road built and there are in fact two structures located in the right-of-way. No other properties access off of the right-of-way. Mr. Cecil said the Planning Commission recommended approval conditioned upon the recordation of the final plat and the retention of the needed utility easements.

Tom Dixon, Rolland Engineering, was present representing the applicant. Mr. Dixon said he was not aware of the retention of the utility easement condition. He said there is no need to retain that easement for utilities as there will be other utility easements in conjunction with the plat of the subdivision.

There were no public comments.

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

Councilmember Spehar asked Mr. Cecil to address the utility easement requirement. Mr. Cecil said the development review stated there is an electrical line in that area and the grant of the vacation was conditioned on the retention of the easement.

Councilmember Coons suggested the easement be retained until this can be verified.

Ordinance No. 3758 - An Ordinance Vacating a Portion of the Right-of-Way Known as Clarkdell Court, 774 Old Orchard Road

Council President Pro Tem Palmer moved to adopt Ordinance No. 3758 on second reading and ordered it published. Councilmember Spehar seconded the motion. Motion carried by roll call vote.

Council President Hill called a recess at 8:45 p.m.

The meeting reconvened at 9:00 p.m.

Public Hearing – 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]

Hold a public hearing and consider final passage of an ordinance vacating portions of Elm Avenue, College Place, Mesa Avenue, Bunting Avenue and various alleys internal to the Mesa State College campus.

The public hearing was opened at 9:00 p.m.

Kathy Portner, Planning Manager, reviewed this item. She presented the request from Mesa State College and will have Public Works Manager Tim Moore address the traffic issues. Ms. Portner described the locations of the request and the surrounding land use and future land use designations. She then identified the surrounding zoning and recommended that the newly vacated areas, if approved, be zoned CSR. She then deferred to Mr. Moore.

Public Works Manager Tim Moore then discussed peak hours for activity that were measured. He then identified and described what changes will happen if the vacations occur. He described a Level of Service Chart (LOS) and what that means. Next, he addressed traffic volumes over a 24 hour period in comparison to years past. He noted that Elm Avenue is a designated bike route, so if it is vacated, it is recommended that the bike route be retained. Mr. Moore said any bus stops that are in those corridors will need to be relocated to North Avenue. Also, right-of-way will need to be retained at the northeast corner of North Avenue and College Place for a future right-turn lane.

Councilmember Spehar asked if there was any consideration given to just closing College Place access from North Avenue. Mr. Moore said it is his assumption that will happen at some point.

Council President Hill noted that the turning movement model was based just on closing Elm. Mr. Moore spoke of some predictions for redistribution of traffic that were done in the modeling.

Councilmember Coons asked about buses stopping on North Avenue. Mr. Moore said it does happen but the City does try to work with the adjacent property owners to have a pull off, but that does not always happen. City Manager Kelly Arnold said the policy is not to add additional stops on those roads, such as North Avenue, in addition to the ones initially located there. Mr. Moore said the current stop near the College pulls onto College Place and then goes back onto North Avenue.

Councilmember Spehar asked if the turn lane construction will be required. Mr. Moore said it is not part of the conditions at this time. City Attorney John Shaver said that can legally be made a condition of approval.

Council President Hill said the modeling shows a reduction of vehicle numbers.

Councilmember Beckstein asked when closing Mesa Avenue, Elm Avenue, and College Place, how will the people exit. Mr. Moore said Houston Avenue will be the route out and only a portion of Elm is requested for vacation.

Council President Pro Tem Palmer asked if bus benches are removed, then is the City liable for lost revenue. City Attorney John Shaver stated that if the owner of the bench is forced to remove a bench due to no fault of his own, they can assert a claim. Mr. Shaver said that could also be made a condition of the vacation for Mesa State to be responsible for any such claims.

Planning Manager Portner said another consideration is that one property is owned by the Bishop of Pueblo and so the vacation cannot occur until Mesa State owns the property. She said another parcel not owned by the college is north of Texas and it will also require retention of an access easement to the alley. Ms. Portner said there is another access easement that will also be required for access along Elm Avenue east of College Place.

The Fire Department has stated that response time to the surrounding neighborhood will not be compromised by these vacations but they will need to maintain access through the campus to the buildings for fire protection. There is a concern that the closures will push the free parking out into the surrounding neighborhoods. All the vacation areas have utilities, so the City is recommending that all roads be retained as utility easements that will not allow any building to be constructed on the right-of-way, only asphalt and sod be allowed. Any other treatments must be pre-approved by the City and any construction would require Mesa State to relocate the utilities. Staff recommends approval with the following conditions:

1. The right-of-way vacation is not effective until a plat is recorded combining lots and dedicating necessary easements.
2. The plat cannot be recorded until Mesa State College owns the property currently owned by the Bishop of Pueblo (parcel number 2945-114-23-981).
3. The vacated rights-of-way in their 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.

Council President Pro Tem Palmer asked if College Place is vacated, can the College close it at any time. Ms. Portner said that once it is vacated, it is their property and there is no agreement that they must come back to the City for additional approval.

Councilmember Spehar asked if the State facilities are not required to go through a local review processes and not required to get approval. City Attorney Shaver said that could be made a condition of approval.

Councilmember Doody asked for clarification of where there would be vehicular access points. Ms. Portner said, once vacated, there would be no obligation for the College to maintain vehicular access.

Tom Dixon, Rolland Engineering, representing the petitioner, referred to the request with a PowerPoint presentation. He explained the reasons for the request coming forward now. He reviewed the number of new buildings, the growth of enrollment and the future plans. Mr. Dixon then listed the reasons the request meets the criteria for vacation requests. He said the right-of-way for the right turn lane into College Place is something the College would rather not provide. He said Mesa State has future plans that might be impacted by that and also, due to the number of crossing of students, it would make it more hazardous. He said College Place will have to be widened to allow for angled parking on both sides.

Mr. Moore said the area near College Place at Texas Avenue cannot be vacated as the College does not own the property on the corner and the physical configuration will not change. He said on Elm Avenue looking east from College Place, is more of a local

street, all of the traffic must stop at the crosswalk for the pedestrian traffic. He felt in order to address it more safely, with the anticipated growth, would be to vacate that length. Some type of traffic diversion will need to be constructed at Elm Avenue and College Place. He said possibly a roundabout or some other design supported by the Fire Department. Mr. Moore said the Mesa Avenue vacation will allow an expansion of Bergman Field. He said a turnaround will be constructed and a one block section of Bunting Avenue is proposed for vacation. He said a walkway could be expanded into this section along with some landscape treatments. Mr. Moore said the alleyways are proposed for vacation and landscaping amenities will be added to those areas as well. He said, in conclusion, the streets subject to vacation are predominately being used for college-related purposes. All of the streets except for Elm Avenue will remain open short-term. He said the College expansion has been planned since 1976 and the vacations are necessary and essential for that continued growth plan.

Lena Elliot, Chairman of the College Board of Trustees, reviewed the past partnerships with the City and how the City has provided \$250,000 per year to purchase properties to the west. She said the City has purchased that property and now Mesa State needs the vacations to continue their plans.

Tim Foster, President of Mesa State College, reviewed how Mesa State has evaluated whether they should stay in their current location. He said ten years ago the decision was finalized that Mesa State would stay and start building to the west. He reiterated that the turn lane onto College Place would not be in their best interest. He said no college has solved their parking problems and that people will walk to park for free. Mr. Foster said that the plan is to create areas where parking will turn over, which will be of benefit to the number of non-traditional students.

Councilmember Coons asked if there is free parking at Saunders Field House. Mr. Foster said it is closer to park at Lincoln Park for free. He said Mesa State will be utilizing a consultant on how to tier their fees. Councilmember Coons asked if there is any consideration to having a free or low cost parking structure. Mr. Foster stated not unless they could figure out a way for it to pay for itself.

Council President Pro Tem Palmer asked if the current free parking on College Place will change to a \$1.00 per hour fee. Mr. Foster said they are looking at that to keep them turning over.

Councilmember Spehar expressed concern that charging on College Place will push the students to park out into the neighborhood. Mr. Foster said 80% of the students have paid for a parking permit but they would rather park there, which is somewhat closer than their paid parking.

Councilmember Doody asked what about building a structure at \$1.00 per hour fee. Mr. Foster said that Mesa State will continue to look at that but that fee will not cover even the operating cost, much less the construction.

Council President Pro Tem Palmer asked if there was a system to monitor the parking enforcement. Mr. Foster said they are very aggressive with parking enforcement. Council President Pro Tem Palmer said that the fire department wants guaranteed access on College Place and asked will that be guaranteed. Mr. Foster said that is why they are proposing widening the pavement.

Councilmember Coons stated that many other campuses have done this and provided shuttle buses onto the campus. Mr. Foster said that they haven't come up with a location for such a site. There is a possible site for an underground structure at 12th and Orchard.

Council President Pro Tem Palmer questioned the safety premise with closing Elm Avenue, when there has been very few accidents. He thought perhaps the premise was more based on expansion. Mr. Foster said it is a combination and also continuity of the campus and the aesthetic aspect.

Terry Farina, 2673 Homestead Road, said 10 years ago he was the chairman of the foundation board, when the request was made for the annual \$250,000. He said the previous Council decided wisely and the funds were matched by the community and the County. He said Mesa State is one of the few growing colleges and that higher education has lost a lot of funding. He said that everyone in the community has a vested interest in the success of Mesa State College.

Knute Knudson, 876 Covey Road, said the parking has always been a problem. He said the College has done a remarkable job in getting where they are. Ten years ago this was started and this is the next part of the progression. He said land is precious and asked that the City not ask for the turn lane right-of-way.

Diane Schwenke, 528 Greenbelt Court, Chamber representative, supports the request and looks at it for economic development.

Jim White, 1016 Elm Avenue, said he will be directly impacted. He said that he is a big supporter of Mesa State College, but living on Elm he has never been able to park in front of his house. He said the closing of Mesa Avenue will do away with 40 spaces.

Karen Peterson, 890 Kennedy Avenue, agreed with Mr. White and said a lot of the people in that neighborhood are senior citizens and are having a hard time backing out of their driveways. She said five times a week the driveway is blocked and she is worried about the impact on the other streets around the area.

Eric Groves, legislative affairs director at Mesa State, 3rd generation Mesa State College student, representing the student body and authorized by the Student Senate, said this issue has been discussed by students regarding safety concerns and drivers on Elm Avenue. He said administration has been working on getting parking and respecting the

needs of the surrounding residents. He commended the administration and he said the expansion is exciting to potential students. He felt it will bring in top students and benefit students that are in that area. He said they support this proposal.

Michael Burke, 2190 Canyon View Drive, 3rd generation student, President of the Alumni Association, said their board of directors is in unanimous support of the proposal and encourages Council to approve.

Jerry Mutchler, 3411 Northridge Drive, member of Alumni Association, said he attended Mesa State when it was a junior college. He thought this would be a great asset and feels that Mesa State is a great college.

Tillman Bishop, 2255 Piazza Way, reviewed some of the history and some of the changes that have occurred. He said Mesa State is a very compact campus and the growth has precipitated more parking problems. He feels that Mesa State, the City, and the County need to work together to resolve the parking problem and meet with neighbors to establish mutual respect. He supports the proposal of closing off the streets.

Sally Schaefer, 3845 Horizon Glen Court, said the City needs to think long term and that parking will always be a problem as the College grows. She asked that Council support the request.

Marcia Neal, 1155 Lakeside Drive #501, member of the Board of Education, feels the City should think about the future and the education to provide for the kids. She said Mesa State is no longer a default selection and in the future even more kids will be coming to Mesa State for their education. She supports the project.

Joann Little, 896 Overview Road, a realtor, said the College is driving the real estate prices up around the College. She said there is a huge amount of energy and revitalization in the community for these plans and feels this is the best thing she has seen out of the College in several years.

Dr. Lynn James, retired, 308 Mayfair Drive, stated that he went to Mesa State at age 85 and has been a resident since 1953. He said that he has a son and granddaughter who attended Mesa State and went on to Cornell and is now teaching. He said he has a lot of vested interest and faith in Mesa State College. He supports the proposal.

Gerry Wright, current student body president, reiterated what Eric Groves expressed, that the parking is of interest to all students and feels that parking won't ever be solved but feels this plan will be a major benefit.

Norm Franke, 2324 Falcon Point Court, stated he is a new trustee on the board and is in support of the street vacation. He feels Mesa State will continue to grow and hopes the

City will plan for it. He said the vacation will improve student safety, welfare, and traffic calming.

Craig E. Wortmann, (Duke), 678 Poplar Court, commended the City Council for their non-partisanship and asked that Council support the request.

Linda Romer Todd, 685 Crestridge Drive, said that she owns property on Elm Street and hopes that Council will take into consideration the surrounding property owners' situation regarding blocked driveways. She feels even if Mesa State expands for paid parking, it will still make the students want to park more in residential areas.

Janet Munster, 2087 Wrangler Court, and 1010 Texas Avenue, her mother's property, is the director of the Newman Center in the Bishop of Pueblo's property. She is in support of the expansion and supports the request, but stated that Council needs to consider when and how to proceed. She has concerns for her mom's safety and her property value. She feels that they will be impacted tremendously and feels there should be more planning. She said they have also had their driveways blocked and feels there needs to be more clarification.

Dan Prinster, 2664 Sperber Lane, said his spouse is a non-traditional student and frequently has to fight for parking. He feels this is the first step to a long term plan. He asked Council to support and move forward on the plan.

Jamie Hamilton, 363 High Desert Drive, agreed with Mr. Prinster and feels this is the right thing to do.

College President Tim Foster understands there will be parking issues and stated that every campus charges for parking. He said they have been working aggressively with staff and will continue to do so.

Councilmember Beckstein asked for clarification on the access for the Fire Department. Fire Chief Rick Beaty said there are already areas where it is tight, he feels as long as Mesa State works with the Fire Department by widening College Place and providing turnarounds, it will probably improve the situation. He also said that it won't impact response time.

Council President Pro Tem Palmer stated that there are multiple parts to the request and asked if it can be broken out. City Attorney Shaver stated that Council has absolute discretion in that regard.

Councilmember Spehar expressed concern with no written assurances that Mesa State would adhere to the City Code in any redevelopment.

Mr. Foster stated that the College has a long history with the City and they have and will continue to work with the City. He said this Master Plan is very preliminary and they will

be moving forward on student housing very quickly. He said that in 10 to 15 years, College Place will close.

Councilmember Spehar stated that is what he wanted to hear.

Mr. Foster said that the architect suggested retail on the bottom floor of the new dorms; if it doesn't work with parking, etc. that will be eliminated from the plans.

Councilmember Spehar stated that the City might need right-of-way for Riverside Parkway on its 29 and D Road property in exchange.

Mr. Foster stated that they have discussed it with the City's right-of-way personnel and when that is worked out the City can expect cooperation from the College. However, it is separate from this issue.

Council President Pro Tem Palmer asked with the vacation of College Place and its possible closure, will it require a bus pull off. Staff indicated that to be their preference.

The public hearing was closed at 11:35 p.m.

Councilmember Spehar said when College Place becomes non-existent, Mesa State should preserve a portion of that for a bus lane. He said that another condition could be that the College will assume liability of the bus bench revenue for those that are removed.

Councilmember Coons stated that she has been associated with a number of campuses; she said the trend is to close them and make them walkable. She said the College is critical to the quality of life in Grand Junction and is important to economic viability. She supports the closure but is leery to break it up into pieces for this final consideration. Council President Pro Tem Palmer said that everyone in the community wants to see the College do well and grow, it isn't about parking, it's more than that. He supports the closure, but has a problem with closing Elm Avenue. He said maybe in the future he can support the rest of it.

Councilmember Doody agrees with Council President Pro Tem Palmer regarding Elm Avenue. He said the distance from 12th and North and 12th and Orchard over to Cannell is not much different and maybe someday Elm will have to close but that may be 20 years out. He said that he could support the other closings.

Councilmember Thomason said the closure of all the streets is imperative to the Master Plan.

Councilmember Beckstein said it is difficult to drive through on Elm and likes the idea of College Place going one way. She would like to see the staff lean towards the additional

right-of-way off of North Avenue. She said growth is not always comfortable, but supports the request.

Councilmember Spehar, also from a three-generation of students family, said the City has played an important role and urged expansion in this direction. He said the Planning Commission's conditions are appropriate and feels that the College should assume liability for the advertising piece. He said the turn lane is essential for safety purposes, in deference to Council President Pro Tem Palmer, he felt that there should be a vote on whether to split up the issues.

Council President Hill said the expansion to the west is the most expensive but would be the best for the community. He said the higher education facility would be a great benefit to the community. He said the results from the last ten years of funding the partnership, residents are not against the expansion, but the College needs to work with those residents and may in fact provide benefits for them. He said that he has a problem with a right-turn lane; he feels that the plan is reducing the traffic there even for a short period of time, and then housing will consume that. He would like to provide the College the flexibility to work things out and is glad to see the student senate is supportive of this and is part of it. He said the College will do a right hand turn lane if needed but, it will decrease the safety by adding a turn lane. He said that he supports the proposal minus the right hand turn lane. Council President Hill asked if Council wanted to make a motion to split it out or keep it whole.

Councilmember Coons moved to keep the consideration of the street closures, the requests for vacations from Mesa State College whole. Councilmember Thomason seconded.

Council President Pro Tem Palmer stated that there are so many issues in the request that to lump them together will convolute the process.

A roll call vote was requested. Motion carried with Councilmembers Beckstein, Doody and Palmer voting NO.

Ordinance No. 3759 - An Ordinance Vacating College Place, a Portion of Mesa Avenue, Bunting Avenue, and Elm Avenue and Various Alleys Near the Mesa State College Campus

Councilmember Coons moved to adopt Ordinance No. 3759, an Ordinance Vacating Portions of Elm Avenue, College Place, Mesa Avenue, Bunting Avenue and Various Alleys near to the Mesa State College campus. Councilmember Thomason seconded.

The motion is to adopt the ordinance as written and will include the seven conditions in the staff report as written.

Councilmember Spehar moved to amend the motion to change condition #7 of the Staff conditions as follows: Right-of-way shall be dedicated and a right turn lane constructed by Mesa State College at the northeast corner of North Avenue and College Place with the understanding that any right-of-way not needed for City purposes will revert to Mesa State College if and when that access to College Place from North Avenue is no longer needed. Council President Pro Tem Palmer seconded.

Councilmember Spehar noted that the traffic count numbers are not the whole story; he said Council President Hill was right that the traffic count numbers did indicate a decrease but what they are showing as a decrease in the traffic flow is actually a decrease because traffic is impeded by the increase in traffic. Therefore it is a safety issue and the amendment is needed.

City Attorney Shaver inquired if there is any temporal component to Councilmember Spehar's motion. Councilmember Spehar responded there was not.

Council President Hill called the question. Motion carried by roll call vote with Councilmember Beckstein and Council President Hill voting NO.

Councilmember Spehar moved to amend the motion to include a condition #8 which would state that Mesa State College assume any liability for buying out the value of the bus bench advertising that could stem from elimination of the benches along the vacated streets. Council President Pro Tem Palmer seconded. The intent is to include shelters.

Councilmember Beckstein asked how many bus shelters are being considered. City Attorney Shaver said two at \$8,000 a piece. Council President Hill called for the roll. Motion carried by roll call vote with Council President Hill voting NO.

Council President Hill then called the question on adoption of Ordinance 3759, with the conditions #1 through 8, with #7 as amended to require the College to construct the right turn lane. Motion carried with Councilmember Doody and Council President Pro Tem Palmer voting NO.

Council President Hill called a recess at 12:06 a.m.

The meeting was reconvened at 12:15 a.m.

Council reviewed the items that were time sensitive and decided to hear the purchase of property at 426 Noland Avenue for the Riverside Parkway Project and postpone the rest of the items until the next Council meeting. Council decided to start the next Council meeting at 7:00 p.m. and schedule the larger items on a stand alone night on the 2nd Wednesday of the month in the future. Council decided to discuss that more at their retreat.

Purchase of Property at 426 Noland Avenue for the Riverside Parkway Project

The City has entered into a contract to purchase the property at 426 Noland Avenue from Helen Malagon for the Riverside Parkway Project. The City's obligation to purchase this property is contingent upon Council's ratification of the purchase contract.

Mark Relph, Public Works and Utilities Director, reviewed this item. He described the location and the current use. He said two appraisals were completed and the owner is to get \$101,000. He said there is also a tenant on the property so the comparable rent and housing is also to be considered. Council President Pro Tem Palmer stated that the comparable place for rent is three times the size of the existing housing.

Mr. Relph said the policy talks about the number of occupants will dictate how to find a dwelling that is decent, safe, and sanitary. He said if a large family is crammed into a small dwelling, the policy requires they look at age and sex of the children.

Councilmember Beckstein asked how the proposed tenants will be able to afford that after the subsidy runs out. Mr. Relph said the tenants can take the money and use it for a down payment on a purchase. He advised the City will have some even more challenging than this in the future.

Councilmember Doody asked if the policy could be changed.

City Attorney Shaver said at what point do you change it. He said you can adjust it legally but it makes it difficult for staff and then difficult politically.

Council President Hill explained how the policy was developed and wanted to make sure the City was being fair.

Councilmember Spehar agreed with Council President Hill.

Council President Hill said the policy has helped the negotiations go very well.

Resolution No. 80-05 – A Resolution Authorizing the Purchase of Real Property at 426 Noland Avenue from Helen Malagon

Council President Pro Tem Palmer moved to adopt Resolution No. 80-05.
Councilmember Spehar seconded the motion. Motion carried by roll call vote.

THE FOLLOWING ITEM WAS CONTINUED UNTIL MAY 18, 2005 REGULAR CITY COUNCIL MEETING.

Intergovernmental Agreement with CDOT for Interchange Study at 29 Road and I-70B Interchange

The proposed Intergovernmental Agreement with Colorado Department of Transportation (CDOT) will reimburse CDOT for anticipated expenses associated with the 1601 Interchange Study for 29 Rd and I-70B.

Resolution No. 81-05 – A Resolution Authorizing an Intergovernmental Agreement between the City of Grand Junction and the Colorado Department of Transportation (CDOT) Regarding 29 Road and I-70B Interchange Approval Process

THE FOLLOWING ITEM WAS CONTINUED UNTIL MAY 18, 2005 REGULAR CITY COUNCIL MEETING.

Conveyance of a Nonexclusive Easement Across City Property Along 25 Road for the Riverside Parkway Project

Public Service Company is requesting an easement across City right-of-way along 25 Road to accommodate new facilities being installed in conjunction with the relocations of their 230 kV power line in preparation of the Riverside Parkway.

Resolution No. 82-05 – A Resolution Concerning the Granting of a Non-Exclusive Electric Utility Easement to the Public Service Company of Colorado

THE FOLLOWING ITEM WAS CONTINUED UNTIL MAY 18, 2005 REGULAR CITY COUNCIL MEETING.

Public Hearing – First Supplemental Appropriation Ordinance for 2005

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

Ordinance No. 3756 - An Ordinance Making Supplemental Appropriations to the 2005 Budget of the City of Grand Junction

THE FOLLOWING ITEM WAS CONTINUED UNTIL MAY 18, 2005 REGULAR CITY COUNCIL MEETING.

Public Hearing – Amendment to Chapter 4, Code of Ordinances Regarding Special Events

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.

Ordinance No. 3757 - An Ordinance Amending Part of Chapter 4 of the City of Grand Junction Code of Ordinances Relating to Alcoholic Beverage Licensing

THE FOLLOWING ITEM WAS CONTINUED UNTIL MAY 18, 2005 REGULAR CITY COUNCIL MEETING.

Public Hearing – Iris Court Enclave Annexation and Zoning, Located at 2250 South Broadway [File # ANX-2005-028] **(CONTINUED FROM APRIL 20, 2005)**

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. 3760 – 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. 3761 – An Ordinance Zoning the Iris Court Enclave Annexation to RSF-2, Located at 2250 South Broadway

THE FOLLOWING ITEM WAS CONTINUED UNTIL MAY 18, 2005 REGULAR CITY COUNCIL MEETING.

Public Hearing – PS Substation Enclave Annexation and Zoning, Located on 29 Road Just South of F Road [File # ANX-2005-027] **(CONTINUED FROM APRIL 20, 2005)**

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. 3762 – 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. 3763 – An Ordinance Zoning the PS Substation Enclave Annexation to RMF-5, Located on 29 Road Just South of F Road

THE FOLLOWING ITEM WAS CONTINUED UNTIL MAY 18, 2005 REGULAR CITY COUNCIL MEETING.

Public Hearing – Webb Crane Enclave Annexation and Zoning, Located at 728, 738, 745 and 747 23 ½ Road [File # ANX-2005-029] (CONTINUED FROM APRIL 20, 2005)

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. 3764 – 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. 3765 – An Ordinance Zoning the Webb Crane Enclave Annexation to M-U and I-1, Located at 728, 738, 745, and 747 23 ½ Road

NON-SCHEDULED CITIZENS & VISITORS

There were none.

OTHER BUSINESS

There was none.

ADJOURNMENT

The meeting adjourned at 12:40 a.m.

Stephanie Tuin, MMC
City Clerk

Attach 2

Setting a Hearing for Zoning the Irwin/Riverfront Annexation Located at 586 Rio Verde Lane & 616 22 ¾ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Setting a Hearing for Zoning the Irwin/Riverfront Annexation, located at 586 Rio Verde Lane & 616 22 ¾ Road					
Meeting Date	May 18, 2005					
Date Prepared	May 11, 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: Introduction of a proposed zoning ordinance to zone the Irwin/Riverfront Annexation, RSF-4, Residential Single Family – 4 units/acre & CSR, Community Services & Recreation, located at 586 Rio Verde Lane & 616 22 ¾ Road. The annexation consists of 19.69 acres and 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. The other parcel proposed for annexation is owned by the State of Colorado, Parks & Outdoor Recreation who are requesting annexation due to the fact that a portion of their property is already in the City limits.

Budget: N/A

Action Requested/Recommendation: Introduce and approve a proposed zoning ordinance on First Reading to zone the Irwin/Riverfront Annexation, RSF-4, Residential Single Family – 4 units/acre & CSR, Community Services & Recreation and set a public 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. Zoning 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 & Gravel Pit		
	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:

ZONE OF ANNEXATION:

Under the 1998 Persigo Agreement with Mesa County, the City shall zone newly annexed areas with a zone that is either identical to current County zoning or conforms to the City's Growth Plan Future Land Use Map. The proposed zone district of RSF-4 & CSR would be in keeping with the Persigo Agreement, current County Zoning for the Irwin property (RSF-4) and the Growth Plan Future Land Use Map.

RSF-4 ZONE DISTRICT

- The proposed Residential Single Family – 4 units/acre zoning is consistent with the Growth Plan Future Land Use Map for this area. Currently, the Growth Plan Future Land Use Map indicates this area of Rio Verde Lane to be Residential Medium Low (2 – 4 DU/Acre) in character.
- Zoning this property (Irwin) as Residential Single Family – 4 units/acre (RSF-4) meets the criteria found in Sections 2.14 F. and 2.6 A. of the Zoning & Development Code.
- The Irwin property is located adjacent to current County RSF-4 and City RSF-4 & PD, Planned Development (Residential) which makes the proposed zoning district of RSF-4 the most appropriate.

CSR ZONE DISTRICT

- The proposed Community Services & Recreation zoning is consistent with the Growth Plan Future Land Use Map for this area. Currently, the Growth Plan Future Land Use Map indicates this area along the Colorado River to be Conservation in character.
- Zoning this property (State of Colorado) as Community Services & Recreation meets the criteria found in Sections 2.14 F. and 2.6 A. of the Zoning & Development Code.

ZONING & DEVELOPMENT CODE CRITERIA:

Section 2.14 F. of the Zoning & Development Code: “Land annexed to the City shall be zoned in accordance with Section 2.6 to a district that is consistent with the adopted Growth Plan or consistent with the existing County zoning.”

Section 2.6 A. Approval Criteria:

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

N/A. The proposed zoning of RSF-4 & CSR upon annexation is consistent with the Growth Plan Future Land Use Map and also current County zoning for the Irwin property.

- 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 transitions, etc.**

The Irwin property is located in an area of existing residential development with all public utilities available in the area. The State of Colorado property is located along the Colorado River and has no development potential with the exception of a few acres that will be utilized in the future as part of the State Park trail system.

- c. 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.**

The proposed zoning of RSF-4 & CSR 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 RSF-4 & CSR zoning districts, therefore this criterion is met.

- d. 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.**

The proposed zoning (RSF-4) for the Irwin property is equivalent to the current County zoning and the existing residential land uses in the area and is also in conformance with the Goals and policies of the Growth Plan and Zoning and Development Code. The proposed zoning (CSR) of the State of Colorado property is also in conformance with the Growth Plan and Zoning & Development Code and was created specifically for environmental open space areas with limited development.

- 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 or will be supplied at the time of further development of the properties and can address the impacts of development consistent with the RSF-4 & CSR zoning districts.

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

N/A. The proposals are to zone the properties to be in conformance with current and proposed development in the area.

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

The Irwin property is requesting a zoning designation (RSF-4) that is the same as the current County zoning and also adjacent City residential zoning to the south for the Loma Rio Subdivision. This subdivision has a residential density of 2.55 units/acre. Also to the east is City zoning of PD, Planned Development for the Vista Del Rio Subdivision which has an average residential density of 1.97 units/acre. The State of

Colorado property is located along the Colorado River and has no development potential with the exception of a few acres that will be developed as part of the trail system in the future. The proposed CSR zoning is the most appropriate zone for this type of area as it will preserve open space and environmental areas.

FINDINGS AND CONCLUSIONS:

1. The requested zoning districts are consistent with the Growth Plan Future Land Use Map.
2. The zones of annexation are consistent with Section 2.6 and 2.14 of the Zoning & Development Code.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommends approval of the requested zones of annexation to the City Council, finding the zoning to the RSF-4, Residential Single Family – 4 units/acre & CSR, Community Services & Recreation districts to be consistent with the Growth Plan, the existing County Zoning for the Irwin property and Sections 2.6 and 2.14 of the Zoning and Development Code.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE ZONING THE IRWIN/RIVERFRONT ANNEXATION TO
RESIDENTIAL SINGLE FAMILY – 4 UNITS/ACRE (RSF-4) &
COMMUNITY SERVICES & RECREATION (CSR)**

LOCATED AT 586 Rio Verde Lane & 616 22 ¾ Road

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of applying a RSF-4, Residential Single Family – 4 units/acre & CSR, Community Services & Recreation Zoning District to the Irwin/Riverfront Annexation for the following reasons:

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

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-4, Residential Single Family – 4 units/acre & CSR, Community Services & Recreation zoning districts be established.

The Planning Commission and City Council find that the RSF-4, Residential Single Family – 4 units/acre & CSR, Community Services & Recreation zoning is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following property shall be rezoned Residential Single Family with a density not to exceed four (4) units per acre.

586 Rio Verde Lane

Commencing at the Southwest corner of the NE ¼ of said Section 7; thence North 89°56'57" East along the South line of the SW ¼ of the NE ¼ of said Section 7 a distance

of 1322.49 feet to the Southwest corner of the SE ¼ of the NE ¼ of said Section 7; thence North 00°07'39" West along the West line of the SE ¼ of the NE ¼ of said Section 7 a distance of 1323.10 feet to the Northwest corner of the SE ¼ of the NE ¼ of said Section 7; thence South 89°51'38" West 60.00 feet; thence North 00°07'39" West 485.81 feet to

the true point of beginning; thence continuing North 00°07'39" West 161.53 feet; thence North 89°49'10" East 60.00 feet to a point on the West line of the NE ¼ of the NE ¼ of said Section 7; thence North 00°07'39" West along said West line of the NE ¼ of the NE ¼ of Section 7 a distance of 639.37 feet to the Northwest corner of the NE ¼ of the NE ¼ of said Section 7; thence South 89°40'41" East along the North Line of the NE ¼ of said Section 7 a distance of 577.50 feet; thence South 00°07'40" East 801.42 feet; thence North 89°40'41" West 637.51 feet to the true point of beginning.

CONTAINING 10.12 Acres (440,827 Sq. Ft.), more or less, as described.

Housing type, density and bulk standards shall be for the RSF-4 zone district.

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

The following property shall be rezoned Community Services & Recreation (CSR).

616 22 ¾ Road

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, being more particularly described as follows:

ALL of Lot 2, Plat of 23 Road Subdivision, as same is recorded in Plat Book 19, Pages 280 and 281, Public Records of Mesa County, Colorado, lying South of and adjacent to, the River Road Annexation, City of Grand Junction Ordinance Number 2901.

CONTAINS 8.86 Acres (385,942 Sq. Ft.), more or less, as described.

Introduced on first reading this 18th day of May, 2005 and ordered published.

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

Mayor

ATTEST:

City Clerk

Attach 3

Setting a Hearing for the Theobold Annexation No. 1 & 2, Located at 3060 D Road

CITY OF GRAND JUNCTION

<i>CITY COUNCIL AGENDA</i>						
Subject	Theobold Annexation No. 1 and 2; Resolution referring a petition for annexation; introduction of a proposed ordinance and Exercise Land Use Jurisdiction immediately.					
Meeting Date	May 18, 2005					
Date Prepared	May 9, 2005				File #ANX-2005-073	
Author	Lori V. Bowers		Senior Planner			
Presenter Name	Lori V. Bowers		Senior Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda	X	Consent	Individual Consideration

Summary: The applicants for the Theobold Annexation, located at 3060 D Road, have presented a petition for annexation as part of a preliminary plan. The applicants request approval of the Resolution referring the annexation petition, consider reading of the Annexation Ordinances, and requesting Land Use Jurisdiction immediately. The annexation area consists of 4.41 acres of land and 0.78 acres of canal easement. This is a serial annexation.

Budget: N/A

Action Requested/Recommendation: Approval of the Resolution of Referral, accepting the Theobold Annexation petition and introduce the proposed Annexation Ordinance, exercise land use jurisdiction immediately and set a hearing for July 6, 2005.

Background Information: See attached Staff Report/Background Information

Attachments:

5. Staff report/Background information

- 6. Annexation map
- 7. Aerial Photo
- 8. Growth Plan Map
- 9. Zoning Map
- 10. Resolution
- 11. Annexation Ordinances

<i>STAFF REPORT / BACKGROUND INFORMATION</i>				
Location:		<i>3060 D Road</i>		
Applicants		Reford and Karen Theobold, owners; Development Construction Services, representative		
Existing Land Use:		<i>Vacant</i>		
Proposed Land Use:		<i>Single family residential</i>		
Surrounding Land Use:	North	<i>Residential & canal</i>		
	South	Colorado River Wildlife Area		
	East	Residential		
	West	Residential		
Existing Zoning:		County RMF-5		
Proposed Zoning:		RMF-8		
Surrounding Zoning:	North	<i>County PUD</i>		
	South	Conservation (future land use map) County PUD		
	East	County RSF-4		
	West	<i>County RSF-R</i>		
Growth Plan Designation:		Residential Medium (4 to 8 dwelling units per acre)		
Zoning within density range?		X	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 5.19 acres of land and is comprised of one parcel. The property owners have requested annexation into the City as the result of a proposed subdivision. Under the 1998 Persigo Agreement all new subdivisions require annexation and processing in the City.

It is staff's opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Theobold 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>	
May 18, 2005	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
May 24, 2005	Planning Commission considers Zone of Annexation
June 15, 2005	Introduction Of A Proposed Ordinance on Zoning by City Council
July 6, 2005	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
Aug. 7, 2005	Effective date of Annexation and Zoning

THEOBOLD ANNEXATION SUMMARY

File Number:		ANX-2005-073
Location:		3060 D Road
Tax ID Number:		2943-164-48-001
Parcels:		1
Estimated Population:		88
# of Parcels (owner occupied):		0
# of Dwelling Units:		22
Acres land annexed:		5.19
Developable Acres Remaining:		4.41
Right-of-way in Annexation:		Existing D Road
Previous County Zoning:		County RMF-5
Proposed City Zoning:		RMF-8
Current Land Use:		Vacant land
Future Land Use:		Residential
Values:	Assessed:	\$18,560
	Actual:	\$64,000
Address Ranges:		3060 D Road
Special Districts:	Water:	Clifton
	Sewer:	Central Grand Valley
	Fire:	Clifton Fire
	Irrigation/ Drainage:	Grand Junction
	School:	District 51
	Pest:	Upper Grand Valley Pest Control

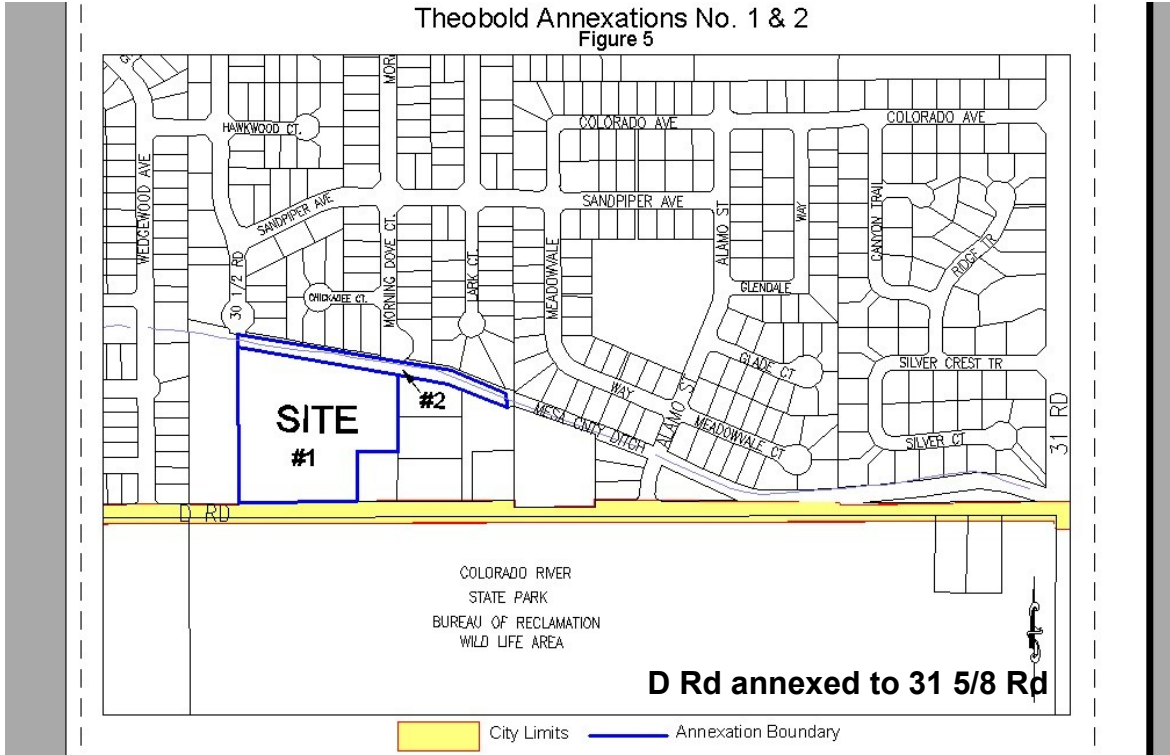
**NOTICE OF HEARING
ON PROPOSED ANNEXATION OF LANDS
TO THE CITY OF GRAND JUNCTION, COLORADO**

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 18th of May, 2005, the following Resolution was adopted:

Annexation Map

3060 D Road

Theobald Annexations No. 1 & 2
Figure 5



Aerial Photo Map

3060 D Road



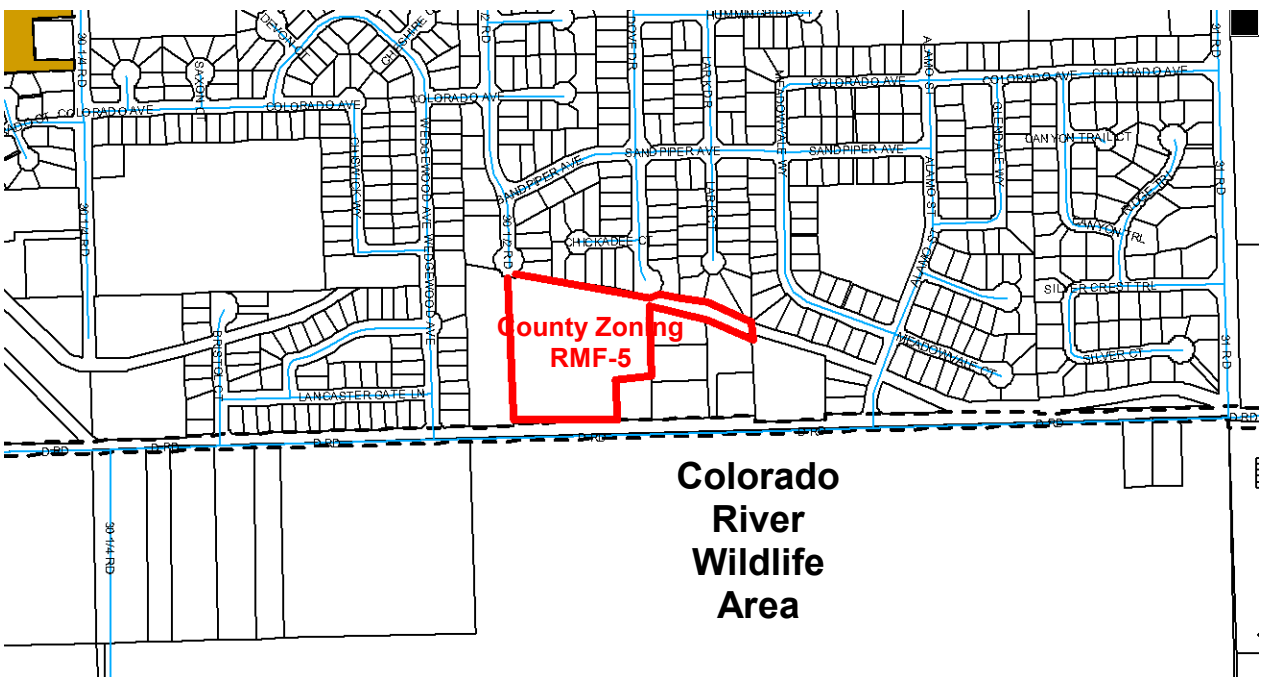
Future Land Use Map

3060 D Road



Existing City and County Zoning

3060 D Road



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."

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

THEOBOLD ANNEXATION NO. 1 & 2,

LOCATED at 3060 D ROAD.

WHEREAS, on the 18th day of May, 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

THEOBOLD ANNEXATION

A Serial Annexation Comprising Theobold Annexation No. 1 and Theobold Annexation No. 2

Theobold Annexation No. 1

A parcel of land located in the Southwest Quarter of the Southeast Quarter (SW ¼ SE ¼) of Section 16, Township 1 South, Range 1 West, of the Ute Meridian, County of Mesa, State of Colorado being more particularly described as follows:

Commencing at the Southwest corner of the SW 1/4 SE 1/4 of said Section 16 and assuming the West line of the SW 1/4 SE 1/4 of said Section 16 to bear N00°02'37"E for a basis of bearings with all bearings contained herein relative thereto; thence from said Point of Commencement N00°02'37"E along the West line of the SW 1/4 SE 1/4 of said Section 16 a distance of 30.00 to a point on the North right of way of "D" Road; thence along said right of way the following two (2) courses: N89°55'25"E a distance of 150.07 feet; thence N00°03'33"E a distance of 20.00 feet to the Southwest corner of Lot 1 Junction East Subdivision as recorded in Plat Book 12, Page 263, Mesa County,

Colorado records also being the Point of Beginning; thence from said Point of Beginning N00°03'33"E along the West line of said Lot 1 a distance of 470.95 to the Northwest corner of said Lot 1; thence S80°20'12"E along the North line of said Lot 1 a distance of 504.16 feet to the Northeast corner of said Lot 1; thence S01°41'33"W along the East line of said Lot 1 a distance of 234.64 feet to the Northeast corner of Lot 2 of said Junction East Subdivision; thence S89°55'25"W along the North line of said Lot 2 a distance of 125.00 feet to the Northwest corner of said Lot 2; thence S01°41'33"W along the West line of said Lot 2 a distance of 151.20 feet to the Southeast corner of said Lot 1 and the North right of way of said "D" Road; thence S89°55'25"W along the North right of way of said "D" Road a distance of 361.10 feet to the Point of Beginning.

Said parcel contains 4.41 acres (191,895 sq. ft.) more or less as described.

Theobold Annexation No. 2

A parcel of land located in the Southwest Quarter of the Southeast Quarter (SW ¼ SE 1/4) of Section 16, Township 1 South, Range 1 West, of the Ute Meridian, County of Mesa, State of Colorado being more particularly described as follows:

Commencing at the Southwest corner of the SW 1/4 SE 1/4 of said Section 16 and assuming the West line of the SW 1/4 SE 1/4 of said Section 16 to bear N0°02'37"E for a basis of bearings with all bearings contained herein relative thereto; thence from said Point of Commencement N00°02'37"E along the West line of the SW 1/4 SE 1/4 of said Section 16 a distance of 546.70 feet; thence S80°20'12"E a distance of 152.28 feet to the Northwest corner of Junction East Subdivision as recorded in Plat Book 12, Page 263, Mesa County, Colorado records, also being the Point of Beginning; thence from said Point of Beginning N00°03'33"E a distance of 40.57 feet to a point on the South line of Parkwood Estates Subdivision as recorded in Plat Book 12, Pages 354 and 355, Mesa County, Colorado records; thence along the South line of said Parkwood Estates Subdivision the following two (2) courses; S80°20'12"E a distance of 661.96 feet; thence S67°24'08"E a distance of 181.96 feet to a point on the West line of Tract A, Block 5 of said Parkwood Estates Subdivision also being the Northeast Corner of said Junction East Subdivision; thence S00°02'55"W along the East line of said Junction East Subdivision a distance of 43.31 feet to the Northeast corner of Lot 4 of said Junction East Subdivision; thence N67°24'08"W along the North line of Lots 3 and 4 of said Junction East Subdivision a distance of 194.03 feet; thence N80°20'12"W along the North line of Lots 1 and 3 of said Junction East Subdivision a distance of 650.66 feet to the Point of Beginning.

Said parcel contains 0.78 acres (33,772 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 6th day of July, 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 18th day of May, 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>
May 20, 2005
May 27, 2005
June 3, 2005
June 10, 2005

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

THEOBOLD ANNEXATION NO. 1

APPROXIMATELY 4.41 ACRES

LOCATED AT 3060 D ROAD

WHEREAS, on the 18th day of May, 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 6th day of July, 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:

Theobold Annexation No. 1

A parcel of land located in the Southwest Quarter of the Southeast Quarter (SW ¼ SE ¼) of Section 16, Township 1 South, Range 1 West, of the Ute Meridian, County of Mesa, State of Colorado being more particularly described as follows:

Commencing at the Southwest corner of the SW ¼ SE ¼ of said Section 16 and assuming the West line of the SW ¼ SE ¼ of said Section 16 to bear N00°02'37"E for a basis of bearings with all bearings contained herein relative thereto; thence from said Point of Commencement N00°02'37"E along the West line of the SW ¼ SE ¼ of said Section 16 a distance of 30.00 to a point on the North right of way of "D" Road;

thence along said right of way the following two (2) courses: N89°55'25"E a distance of 150.07 feet; thence N00°03'33"E a distance of 20.00 feet to the Southwest corner of Lot 1 Junction East Subdivision as recorded in Plat Book 12, Page 263, Mesa County, Colorado records also being the Point of Beginning; thence from said Point of Beginning N00°03'33"E along the West line of said Lot 1 a distance of 470.95 to the Northwest corner of said Lot 1; thence S80°20'12"E along the North line of said Lot 1 a distance of 504.16 feet to the Northeast corner of said Lot 1; thence S01°41'33"W along the East line of said Lot 1 a distance of 234.64 feet to the Northeast corner of Lot 2 of said Junction East Subdivision; thence S89°55'25"W along the North line of said Lot 2 a distance of 125.00 feet to the Northwest corner of said Lot 2; thence S01°41'33"W along the West line of said Lot 2 a distance of 151.20 feet to the Southeast corner of said Lot 1 and the North right of way of said "D" Road; thence S89°55'25"W along the North right of way of said "D" Road a distance of 361.10 feet to the Point of Beginning.

Said parcel contains 4.41 acres (191,895 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 18th day of May, 2005 and ordered published.

ADOPTED on second reading this <> day of <>, 2005.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

THEOBOLD ANNEXATION NO. 2

APPROXIMATELY 0.78 ACRES

LOCATED AT 3060 D ROAD

WHEREAS, on the 18th day of May, 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 6th day of July, 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:

Theobold Annexation No. 2

A parcel of land located in the Southwest Quarter of the Southeast Quarter (SW ¼ SE 1/4) of Section 16, Township 1 South, Range 1 West, of the Ute Meridian, County of Mesa, State of Colorado being more particularly described as follows:

Commencing at the Southwest corner of the SW 1/4 SE 1/4 of said Section 16 and assuming the West line of the SW 1/4 SE 1/4 of said Section 16 to bear N0°02'37"E for a basis of bearings with all bearings contained herein relative thereto; thence from said Point of Commencement N00°02'37"E along the West line of the SW 1/4 SE 1/4 of said Section 16 a distance of 546.70 feet; thence S80°20'12"E a distance of 152.28 feet to the Northwest corner of Junction East Subdivision as recorded in Plat Book 12, Page 263, Mesa County, Colorado records, also being the Point of Beginning; thence from said Point of Beginning N00°03'33"E a distance of 40.57 feet to a point on the South line of Parkwood Estates Subdivision as recorded in Plat Book 12, Pages 354 and 355, Mesa County, Colorado records; thence along the South line of said Parkwood Estates Subdivision the following two (2) courses; S80°20'12"E a distance of 661.96 feet; thence S67°24'08"E a distance of 181.96 feet to a point on the West line of Tract A, Block 5 of said Parkwood Estates Subdivision also being the Northeast Corner of said Junction East Subdivision; thence S00°02'55"W along the East line of said Junction East Subdivision a distance of 43.31 feet to the Northeast corner of Lot 4 of said Junction East Subdivision; thence N67°24'08"W along the North line of Lots 3 and 4 of said Junction East Subdivision a distance of 194.03 feet; thence N80°20'12"W along the North line of Lots 1 and 3 of said Junction East Subdivision a distance of 650.66 feet to the Point of Beginning.

Said parcel contains 0.78 acres (33,772 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 18th day of May, 2005 and ordered published.

ADOPTED on second reading this <> day of <>, 2005.

Attest:

President of the Council

City Clerk

Attach 4

Setting a Hearing for the Beagley II Annexation Located at 2932 and 2938 D1/2 Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Setting a hearing for the Beagley II Annexation located at 2932 and 2938 D ½ Road						
Meeting Date	May 18, 2005						
Date Prepared	May 12, 2005				File #ANX-2005-099		
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 12.43 acre Beagley II Annexation consists of 2 parcels and contains a portion of the D ½ Road right-of-way.

Budget: N/A

Action Requested/Recommendation: Approval of the Resolution of Referral, accepting the Beagley II Annexation petition and introduce the proposed Beagley II Annexation Ordinance, exercise land use jurisdiction immediately and set a hearing for July 6, 2005.

Background Information: See attached Staff Report/Background Information

Attachments:

1. Staff report/Background information
2. Annexation / Location Map; Aerial Photo
3. Growth Plan Map; Zoning Map
4. Resolution Referring Petition
5. Annexation Ordinance

STAFF REPORT / BACKGROUND INFORMATION					
Location:		2932 and 2938 D ½ Road			
Applicants:		Owner: Lawrence Beagley Representative: Richard Kirby			
Existing Land Use:		Residential / Agricultural			
Proposed Land Use:		Residential			
Surrounding Land Use:	North	Railroad			
	South	Residential / Agricultural			
	East	Residential / Agricultural			
	West	Residential / Agricultural			
Existing Zoning:		County RSF-R and I-2			
Proposed Zoning:		City RMF-8			
Surrounding Zoning:	North	County I-2			
	South	County RSF-R / RSF-E			
	East	County RSF-R / I-2			
	West	County RSF-R / I-2			
Growth Plan Designation:		Residential Medium 4-8 du/ac			
Zoning within density range?		X	Yes		No

Staff Analysis:

ANNEXATION:

This annexation area consists of 12.43 acres of land and is comprised of 2 parcels. The property owners have requested annexation into the City as the result of needing a rezone in the County to subdivide. Under the 1998 Persigo Agreement all rezones require annexation and processing in the City.

It is staff's 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 Beagley II 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>	
May 18, 2005	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
May 24, 2005	Planning Commission considers Zone of Annexation
June 15, 2005	Introduction Of A Proposed Ordinance on Zoning by City Council
July 6, 2005	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
August 7, 2005	Effective date of Annexation and Zoning

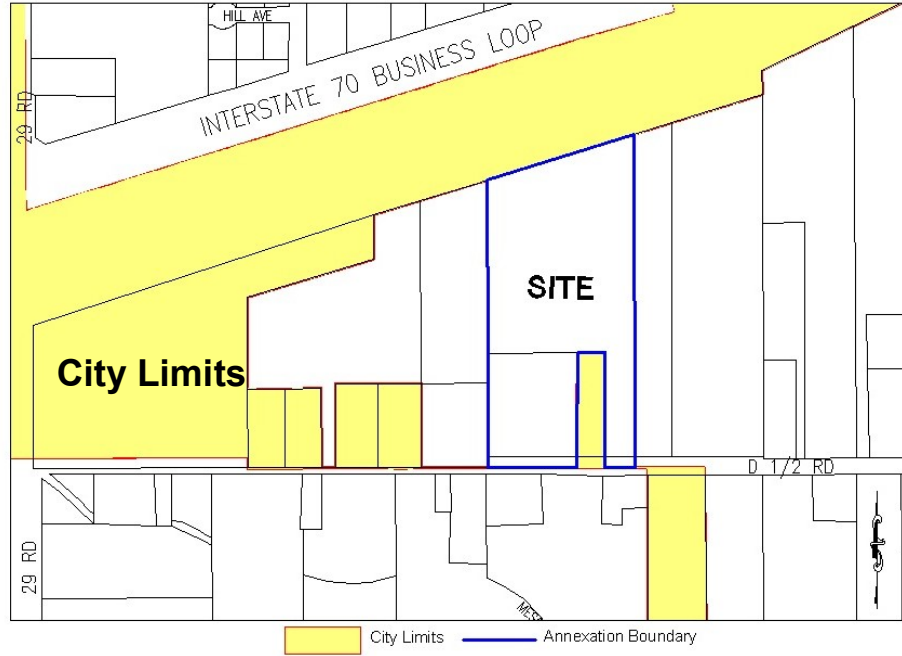
BEAGLEY II ANNEXATION SUMMARY

File Number:	ANX-2005-099	
Location:	2932 and 2938 D ½ Road	
Tax ID Number:	2943-172-00-193; 2943-072-00-194	
Parcels:	2	
Estimated Population:	2	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	1	
Acres land annexed:	12.43	
Developable Acres Remaining:	12 acres +/-	
Right-of-way in Annexation:	13,113 sq ft of the D ½ Road right-of-way	
Previous County Zoning:	RSF-R / I-2	
Proposed City Zoning:	RMF-8	
Current Land Use:	Residential / Agricultural	
Future Land Use:	Residential	
Values:	Assessed:	= \$9,570
	Actual:	= \$111,130
Address Ranges:	2932, 2934, 2938 D ½ Road	
Special Districts:	Water:	Ute Water
	Sewer:	Central Grand Valley Sanitation Dist
	Fire:	Grand Junction Rural Dist
	Irrigation/ Drainage:	Grand Valley Irrigation / Grand Jct Drainage Dist
	School:	Mesa Co School Dist #51
	Pest:	Upper Grand Valley Pest

Site Location Map

Figure 1

Beagley II Annexation
Figure 5



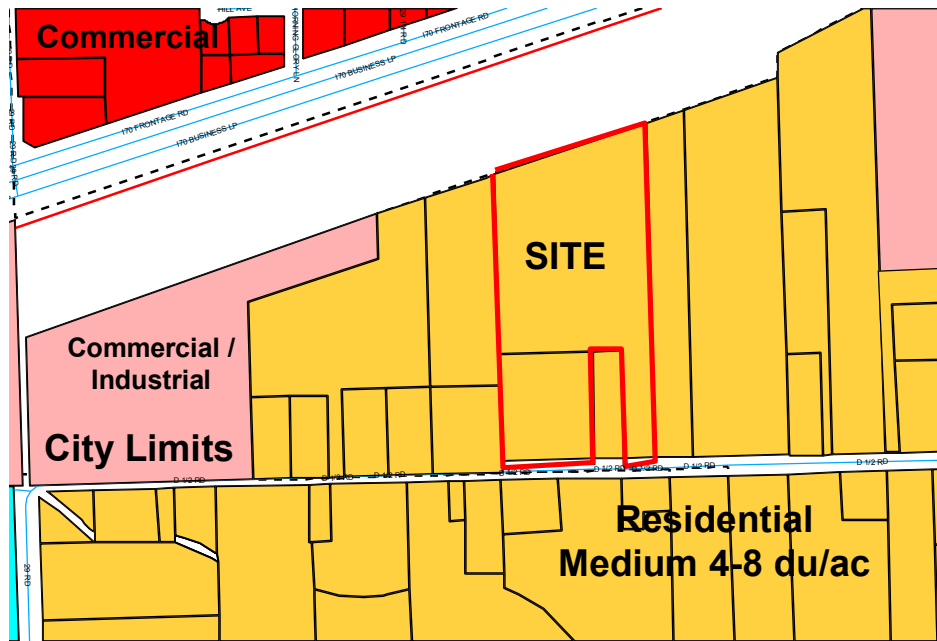
Aerial Photo Map

Figure 2



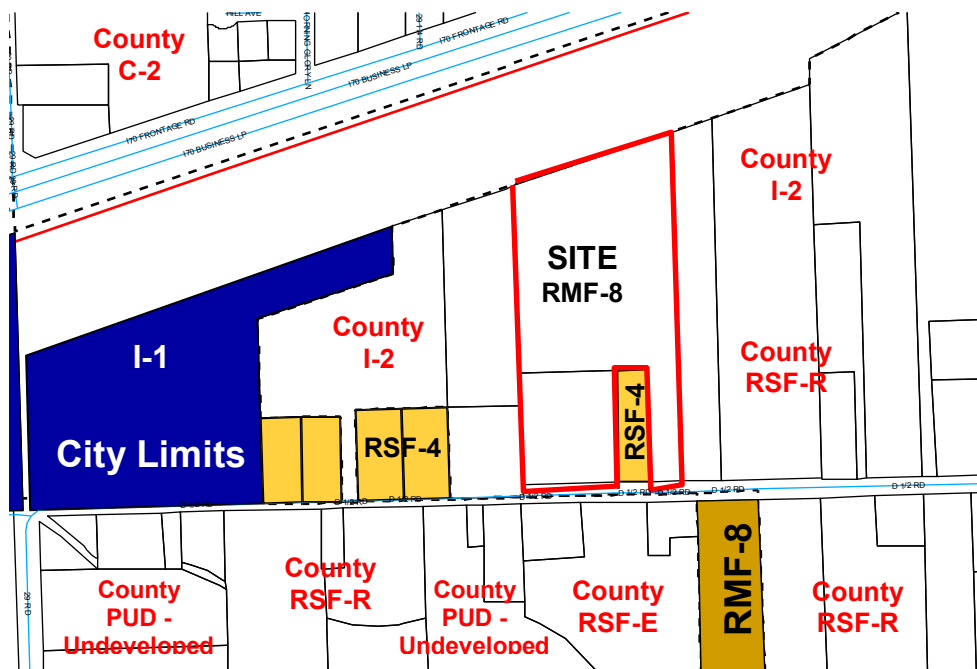
Future Land Use Map

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 18th of May, 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**

BEAGLEY II ANNEXATION

LOCATED at 2932 and 2938 D ½ Road including a portion of the D ½ Road right-of-way.

WHEREAS, on the 18th day of May, 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:

BEAGLEY II ANNEXATION

A parcel of land located in the Southeast Quarter of the Northwest Quarter (SE1/4 NW 1/4) of Section 17, Township 1South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado being more particularly described as follows:

Commencing at the SW corner of the SE 1/4 NW 1/4 of said Section 17, and assuming the South line of the SE 1/4 NW 1/4 of said Section 17 to bear S89°59'32"E with all bearings contained herein relative thereto; thence S89°59'32"E along the South line of the SE 1/4 NW 1/4 of said Section 17 a distance of 330.36 feet to the Point of Beginning; thence N00°00'28"E a distance of 1012.95 feet to the South line of Southern Pacific Railroad Annexation No. 1, Ordinance No. 3158, City of Grand Junction; thence N73°02'58"E along the South line of said Southern Pacific Railroad Annexation No. 1 a distance of 552.61 feet; thence S00°00'28"W a distance of 1174.13 feet to the South line of the SE 1/4 NW 1/4 of said Section 17, thence N89°59'32"W along the South line of the SE 1/4 NW 1/4 of said Section 17 a distance of 106.72 feet to the Southeast corner of Holley Annexation No. 1, Ordinance No. 3638, City of Grand Junction; thence N00°00'28"E along the East line of said Holley Annexation No. 1 and Holley Annexation No. 2, Ordinance No. 3639, City of Grand Junction, a distance of 400.00 feet to the Northeast corner of said Holley Annexation No. 2; thence N89°59'32"W along the North line of said Holley Annexation No. 2 a distance of 91.50 feet to the Northwest corner of said Holley Annexation No. 2; thence S00°00'28"W along the West line of said Holley Annexation No. 1 and 2 a distance of 400.00 feet to the South line of the SE 1/4 NW 1/4 of said Section 17; thence N89°59'32"W along the

South line of the SE 1/4 NW 1/4 of said Section 17 a distance of 330.37 feet to the Point of Beginning.

Said parcel contains 12.43 acres (541,425 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 6th day of July, 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 18th day of May, 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>
May 20, 2005
May 27, 2005
June 3, 2005
June 10, 2005

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

BEAGLEY II ANNEXATION

APPROXIMATELY 12.43 ACRES

**LOCATED AT 2932 AND 2938 D ½ ROAD INCLUDING A PORTION OF THE D ½
ROAD RIGHT-OF-WAY**

WHEREAS, on the 18th day of May, 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 6th day of July, 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:

BEAGLEY II ANNEXATION

A parcel of land located in the Southeast Quarter of the Northwest Quarter (SE1/4 NW 1/4) of Section 17, Township 1South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado being more particularly described as follows:

Commencing at the SW corner of the SE 1/4 NW 1/4 of said Section 17, and assuming the South line of the SE 1/4 NW 1/4 of said Section 17 to bear S89°59'32"E with all bearings contained herein relative thereto; thence S89°59'32"E along the South line of the SE 1/4 NW 1/4 of said Section 17 a distance of 330.36 feet to the Point of Beginning; thence N00°00'28"E a distance of 1012.95 feet to the South line of

Southern Pacific Railroad Annexation No. 1, Ordinance No. 3158, City of Grand Junction; thence N73°02'58"E along the South line of said Southern Pacific Railroad Annexation No. 1 a distance of 552.61 feet; thence S00°00'28"W a distance of 1174.13 feet to the South line of the SE 1/4 NW 1/4 of said Section 17, thence N89°59'32"W along the South line of the SE 1/4 NW 1/4 of said Section 17 a distance of 106.72 feet to the Southeast corner of Holley Annexation No. 1, Ordinance No. 3638, City of Grand Junction; thence N00°00'28"E along the East line of said Holley Annexation No. 1 and Holley Annexation No. 2, Ordinance No. 3639, City of Grand Junction, a distance of 400.00 feet to the Northeast corner of said Holley Annexation No. 2; thence N89°59'32"W along the North line of said Holley Annexation No. 2 a distance of 91.50 feet to the Northwest corner of said Holley Annexation No. 2; thence S00°00'28"W along the West line of said Holley Annexation No. 1 and 2 a distance of 400.00 feet to the South line of the SE 1/4 NW 1/4 of said Section 17; thence N89°59'32"W along the South line of the SE 1/4 NW 1/4 of said Section 17 a distance of 330.37 feet to the Point of Beginning.

Said parcel contains 12.43 acres (541,425 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 18th day of May, 2005 and ordered published.

ADOPTED on second reading this 6th day of July, 2005.

Attest:

President of the Council

City Clerk

Attach 5

Setting a Hearing for the Beanery Annexation Located at 556 29 Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Setting a hearing for the Beanery Annexation located at 556 29 Road						
Meeting Date	May 18, 2005						
Date Prepared	May 12, 2005				File #ANX-2005-078		
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 1.65 acre Beanery Annexation consists of 1 parcel.

Budget: N/A

Action Requested/Recommendation: Approval of the Resolution of Referral, accepting the Beanery Annexation petition and introduce the proposed Beanery Annexation Ordinance, exercise land use jurisdiction immediately and set a hearing for July 6, 2005.

Background Information: See attached Staff Report/Background Information

Attachments:

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

STAFF REPORT / BACKGROUND INFORMATION			
Location:		556 29 Road	
Applicants: < Prop owner, developer, representative>		Owner: The Beanery Company Inc – Richard Moffit Representative: John & Stephanie Morris	
Existing Land Use:		Vacant	
Proposed Land Use:		7-plex	
Surrounding Land Use:	North	Apartments	
	South	Apartments	
	East	Apartments / Vacant	
	West	Apartments	
Existing Zoning:		County RMF-8	
Proposed Zoning:		City RMF-8	
Surrounding Zoning:	North	County RSF-4 / RMF-8	
	South	County RMF-8	
	East	City RMF-8	
	West	County RMF-8	
Growth Plan Designation:		Residential Medium 4-8 du/ac	
Zoning within density range?		X	Yes
			No

Staff Analysis:

ANNEXATION:

This annexation area consists of 1.65 acres of land and is comprised of 1 parcel. The property owners have requested annexation into the City as the result of wanting to construct a multi-family project on the property. Under the 1998 Persigo Agreement all residential development requires 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 Beanery 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><i>ANNEXATION SCHEDULE</i></u>	
May 18, 2005	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
May 24, 2005	Planning Commission considers Zone of Annexation
June 15, 2005	Introduction Of A Proposed Ordinance on Zoning by City Council
July 6, 2005	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
August 7, 2005	Effective date of Annexation and Zoning

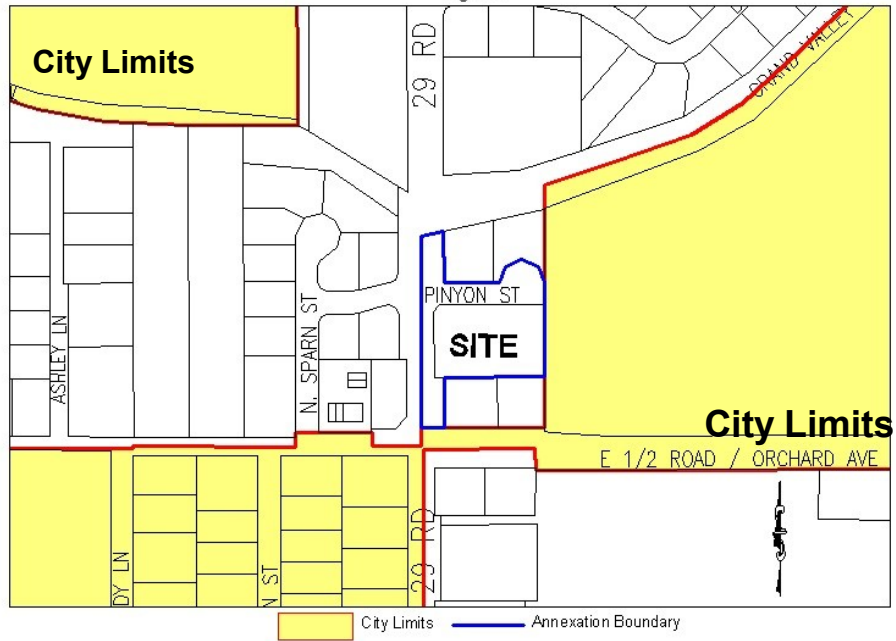
BEANERY ANNEXATION SUMMARY

File Number:		ANX-2005-078
Location:		556 29 Road
Tax ID Number:		2943-082-00-032
Parcels:		1
Estimated Population:		0
# of Parcels (owner occupied):		0
# of Dwelling Units:		0
Acres land annexed:		1.65
Developable Acres Remaining:		0.89 acres
Right-of-way in Annexation:		38,718 sq ft of 29 Road right-of-way
Previous County Zoning:		RMF-8
Proposed City Zoning:		RMF-8
Current Land Use:		Vacant
Future Land Use:		7-plex
Values:	Assessed:	= \$8,120
	Actual:	= \$28,000
Address Ranges:		556 29 Road
Special Districts:	Water:	Ute Water
	Sewer:	Central Grand Valley Sanitation
	Fire:	Grand Junction Rural
	Irrigation/Drainage:	Grand Valley Irrigation / Grand Jct Drainage
	School:	Mesa Co School District #51
	Pest:	N/A

Site Location Map

Figure 1

Beanery Annexation
Figure 5



Aerial Photo Map

Figure 2



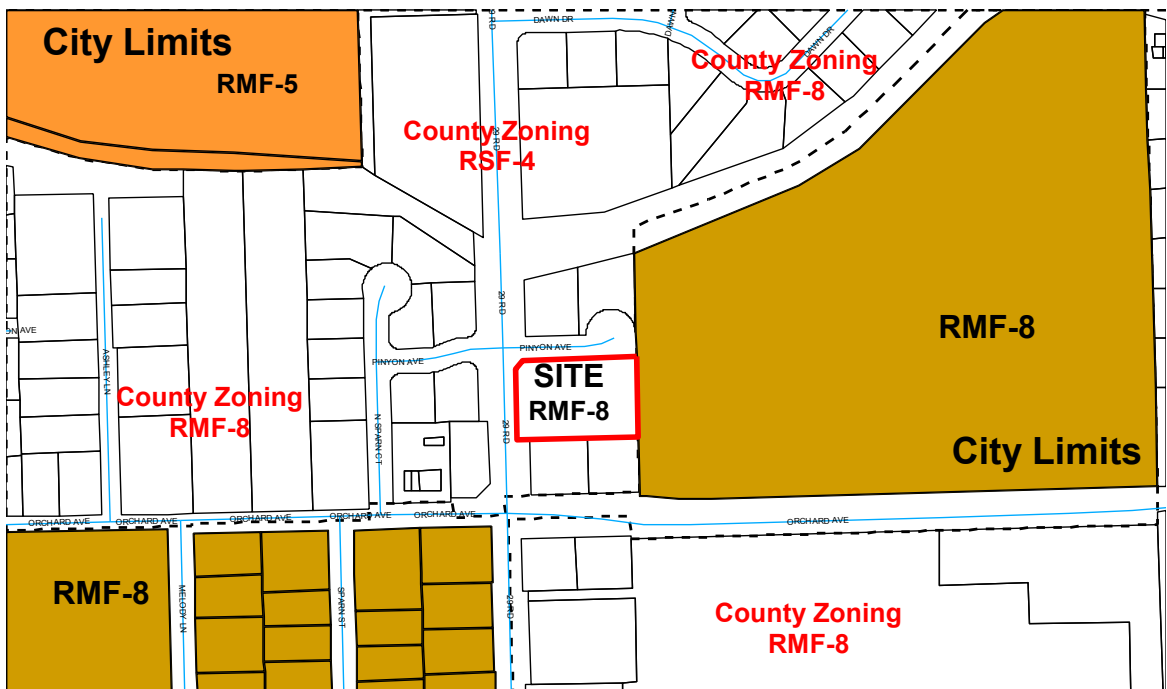
Future Land Use Map

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 18th of May, 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**

BEANERY ANNEXATION

**LOCATED at 556 29 Road and INCLUDING A PORTION OF THE 29 ROAD
RIGHT-OF-WAY**

WHEREAS, on the 18th day of May, 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:

BEANERY ANNEXATION

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

Commencing at the Southwest corner of the SW 1/4 NW 1/4 of said Section 8, and assuming the West line of the SW 1/4 NW 1/4 of said Section 8 bears N00°04'18"W with all bearings contained herein relative thereto; thence N00°04'18"W along the West line of the SW 1/4 NW 1/4 of said Section 8 a distance of 50.0 feet to the Point of Beginning; thence N00°04'18"W continuing along the West line of the SW 1/4 NW 1/4 of said Section 8 a distance of 423.52 feet; thence N77°47'42"E a distance of 51.14 feet to the East right of way of 29 Road also being the Northwest corner of Lot 1, Woods Subdivision as recorded in Plat Book 12, Page 96, Mesa County, Colorado records; thence S00°04'18"E along the West line of said Lot 1 a distance of 114.27 feet to the Southwest corner of Lot 1 of said Woods Subdivision also the North right of way of Pinyon Street; thence N89°55'42"E along the South line of lots 1 and 2 of said Woods Subdivision a distance of 122.00 feet; thence 157.08 feet along the arc of a 50.00 foot radius curve, concave South, through a central angle of 180°00'00", whose long chord bears N89°55'42"E a distance of 100.00 feet to the West line of Arbors Annexation, Ordinance No. 3700, City of Grand Junction; thence S00°04'18"E along the West line of said Arbors Annexation a distance of 209.99 feet to the Northeast corner of Lot 2, Ditto Addition as recorded in Plat Book 11, Page 350 of the Mesa County Colorado records; thence S89°55'38"W along the North line of Lots 1 and 2 of said Ditto Addition a distance of 222.00 feet to the Northwest corner of Lot 1 of said Ditto

Addition, also being the East right of way of 29 Road; thence S00°04'18"E along the West line of Lot 1 of said Ditto Addition a distance of 110.00 feet to the Southwest corner of Lot 1 of said Ditto Addition; thence S89°55'38"W along a line 50.00 feet North of and parallel with, the South line of the SW 1/4 NW 1/4 of said Section 8 a distance of 50.00 feet, more or less, to the Point of Beginning.

Said parcel contains 1.65 acres (71,990 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 6th day of July, 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 18th day of May, 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>
May 20, 2005
May 27, 2005
June 3, 2005
June 10, 2005

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

BEANERY ANNEXATION

APPROXIMATELY 1.65 ACRES

LOCATED AT 556 29 ROAD and including a portion of the 29 Road right-of-way

WHEREAS, on the 18th day of May, 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 6th day of July, 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:

BEANERY ANNEXATION

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

Commencing at the Southwest corner of the SW 1/4 NW 1/4 of said Section 8, and assuming the West line of the SW 1/4 NW 1/4 of said Section 8 bears N00°04'18"W with all bearings contained herein relative thereto; thence N00°04'18"W along the West line of the SW 1/4 NW 1/4 of said Section 8 a distance of 50.0 feet to the Point of Beginning; thence N00°04'18"W continuing along the West line of the SW 1/4 NW 1/4 of said Section 8 a distance of 423.52 feet; thence N77°47'42"E a distance of 51.14

feet to the East right of way of 29 Road also being the Northwest corner of Lot 1, Woods Subdivision as recorded in Plat Book 12, Page 96, Mesa County, Colorado records; thence S00°04'18"E along the West line of said Lot 1 a distance of 114.27 feet to the Southwest corner of Lot 1 of said Woods Subdivision also the North right of way of Pinyon Street; thence N89°55'42"E along the South line of lots 1 and 2 of said Woods Subdivision a distance of 122.00 feet; thence 157.08 feet along the arc of a 50.00 foot radius curve, concave South, through a central angle of 180°00'00", whose long chord bears N89°55'42"E a distance of 100.00 feet to the West line of Arbors Annexation, Ordinance No. 3700, City of Grand Junction; thence S00°04'18"E along the West line of said Arbors Annexation a distance of 209.99 feet to the Northeast corner of Lot 2, Ditto Addition as recorded in Plat Book 11, Page 350 of the Mesa County Colorado records; thence S89°55'38"W along the North line of Lots 1 and 2 of said Ditto Addition a distance of 222.00 feet to the Northwest corner of Lot 1 of said Ditto Addition, also being the East right of way of 29 Road; thence S00°04'18"E along the West line of Lot 1 of said Ditto Addition a distance of 110.00 feet to the Southwest corner of Lot 1 of said Ditto Addition; thence S89°55'38"W along a line 50.00 feet North of and parallel with, the South line of the SW 1/4 NW 1/4 of said Section 8 a distance of 50.00 feet, more or less, to the Point of Beginning.

Said parcel contains 1.65 acres (71,990 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 18th day of May, 2005 and ordered published.

ADOPTED on second reading this 6th day of July, 2005.

Attest:

President of the Council

City Clerk

Attach 6

Setting a Hearing for the Bookcliff Middle School Annexations Located at 2935 Orchard Avenue

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Setting a hearing for the Bookcliff Middle School Annexations located at 2935 Orchard Avenue						
Meeting Date	May 18, 2005						
Date Prepared	May 12, 2005				File #ANX-2005-101		
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 ordinances. The 20.6 acre Bookcliff Middle School Annexations consist of 1 parcel, includes a portion of the Orchard Avenue right-of-way, and is a 3 part serial annexation.

Budget: N/A

Action Requested/Recommendation: Approval of the Resolution of Referral, accepting the Bookcliff Middle School Annexations petition and introduce the proposed Bookcliff Middle School Annexations Ordinances, exercise land use jurisdiction immediately and set a hearing for July 6, 2005.

Background Information: See attached Staff Report/Background Information

Attachments:

1. Staff report/Background information
2. Annexation / Location Map; Aerial Photo
3. Growth Plan Map; Zoning Map
4. Resolution Referring Petition
5. Annexation Ordinance

STAFF REPORT / BACKGROUND INFORMATION

Location:		2935 Orchard Avenue		
Applicants:		Owner: Mesa Co School District #51 Representative: Blythe Design – John Potter		
Existing Land Use:		Middle School		
Proposed Land Use:		Middle School		
Surrounding Land Use:	North	Single Family Residential		
	South	Single Family Residential		
	East	Single Family and Multi-Family Residential		
	West	Single Family and Multi-Family Residential		
Existing Zoning:		County RMF-8		
Proposed Zoning:		City CSR		
Surrounding Zoning:	North	City and County RMF-8		
	South	County RMF-8		
	East	County RMF-8		
	West	County RMF-8		
Growth Plan Designation:		Public		
Zoning within Future Land Use Designation?		X	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 20.6 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 construct a new middle school in the County. Under the 1998 Persigo Agreement all new non-residential construction requires 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 Bookcliff Middle School Annexations are 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>	
May 18, 2005	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
May 24, 2005	Planning Commission considers Zone of Annexation
June 15, 2005	Introduction Of A Proposed Ordinance on Zoning by City Council
July 6, 2005	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
August 7, 2005	Effective date of Annexation and Zoning

BOOKCLIFF MIDDLE SCHOOL ANNEXATION SUMMARY

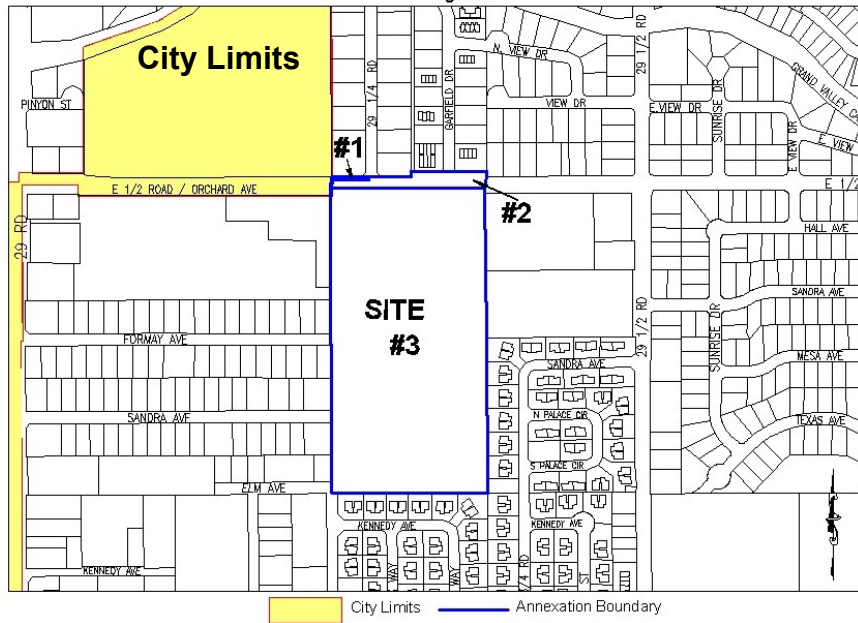
File Number:	ANX-2005-101	
Location:	2935 Orchard Avenue	
Tax ID Number:	2943-083-00-942	
Parcels:	1	
Estimated Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	20.6 acres	
Developable Acres Remaining:	N/A	
Right-of-way in Annexation:	0.71 acres	
Previous County Zoning:	RMF-8	
Proposed City Zoning:	CSR	
Current Land Use:	Middle School	
Future Land Use:	Middle School	
Values:	Assessed:	= \$731,960
	Actual:	= \$2,524,000
Address Ranges:	2935 Orchard Avenue	
Special Districts:	Water:	Ute Water
	Sewer:	Fruitvale Sanitation
	Fire:	Grand Junction Rural
	Irrigation/ Drainage:	Grand Valley Irrigation / Grand Jct Drainage District
	School:	Mesa County School District #51
	Pest:	None

Site Location Map

Figure 1

Bookcliff Middle School Annexations No. 1-3

Figure 5



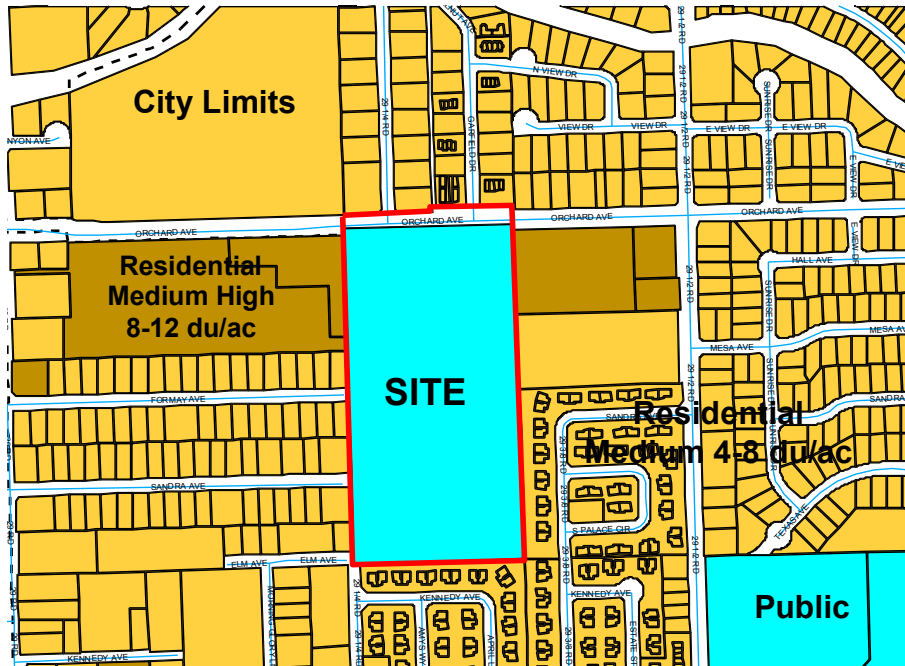
Aerial Photo Map

Figure 2



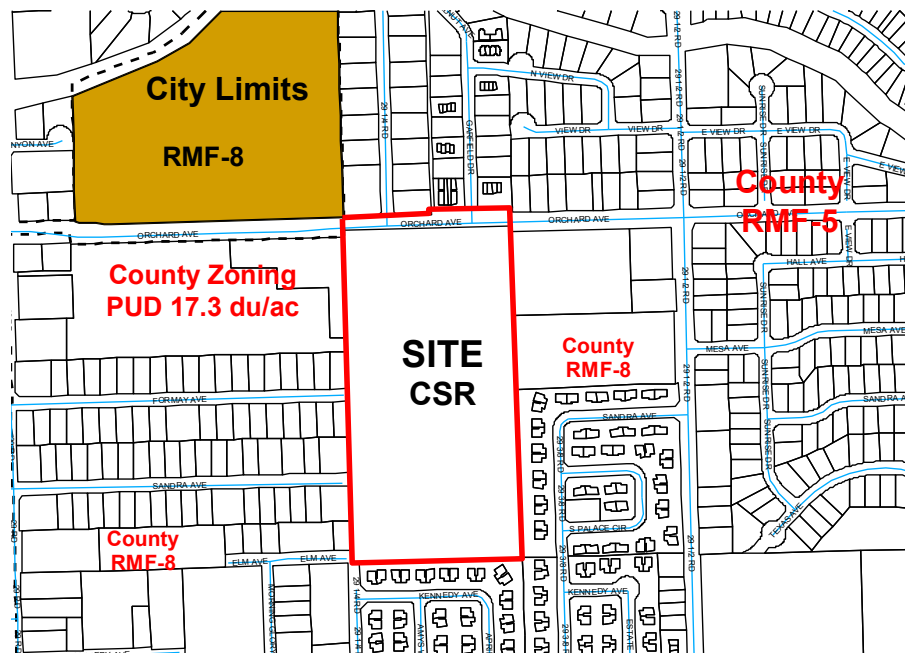
Future Land Use Map

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 18th of May, 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**

BOOKCLIFF MIDDLE SCHOOL ANNEXATIONS #1, 2, and 3

LOCATED at 2935 Orchard Avenue and including a portion of the Orchard Avenue right-of-way.

WHEREAS, on the 18th day of May, 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:

BOOKCLIFF MIDDLE SCHOOL ANNEXATION NO. 1

A parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) and the Southeast Quarter of the Northwest (SE 1/4 NW 1/4) of Section 8, 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 Northwest corner of the NE 1/4 SW 1/4 of said Section 8 and assuming the North line of the NE 1/4 SW 1/4 of said Section 8 bears N 89°55'11" E with all other bearings contained herein relative thereto; thence from said POINT OF BEGINNING, along the West line the SE 1/4 NW 1/4 of said Section 8 also being the East line of Arbors Annexation, Ordinance No. 3700, City of Grand Junction, N00°03'33"W a distance of 30.00 feet to the Southwest corner Myrtle Subdivision, as recorded in Plat Book 8, page 86, public records of Mesa County Colorado, also being the North Right of Way of Orchard Avenue; thence along said North Right of Way of Orchard Avenue N89°55'11"E a distance of 159.59 feet; thence S00°00'00"E a distance of 10.00 feet; thence S89°55'11"W along a line being 20.00 foot North of and parallel with, the North line of the NE 1/4 SW 1/4 of said Section 8 a distance of 154.50'; thence S00°00'00"E a distance of 70.00 feet; thence S89°55'59"W a distance of 5.00 feet to the West line of the NE 1/4 SW 1/4 of said Section 8 also being the Southeast corner of said Arbors Annexation; thence along said West line of the NE 1/4 SW 1/4 of said Section 8 N00°04'01"W a distance of 50.00 feet to the POINT OF BEGINNING. Said parcel contains 1949 square feet, more or less, as described.

BOOKCLIFF MIDDLE SCHOOL ANNEXATION NO. 2

A parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) and the Southeast Quarter of the Northwest (SE 1/4 NW 1/4) of Section 8, 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 Southwest corner of Bookcliff Terrace Subdivision as recorded in Plat Book 12, Page 14, public records of Mesa County, Colorado and assuming the North line of the NE 1/4 SW 1/4 of said Section 8 bears N 89°55'11" E with all bearings contained herein relative thereto; thence from said POINT OF BEGINNING, N 89°55'11" E along the South line of said Bookcliff Terrace Subdivision a distance of 307.25 feet to the Southeast corner of said Bookcliff Terrace Subdivision; thence S00°03'57"E a distance of 20.00 feet to the Southwest Corner of Park Estates Subdivision as recorded in Plat Book 11, Page 29, public records of Mesa County, Colorado; thence along the South line of said Park Estates Subdivision N 89°55'11" E a distance of 13.73 feet; thence S00°01'29"E a distance of 38.00 feet; thence S90°00'00"W a distance of 655.92 feet to the East line of Bookcliff Middle School Annexation No. 1, Ordinance No. ????, City of Grand Junction; thence along the East line of said Bookcliff Middle School Annexation, N00°00'00"E a distance of 27.16 feet to a line being 20.00 feet North of and parallel with the North line of the NE 1/4 SW 1/4 of said Section 8, also being the South line of said Bookcliff Middle School Annexation No. 1; thence along said South line N89°55'11"E a distance of 154.50 feet; thence N00°00'00"W a distance of 10.00 feet to the North Right of Way of Orchard Avenue; thence along the North Right of Way of said Orchard Avenue N89°55'11"E a distance 180.41 feet to the Southeast corner of Myrtle Subdivision as recorded in Plat Book 8, Page 86, public records of Mesa County, Colorado; thence along the East line of said Myrtle Subdivision N00°03'57"W a distance of 20.00 feet to the POINT OF BEGINNING. Said parcel contains 0.67 acres (29259 sq. ft.), more or less, as described.

BOOKCLIFF MIDDLE SCHOOL ANNEXATION NO. 3

A parcel of land located in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 8, 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 Southwest corner of the NE 1/4 SW 1/4 of said Section 8 and assuming the West line of the NE 1/4 SW 1/4 of said Section 8 bears N 00°04'03"W with all other bearings contained herein relative thereto; thence from said POINT OF BEGINNING, along the West line of the NE 1/4 SW 1/4 of said Section 8, N00°04'03"W a distance of 1269.36 feet to the Southwest corner of Bookcliff Middle School Annexation No. 1, Ordinance No. ????, City of Grand Junction; thence along the South line of said Bookcliff Middle School Annexation No. 1, N89°55'59"E a distance of 5.00 feet to the Southeast corner of said Bookcliff Middle School Annexation No.1; thence along the East line of said Bookcliff Middle School Annexation No.1, N00°00'00"E a distance of 42.85 feet to the Southwest corner of Bookcliff Middle School Annexation No. 2 Ordinance No. ????.; thence along the South line of said Bookcliff Middle School Annexation No. 2 N90°00'00"E a distance of 655.92 feet to the Southeast corner of said

Bookcliff Middle School Annexation No. 2; thence S00°01'29"E a distance of 1311.82 feet to the Southwest corner of Palace Estates Subdivision Filing No. Three, as recorded in Plat Book 17, Page 21, public records of Mesa County, Colorado, also being a point on the South line of the NE 1/4 SW 1/4 of said Section 8; thence along the South line of the NE 1/4 SW 1/4 of said Section 8, S89°57'59"W a distance of 659.99 feet to the POINT OF BEGINNING. Said parcel contains 19.89 acres (866,342 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 6th day of July, 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 18th day of May, 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>
May 20, 2005
May 27, 2005
June 3, 2005
June 10, 2005

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

BOOKCLIFF MIDDLE SCHOOL ANNEXATION #1

APPROXIMATELY 0.04 ACRES OF ORCHARD AVENUE RIGHT-OF-WAY

WHEREAS, on the 18th day of May, 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 6th day of July, 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:

BOOKCLIFF MIDDLE SCHOOL ANNEXATION NO. 1

A parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) and the Southeast Quarter of the Northwest (SE 1/4 NW 1/4) of Section 8, 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 Northwest corner of the NE 1/4 SW 1/4 of said Section 8 and assuming the North line of the NE 1/4 SW 1/4 of said Section 8 bears N 89°55'11" E with all other bearings contained herein relative thereto; thence from said POINT OF BEGINNING, along the West line the SE 1/4 NW 1/4 of said Section 8 also being the East line of Arbors Annexation, Ordinance No. 3700, City of Grand Junction, N00°03'33"W a distance of 30.00 feet to the Southwest corner Myrtle Subdivision, as recorded in Plat Book 8, page 86, public records of Mesa County Colorado, also being

the North Right of Way of Orchard Avenue; thence along said North Right of Way of Orchard Avenue N89°55'11"E a distance of 159.59 feet; thence S00°00'00"E a distance of 10.00 feet; thence S89°55'11"W along a line being 20.00 foot North of and parallel with, the North line of the NE 1/4 SW 1/4 of said Section 8 a distance of 154.50'; thence S00°00'00"E a distance of 70.00 feet; thence S89°55'59"W a distance of 5.00 feet to the West line of the NE 1/4 SW 1/4 of said Section 8 also being the Southeast corner of said Arbors Annexation; thence along said West line of the NE 1/4 SW 1/4 of said Section 8 N00°04'01"W a distance of 50.00 feet to the POINT OF BEGINNING.

Said parcel contains 1949 square feet, more or less, as described.

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

INTRODUCED on first reading on the 18th day of May, 2005 and ordered published.

ADOPTED on second reading this 6th day of July, 2005.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

BOOKCLIFF MIDDLE SCHOOL ANNEXATION #2

APPROXIMATELY .67 ACRES OF ORCHARD AVENUE RIGHT-OF-WAY

WHEREAS, on the 18th day of May, 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 6th day of July, 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:

BOOKCLIFF MIDDLE SCHOOL ANNEXATION NO. 2

A parcel of land lying in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) and the Southeast Quarter of the Northwest (SE 1/4 NW 1/4) of Section 8, 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 Southwest corner of Bookcliff Terrace Subdivision as recorded in Plat Book 12, Page 14, public records of Mesa County, Colorado and assuming the North line of the NE 1/4 SW 1/4 of said Section 8 bears N 89°55'11" E with all bearings contained herein relative thereto; thence from said POINT OF BEGINNING, N 89°55'11" E along the South line of said Bookcliff Terrace Subdivision a distance of 307.25 feet to the Southeast corner of said Bookcliff Terrace Subdivision; thence S00°03'57"E a distance of 20.00 feet to the Southwest Corner of Park Estates

Subdivision as recorded in Plat Book 11, Page 29, public records of Mesa County, Colorado; thence along the South line of said Park Estates Subdivision N 89°55'11" E a distance of 13.73 feet; thence S00°01'29"E a distance of 38.00 feet; thence S90°00'00"W a distance of 655.92 feet to the East line of Bookcliff Middle School Annexation No. 1, Ordinance No. ?????, City of Grand Junction; thence along the East line of said Bookcliff Middle School Annexation, N00°00'00"E a distance of 27.16 feet to a line being 20.00 feet North of and parallel with the North line of the NE 1/4 SW 1/4 of said Section 8, also being the South line of said Bookcliff Middle School Annexation No. 1; thence along said South line N89°55'11"E a distance of 154.50 feet; thence N00°00'00"W a distance of 10.00 feet to the North Right of Way of Orchard Avenue; thence along the North Right of Way of said Orchard Avenue N89°55'11"E a distance 180.41 feet to the Southeast corner of Myrtle Subdivision as recorded in Plat Book 8, Page 86, public records of Mesa County, Colorado; thence along the East line of said Myrtle Subdivision N00°03'57"W a distance of 20.00 feet to the POINT OF BEGINNING.

Said parcel contains 0.67 acres (29259 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 18th day of May, 2005 and ordered published.

ADOPTED on second reading this 6th day of July, 2005.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

BOOKCLIFF MIDDLE SCHOOL ANNEXATION #3

APPROXIMATELY 19.89 ACRES

LOCATED AT 2935 ORCHARD AVENUE

WHEREAS, on the 18th day of May, 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 6th day of July, 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:

BOOKCLIFF MIDDLE SCHOOL ANNEXATION NO. 3

A parcel of land located in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 8, 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 Southwest corner of the NE 1/4 SW 1/4 of said Section 8 and assuming the West line of the NE 1/4 SW 1/4 of said Section 8 bears N 00°04'03"W with all other bearings contained herein relative thereto; thence from said POINT OF BEGINNING, along the West line of the NE 1/4 SW 1/4 of said Section 8, N00°04'03"W a distance of 1269.36 feet to the Southwest corner of Bookcliff Middle School Annexation No. 1, Ordinance No. ????, City of Grand Junction; thence along the South

line of said Bookcliff Middle School Annexation No. 1, N89°55'59"E a distance of 5.00 feet to the Southeast corner of said Bookcliff Middle School Annexation No.1; thence along the East line of said Bookcliff Middle School Annexation No.1, N00°00'00"E a distance of 42.85 feet to the Southwest corner of Bookcliff Middle School Annexation No. 2 Ordinance No. ????; thence along the South line of said Bookcliff Middle School Annexation No. 2 N90°00'00"E a distance of 655.92 feet to the Southeast corner of said Bookcliff Middle School Annexation No. 2; thence S00°01'29"E a distance of 1311.82 feet to the Southwest corner of Palace Estates Subdivision Filing No. Three, as recorded in Plat Book 17, Page 21, public records of Mesa County, Colorado, also being a point on the South line of the NE 1/4 SW 1/4 of said Section 8; thence along the South line of the NE 1/4 SW 1/4 of said Section 8, S89°57'59"W a distance of 659.99 feet to the POINT OF BEGINNING.

Said parcel contains 19.89 acres (866,342 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 18th day of May, 2005 and ordered published.

ADOPTED on second reading this 6th day of July, 2005.

Attest:

President of the Council

City Clerk

Attach 7

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

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Zoning the Hutto Annexation, located at 676 Peony Drive.					
Meeting Date		May 18, 2005					
Date Prepared		May 12, 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: Introduction of a proposed zoning ordinance to zone the Hutto Annexation RSF-2 located at 676 Peony Drive.

Budget: N/A

Action Requested/Recommendation: Introduce a proposed zoning ordinance and set a public hearing for June 1, 2005.

Background Information: See attached Staff Report/Background Information

Attachments:

- 17. Staff report/Background information
- 18. General Location Map / Aerial Photo
- 19. Growth Plan Map / Zoning Map
- 20. Zoning 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 – 1.7 du/ac			
Growth Plan Designation:		Residential Medium Low 2-4 du/ac			
Zoning within density range?		X	Yes		No

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the RSF-2 district is consistent with the Growth Plan density of Residential Medium Low 2-4 du/ac. 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 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:

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 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.

3. 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 zone district is compatible with the neighborhood and will not create any adverse impacts.

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 criterion 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 criterion is not applicable.

STAFF RECOMMENDATION

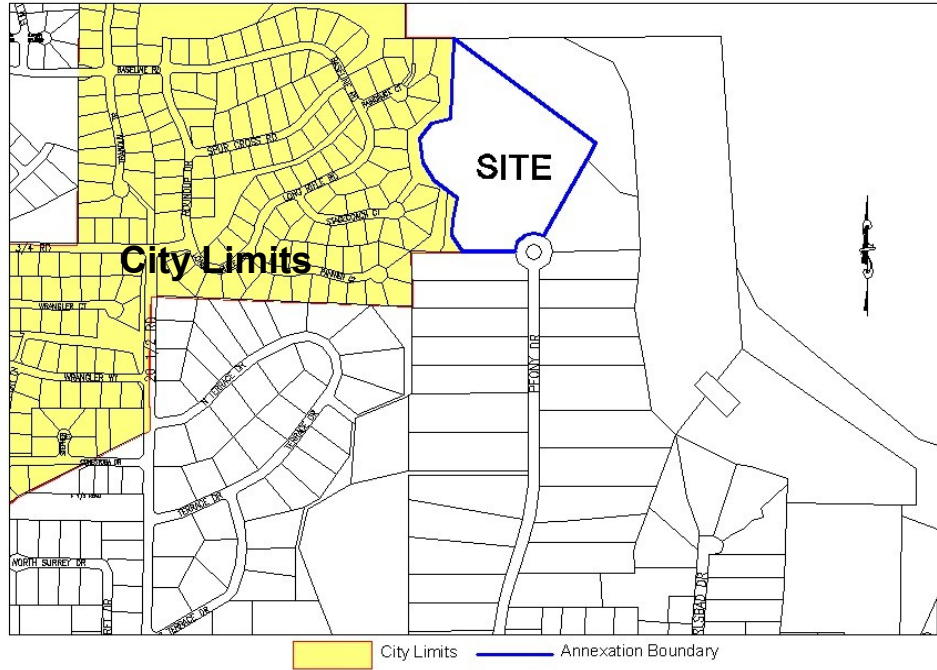
Staff recommends approval of the RSF-2 zone district, with the finding that the proposed zone district is consistent with the Growth Plan and with Sections 2.6 and 2.14 of the Zoning and Development Code.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the 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.

Site Location Map

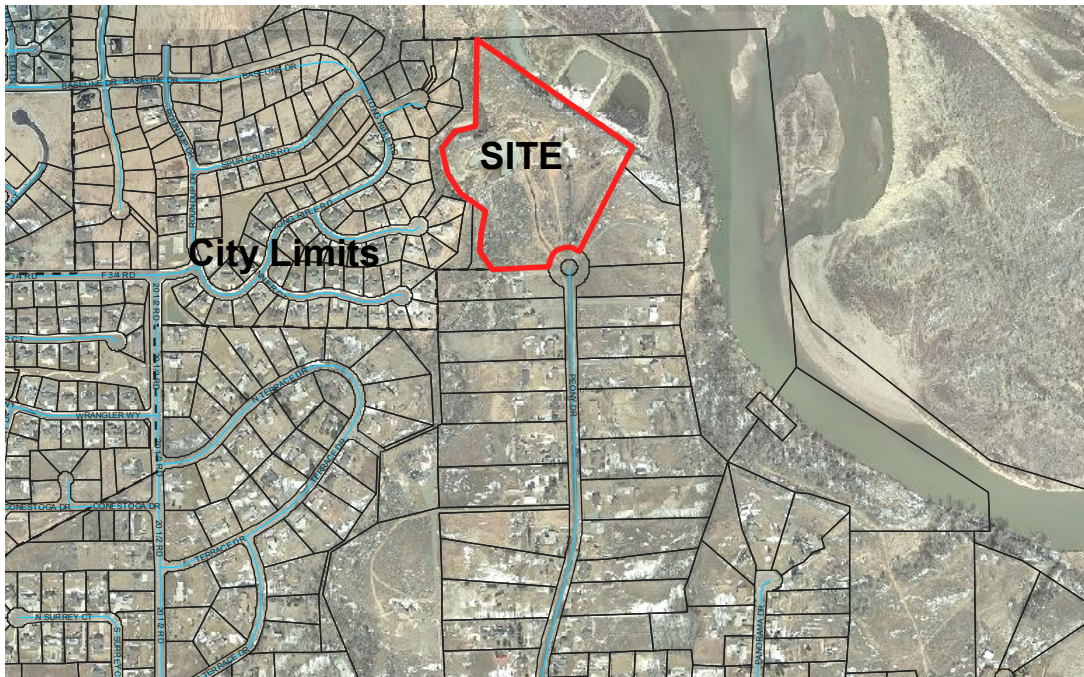
Figure 1

Hutto Annexation
Figure 5



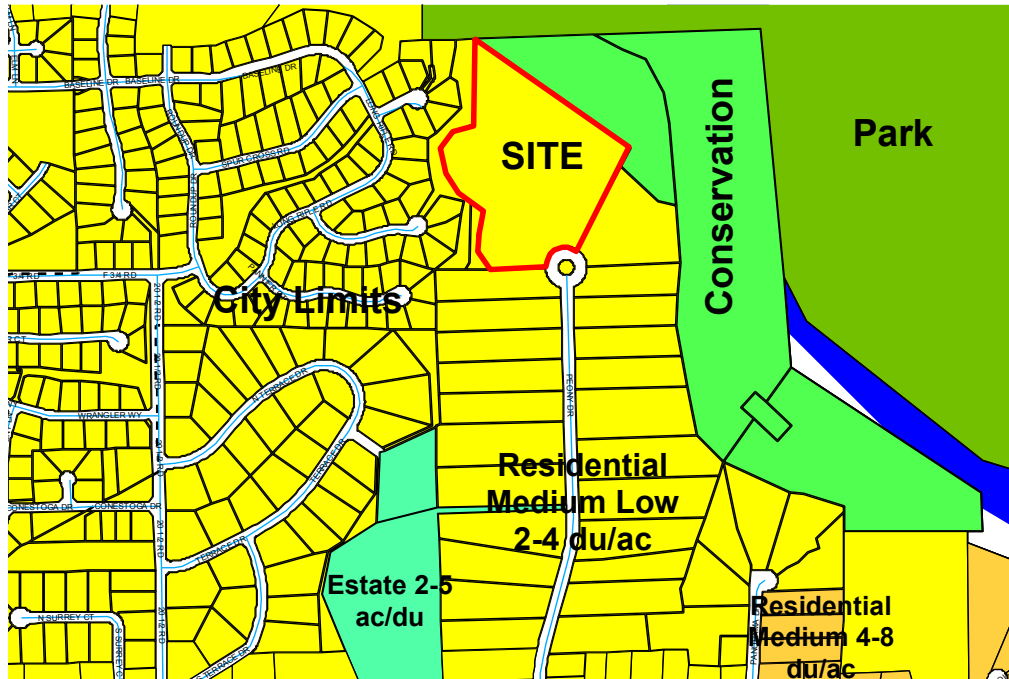
Aerial Photo Map

Figure 2



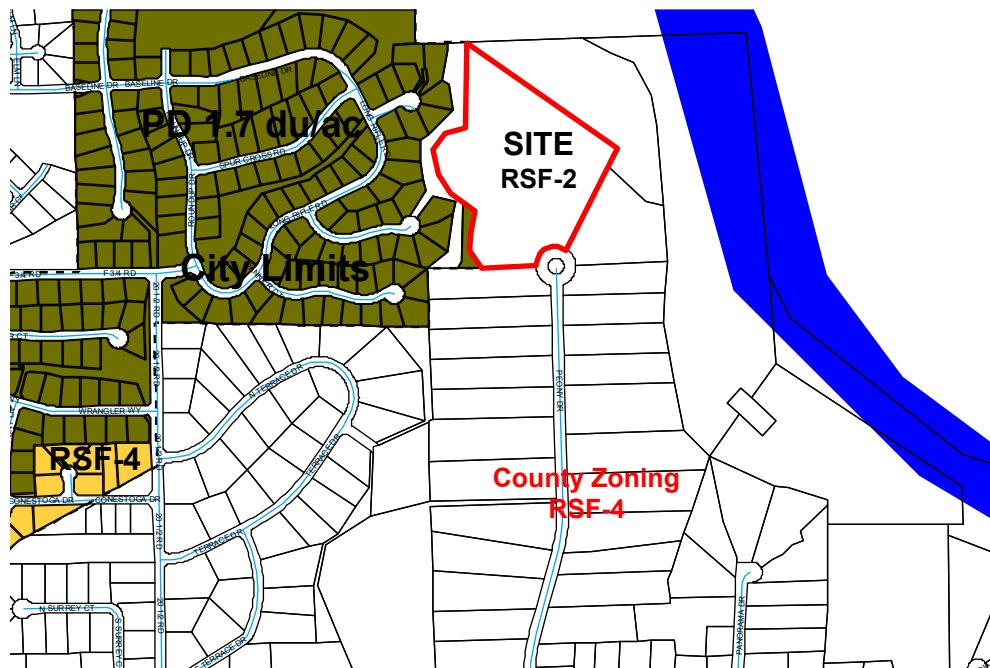
Future Land Use Map

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."

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE HUTTO ANNEXATION TO
RSF-2**

LOCATED AT 676 PEONY DR

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 Hutto 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.

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.

Introduced on first reading this 18th day of May, 2005 and ordered published.

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

Mayor

ATTEST:

City Clerk

Attach 8

Setting a Hearing for the Shadow Run at the Ridges Planned Development

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Shadow Run at the Ridges Planned Development					
Meeting Date		May 18, 2005					
Date Prepared		May 12, 2005			File #PP-2005-014		
Author		Lori V. Bowers		Senior Planner			
Presenter Name		Lori V. Bowers		Senior Planner			
Report results back to Council		X	No		Yes	When	
Citizen Presentation			Yes	X	No	Name	
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: The applicants propose to develop a multi-family community on a lot already approved for a maximum density of 7.5 dwelling units per acre. The plan consists of three, four-plex buildings and eleven duplex buildings, for a total of 34 dwelling units on 4.99 acres, resulting in a density of 6.8 units per acre. The request is also for approval of private streets within the subdivision, which requires City Council approval and will be considered at second reading.

Budget: N/A

Action Requested/Recommendation: Set the date to June 1, 2005 to hold a Public Hearing and consider final passage of the Planned Development Zoning Ordinance and approval of the request for private streets within the subdivision.

Background Information: See attached Staff Report/Background Information

Attachments:

21. Staff report/Background information
22. General Location Map
23. Aerial Photo
24. Growth Plan Map
25. Zoning Map
6. PD Ordinance

BACKGROUND INFORMATION					
Location:		Ridges Blvd. at Lakeridge Drive			
Applicants:		Dynamic Investments, Inc. - owner Harvest Holdings Group, LLP – developer PCS Group, LLC - representative			
Existing Land Use:		Vacant			
Proposed Land Use:		Multi-family development			
Surrounding Land Use:	North	Residential			
	South	Shadow Lake and residential			
	East	Residential			
	West	Open space and Ridges Blvd.			
Existing Zoning:		PD			
Proposed Zoning:		PD			
Surrounding Zoning:	North	PD			
	South	PD			
	East	PD			
	West	PD			
Growth Plan Designation:		Residential Medium Low (2-4 du/ac)			
Zoning within density range?		X	Yes		No

ANALYSIS:

1. **Background:** The 4.99 acre parcel is part of the Ridges Planned Development. The lot is zoned as a multi-family lot. The Ridges was originally approved as a PUD (Planned Unit Development) by Mesa County in the late 1970's. The developer formed the Ridges Metropolitan District to provide services to the development since it was in unincorporated Mesa County. The PUD also provided open space, a park and trails throughout the development. Uses such as residential and office, and a variety of residential densities were approved by the County. In 1992 the Ridges was annexed into the City of Grand Junction. Upon annexation an amended plan for the Ridges was adopted. The plan allocated the remaining densities to the undeveloped parcels, including the multi-family sites. The lots were then designated with "A", "B" or "C" or a multi-family designation.

2. Consistency with the Growth Plan: The Growth Plan map shows the Ridges as Residential Medium Low, 2 to 4 dwelling units per acre. The Ridges overall density of 4 units per acre is consistent with the Growth Plan since the density is calculated as a gross density for the entire development, not site specific development.

3. Section 2.12.C.2 of the Zoning and Development Code: Requests for a Planned Development Preliminary 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.

Shadow Run at the Ridges implements the goals and objectives of each of the various plans by designing a neighborhood in an area identified as multifamily development with a density to not exceed 7.1 dwelling units per acre. This meets the objectives of the Growth Plan and the existing Planned Development of the Ridges. The Grand Valley Circulation Plan does not address local streets. A private street is being proposed for this subdivision, which will need to be approved by the City Council per Section 6.7.E.5 of the Zoning and Development Code. The proposed roadway is designed with a 20 foot pavement width. The proposed access to Lakeridge Drive (that turns and becomes Mariposa) crosses City open space. Negotiations are underway to formalize this crossing.

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.

A rezone request to provide 6.8 dwelling units per acre versus the established maximum of 7.1 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 residential uses to the west where other multi-family units are already constructed. Single family units exist to the north and east.

- 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 development 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 discussions for conformance with the Redlands Area Plan.

- d. The proposed rezone to PD 6.8 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 to the Growth Plan and other City regulations and guidelines. It is in conformance with the existing PD for the Ridges.

- 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 the annexation of this area in 1992. The property has been designated as a multi-family lot since that time.

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

The proposed PD zone will benefit the community by providing more efficient infrastructure.

- 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, 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. The setback proposed between buildings is a minimum of 20 feet. This is greater than the RMF-8 zoning district. RMF-8 zoning requires a side setback of 5 feet. The Final Amended Ridges Plan allows for 10 feet between buildings.

RMF-8 zoning allows for a maximum height of 35 feet. The applicants propose a maximum height of 35 feet. The Ridges ACCO states that height will be measured from the highest natural grade line immediately adjoining the foundation or structure. Natural grade shall mean undisturbed ground level which may be determined by on site evidence. On site evidence is vegetation, ground level on adjacent land, elevation of adjacent streets and roads, soil types and locations, etc. Lots A, B and C have a maximum height of 25 feet. No height limit is provided in the Ridges plan for the multi-family sites. The only bulk standard is a maximum height relative to the tops of ridges or mesas. A multi-family building sited on top of a ridge or mesa cannot be over 28 feet in height while one sited below the rim cannot extend above the top of the ridge or mesa more than 20 feet. The Ridges ACCO has stated that it does not intend to approve any structure which exceeds 28 feet above the highest natural ground elevation at each unit.

There are several units that will back up to Ridges Boulevard. In a straight zone this would be considered a front yard setback and be required to be a minimum of 20 feet back from the edge of the property line. A major collector requires a 14-foot tract to be

provided on the property adjacent to the right-of-way. The applicants propose a tract that varies around the perimeter of the parcel. It is as narrow as 9.19 feet, (this would be 25 feet from the edge of the asphalt) from the edge of Ridges Boulevard to the building corner of unit numbers 1 and 30, to as wide as 40 feet in other areas.

The private drive proposed on the southeastern side of the irregular shaped parcel creates double frontage lots for those lots facing Plateau Drive. The Zoning and Development Code discourages double frontage lots. If we view the private drive as more of an alley way, then this situation is resolved as it is the back side of the buildings that will face the private drive. The private drive functions more as an alley way, than as a street.

2. Open space for this project equals 44% of the site. Building and decks will cover 28% of the site and the remaining 28% will be street, driveways and sidewalks. The developer is further required to pay into the City's Parks and Open Space fund for future acquisitions and improvements.

3. Fencing and screening is deviant of the Code for the northwestern boundary of the site. The Code requires that a 14-foot landscape buffer with perimeter fence be required if this were a straight zone, along Ridges Boulevard, (as discussed above under setbacks). Staff does not feel that would be necessary for this area since it is on a curve and the nature of the Ridges Boulevard is in a Planned Development.

4. Landscaping shall conform to applicable requirements. The entrance off East Lakeridge Drive has a landscaped median with entry bollards and entry sign. Signage shall comply with the Code requirements.

5. Parking is provided in excess of the Code requirements. Two parking spaces are required per unit, off street. Each unit will have a double car garage and can accommodate two additional off street vehicles per unit. An additional 16 guest parking spaces are available, as no parking is allowed on private street sections.

7. Street development standards were reviewed per TEDS. 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 units is provided by sidewalks. The Primary access from Lakeridge Drive Road will have a boulevard entrance. A secondary access is also proposed for Ridges Boulevard which will be right-in, right-out only. The internal roads are designed with a 20 foot pavement width. This is proposed to minimize pavement and runoff while increasing the amount of green space. It also results in fewer disturbances when grading the streets. The streets, landscaping and building exteriors will be maintained by the HOA. A trail connection has been proposed from the property that ties to a bus shelter off Plateau Drive to accommodate pedestrian traffic between both neighborhoods.

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 friendly neighborhood by providing sidewalks throughout the development and a changed paving pattern for pedestrian crossing to Lakeridge Drive.

2. Open space, agricultural land reservation or land dedication of 20% or greater;

The overall open space for this project totals 44% of the site.

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. The first phase of construction will begin with the most easterly proposed road and some sites that connect to Lakeridge Drive and Ridge Blvd. The internal road and home sites will then follow. The applicants hope to have models open by August of 2005.

6) The property is at least twenty (20) acres in size.

This parcel is almost 5 acres in size. The entire Ridges Planned Development is over 352 acres.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Shadow Run at the Ridges application, PP-2005-014 for a Planned Development, Preliminary Development Plan, staff recommends that the Planning Commission make the following findings of fact and conclusions:

1. The requested Planned Development, Preliminary Development Plan is consistent with the Growth Plan.
2. The applicable preliminary plat criteria in Section 2.8.B. of the Zoning and Development Code have been met.
3. The applicable site plan review criteria in Section 2.2.D.4 of the Zoning and Development Code.
4. The approved ODP, if applicable. This is in within the revised ODP for the Ridges.
5. The review criteria in Section 2.12.C.2 of the Zoning and Development Code have all been met.

PLANNING COMMISSION RECOMMENDATION:

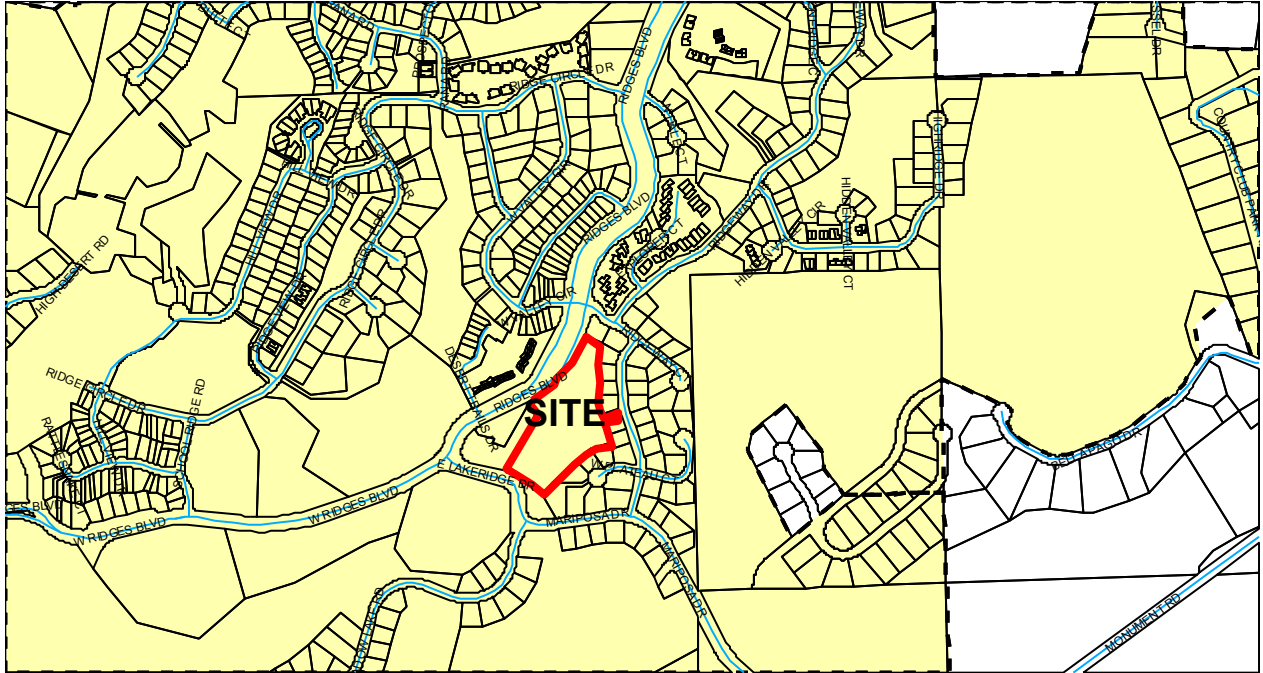
The Planning Commission forwards a recommendation of approval of the requested Planned Development, Preliminary Development Plan, file number PP-2005-014 to the City Council with the findings and conclusions listed above.

The Planning Commission further recommends to City Council approval of the requested private streets per Section 6.7.E.5. and condition this approval upon adequate acquisition of needed right-of-way through the City's open space area to Lakeridge Drive.

Site Location Map

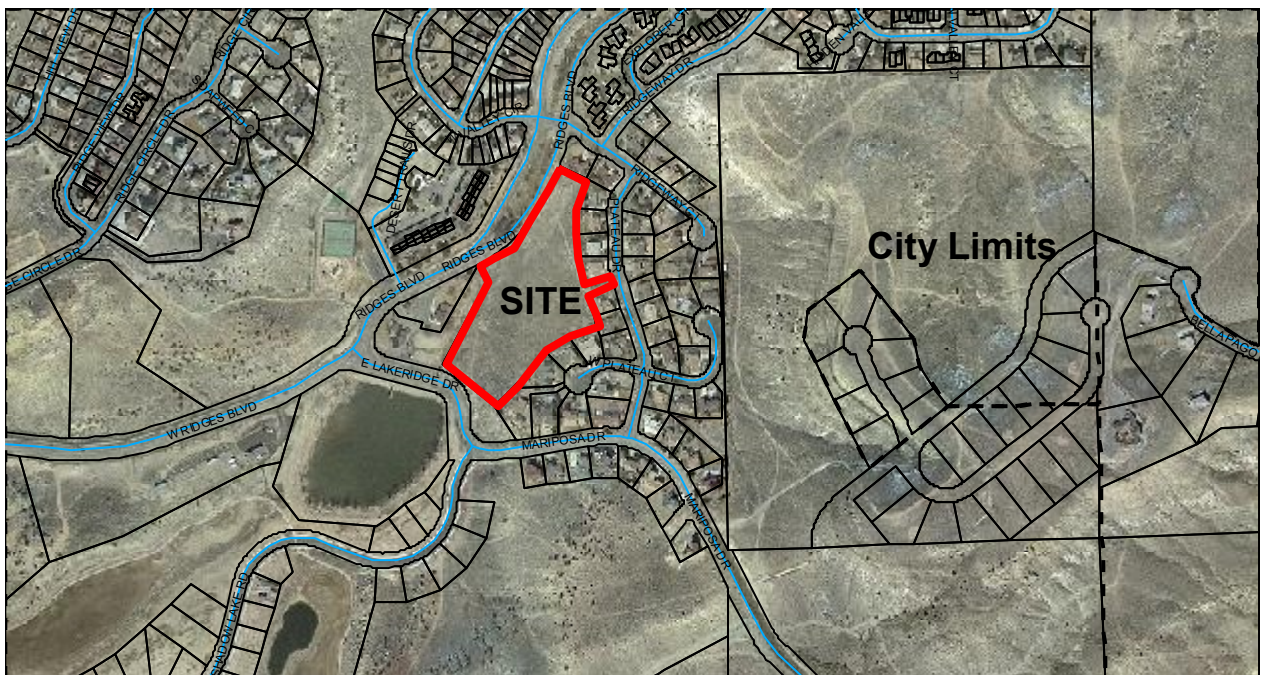
City Limits

Shadow Run at the Ridges



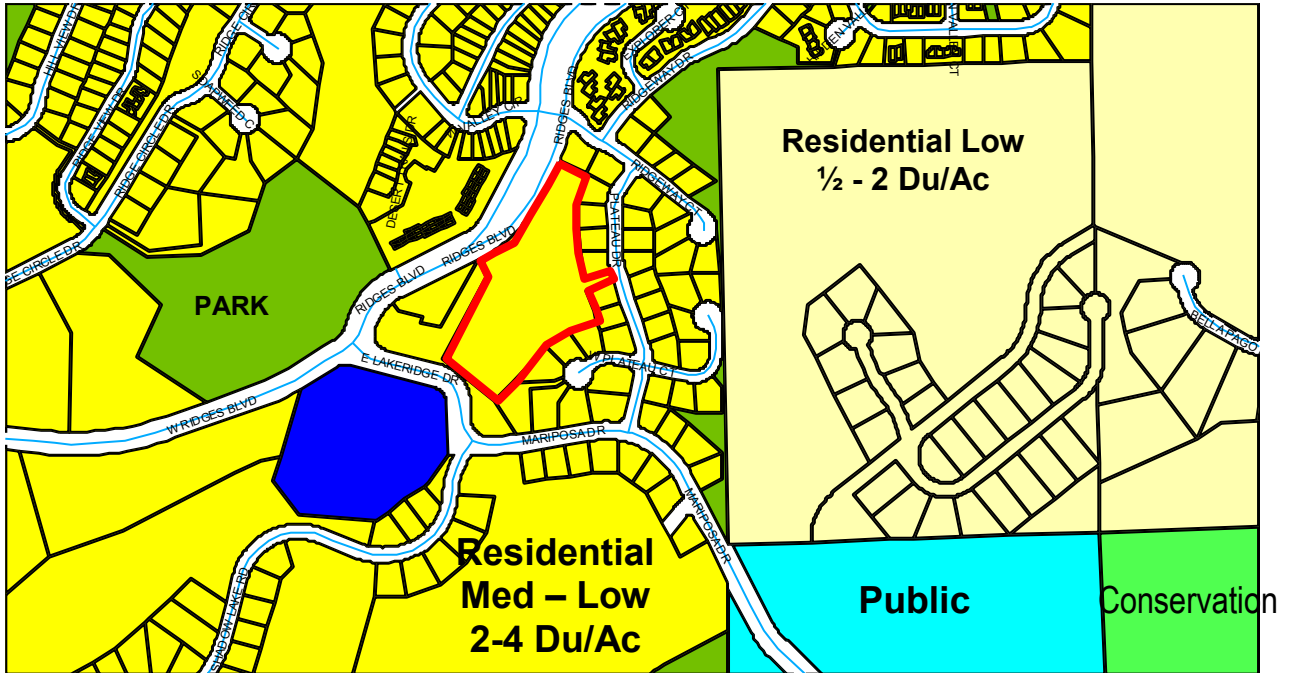
Aerial Photo Map

Shadow Run at the Ridges



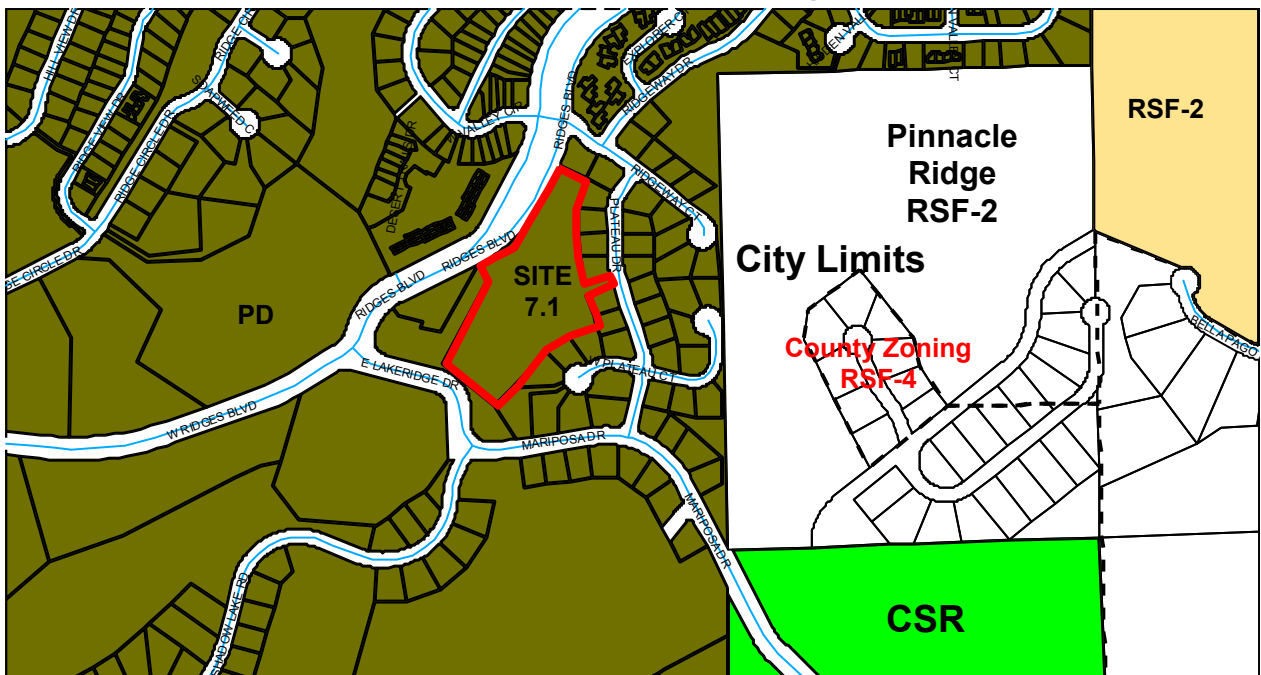
Future Land Use Map

Shadow Run at the Ridges



Existing City and County Zoning

Shadow Run at the Ridges



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 ZONING LOT 1, BLOCK 18, THE RIDGES SUBDIVISION, FILING NUMBER 3

Recitals.

A rezone from Planned Unit Development 7.5 units per acre (PUD 7.5) to Planned Development 6.8 units per acre (PD 6.8) has been requested for the property located on Lot 1, Block 18, The Ridges Subdivision, Filing Number 3, known as Shadow Run at The Ridges, for purposes of developing a residential project of mixed housing types on 4.99 acres, as follows: eleven (11) single family attached (duplex) and three (3) four-plex buildings, for a total of 34 dwelling units. The City Council finds that the request meets the goals and policies and future land use set forth by the Growth Plan (2 to 4 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 April 26, 2005 hearing, recommended approval of the rezone request from PUD -7.5 to PD 6.8 and approval of the Preliminary Planned Development (PD) for Shadow Run at The Ridges. They also recommended the use of private streets within this subdivision and further conditioned their recommendation upon the applicants acquiring the needed right-of-way across the City's open space area connecting to East Lakeridge Drive .

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 6.8 UNITS PER ACRE (PD 6.8):

Lot 1, Block 18, The Ridges Subdivision, Filing Number 3.

- 1) The uses allowed for this zone and property shall be eleven single family attached (duplexes) and three four-plexes.
- 2) The underlying zoning is RMF-8.
- 3) The development will contain at a minimum a pedestrian pathway system.
- 4) The ordinance further allows for private streets and sidewalks located on one side of the right-of-way. All street crossings to be marked for safe pedestrian crossing.
- 5) The ordinance allows for a deviation from the required subdivision perimeter fencing along Ridges Boulevard by providing a landscaping buffer along this section of the property.
- 6) Buffering and setbacks are as provided on the project's approved Preliminary Site Plan dated January 20, 2005 and stamped accepted March 16, 2005:

INTRODUCED on first reading on the 18th day of May, 2005 and ordered published.

PASSED on this _____ day of _____, 2005.

ATTEST:

City Clerk

President of Council

Attach 9

Sole Source Purchase of Flo Dar Meters

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Sole Source Purchase of Flo Dar Meters						
Meeting Date	May 18, 2005						
Date Prepared	May 11, 2005						
Author	Julie M. Hendricks			Buyer			
Presenter Name	Ronald Watkins Mark Relph			Purchasing Manager Public Works & Utilities Director			
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: This is for the sole source purchase of portable flow meter monitors to be used in sewage conduit flowing to the Persigo Waste Water Treatment Plant. The purchase is currently scheduled for replacement in 2005.

Budget: There are sufficient funds budgeted totaling \$174,700 for the replacement of the monitors. The total purchase price from Water Technology Group for the replacement of eight (8) Flo-Dar monitors is \$71,359.

Action Requested/Recommendation: Council approval for this sole source purchase. Authorize the City Purchasing Manager to purchase eight (8) Flo-Dar monitors from Water Technology Group in the amount of \$71,359.

Background Information: The following is being provided as the sole source justification for this purchase. The City of Grand Junction, Persigo WWTP, is required to monitor the peak flow capacity in all of the major sewer pipes.

- Flo-Dar is compatible with existing City-owned equipment.
- No other equipment is designed or functions similarly that meets the specialized needs of the department.
- Current meters require placement directly in the wastewater stream, they are subject to sensor fouling. Due to this fouling, weekly maintenance and data collection is required to ensure accurate monitoring data.
- The Flo-Dar unit is the only open channel flow-measuring device on the market at this time that does not require the placement of the sensors in the wastewater

stream. This device incorporates Digital Doppler radar velocity sensing technology with ultrasonic pulse echo level sensing. This technology allows the sensor unit to be mounted above the flow thus eliminating fouling of the sensors.

- The radio frequency option for these units will allow the data to be down loaded within 100 feet of the site. This option will reduce the amount of traffic control needed to access certain sites and reduce the man power currently required to retrieve this data.

Description	Cost	Units needed	Total cost
Flo-Dar	\$4,525.00	8	\$36,200.00
Data logger	\$2,595.00	8	\$20,760.00
Radio Frequency Unit with rf 232 cable	\$1,950.00	8	\$15,600.00
RF base station for laptop	\$500.00	1	\$500.00
Software	\$895.00	0	\$0.00
Permanent mounting hardware	\$495.00	8	\$3,960.00
Laptop interface cable	\$89.00	1	\$89.00
Laser alignment tool	\$110.00	1	\$110.00
Sensor retrieval pole	\$91.00	1	\$91.00
Sensor retrieval hook	\$49.00	1	\$49.00
Trade-in discount for old meters	-\$6000.00	1	-\$6,000.00
		Total Cost	\$71,359.00

Attach 10

Multifunction Biphasic Monitor Defibrillators and Accessories

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Multifunction Biphasic Monitor Defibrillators & Accessories					
Meeting Date	May 16, 2005					
Date Prepared	May 9, 2005				File #	
Author	Susan Hyatt			Senior Buyer		
Presenter Name	Rick Beaty			Fire Chief		
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 type="checkbox"/>	Formal Agenda	<input checked="" type="checkbox"/>	Consent	Individual Consideration

Summary: Approval to purchase five new Monitor Defibrillators and various accessories from Zoll Medical Corporation for the Fire Department EMS Division.

Budget: Funds are approved in the 2005 FY Budget. A FEMA Federal Grant of \$75,877 plus \$32,518 in the City's Specialty Equipment account provides a total amount of \$108,395.

Action Requested/Recommendation: Authorize the Purchasing Department to procure five Monitor Defibrillators and accessories in the amount of \$107,857.

Attachments: A spreadsheet showing the breakdown of all items to be purchased from Zoll is attached.

Background Information: Zoll Medical Corporation was chosen by formal solicitation. Request for Proposals were solicited from a total of 26 firms, four of whom responded. Zoll Medical Corporation was determined the best value by the evaluation committee comprised of individuals from Information Services, Fire and Purchasing. The criteria used for evaluation consisted of functional requirements, cost, training, reputation and stability of company, real EMS experience, and ease of use. Costs on the four proposals ranged from \$107,857 to a high of \$142,443. The respondents are listed below.

Company	Location
Zoll Medical Corporation	Chelmsford, Massachusetts
Heartsmart, Inc.	Arvada, Colorado

Monitech, Inc.	Denver, Colorado
Medtronic Emergency Response	Redmond, Washington

These new Monitor Defibrillators will provide full-featured defibrillation and multifunctional monitoring capabilities. The capabilities include many diagnostic and therapeutic functions, including, but not limited to: date and time stamp, blood pressure, pulse, carbon dioxide levels, EKG, and auto external defibrillation (AED). The units also come with a strip chart printer allowing EMS Crews to provide real-time information to the hospital upon arrival. These new, state-of-the-art units meet current professional standards and will enhance public safety.

Zoll Medical Items for Council Approval

Description	Unit Price	Qty	Ext. \$\$
Monitor Defibrillator with 10' Limb Lead Patient Cable, Mainstream Capnography, AED Capability and Batteries	\$19,313.00	5	\$96,565.00
Carry Case	\$250.00	6	\$1,500.00
Base Power Charger 4x4 w/Auto Test & 3 Batteries	\$1,356.00	1	\$1,356.00
Rescue Net Software	\$1,996.00	1	\$1,996.00
Bluetooth Wireless capability	\$400.00	5	\$2,000.00
V Lead Patient Cable w/Banana Plugs	\$140.00	7	\$980.00
Alligator Clips for Patient Cable w/Banana Plugs	\$40.00	7	\$280.00
Pediatric Cuff	\$24.00	6	\$144.00
Adult Cuff	\$28.00	2	\$56.00
Large Adult Cuff	\$32.00	6	\$192.00
Disposable Adult Sensor, 20/case	\$240.00	1	\$240.00
Recorder Paper 80mm Fan Fold, 20 pkgs	\$55.20	5	\$276.00
Masks, 10-pack	\$136.00	2	\$272.00
Rhythm Simulator	\$2,000.00	1	\$2,000.00
		Grand Total	\$107,857.00

Attach 11

Contract with Mesa County for Building Inspection Services

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA									
Subject		Contract with Mesa County for Building Inspection Services							
Meeting Date		May 18, 2005							
Date Prepared		May 9, 2005				File #			
Author		Shelly Dackonish			Staff 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: The City's contract with Mesa County for building inspection services is up for renewal. Since 1988, the City has contracted with Mesa County under the present arrangement in which the County's Building Official performs all building inspection functions within the City. The contract term is two years, and either party may terminate the contract upon 90 days' notice.

Budget: Mesa County collects all building inspection fees for building permits. In addition, for administering the City's contractor's licensing requirement, Mesa county retains 95% of the licensing fees paid by contractors. An hourly rate of \$20/hour is paid to the County for services not covered by these fees (attending City Council meetings, drafting of ordinances, public nuisance inspections, abatement proceedings), and a rate of \$15 per inspection is paid for courtesy inspections not requiring a building permit.

Action Requested/Recommendation: Authorize the City Manager to execute the contract with Mesa County for building inspection services.

Background: In lieu of having its own building inspection department, the City contracts with Mesa County for building inspection and contractors' licensing services, which are performed under the Building Code used by the County (the International Building Code). This has been a cost-effective means of handling building inspections to date.

Attachments: Contract for Services.

#MCA _____

CONTRACT FOR SERVICES

THIS CONTRACT made and entered into as of the _____ of _____ 2005 by and between the County of Mesa, Colorado, a governmental entity (hereinafter referred to as "Contractor") and the of City of Grand Junction, a governmental entity (hereinafter referred to as "City")

WITNESSETH

WHEREAS, the City desires to engage the services of the Contractor to perform certain work for the benefit of the City; and

WHEREAS, the Contractor desires to perform the work for the City in accordance with the terms and conditions set forth herein;

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES AND THE PROMISES HEREAFTER SET FORTH, IT IS MUTUALLY AGREED AS FOLLOWS:

1. The services to be provided by the Contractor and the City respectively are as follows:

See Exhibit A attached hereto and made a part hereof by this reference.

2. Any other work, materials, equipment or machinery not specifically described or expressly covered herein, but which is required or necessary to perform or complete work under this agreement, shall be deemed to be, and is, covered by this Contract.

3. The Contractor shall perform work hereunder in accordance with sound and acceptable industry and/or professional practices and standards and in accordance with all codes, standards, regulations, and laws applicable to the work.

4. The Contractor shall commence with and accomplish the work hereunder upon receipt of a written notice to proceed issued by the City's designated Contract Administrator. The Contract Administrator for the Contractor is the Chief Building Official for Mesa County unless otherwise designated in writing. The Contract Administrator for the City shall be a City appointed Building Official who shall have all of the powers as authorized by Section 104 of the International Building Code. The Contractor shall act as the City Building Official's Deputy as described in Section 104 of the International Building Code.

5. For the performance by the Contractor under this Contract, the City shall compensate and reimburse the Contractor in accordance with the provisions set forth in Exhibit "B" attached hereto and made a part hereof by this Reference.

6. At its own expense, the City will provide the following to assist the Contractor in performing under this Contract:

See "City of Grand Junction Provided Services" in Exhibit "A".

7. In the performance of work under this Contract, the Contractor shall be deemed to be, and is, an independent contractor with the authority to control and direct the performance and detail of its work hereunder.

8. Precautions shall be exercised by the Contractor at all times for the protection of all persons and property. The Contractor shall adhere to safety provisions of all applicable laws, regulation, and codes. The Contractor shall guard against and eliminate hazards arising from the use of vehicles, machinery, and equipment shall be in accordance with the highest accepted standards of safety practice. The Contractor shall comply fully with all pertinent Federal, State, or Local Statutes, rules or regulations.

9. This is a personal services contract on the part of the Contractor. This Contract may not be assigned without the prior express written consent of both parties and any attempt to assign this Contract without the prior express written consent of either party shall render the Contract null and void.

10. No part of this Contract shall be sublet without the prior express written approval of the City. If the Contractor sublets any portion of this Contract, the Contractor shall be fully responsible for acts and omissions of a subcontractor, or persons either directly or indirectly employed by Mesa County and the acts and omissions of persons employed directly or indirectly by the Contractor.

11. The Contractor shall retain in strictest confidence all information furnished to the Contractor by the City and the results of the Contractor's work hereunder. The Contractor shall not disclose such information or results to anyone except the City without the prior written consent of the City, except those documents and information considered to be public information and/or documents and information found on or which are part of the building permit are expected.

12. This Contract may be terminated at any time during the term of the Contract by either party upon 90 days written notice of intent to terminate said Contract.

13. Upon termination or expiration of this Contract, the Contractor shall immediately cease field work, prepare a final report on all work accomplished to that time and deliver

to the City the final report and all other documents, papers, calculations, notes, designs, drawings, maps, reports, or other technical papers which have been prepared by the Contractor under the terms of this Contract.

14. This is not an exclusive Contract. The Contractor may, at its sole discretion, contract with other entities for work similar to that to be performed by the Contractor hereunder, subject to the provisions of #10 above.

15. The term of this Contract shall be for two (2) years from the date hereof.

16. Contractor shall indemnify and hold harmless the City, its officers, officials, employees, and agents, for any claims or damages, including attorneys' fees, arising from Contractor's negligent, willful, wanton or reckless performance of its duties hereunder. The City shall indemnify and hold harmless Contractor, its officers, officials, employees, and agents, for any claims or damages, including attorneys' fees, arising from the performance of this Contract other than Contractor's negligent willful, wanton or reckless performance of its duties hereunder.

17. This Contract is and shall be deemed to be performable in the County of Mesa, Colorado, and venue for any disputes hereunder shall be in the District Court of the County of Mesa, Colorado.

IN WITNESS WHEREOF, the parties have executed this Contract as of the day and year first above written.

THE BOARD OF COUNTY COMMISSIONERS
COUNTY OF MESA, COLORADO

BY: _____
Chair,

Attest:

Janice Ward, Clerk & Recorder
County

Chief Building Official, Mesa

CITY OF GRAND JUNCTION, COLORADO

By: _____
Kelly Arnold, City Manager
250 N. 5th Street, Grand Junction, CO 81501

Attest:

Stephanie Tuin, City Clerk

EXHIBIT "A"

Mesa County Provided Services: The Contractor shall review building permit applications and all required documents for content and accuracy. The Contractor shall review building plans and specifications for compliance with the most currently adopted building code. The Contractor shall issue the building permit, provide the required inspections, and issue the Certificate of Occupancy after the final inspection is approved, all in compliance with applicable codes, ordinances, and regulations.

City of Grand Junction Provided Services: The City shall provide to the Contractor the following items: Stationary, forms, envelopes and postage for conducting City related business. If the City does not adopt by ordinance all of the building related codes as are currently adopted and amended by Mesa County or as currently adopted by the State of Colorado then Contractor may terminate this Agreement. The Codes to be enforced in the City will be the Codes presently adopted by Mesa County and any such code hereinafter adopted or amended by Mesa County.

The City shall provide a development clearance approval for each building permit to be given to each permit applicant. Contractor shall not issue any permit until the permit applicant delivers the development clearance approved to the Contractor. The development clearance shall state that the City has reviewed the project for compliance with all City zoning and setback requirements, utility taps and driveway locations and found the same to be in compliance and shall grant approval to release a building permit. The City shall be responsible to inspect the project site prior to the issuance of a Certificate of Occupancy by the Contractor to ensure compliance with the development clearance approval mentioned above.

EXHIBIT "B"

Mesa County shall be reimbursed for services provided under this Contract as follows:

a. Mesa County shall charge permit fees for all work that requires the issuance of a building permit. Those fees shall be payable by the permit applicant at the time of permit issuance. Said fees shall be in accordance with the Contractor's then current standard fee schedule as from time to time adopted or amended by the Contractor in its sole discretion.

b. With prior approval by the City Building Official, services may be provided by the Contractor that are not covered by the fees described in (a) above; these shall be charged to the City according to the following schedules:

City Council Meeting	\$20.00 per hour per person
Ordinance Drafting	\$20.00 per hour per person
Public Nuisance inspections and abatement proceedings	\$20.00 per hour per person
Courtesy inspections not requiring a building permit	\$15.00 per inspection
Contractor's Licensing	95% of Fees Collected

Attach 12

Construction Contract for 5th Street Concrete Repair & Overlay

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	5 th Street Concrete Repair and Overlay					
Meeting Date	May 18, 2005					
Date Prepared	May 12, 2005	File # - N/A				
Author	Justin J. Vensel		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 5th Street Concrete Repair and Overlay project generally consists of full width milling and 2" overlay of 5th Street from Grand Avenue north to North Avenue.

Budget: Project No.: 2011-F00462

Project costs:

Construction contract (low bid)	\$225,522.00
Design	\$2500.00
Construction Inspection and Administration (est.)	<u>\$6200.00</u>
Total Project Costs	\$234,222.00

Project funding:

<u>Capital Fund</u>	<u>2005 Budget Unencumbered Balance</u>	<u>Allocation for this Contract</u>	<u>Remaining Budget after Contract</u>
Fund 2011-F00401 Contract Street Maintenance	\$1,413,600.00	\$ 188,663.00	\$1,224,937.00
Fund 2011-F25600 Traffic Calming	\$ 56,614.00	\$ 16,045.00	\$ 40,596.00
Fund 2011-F00900 Curb, Gutter, and Sidewalk Repair	\$ 210,000.00	\$ 16,514.00	\$ 193,486.00

Fund 2011-02000			
Accessibility	\$ 25,000.00	\$ 13,000.00	\$ 12,000.00
Totals:	\$ 1,705,214.00	\$ 234,222.00	\$1,471,019.00

Action Requested/Recommendation: Authorize the City Manager to sign a Construction Contract for the **5th Street Concrete Repair and Overlay to United Companies of Mesa County** in the amount of **\$225,522.00**.

Attachments: none

Background Information:

The work includes reconstruction of the cross slopes at the intersecting streets along the east side; installation of traffic calming bulb-outs located at the intersection of 5th St. and Gunnison Ave and on the northwest corner of 5th St. and Grand Ave; repair of various curb, gutter and sidewalk adjacent to the project and installing new detectable warnings at each curb ramp adjacent to the project. One lane of traffic will be maintained throughout the project. This work is scheduled to begin on June 6, 2005 and be completed on July 1, 2005.

The following bids were opened on May 3, 2005:

Bidder	From	Bid Amount
United Companies	Grand Junction	\$225,522.00
Vista Paving	Grand Junction	\$233,010.00
Elam Construction	Grand Junction	\$248,086.50
Engineer's Estimate		\$256,100.30

Attach 13

Construction Contract for 2005 Waterline Replacements, Phase I

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	2005 Waterline Replacements, Phase 1					
Meeting Date	May 18, 2005					
Date Prepared	May 12, 2005	File # - N/A				
Author	T. Kent Harbert	Project Engineer				
Presenter Name	Mark Relph	Public Works and Utilities Director				
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda			Consent X Individual Consideration

Summary: The 2005 Waterline Replacements, Phase 1 project consists of the replacement of approximately 1¼ miles of water lines in the following locations:

- Along the north side of Highway 6 Bypass (North Avenue) from Motor Street to First Street.
- Along the east side of First Street from North Avenue to Orchard Avenue.
- Along the south side of Orchard avenue from 5th Street to 7th Street.

Budget: Project No.: 3011-F04829

Project costs:

Construction contract (low bid)	\$447,357.00
Design	\$17,000.00
Construction Inspection and Administration (est.)	<u>\$10,000.00</u>
Total Project Costs	\$474,357.00

Project funding:

City budgeted funds (Account 3011 – Water Distribution)	
Budget for 2005	\$300,000.00
Carry Forward from 2004	<u>900,000.00</u>
Total Water Distribution funds	\$1,200,000.00

Total Costs	<u>\$474,357.00</u>
-------------	---------------------

Balance

\$725,643.00

Action Requested/Recommendation: Authorize the City Manager to sign a Construction Contract for the 2005 Waterline Replacements, Phase 1 to M.A. Concrete Construction, Inc. in the amount of \$447,357.00.

Attachments: none

Background Information:

The following bids were opened on May 3, 2005:

Bidder	From	Bid Amount
M.A. Concrete Construction	Grand Junction	\$447,357.00
Continental Pipeline Constr.	Mesa	\$475,895.50
Skyline Contracting	Grand Junction	\$497,340.00
Mountain Valley Contracting	Grand Junction	\$506,036.65
Sorter Construction	Grand Junction	\$566,711.00
Engineer's Estimate		\$474,915.00

Construction is scheduled to start on June 6 and be completed by mid-August.

Attach 14

Undergrounding Overhead Lines for Riverside Parkway

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Riverside Parkway – Approval of Purchase Order for River Road Undergrounding Contract					
Meeting Date	May 18, 2005					
Date Prepared	May 12, 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 construction of the Riverside Parkway will require the relocation of many overhead power lines. This contract will underground approximately 1.1 miles of power line from approximately 25 Road to Broadway. The letter from Xcel Energy is an “invoice” stating that the undergrounding cost is estimated at \$272,110.

Budget: The table below summarizes the budget for the undergrounding of this Xcel’s overhead utilities from 25 Rd to 29 Rd on the Riverside Parkway project.

2005 Total undergrounding budget	\$2,000,000
2005 Undergrounding expenses to date:	
D Road Phase I relocation / undergrounding (approved 1/19/05)	\$746,305
D Road Phase 2 relocation / undergrounding (approved 2/2/05)	\$599,943
River Road undergrounding	\$272,110
2005 Remaining Undergrounding Budget	\$381,642
Total Project Budget	
\$91,495,000	
Estimated Project Costs:	
Prelim. Engineering / 1601 Process	\$5,486,000
City Admin Expenses / attorney's fees / stipends	\$3,115,000
Final Design	\$2,994,000
Utility relocations / undergrounding / Street Lights	\$2,500,000
Undergrounding	\$2,000,000
Construction	\$52,000,000
Right-of-Way & Land Purchases / relocation expenses	\$19,000,000
Construction oversight	\$4,400,000
Total Estimated Project Costs	\$91,495,000
Remaining Funds / Contingency	\$0

Action Requested/Recommendation: Authorize City Manager to sign a purchase order with Xcel Energy to relocate the existing overhead power lines underground on River Road from 25 Road to Broadway.

Attachments:

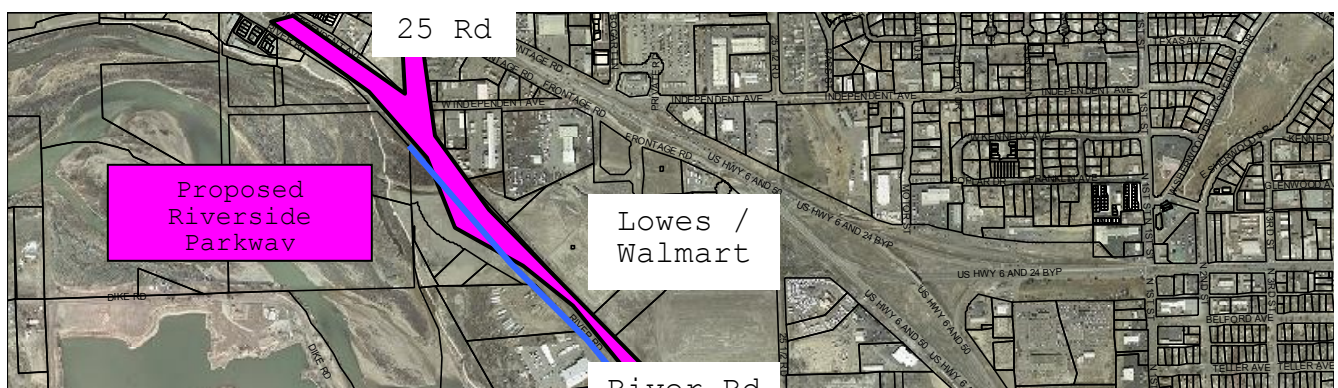
1. Xcel 25 Road to Broadway Estimate

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

The construction of the Riverside Parkway along River Road will necessitate the relocation of the existing Xcel power lines along the road. Per the franchise agreement, Xcel is only required to relocate their facilities in kind and would leave the utilities overhead. The \$272,110 credits the City for the amount that Xcel would have invested in overhead relocations.

This work is expected to be completed in 2005 prior to construction of the Riverside Parkway.

VICINITY MAP







2538 Blichmann Avenue
Grand Junction, Colorado 81505

May 5, 2005

Jim Shanks
Riverside Parkway Program Manager
City of Grand Junction
2529 High Country Ct.
Grand Junction, CO 81505

RE: Request for overhead to underground conversion of existing electric facilities ;
CREG/JO SR 320183; Dsn. 112894;
Service Address: Riverside Parkway – 25 Road to N-S River Road - Grand Junction, Colorado

Dear Mr. Shanks:

Thank you for your time and consideration in regard to your project at the referenced address. As your primary contact person at Public Service, I'm committed to providing the coordination and support needed to satisfy your energy needs and meet your project schedule.

Based on the information you have provided and the service requirements you requested, I have completed the engineering design and cost estimate to provide overhead to underground conversion of existing electric facilities. The total cost to provide the facilities requested and described below is \$272,110.00, payable at the time you return your signed paperwork. This estimate is valid until July 5, 2005 and is subject to price increases thereafter. Should you request a revised estimate prior to the expiration, an additional Engineering charge may be required.

These total costs are as follows:

⇒ Electric Distribution OH to UG Conversion	\$272,110.00
TOTAL	<u>\$272,110.00</u>

If this project is constructed during frost conditions, you will be billed for the depth of frost encountered, snow removal and/or any additional costs incurred providing service. These additional charges are "non-refundable" and will be billed as required.

Electric service laterals that are presently served overhead will have to be converted to underground service entrance panels by your electrician. Residential services will be installed by PSCo to the new service entrance. Please note that commercial electric services belong to the "customer" and will have to be extended / replaced by your electrician to allow for termination in our new pedestals or transformers.

Estimate above is contingent on utility easements being obtained for all electrical equipment that will be installed adjacent to City ROW (alleys, streets, etc.) on private property. Please note that the street lighting for the area you requested is not included in the costs above and will be designed and costs submitted to you under a separate estimate.

April 5, 2005
City of Grand Junction

Construction scheduling will be contingent on your acceptance of the design / costs, completion and return of all necessary documents, and any applicable payment. Construction cannot be scheduled until all paperwork / payment is received. Installation may also be contingent on scheduling of the other utilities (QWEST, Bresnan Communications) utilizing the trench / pole(s). It is your responsibility to contact and make application with these other utilities - coordinating their construction dates and requirements as well. You will need to keep us informed of your construction scheduling changes, as they will also effect our scheduling of this project. To minimize any possible delay in meeting your construction schedule, it is imperative that you notify us of your intentions and return your required paperwork and construction payment as soon as possible. The actual date of facilities installation is also dependent upon material / manpower availability and prior construction commitments.

Should you have any questions or concerns relative to the information above, please contact me as soon as possible. I may be reached at (970)244-2698 and my normal business hours are from 7:00 a.m. to 5:30 p.m. Monday through Thursday. If I am unavailable and your need is immediate, you may contact Dan Steinkirchner, Engineering Unit Manager at (970)244-2656.

Sincerely,



Gary Lewis
Designer – Design Layout
(970)244-2698
FAX(970)244-2661
gary.lewis@xcelenergy.com

Enclosures

Attach 15

City Code Publishing Contract

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		City Code Publishing Contract					
Meeting Date		May 16, 2005					
Date Prepared		May 9, 2005				File #	
Author		Stephanie Tuin			City Clerk		
Presenter Name		Stephanie Tuin John Shaver			City Clerk City Attorney		
Report results back to Council		x	No		Yes	When	
Citizen Presentation			Yes	x	No	Name	
X	Workshop	X	Formal Agenda			Consent	X Individual Consideration

Summary: Authorize negotiation for a contract to review, analyze, reformat and reprint the City's reference manuals ("Revised Municipal Code"), having the Codes posted to a web site, with full search capabilities, a web-accessible subscription service and continuously maintain and update the various codes.

Budget: This is an unbudgeted proposed program and the funds are requested to be transferred from General Fund contingency which currently has a balance of \$347,000.

Action Requested/Recommendation: Authorize the City Clerk and City Attorney to negotiate a contract for the review, republishing, reprinting and continuous update of the "Revised Municipal Code" with Code Publishing, Inc. in an amount not to exceed \$100,000 to include review, formatting, republishing, internet hosting with search capabilities, subscription service, hot links, printing and frequent updating. It is estimated that the annual cost would be \$8,000. It is recommended that the City reduce the number of hardbound copies being requested to stay within this budget and any additional copies can be ordered by individuals as needed through the subscription service. Since the full Code will be available on the Web, and it will be the most up-to-date version, that will be the best way to access the Code.

Attachments: None.

Background Information: Many of the City's ordinances, and some resolutions that adopt regulatory documents such as submittal standards and engineering standards,

adopted by the City Council are what is call “codified” into a book of regulations. These are the ordinances that enact laws, not ones related to land use like annexation and zoning, and the regulatory portion of the ordinance, and some resolutions, are then incorporated into the manuals of regulations or “Code” books. The City of Grand Junction has a number of “Code” books including the City Charter, the City Code of Ordinances, the Zoning and Development Code, the TEDS Manual (Transportation Engineering Design Standards), the SSIDs Manual (Submittal Standards for Improvements and Development) and a host of others. These are basically our reference manuals for all the regulations of the City. Over the years the main City Code of Ordinances has continually been updated and maintained by the City Clerk’s Office and the City Attorney’s Office. Other Codes, like the Zoning and Development Code, the SSIDs manual, the TEDS Manual and others were maintained by other departments with updates and maintenance of these Codes not being coordinated. The result has been a disconnection of the Codes to each other regarding cites and formatting. The purpose of this project is to get all the Codes updated to current and have them all cross-referenced.

In March, a Request for Proposal was developed and distributed to the ten code companies with a due date of March 31. Four proposals were received. Two of the four received are considered responsive. The City had the Code companies break down each service being requested by the City. The following is a comparison of those services for each of the two companies considered:

Service	Code Publishing, Inc. (Washington)	Municipal Code Corp. (Florida)
Review	\$3,500	\$13,000
Formatting	\$37,000	\$48,000
Internet Hosting	\$1,500 one time fee \$350/annually	\$1,000 one time fee \$600/annually
Subscription Service	N/C	N/C
Printing based on 110 complete Codes and 200 just Zoning & Development Code	\$75,055	\$72,200
Updating service based on 400 pages annually**	\$7,200	\$7,200
Web Now – posts to web site within days – not yet codified ordinances	Not available but can have link back to our web site where we can list the ordinances at no charge	\$15 per ordinance
Links to original ordinance (hotlinks) – not in original request	\$500 one time set-up	Charge is per link and per update

****This fee is based on per page and there is no difference in cost whether updated quarterly, biannually or annually.**

Attach 16

Purchase of Real Property Located at 2927 and 2927 ½ D ½ Road (Pear Park Area)

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Purchase of Real Property Located at 2927 and 2927½ D½ Road (Pear Park Area)					
Meeting Date	May 18, 2005					
Date Prepared	May 12, 2005				File #	
Author	Peggy Holquin		Real Estate 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 the property at 2927 and 2927½ D½ Road. The City's obligation to purchase the property is contingent upon Council's ratification of the contract.

Budget: Sufficient funds exist in the budget to complete the City's purchase of the property, as follows:

Purchase Price	\$ 890,000.00
Closing Costs	\$ <u>200.00</u>
Total Estimated Costs:	\$ 890,200.00

Action Requested/Recommendation: Adopt Resolution authorizing the purchase of real property located at 2927 and 2927 ½ D ½ Road.

Attachments: 1) Vicinity Map; 2) Proposed Resolution.

Background Information: On September 9, 2004, the City entered into an Option Agreement with Victor and Lucinda Girardi to purchase the real property located at 2927 and 2927½ D½ Road for the purpose of a combined school and park site. The specific action for Council on May 18th is to consider the actual purchase of the property. The total acreage equals 20.835 acres (20.66 acres at 2927 D ½ Road and 0.175 acres at 2927½ D½ Road).

During the development of the Pear Park Master Plan last year, it became apparent that large tracts of property for possible school sites were few and far between. So

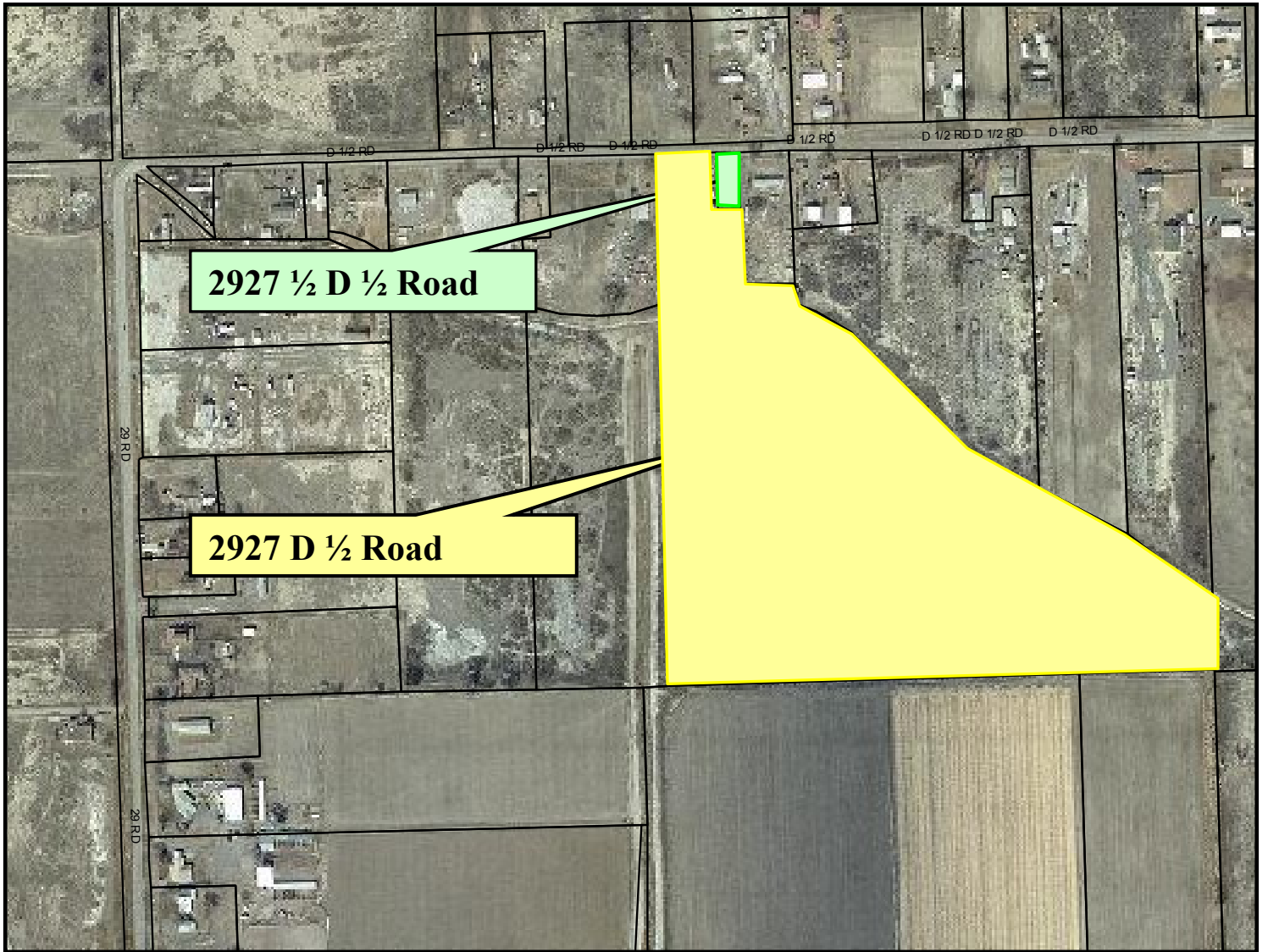
about nine months ago, a concerted effort by the City Manager, School Superintendent, and County Administrator was made to identify appropriate sites for possible shared school and park sites. The City took the lead due to access to staff in the Real Estate Division.

The conclusions of this effort was that only one property owner of sufficient acreage was interested in entering into an option to purchase. As a result, the decision was made to enter into the option to purchase the Giradi properties.

The original concept for this property was that it would be for a middle school and a park site. After the School bond approval, the School District made another concerted effort to find other sites for their proposed elementary school that they were approved to build. Those efforts were unsuccessful, so they have elected to proceed on developing this site as their elementary school site. As a result, the School District needs 15 acres for developing a school and will reimburse the City approximately \$667,500 and begin developing the site as soon as the property gets annexed, subdivided, and a site plan is approved.

The School District has identified their school footprint of the site to be primarily in the southwest corner of the property. That would leave the five acres of park property to be developed in the future to be located primarily on the east side of the property.

The Pear Park Plan calls for a 29 ¼ Road to be developed on or around the west property line of this parcel off of D ½ Road. In addition, it calls for D ¼ Road to be developed along the south property line. Both of these roads will be partially developed by City Transportation Capacity Payment (TCP, or a.k.a. traffic impact fees) in accordance with our policies.



2927 1/2 D 1/2 Road

2927 D 1/2 Road

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE PURCHASE
OF REAL PROPERTY LOCATED AT 2927 D ½ ROAD AND 2929 ½ D ½ ROAD**

Recitals.

A. The City of Grand Junction has entered into a contract with Victor J. Girardi and Lucinda L. Girardi for the purchase by the City of certain real property located in Pear Park. The street address of the property is 2927 D ½ Road and 2929 ½ D ½ Road and the Mesa County Assessor parcel numbers are 2943-173-00-189 and 2949-173-00-190.

B. The purchase agreement provides that on or before May 18, 2005, the City Council must ratify the purchase and the allocation of funds for all expenses required to effectuate the purchase 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 \$890,000.00. 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 \$890,000.00 is authorized to be paid at closing, in exchange for conveyance of the fee simple title to the described parcel.

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 are 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:

President of the Council

City Clerk

Attach 17

Intergovernmental Agreement with CDOT for the Interchange Study at 29 Road and I-70B

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Approval of Intergovernmental Agreement with Colorado Department of Transportation for Interchange Study at 29 Road and I-70B					
Meeting Date	May 18, 2005					
Date Prepared	May 11, 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 Intergovernmental Agreement with Colorado Department of Transportation (CDOT) will reimburse CDOT for anticipated expenses associated with the 1601 Interchange Study for 29 Rd and I-70B.

Budget: Sufficient funds exist in the 2005 29 Rd and I-70B budget to complete the City's due diligence investigations and purchase of this property:

2005 29 Road and I-70B Interchange Approval Study	\$800,000
Contract with Carter & Burgess (Approved January 5, 2005)	\$754,920
Admin Costs	\$20,000
This initial IGA w/ CDOT	\$20,000
2005 Remaining 29 Rd / I-70B Funds	\$5,080

Action Requested/Recommendation: Pass and adopt proposed resolution.

Attachments: 1. Proposed Resolution, 2. Proposed Intergovernmental Agreement

Background Information: A key component of the transformation of the 29 Road corridor into a major component of the transportation network is the proposed interchange at I-70 B. This project proposes to construct a viaduct to extend 29 Road over the Union Pacific Railroad tracks and I-70B. These improvements are part of the 29 Road corridor improvements that will eventually connect Highway 50 with Interstate 70.

Prior to the approval of a new intersection or interchange with the State highway system, CDOT requires completion of a feasibility study and an environmental assessment to serve as tools in deciding whether or not an intersection or interchange is appropriate. The study is completed to comply with CDOT policy directive 1601.

As part of the 1601 approval process, an initial Intergovernmental Agreement (IGA) is required between the applicant (City of Grand Junction) and CDOT addressing responsibility for administrative and application costs, analytical procedures and responsibilities, anticipated level of design detail, approval process, anticipated schedule and other necessary issues following a project scoping meeting between the applicant and CDOT. Staff has been meeting with CDOT since early February to develop this IGA.

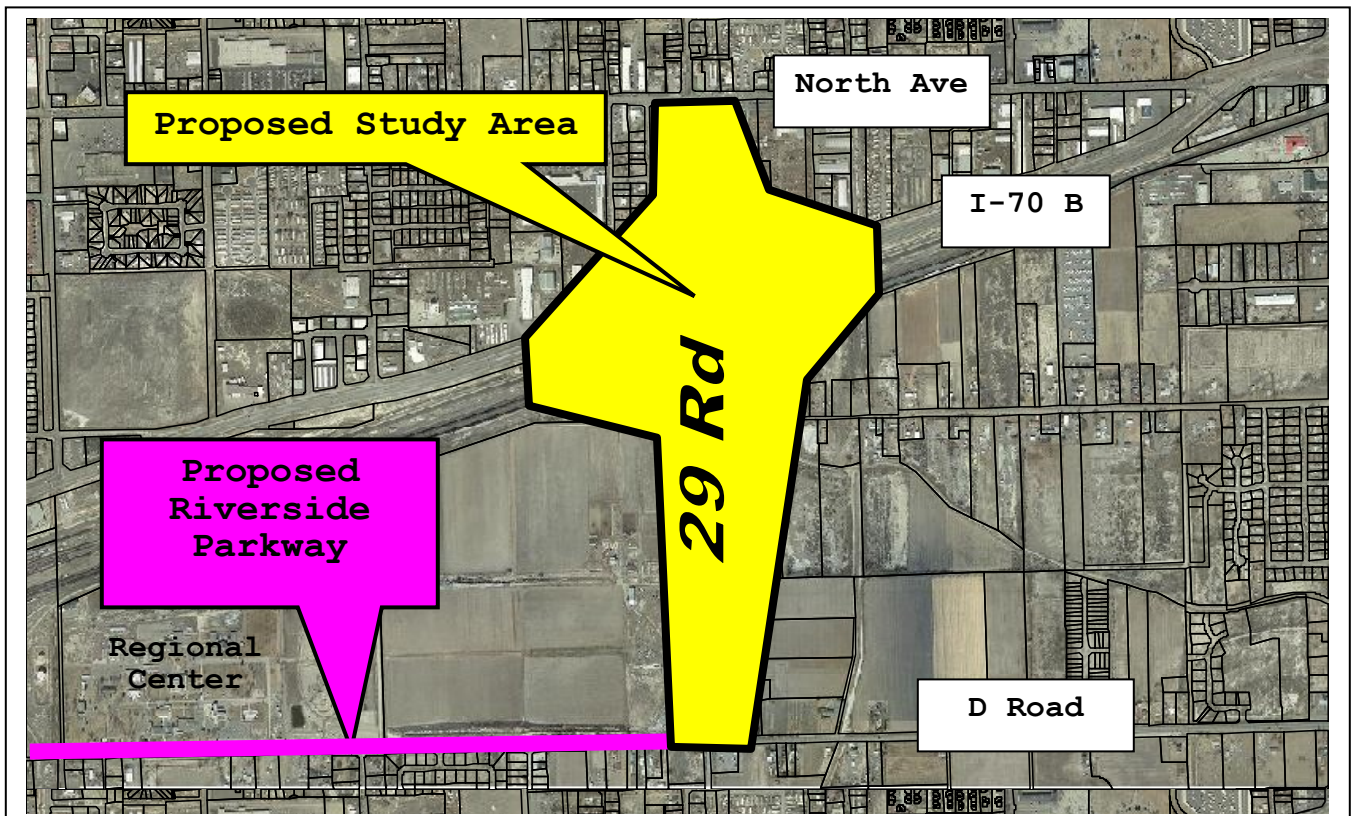
A final IGA will be negotiated after the system level study is approved and applicable environmental and design requirements are addressed.

The initial IGA anticipates that the City will reimburse CDOT up to \$20,000 for administrative costs incurred as part of the review and approval process.

The IGA requires a resolution by the applicants governing body which is attached.

Although Mesa County is funding half of the 29 Rd / I-70B project, it is not included in the IGA as the City is lead agency.

Vicinity Map



RESOLUTION NO. _____

A RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF GRAND JUNCTION AND THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) REGARDING 29 ROAD AND I-70 B INTERCHANGE APPROVAL PROCESS.

RECITALS:

A key to the transformation of the 29 Road corridor into a major component of the transportation network linking the Riverside Parkway, 29 Road and ultimately I-70, is the proposed interchange at I-70 B. The interchange project proposes to construct a viaduct to extend 29 Road over the Union Pacific Railroad tracks and I-70B. These improvements are part of the 29 Road corridor improvements that will eventually connect Highway 50 with Interstate 70.

Prior to the approval of a new intersection or interchange on the State highway system, CDOT requires completion of a feasibility study and an environmental assessment. Those studies serve as tools in deciding whether or not an intersection or interchange will be allowed. The studies are completed in accordance with CDOT policy directive 1601.

As part of the 1601 process, an initial Intergovernmental Agreement (IGA) is required between the applicant (City of Grand Junction) and CDOT addressing responsibility for administrative and application costs, analytical procedures and responsibilities, anticipated level of design detail, approval process, anticipated schedule and other necessary issues following a project scoping meeting between the applicant and CDOT.

The initial IGA anticipates that the City will reimburse CDOT up to \$20,000 for administrative costs incurred as part of the review and approval process.

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

- a. The agreement attached hereto and which outlines the process whereby the City will reimburse CDOT for incurred expenses is authorized and approved.

- b. Approval of the agreement authorizes the expenditure(s) as provided by the agreement and for the purposes of the agreement.

2005 PASSED AND ADOPTED this _____ day of _____,

CITY OF GRAND JUNCTION, COLORADO

President of the Council

ATTEST:

City Clerk

(Local \$CDOTWRK)
10/03
C 0701-175 (15224)
Grand Jct/Region 3/(NSO)

Rev
05HA300061
CMS ID 05-193

INTERGOVERNMENTAL AGREEMENT

THIS INTERGOVERNMENTAL AGREEMENT made this ___ day of _____ 20___, by and between the State of Colorado for the use and benefit of the COLORADO DEPARTMENT OF TRANSPORTATION hereinafter referred to as the State and the CITY OF GRAND JUNCTION, COLORADO, 250 North 5th Street, Grand Junction, Colorado 81501, FEIN: 846000592, hereinafter referred to as the City or the "Local Agency."

RECITALS

1. Authority exists in the law and funds have been budgeted, appropriated and otherwise made available and a sufficient uncommitted balance thereof remains available for payment of project and Local Agency costs in Fund Number 400, Appropriation Code 010, Organization Number 9991, Program 2000, Function 3020, Object 2312 1N Phase D, Reporting Category 3410, Intergovernmental Agreement Encumbrance Number 15224, (Intergovernmental Agreement Encumbrance Amount: \$0.00).
2. Required approval, clearance and coordination have been accomplished from and with appropriate agencies.
3. Pursuant to 43-2-104.5 C.R.S. as amended, the State may Intergovernmental Agreement with Local Agencies to provide maintenance and construction of highways that are part of the state (or local agency) highway system.
4. The City anticipates a project for a new interchange at I 70B and 29 Road and by the date of execution of this Agreement , the Local Agency and/or the State will have completed and agreed upon a Scope of Work (Exhibit A) describing the general nature of the Work.
5. The City will be preparing conceptual designs, studies, and other documents in anticipation of a new interchange project at I 70B and 29 Road. The interchange project will be subject to the procedures outlined in CDOT's procedural directive 1601, which is attached hereto by this reference.
6. The City has made funds available for project C 0701-175 (15224), which shall consist of review services by CDOT of the conceptual designs, studies and other documents, which will be prepared by the City to evaluate a new interchange in accordance to procedural directive 1601, referred to as the "Project" or the "Work." Such Work will be performed in Grand Junction, Colorado, specifically described in Exhibit A.
7. The City has funds available and desires to provide 100% of the funding for the work.

8. The City has estimated the total cost of the work and is prepared to provide the funding required for the work, as evidenced by resolution duly passed and adopted by the authorized representatives of the City, which expressly authorizes it to enter into this Agreement and to expend its funds for the work under the project. A copy of such resolution is attached hereto and incorporated herein as Exhibit B.

9. This Agreement is executed under the authority of §§ 29-1-203, 43-1-110; 43-1-116, 43-2-101(4)(c) and 43-2-144, C.R.S. and Exhibit B.

10. The parties hereto desire to agree upon the division of responsibilities with regard to the project.

THE PARTIES NOW AGREE THAT:

Section 1. Scope of Work

The Project or the Work under this Agreement shall consist of review services by CDOT of the conceptual designs, studies and other documents, which will be prepared by the City to evaluate a new interchange project at I 70B and 29 Road, in Grand Junction, Colorado, as more specifically described in Exhibit A.

Section 2. Order of Precedence

In the event of conflicts or inconsistencies between this Agreement and its exhibits, such conflicts or inconsistencies shall be resolved by reference to the documents in the following order of priority:

1. This Agreement
2. Exhibit A (Scope of Work)
3. Exhibit C (Agreement Modification Tools)
4. Other Exhibits in order of their attachment.

Section 3. Term

This Agreement shall be effective upon approval of the State Controller or designee, or on the date made, whichever is later. The term of this Agreement shall continue through the completion and final acceptance of the Project by the State, FHWA and the Local Agency.

Section 4. Project Funding Provisions

A. The City has estimated the total cost of the work and is prepared to provide the funding required for the work, as evidenced by a resolution duly passed and adopted by the authorized representatives of the City, which expressly authorizes it to enter into this Agreement and to expend its funds for the work under the project. A copy of such resolution is attached hereto and incorporated herein as Exhibit B.

B. The parties have estimated the total cost the work to be \$20,000.00, which is to be funded as follows:

a.	City of Grand Junction Funds	\$20,000.00
	Total Funds:	\$20,000.00

C. The maximum amount payable by the City under this Agreement shall be \$20,000.00, unless such amount is increased by an appropriate written modification of this Agreement executed before any increased cost is incurred. It is understood and agreed by the parties hereto that the total cost of the work stated hereinbefore is the best estimate available, based on the design data as approved at the time of execution of this Agreement, and that such cost is subject to revision(s) (in accord with the procedure in the previous sentence) agreeable to the parties prior to bid and award.

D. The parties hereto agree that this Agreement is contingent upon all funds designated for the project herein being made available from state sources, as applicable. Should these sources fail to provide necessary funds as agreed upon herein, the Agreement may be terminated by any of the parties, provided that any party terminating its interest and obligations herein shall not be relieved of any obligations which existed prior to the effective date of such termination or which may occur as a result of such termination.

Section 5. Project Payment Provisions

A. The City will reimburse the State for its share of incurred costs relative to the project following its review and approval of such charges, subject to the terms and conditions of this Agreement.

B. If the City is to be billed for CDOT incurred costs, the billing procedure shall be as follows:

1. Upon receipt of each bill from the State, the City will remit to the State the amount billed no later than 60 days after receipt of each bill. Should the City fail to pay money due the State within 60 days of demand or within such other period as may be agreed between the parties hereto, the City agrees that, at the request of the State, the State Treasurer may withhold an equal amount from future apportionment due the City from the Highway Users Tax Fund and to pay such funds directly to the State. Interim funds, until the State is reimbursed, shall be payable from the State Highway Supplementary Fund (400).
2. If the City fails to make timely payment to the State as required by this section (within 60 days after the date of each bill), the City shall pay interest to the State at a rate of one percent per month on the amount of the payment which was not made in a timely manner, until the billing is paid in full. The interest shall accrue for the period from the required payment date to the date on which payment is made.

C. The State will prepare and submit to the City, no more than monthly, charges for costs incurred relative to the project. The State's invoices shall include a description of the

amounts of services performed, the dates of performance and the amounts and description of reimbursable expenses. The invoices will be prepared in accordance with the State's standard policies, procedures and standardized billing format.

D. If there is a legitimate disagreement or dispute over or above the bill, City shall notify the State in writing, which action shall suspend the application of B1 and B2 above.

Section 6. State and Local Agency Commitments

A. The City shall be responsible for preparing the conceptual designs, studies and other documents required in accordance with the provisions of the CDOT 1601 procedural directive for the proposed new interchange.

B. CDOT shall provide review services for the conceptual designs, studies and other documents as prepared by the city for compliance with the 1601 procedural directive and other applicable state and federal requirements.

Section 7. Environmental Obligations

The City shall prepare its conceptual designs, studies and other documents in accordance with the requirements of the current federal and state environmental regulations including the National Environmental Policy Act of 1969 (NEPA) as applicable.

Section 8. Record Keeping

The parties shall maintain a complete file of all records, documents, communications, and other written materials, which pertain to the costs incurred under this Agreement. The parties shall maintain such records for a period of six (6) years after the date of termination of this Agreement or final payment hereunder, whichever is later, or for such further period as may be necessary to resolve any matters which may be pending. Each party shall make such materials available for inspection at all reasonable times and shall permit duly authorized agents and employees of the state, the City and/or the County to inspect the project and to inspect, review and audit the project records.

Section 9. Termination Provisions

This Agreement may be terminated as follows:

A. Termination for Convenience. The State may terminate this Agreement at any time the State determines that the purposes of the distribution of moneys under the Agreement would no longer be served by completion of the project. The State shall effect such termination by giving written notice of termination to the Local Agency and specifying the effective date thereof, at least twenty (20) days before the effective date of such termination.

B. Termination for Cause. If, through any cause, the Local Agency shall fail to fulfill, in a timely and proper manner, its obligations under this Agreement, or if the Local Agency shall violate any of the covenants, agreements, or stipulations of this Agreement, the State shall thereupon have the right to terminate this Agreement for cause by giving written notice to the Local Agency of its intent to terminate and at least ten (10) days opportunity to cure the default or show cause why termination is otherwise not appropriate. In the event of termination, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs and reports or other material prepared by the Local Agency under this Intergovernmental shall, at the option of the State, become its property, and the Local Agency shall be entitled to receive just and equitable compensation for any services and supplies delivered and accepted. The Local Agency shall be obligated to return any payments advanced under the provisions of this Agreement.

Notwithstanding the above, the Local Agency shall not be relieved of liability to the State for any damages sustained by the State by virtue of any breach of the Agreement by the Local Agency, and the State may withhold payment to the Local Agency for the purposes of mitigating its damages until such time as the exact amount of damages due to the State from the Local Agency is determined.

If after such termination it is determined, for any reason, that the Local Agency was not in default or that the Local Agency's action/inaction was excusable, such termination shall be treated as a termination for convenience, and the rights and obligations of the parties shall be the same as if the Agreement had been terminated for convenience, as described herein.

Section 10. Legal Authority

Each party warrants that it possesses the legal authority to enter into this Agreement and that it has taken all actions required by its procedures, by-laws, and/or applicable law to exercise that authority, and to lawfully authorize its undersigned signatory to execute this Agreement and to bind each party to its terms. The person(s) executing this Agreement on behalf of the town or the county warrants that such person(s) has full authorization to execute this Agreement.

Section 11. Representatives and Notice

The State will provide liaison with the City through the State's Region Director, Region 3, 222 South 6th Street, Grand Junction CO 81501, (970) 248-7225. Said Region Director will also be responsible for coordinating the State's activities under this Agreement and will also issue a "Notice to Proceed" to the City for commencement of the Work. All communications relating to the day-to-day activities for the work shall be exchanged between representatives of the State's Transportation Region 3 and the City. All communication, notices, and correspondence shall be addressed to the individuals identified below. Either party may from time to time designate in writing new or substitute representatives.

If to State:

Ed Fink
Region Director
CDOT Region 3
222 South 6th Street,
Grand Junction CO 8159
(970) 248-7225

If to the City:

Jim Shanks
Project Manager
City of Grand Junction
2529 High County Court
Grand Junction CO 81501
(970) 244-1543

Section 12. Successors

Except as herein otherwise provided, this Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

Section 13. Third Party Beneficiaries

It is expressly understood and agreed that the enforcement of the terms and conditions of this Agreement and all rights of action relating to such enforcement, shall be strictly reserved to the State and the City. Nothing contained in this Agreement shall give or allow any claim or right of action whatsoever by any other third person. It is the express intention of the State and the City that any such person or entity, other than the State or the City receiving services or benefits under this Agreement shall be deemed an incidental beneficiary only.

Section 14. Governmental Immunity

Notwithstanding any other provision of this Agreement to the contrary, no term or condition of this Agreement shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protection, or other provisions of the Colorado Governmental Immunity Act, § 24-10-101, et seq., C.R.S., as now or hereafter amended. The parties understand and agree that liability for claims for injuries to persons or property arising out of negligence of the State of Colorado, its departments, institutions, agencies, boards, officials and employees is controlled and limited by the provisions of § 24-10-101, et seq., C.R.S., as now or hereafter amended and the risk management statutes, §§ 24-30-1501, et seq., C.R.S., as now or hereafter amended.

Section 15. Severability

To the extent that this Agreement may be executed and performance of the obligations of the parties may be accomplished within the intent of the Agreement, the terms of this Agreement are severable, and should any term or provision hereof be declared invalid or become inoperative for any reason, such invalidity or failure shall not affect the validity of any other term or provision hereof.

Section 16. Waiver

The waiver of any breach of a term, provision, or requirement of this Agreement shall not be construed or deemed as a waiver of any subsequent breach of such term, provision, or requirement, or of any other term, provision or requirement.

Section 17. Entire Understanding

This Agreement is intended as the complete integration of all understandings between the parties. No prior or contemporaneous addition, deletion, or other amendment hereto shall have any force or effect whatsoever, unless embodied herein by writing. No subsequent novation, renewal, addition, deletion, or other amendment hereto shall have any force or effect unless embodied in a writing executed and approved pursuant to the State Fiscal Rules.

Section 18. Survival of Agreement Terms

Notwithstanding anything herein to the contrary, the parties understand and agree that all terms and conditions of this Agreement and the exhibits and attachments hereto which may require continued performance, compliance or effect beyond the termination date of the Agreement shall survive such termination date and shall be enforceable by the State as provided herein in the event of such failure to perform or comply by the Local Agency.

Section 19. Modification and Amendment

Notwithstanding anything herein to the contrary, the parties understand and agree that all terms and conditions of this Agreement and the exhibits and attachments hereto which may require continued performance, compliance or effect beyond the termination date of the Agreement shall survive such termination date and shall be enforceable by the State as provided herein in the event of such failure to perform or comply by the City.

Section 20. Funding Letters

The State may allocate more or less funds available on this Agreement using a Funding Letter substantially equivalent to Exhibit C and bearing the approval of the State Controller or his designee. The funding letter shall not be deemed valid until it shall have been approved by the State Controller or his designee.

Section 21. Disputes

Except as otherwise provided in this Agreement, any dispute concerning a question of fact arising under this Agreement which is not disposed of by agreement will be decided by the Chief Engineer of the Department of Transportation. The decision of the Chief Engineer will be final and conclusive unless, within 30 calendar days after the date of receipt of a copy of such written decision, the City mails or otherwise furnishes to the State a written appeal addressed to the Executive Director of the Department of Transportation. In connection with any appeal proceeding under this clause, the City shall be afforded an opportunity to be heard and to offer evidence in support of its appeal. Pending final decision of a dispute hereunder, the City shall proceed diligently with the performance of the Agreement in accordance with the Chief Engineer's decision. The decision of the Executive Director or his

duly authorized representative for the determination of such appeals will be final and conclusive and serve as final agency action. This dispute clause does not preclude consideration of questions of law in connection with decisions provided for herein. Nothing in this Agreement, however, shall be construed as making final the decision of any administrative official, representative, or board on a question of law.

THE PARTIES HERETO HAVE EXECUTED THIS AGREEMENT

INTERGOVERNMENTAL AGREEMENTOR: STATE OF COLORADO:

BILL

OWENS, GOVERNOR

**CITY OF GRAND JUNCTION,
COLORADO**

By _____

Legal Name of Intergovernmental
Agreeementing Entity

For Executive Director

Department of Transportation

84600592

Social Security Number or FEIN

Signature of Authorized Officer

Print Name & Title of Authorized Officer

CORPORATIONS:

(A corporate seal or attestation is required.)

Attest (Seal) By _____
(City Clerk)

SCOPE OF WORK

The City of Grand Junction anticipates a project for a new interchange at I-70B and 29 Road in the City of Grand Junction. The City shall prepare and submit a proposal including conceptual designs, studies and other documents to CDOT for review and evaluation of the new interchange in accordance with CDOT's Policy Directive 1601 dated December 15, 2004. The City of Grand Junction will be responsible for all costs for the development, administration and evaluation of the proposal.

_____ City of Grand Junction initial
_____ State of Colorado initial

**COLORADO DEPARTMENT OF TRANSPORTATION
INTERGOVERNMENTAL AGREEMENT
FUNDING INCREASE/DECREASE AND APPROVAL
LETTER** Region: Complete section 1 and submit to CDOT
Controller's office.

AUTHORITY:
State Controller Policy letter on June
12, 1996
CDOT Controller letter on May 23,
1996

(1) This form to be used for the following Intergovernmental Agreements/situations only (check the appropriate situation):

indefinite quantity, order more/add more utility/railroad, underestimated total cost
 CDOT construction, sum of CMO's LA construction, underestimated cost
 CDOT construction, underestimated total cost CDOT consultant, underestimated cost

SECTION 1 (Region use)

Date: (2)

Project code (3)

To: CDOT Controller (FAX #(303) 757-9573 or e-mail CONTROLLER)

Project # (4)

From:
Region # (5)

Office: (5)

Phone # (5)

FAX # (5)

CDOT has executed a Intergovernmental Agreement with: (6)

Address: (6)

FEIN # (6)

Intergovernmental Agreement
routing # (7)

COFRS encumbrance #
(indicate PO, SC or PG #) (8)

Fund (9)	Orgn. (9)	Appro (9)	Prgr m. (9)	Fun c. (9)	Object/Sub-obj N/P (9)	GBL (9)	Reporting Catg. (9)	Proj/Sub/Pha se (9)
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Original amount
\$ (10)

Has a Budget Request been processed to cover the
Intergovernmental Agreement amount increase?
 yes no (14)

Previous Funding Letter(s) total
\$ (11)
(Funding letter #1 thru #)

Preparer's name (15)

PHONE NO:

This Funding Letter total
\$ (12)
(#)

Intergovernmental Agreement Administrator's/Business Manager's
Approval
(16)

PHONE NO:

Adjusted amount \$ (13)		CDOT Designee Approval (17)	
		Local Agency approval (18)	
SECTION 2 (Controller's Office use) (19)			
Total allotment amount \$ (19)		Commission budget \$ (19)	
If construction: _CE pool elig. (19)	CE charges \$ (19)	Indirect chgs \$ (19)	Adjusted Intergovernmental Agreement amount plus total CE & indirect charges calculation \$ (19)
I have reviewed the financial status of the project, organization, grant and have determined that sufficient funds are available to cover this increase, effective as of _____ (19)			
State Controller or Delegee (20)			Date (20)

Attach 18

Public Hearing 2005 CDBG Program Year Funding

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Public Hearing – 2005 CDBG Program Year Funding for the 2005 Action Plan, a part of the 2001 Five-Year Consolidated Plan					
Meeting Date	May 18, 2005					
Date Prepared	May 11, 2005				File # N/A	
Author	David Thornton		Principal Planner			
Presenter Name	David Thornton		Principal Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda			Consent X Individual Consideration

Summary: City Council will consider which activities and programs to fund and will prioritize and recommend levels of funding for CDBG projects for the 2005 Program Year.

Budget: CDBG 2004 budget of \$387,644

Action Requested/Recommendation:

1. Receive public input on the use of the City's 2005 CDBG funds.
2. Consider the CDBG City Council subcommittee recommendation for funding six projects for the City's 2005 CDBG Program Year Action Plan.
3. Set a hearing for final adoption of the CDBG 2005 Action Plan for June 15, 2005.

Background Information: This is a public hearing to receive input regarding use of the City's annual CDBG Entitlement funds. A second public hearing will be held on June 15, 2005 to adopt the City's 2005 Action Plan as a part of the City's 2001 Five-Year Consolidated Plan.

The City of Grand Junction has received twenty applications/proposals for CDBG projects requesting 2005 CDBG funds. These requests total \$1,113,688 and the City expects to receive \$387,644 for the 2005 Program Year. A summary list of all requested projects follows, along with a brief description of each project requesting funding and information on the remaining CDBG schedule.

On May 2, 2005 all seven Council Members met as a committee to discuss the funding requests. Recommendations from this committee meeting proposes that

Council fund the six projects as recommended on the following page for the 2005 Program Year which begins September 1, 2005.

2005 CDBG Program Year Summary of Requests and Recommended Funding

WHO	WHAT	Funds Requested	Minimum Requested	CC Subcommittee Recommendation
City of Grand Junction	CDBG Program Administration and Neighborhood Program Admin dollars (20% cap)	\$ 30,000	NA	\$ 25,000
Salvation Army ARP	Funding to expand the Salvation Army Adult Rehabilitation Program (ARP) (15% cap)	\$ 25,000	\$ 25,000	\$ 25,000
Mesa Youth Services (Partners)	CDBG funds to purchase a 12 passenger van to transport youth in the Restitution Program. (15%cap)	\$ 15,000.0	Negotiable	\$ 15,000
City of Grand Junction Neighborhood Program Funds	Budget for the neighborhood based CDBG program	\$ 120,000	\$ 120,000	\$ 120,000
Housing Resources of Western Colorado	Construct an ADA accessible wheelchair lift for the Homeless Veterans Transitional Housing complex at 1333 N. 13th Street.	\$ 30,000	\$ 30,000	\$ 30,000
City of Grand Junction Ouray Avenue Storm Drain Enlargement	Construct a new 48 inch storm sewer from Mulberry Street to Crosby Avenue within the El Poso Neighborhood.	\$ 221,400	\$ 221,400	\$ 172,644
TOTALS		\$ 441,400		\$ 387,644

SUMMARY OF REQUESTED CDBG PROJECTS
City of Grand Junction 2005 Program Year

SECTION 1 – Projects that qualify under “Administration”

1. City of Grand Junction CDBG Program Administration

For Program Year 2004, the City allocated \$20,000 for administration of the CDBG Program (includes the Neighborhood Program Admin) of which enough is left over from that allocation plus the amount requested for 2005 to continue administration of the CDBG program through the 2005 Program Year. These dollars pay for the annual costs to administer the CDBG program. HUD guidelines allow up to 20% for Administration.

2005 Funds Requested \$30,000

BUDGET NOTE: Proposed project 1 is eligible for CDBG funding under Administration and Planning and HUD allows the City to spend up to 20% of its total CDBG funds

within these categories. For 2005, the City can spend up to \$77,528 and the Subcommittee is recommending \$25,000.

SECTION 2 – Projects that qualify under “Public Services”

What are Public Services?

Public Services include child care, health care, job training, recreational programs, educational programs, public safety services, fair housing activities, services for senior citizens, services for homeless persons, drug abuse counseling and treatment, energy conservation counseling and testing, homebuyer down-payment assistance and welfare.

- 2. The Salvation Army ARP** – The Salvation Army is requesting money this year to fund the expansion of the Adult Rehabilitation Program to include 10 additional beds allowing the Salvation Army to serve an additional 20 people per year. ARP is an intensive confidential, clinical and highly structured six-month residential treatment program for men and women. The program currently has 32 beds, 18 for men and 10 for women and a 4 bed transitional Living Center. The ARP provides counseling, education, structure, housing, meals and other needs for successful recovery. The goal is to successfully discharge their clients to the community with the ability to become active, healthy, productive, law-abiding community members no longer dependent on local social programs, prepared to enter society substance free, gainfully employed and with adequate permanent housing of their own. The services are provided at no cost to the client. The ARP waiting list is between 24 and 36 months. Sixty-one percent of the referrals come from the criminal justice system.

Funding Concerns: Their CDBG application does not tell how much is needed to fund the 10 bed expansion or where it will be located and there have not been any other funding sources committed to date. Approximately 44% of the ARP clients are city residents, therefore under US Dept of Housing and Urban Development (HUD) regulations, CDBG funding can only be used to fund up to 44% of the costs of expanding the program.

2005 Funds Requested \$25,000

- 3. St. Mary’s Foundation – Gray Gourmet Meals for Elderly Program** – Funds to be used for transportation expenses (mileage reimbursement) for delivery volunteers only. The purpose of this project is to meet the nutritional needs of a growing elderly population. Meals will be delivered five days per week to low and moderate income (LMI), frail elderly who live in the Grand Junction City limits. Last year 70% of the unduplicated persons served by Gray Gourmet were Grand Junction residents. 77,202 meals, 75% of the totals meals served, were to residents of the City of Grand Junction. Approximately 66 persons will be able to transport

meals to seniors with the assistance of mileage reimbursement provided by this CDBG grant. Meals are prepared by staff at their central kitchen at 551 Chipeta Avenue and volunteers pick up meals and deliver them to the homes of designated participants. They received \$10,000 in CDBG funding in 2004 and \$5,050 in 2003.

<u>Budget:</u> 1716 miles (congregate sites)	= \$ 695.00
33,396 miles (home-delivered)	= <u>\$13,525.00</u>
	\$14,220.00

Funding Concerns: This project is **not** eligible for funding under CDBG guidelines for the following reason. CDBG grants can't fund ongoing projects at the same level of service. They can fund that portion of a project's increase in service. The Gray Gourmet program was funded the past two years with CDBG funds and the increase has been minor. Gray Gourmet is not showing a significant increase for the next two years. Note: CDBG can only pay for travel expenses incurred by City residents. At the time of application, the entire 2003 CDBG grant was spent, but none of the 2004 CDBG grant.

2005 Funds

Requested \$10,400

- 4. St. Mary's Foundation – Foster Grandparent Program** – Funds requested would be used to pay mileage reimbursement to low-income senior citizens to assist them in getting to and from their volunteer placements. Foster Grandparents help nurture, tutor and mentor 1,400 to 1,500 children with special needs. Thirty City resident volunteers will drive to their volunteer station. In 2003, 10 volunteers were paid with CDBG funds for their travel. That number increased to 12 in 2004. The Foster Grandparent Program plans to pay 10 volunteers in 2005 with this CDBG grant. They received \$7,000 in CDBG funding in 2004 and \$5,000 in 2003.

Funding Concerns: This project is **not** eligible for funding under CDBG guidelines for the following reason. CDBG grants can't fund ongoing projects at the same level of service. They can fund that portion of a project's increase in service which under this grant request would need to be an additional 10 City resident volunteers making a total of 20 City resident volunteers. The Foster Grandparent program was funded the past two years with CDBG funds and the increase has been minor. Foster Grandparents is not showing an increase for the next two years. Note: CDBG can only pay for travel expenses incurred by City residents to City's residents being served by this program. At the time of application, the entire 2003 CDBG grant was spent, but none of the 2004 CDBG grant.

2005 Funds

Requested \$10,000

- 5. St. Mary's Foundation – Senior Companion Program** – Funds requested would be used for mileage reimbursement for low income senior volunteers. The Senior Companion Program is in its 15th year of service to the community. CDBG funds will help them serve the frail elderly citizens of Grand Junction. Because their clients are isolated, frail and unable to use local transit, Senior Companions fills a unique niche in serving those homebound elderly who need assistance. According to satisfaction surveys, 87% of their clients attribute their ability to continue living independently to the ongoing help of Senior Companions. The program typically

has a waiting list of 30 people at any given time. In 2006, 50 volunteers will serve 185 elderly seniors. They received \$8,000 in CDBG funding in 2004 and \$5,000 in 2003.

Funding Concerns: This project is **not** eligible for funding under CDBG guidelines for the following reason. CDBG grants can't fund ongoing projects at the same level of service. CDBG can fund that portion of a project's increase in service. The Senior Companion program was funded the past two years with CDBG funds and the increase was from 165 clients to 218 clients. This past year 45 volunteers served these 218 clients. Senior Companions is not showing a significant increase for the next two years. They project that 50 volunteers will serve 220 elderly seniors in the next year. Note: CDBG can only pay for travel expenses incurred by City residents. At the time of application, the entire 2003 CDBG grant was spent, but none of the 2004 CDBG grant.

2005 Funds

Requested \$10,000

6. Radio Reading Services of the Rockies – Funds would support audio information services that provide access to ink print materials not otherwise available to Grand Junction’s blind, visually impaired, and print handicapped citizens. This past year 2 new listeners were added, they would like to add 12 new listeners to the current 15 listeners in Grand Junction. CDBG funds totaling \$4,500 were granted in 2004 with only a portion of those funds (\$1,000) being expended. It is estimated that there are 468 children and working aged adults and 2,573 seniors in Grand Junction that are either blind or visually impaired. CDBG dollars will be spent on underwriting Grand Junction news programming, embossing/distribution of Braille program schedules, printing/distribution of large print programs, recording/distribution of cassette tape program schedules, purchasing RRSR radios and headsets for Grand Junction residents, on-site installation and instruction, and community outreach to register new listeners and recruit local volunteer readers.

Budget:

City of Grand Junction Specific Programming	\$1,000
Braille/large print/cassette tape program schedules	\$ 900
Listener Radios or speaker headset/telephones, etc.	\$1,200
On site installation and instruction	\$ 300
Community outreach	<u>\$ 300</u>
Total	\$4,500

Funding Concerns: This project’s eligibility for funding under CDBG guidelines is questionable. CDBG grants can't fund ongoing projects at the same level of service. They can fund that portion of a project's increase in service. Thus, Radio Reading Service’s request to spend a portion of their grant on new headsets for new listeners is easier to justify than the budget dollars that will pay for Grand Junction’s specific programming which includes the ongoing cost to do business here in Grand Junction.

2005

Funds Requested \$4,500

7. **Mesa Youth Services (Partners) – 12 Passenger Van Purchase** –Funding would be used to purchase a 12 passenger van for the Restitution Community Service Work Program. This program served 1,043 individuals in 2004 which is approximately 50% of all youth served in the Partners program. Sixty-five percent of the youth served by Partners live within the City limits with 75% of them from low and moderate income families.

COST OF PROJECT:

• CDBG FUNDS	\$15,000
• Matching Funds	<u>\$15,000</u>
Total Costs	\$30,000

Funding Concerns: There are no major funding concerns, except matching funds have not yet been secured. CDBG procurement regulations will apply.

2005

Funds Requested \$15,000

8. **Grand Valley Catholic Outreach – Transitional Housing Program (COTH) –** Funds would be used to match other HUD funds (currently requesting (\$283,966 from HUD) for this project. CDBG funds will be used as part of the required match for supportive services (case management). According to the HUD SuperNOFA guidelines, 20% of the cost for supportive services and 25% of the housing costs must be secured from local sources.

Funding Concerns: This project is **not** eligible for funding under CDBG guidelines. The City granted \$10,000 in CDBG funds to Catholic Outreach in 2001 for this program. At that time the program did not exist and has since been established and is a great program. 2001 CDBG funds were used as part of the local match for the SuperNOFA HUD grant that Catholic Outreach received. The proposed scope of the program has not changed and remains at serving 15 individuals and 2 families. It is important to note that CDBG funds are not to fund an ongoing program at the same level, but must be used to fund any increase in program capacity. Therefore this project is not eligible for CDBG funding as submitted.

2005 Funds Requested \$20,802

BUDGET NOTE: Proposed projects 2 through 8 above are eligible for CDBG funding under “Public Services” and HUD allows the City to spend up to 15% of its total CDBG funds within this category. For 2005, the City can spend up to \$58,146 and the requests total \$99,922. The subcommittee is recommending spending \$40,000.

SECTION 3 – Projects that qualify under “Capital Projects”

9. **City of Grand Junction Neighborhood Program**

City Council’s Strategic Plan identifies “Vital Neighborhoods” as one of six Solutions with a specific objective of identifying potential funding sources, including CDBG funds. In 2003 Council set aside \$83,400 in CDBG funding to spend on a

neighborhood based CDBG program. These funds were expended on the Riverside School (\$19,000) and the remainder transferred to another CDBG project (\$64,400 for Linden Pointe affordable housing project). In 2004 Council set aside \$120,000 of which portions are being used on the Riverside School Roof Repair Project (up to \$47,650) and the Senior Recreation Center for architectural services (up to \$20,000).

For the remaining 2004 funds and for any 2005 money that is allotted to program specific projects can be identified in the future. A plan amendment to the respective 2004 or 2005 CDBG Action Plan and an environmental review will need to be completed for each project as identified prior to expending any CDBG funds.

Funding Concerns: If the City allocates it's maximum amount allowed under "Public Services", then any future project proposed that would be eligible under "Public Services" would not be permissible with these Neighborhood Program CDBG funds. Neighborhood Programs would have to qualify under "Capital Projects" and/or a limited amount under "Administration".

2005 Funds Requested \$120,000

- 10. Hilltop Community Resources, inc. – Latimer House Window Replacement –** CDBG funds would be used to replace 52 existing windows at the Latimer House Counseling and Advocacy Center located at 1003 Main Street. New windows would provide safety, security, functionality and energy conservation. Hilltop's programs at Latimer House include emergency shelter, advocacy, individual and group counseling, children's services and a 24 hour crisis line for victims of domestic abuse and sexual assault in Mesa County. Eighty-five percent of Latimer House clients reside in Grand Junction City limits and 95% are low income. A bid of \$50,000 to \$60,000 has been obtained for the project costs.

Funding Concerns: The Latimer House is a building that has the potential of being designated on a Register of Historic Sites, Structures and Districts. There are environmental issues regarding required historic review for this project due to potential historic significance of the building. Proposed replacement windows may not be acceptable and a more costly, historically acceptable window may be required, although other options may be allowable. Davis Bacon Wages will apply. Hilltop has not secured any other funding sources for this project at this time and hopes to use CDBG funds to leverage other grant funding.

2005 Funds Requested

\$60,000

- 11. The Treehouse (The Homeless Youth Task Force) – Homeless and Runaway Youth Shelter –** The Treehouse is requesting additional funds this year to acquire a homeless and runaway youth shelter. They want to acquire the Melrose Hotel at 337 Colorado Avenue, which is currently for sale for \$499,000. They have also identified an additional need for \$100,000 for rehabilitation. The Treehouse has begun negotiations with the property owner to acquire the property in a cost effective and timely manner.

The goal of the yourth shelter is to not only meet the basic needs of shelter, safety, food and clothing to individuals under the age of 21, but to offer a full array of

supportive services including medical care, counseling, support and advocacy, education and training. They are not in a position at this time to offer these supportive services.

Funding Concerns: The request is to use CDBG funds as a down payment/deposit to acquire the Melrose Hotel which is **not** allowed under CDBG regulations. The Task Force is not under any contract with the property owner and the property is available to anyone who makes the right offer. Thus the property may not be available when all of the funding is secured. Under HUD guidelines CDBG funds must be paid at property closing. Although the applicant is confident they will secure funding through various funding sources, they have not yet secured additional funding for this \$500,000 acquisition project.

2005 Funds Requested

\$50,000

12. Housing Resources of Western Colorado – Homeless Veterans Housing

Complex Wheelchair Lift – Housing Resources acquired eight, one-bedroom residential dwelling units for emergency housing/permanent supportive housing for homeless veterans in part using 2004 CDBG funds (\$50,000). The location of the property is 1333 North 13th Street. Housing Resources of Western Colorado has partnered with Homeward Bound, a local case management provider and the Veterans Administration to accomplish this project. They are required to make one of the eight units ADA accessible. In order to accommodate this in the current building structure, it will be necessary to install a wheel chair lift. CDBG funds would be used to construct this lift. These CDBG funds will also allow Housing Resources to leverage other funding for other rehabilitation work needed for this 8-plex.

HUD in a Notice published December 29, 2003 on Federal coordination of ending Chronic Homelessness stated, “The Community Development Block Grant (CDBG) is an important resource for local governments in their efforts to provide both transitional and permanent housing, as well as supportive services, to families and/or individuals experiencing homelessness.”

Funding Concerns: The project is eligible under CDFBG guidelines, however Davis Bacon wage requirements will apply.

2005 Funds

Requested \$30,000

13. Hope Haven – Exterior Vinyl Siding – CDBG funds would be used to purchase and install horizontal siding and insulation behind siding on the entire Hope Haven house built in 1905 and located at 811 Ouray Avenue. NO other funding requests have been applied for to fund the siding. CDBG funds would pay for 100% of the siding and insulation costs. Hope Haven provides shelter, support and education to pregnant and parenting adolescents (typically 16-23 years of age) so that they receive the necessary support to become self-sufficient and to make healthy choices for themselves and their babies. The young women and their child(ren) are able to live at Hope Haven for up to 18 months.

Funding Concerns: The Hope Haven building is located in an area that has previously been identified as an area that may be considered as a contributing building in a potential residential historic district. There are environmental issues regarding required historic review for this project due to potential historic significance of the building. The proposed replacement of existing wood siding with vinyl siding would be unlikely to meet the Secretary of Interior Standards looked at under the environmental review required when using CDBG funds.

Hope Haven received \$7,500 in CDBG funds in 2004 for replacement of the Hope House windows. This project has also been held up and at the time of this application, funds have not been expended.

Davis Bacon Wages will apply.

2005 Funds Requested \$24,366

- 14. City of Grand Junction – Ouray Avenue Storm Drain Enlargement – CDBG** funds would be used to construct a new 48 inch storm sewer from Mulberry Street to Crosby Avenue in the El Poso neighborhood. This is the first phase of a two phase project to replace a 24 inch storm drain pipe with a new 48 inch storm sewer in alignment with Ouray Avenue from 1st Street to Crosby Avenue. This storm drain conveys runoff from a large drainage basin extending from 1st Street to 7th Street and from Ouray Avenue to North Avenue.

The existing 24 inch storm sewer will carry approximately 28 cubic feet per second (cfs). This is equivalent to the runoff from a 2 year storm. The flow from a 100 year storm would be approximately 155 cfs. Without the proposed 48 inch storm sewer, the El Poso neighborhood is subject to flooding by rainstorms having a recurrence interval of more that 2 years.

The first phase of this project will enlarge the storm drain in West Ouray Avenue from Crosby Avenue to Mulberry Street. This section of 48 inch pipe will need to be installed before the streets in the El Poso neighborhood are reconstructed. These street improvements are currently scheduled for construction beginning in 2006 as part of the City's annual CIP.

Of the seven CDBG grant requests by the City's Public Works Department, this is the highest priority project.

Funding Concerns: This project needs to be funded and completed prior to funded CIP improvements in El Poso starting in 2006. Davis Bacon Wages will apply.

2005 Funds Requested \$221,400

- 15. City of Grand Junction – Linden Avenue Culvert Replacement – CDBG** funds would be used to replace an undersized culvert which conveys a major storm drain across Linden Avenue. The existing 30 inch culvert will be replaced with a 2' X 14' concrete box culvert designed to fit between existing utilities in the street.

This culvert replacement is part of a multi-phase project to enlarge the capacity of the Orchard Mesa Drainage Channel from 27 Road to Aspen Street. These

drainage improvements are necessary to prevent flooding of residential properties in the vicinity of the drain-way during intense rainstorms.

2005 Funds Requested \$120,000

- 16. City of Grand Junction – Street Resurfacing Area between Ute Avenue and North Avenue from West Avenue to 7th Street** – CDBG funds would be used for street resurfacing which will include replacement of broken or misaligned sections of curb, gutter and sidewalk, asphalt edge milling adjacent to concrete gutters and resurfacing designated streets with a 2 inch thick hot mix asphalt overlay.

2005 Funds Requested \$120,000

- 17. City of Grand Junction – Street Resurfacing Area between I-70B and Patterson Road from 25 Road to 1st Street** – CDBG funds would be used for street resurfacing which will include replacement of broken or misaligned sections of curb, gutter and sidewalk, asphalt edge milling adjacent to concrete gutters and resurfacing designated streets with a 2 inch thick hot mix asphalt overlay.

2005 Funds Requested \$64,000

- 18. City of Grand Junction – Street Resurfacing Area between I-70B and Patterson Road from 25 Road to 1st Street** – CDBG funds would be used for street resurfacing which will include replacement of broken or misaligned sections of curb, gutter and sidewalk, asphalt edge milling adjacent to concrete gutters and resurfacing designated streets with a 2 inch thick hot mix asphalt overlay.

2005 Funds Requested \$64,000

- 19. City of Grand Junction – Street Resurfacing Area between I-70B and North Avenue from 12th Street to 29 Road** – CDBG funds would be used for street resurfacing which will include replacement of broken or misaligned sections of curb, gutter and sidewalk, asphalt edge milling adjacent to concrete gutters and resurfacing designated streets with a 2 inch thick hot mix asphalt overlay.

2005 Funds Requested \$105,000

- 20. City of Grand Junction – Street Resurfacing Orchard Mesa Area between Colorado River and US Hwy 50** – CDBG funds would be used for street resurfacing which will include replacement of broken or misaligned sections of curb, gutter and sidewalk, asphalt edge milling adjacent to concrete gutters and resurfacing designated streets with a 2 inch thick hot mix asphalt overlay.

2005 Funds Requested \$42,000

GRAND TOTAL REQUESTED

\$ 1,113,688

2005 CDBG FUNDS TO BE RECEIVED

\$387,644

CDBG Program Administration and Planning

- 30,000

Remainder of 2005 CDBG Program Year Schedule

May 18, 2005	<p style="text-align: center;">PUBLIC HEARING BEFORE CITY COUNCIL City Council reviews Council Committee recommendations and makes decision on which projects to fund for 2005 program year as part of 2005 Action plan.</p>
<p>June 8, 2005 to July 8, 2005</p>	<p style="text-align: center;">PUBLIC REVIEW PERIOD FOR THE 2005 ANNUAL PLAN (30 day review period required.)</p>
June 15, 2005	<p style="text-align: center;">PUBLIC HEARING BEFORE CITY COUNCIL Final acceptance of plan. City Council reviews the 2005 update to the Consolidated Plan, which includes the Action Plan, recommended by Council on May 18th.</p>
July 11, 2005	<p style="text-align: center;">SUBMIT 2005 ANNUAL CONSOLIDATED PLAN TO HUD (45 day review required.)</p>
August 31, 2005	<p style="text-align: center;">RECEIVE HUD APPROVAL BEGIN CONTRACTS WITH SUBRECIPIENTS</p>
September 1, 2005	<p>BEGIN 2005 PROGRAM YEAR</p>

HISTORY OF GRAND JUNCTION'S USE OF CDBG FUNDS

Funded by Consolidated Plan Priority Category

1996 – 2004

Non-Housing Community Development Infrastructure (City) Projects

- South Avenue Reconstruction - 5th to 7th Street \$330,000
 - Elm Avenue - 15th St to 28 Rd \$151,855
 - Riverside Neighborhood Drainage Project \$400,000
 - Bass Street Drainage Improvement Project \$231,000
 - Riverside Neighborhood Sidewalk Project \$50,000
 - Grand Avenue Sidewalk Project \$60,000
- TOTAL = \$1,222,855 or 29.0%**

Affordable Housing Projects

- Habitat for Humanity \$119,000
 - GJHA Lincoln Apartments \$330,000
 - Mesa Developmental Services Group Homes \$240,000
 - Energy Office Linden Building Rehab (12 units) \$55,000
 - Energy Office Garden Village Apts. (91 units) \$200,000
 - GJHA Predevelopment design of Affordable Housing project \$41,720
 - GJHA Linden Avenue Apartments Infrastructure \$271,050
- TOTAL = \$ 1,256,770 or 29.8%**

Homeless Projects

- Catholic Outreach Homeless Day Center \$203,131
 - Salvation Army Hope House Shelter (transitional housing) \$50,000
 - GJHA Community Homeless Shelter \$205,000
 - Catholic Outreach Transitional Housing services \$10,000
 - Catholic Outreach Soup Kitchen \$50,000
 - Homeward Bound of the Grand Valley, Inc. \$10,000
 - Housing Resources Housing for Homeless Veterans \$50,000
- TOTAL = \$ 578,131 or 13.7%**

Special-Needs Population and Other Human Service Needs Projects (Agencies Funded)

- Marillac Clinic \$290,000
- Colorado West Mental Health \$25,000
- Headstart Classroom/Family Center \$104,000
- Mesa Youth Services, Inc., Partners \$15,000
- Western Region Alternative to Placement (WRAP) \$17,500
- Western Slope Center for Children \$101,280
- St Mary's Foundation Programs \$40,050
- The Tree House \$20,000
- Center For Independence \$20,000
- Radio Reading Services \$4,500
- Mesa County Health \$5,000
- Hilltop Community Resources \$50,000
- Hope Haven \$7,500

TOTAL = \$ 699,830 or 16.6%

City of Grand Junction Neighborhood Program

TOTAL = \$ 203,400 or 4.8%

CDBG Administration and Planning Costs

TOTAL = \$252,014 or 6.0%

TOTAL 1996 – 2004 CDBG DOLLARS ALLOCATED = \$4,213,000

#	AGENCY	PROJECT / REQUEST	FUNDS REQUEST	MINIMUM REQUEST	FUNDING LIMITATIONS & Additional
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2005 FUNDS AVAILABLE FROM HUD FOR CDBG PROGRAM = \$387,644 TOTAL FUNDS

1	City of Grand Junction CDBG Administration Budget	Administration Costs to manage and administer the City's CDBG Entitlement Program for the 2005 Program Year. \$20,000 for Program Administration and \$10,000 to administer the City's Neighborhood Program.	\$ 30,000	\$ 30,000	
	Projects listed above are under 20% "Planning" Cap.	Maximum that can be spent in this category = \$77,528 SUBTOTAL	\$ 30,000	\$ 30,000	
2	The Salvation Army ARP	Salvation Army Adult Rehabilitation Program (ARP) is seeking CDBG funding to help fund the expansion of the program to include 10 additional beds allowing Salvation Army to serve an additional 20 people. Currently there are 32 beds serving 64 people annually.	\$ 25,000	\$ 25,000	Approximately 44% of the ARP clients are city residents. CDBG can only fund up to 44% of the costs of expanding the program to include 10 additional beds. The future site of these 10 beds is not known and there are no other sources to complete this proposal.
3	St. Mary's Foundation - Gray Gourmet	Gray Gourmet Senior Nutrition: Home Delivered Meals. CDBG funds will pay for transportation cost for volunteer mileage reimbursement.	\$ 14,220	NA	Funding for Mileage Only. Note: CDBG can only pay for mileage incurred by City residents.
4	St Mary's Foundation - Foster Grandparent Program	Foster Grand Parent Program. CDBG funds will pay for transportation cost for volunteer mileage reimbursement.	\$ 10,400	\$ 8,800	Funding for Mileage Only. This project is not eligible for the following reason. CDBG grants can't fund on a level of service. They can fund that portion of a project. Foster Grandparent program was funded the past two years. The increase has been minor. Foster Grandparents is not increasing for the next two years. Note: CDBG could only pay for travel expenses incurred by City residents.
5	St Mary's Foundation - Senior Companion Program	Senior Companion Program. CDBG funds will pay transportation costs (mileage reimbursement for volunteers).	\$ 10,000	\$ 5,000	Funding for Mileage Only. This project is not eligible for the following reason. CDBG grants can't fund on a level of service. They can fund that portion of a project. Senior Companion Program was funded the past two years. The increase has been minor. Senior Companions is not increasing in the number of people served for the next two years. Note: CDBG could only pay for travel expenses incurred by City residents.

6	Radio Reading Services of the Rockies	CDBG Funding will be used for radio/headset telephones for listeners, program schedules, outreach and Grand Junction specific programming.	\$ 4,500	\$ 4,500	Radio Reading Services was funded by CDBG last year. This project's eligibility for funding for a 2nd year un- questionable. CDBG grants can't fund ongoing projects in service. They can fund that portion of a project's increase in need to show that 2005 CDBG funding is being used over 2004. Only \$1000 of last years \$4500 CDBG grant.
7	Mesa Youth Services (PARTNERS) -12 Passenger Van	CDBG funds to purchase a 12 passenger van to transport youth in the Restitution Program which totalled 1,043 youth in 2004.	\$ 15,000	Negotiable	CDBG Procurement regulations must be followed.
8	Grand Valley Catholic Outreach Transitional Housing (COTH)	CDBG funds would be used as part of the matching funds with HUD for a renewal of the Catholic Outreach Transitional Housing Project. The COTH program is made available to the homeless - 15 individuals and 2 families for a period of 12 to 24 months.	\$ 20,802	\$ 10,000	This project is not eligible for funding under CDBG. CDBG grants can not fund ongoing projects at the same level. They can fund that portion of a project's increase in service. The program was funded a couple of years ago and the City's \$10,000 CDBG funding was used for the program at the same level which is the current level of funding (for 2 families).
Projects listed above are under 15% "Public Services" Cap		There is no Minimum, but the Maximum that can be spent in this category = \$58,146	\$ 99,922	\$ 53,300	SUBTOTAL

Proj #	AGENCY	PROJECT / REQUEST	FUNDS REQUEST	MINIMUM REQUEST	FUNDING LIMITATIONS & Additional
9	City of Grand Junction Neighborhood Program Funds	Budget for the neighborhood based CDBG program	\$ 120,000	\$ 120,000	When future neighborhood projects are identified the environmental assessment will be required before spending. Public Service cap of \$58,146 is reached with other projects. If no neighborhood projects will be allowed that qualify under the 15% cap.
10	Hilltop Community Resources, Inc. - The Latimer House Window Replacement Project	CDBG funds would be used to replace existing windows at the Latimer House Counseling and Advocacy Center.	\$ 60,000	\$ 30,000	Davis Bacon Wages will apply. Environmental review of building. Proposed replacement windows may not be as costly historically acceptable window used; or other options may be appropriate.

11	The Treehouse - Homeless and Runaway Youth Shelter	CDBG funds will be used to help purchase the Melrose Hotel at 337 Colorado Avenue that will be converted into a 30 bed Youth Shelter.	\$ 50,000	\$ 30,000	Total project cost of acquisition and rehabilitation is requesting to use the CDBG money for a downpayment. This is not allowable, however, CDBG funds can be used at the time of closing on the property. The CDBG funds used to help leverage other grant dollars.
12	Housing Resources of Western Colorado Homeless Veterans Housing Complex - Wheelchair Lift	CDBG funds will be used to construct an ADA accessible wheelchair lift for the Homeless Veterans Transitional Housing complex at 1333 N. 13th Street.	\$ 30,000	\$ 30,000	The Homeless Supportive Transitional Housing Complex (13th Street) was acquired last year by Housing Resources of Western Colorado's 2004 CDBG (\$50,000) Program. Housing Resources will use at least one of the eight one-bedroom units ADA accessible.
13	Hope Haven Exterior Vinyl Siding Project	CDBG funds will be used to construct vinyl siding and insulation on the entire Hope Haven House at 811 Ouray Avenue.	\$ 24,366	\$ 10,000	Davis Bacon Wages will apply. Environmental review of a building which has already determined this building is a historic designation. Proposed vinyl siding may not be acceptable. Historically acceptable siding may have to be used.
14	City of Grand Junction Ouray Avenue Storm Drain Enlargement	CDBG funds will construct a new 48 inch storm sewer from Mulberry Street to Crosby Avenue within the El Poso Neighborhood, a low and moderate income neighborhood.	\$ 221,400	\$ 221,400	This project needs to be funded and completed prior to other (\$1.86 million) improvements in El Poso starting in 2010. Davis Bacon Wages will apply.
15	City of Grand Junction Linden Avenue Culvert Replacement	CDBG funds will replace an undersized culvert which conveys a major storm drain across Linden Avenue within a low and moderate income neighborhood.	\$ 120,000	\$ 120,000	Davis Bacon Wages will apply.
16	City of Grand Junction Street Resurfacing - Ute Av to North Av and West Av to 7th St	CDBG funds will be used to resurface neighborhood streets within this low and moderate income neighborhood	\$ 120,000	\$ 120,000	Davis Bacon Wages will apply.
17	City of Grand Junction Street Resurfacing - 1-70B to Patterson and 25 Rd to 1st St	CDBG funds will be used to resurface neighborhood streets within this low and moderate income neighborhood	\$ 64,000	\$ 64,000	Davis Bacon Wages will apply.
18	City of Grand Junction Street Resurfacing - North Av to Orchard and 12th St to 29 Rd	CDBG funds will be used to resurface neighborhood streets within this low and moderate income neighborhood	\$ 27,000	\$ 27,000	Davis Bacon Wages will apply.
19	City of Grand Junction Street Resurfacing - 1-70B to North and 12th St to 29 Rd	CDBG funds will be used to resurface neighborhood streets within this low and moderate income neighborhood	\$ 105,000	\$ 105,000	Davis Bacon Wages will apply.

20	City of Grand Junction Street Resurfacing - Orchard Mesa Area between Colorado River and Hwy 50	CDBG funds will be used to resurface neighborhood streets within this low and moderate income neighborhood	\$ 42,000	\$ 42,000	Davis Bacon Wages will apply.
Capital Projects - No funding % limits, however a minimum of \$299,498 must be spent under this category.		TOTAL	\$ 983,766	\$ 919,400	

2005 FUNDS REQUESTED = \$ 1,113,688

Attach 19

Public Hearing Iris Court Enclave Annexation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Annexation and zoning of the Iris Court Enclave Annexation located at 2250 South Broadway					
Meeting Date	May 18, 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"/>	No	<input type="checkbox"/>	Yes	When	
Citizen Presentation	<input type="checkbox"/>	Yes	<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 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:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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.

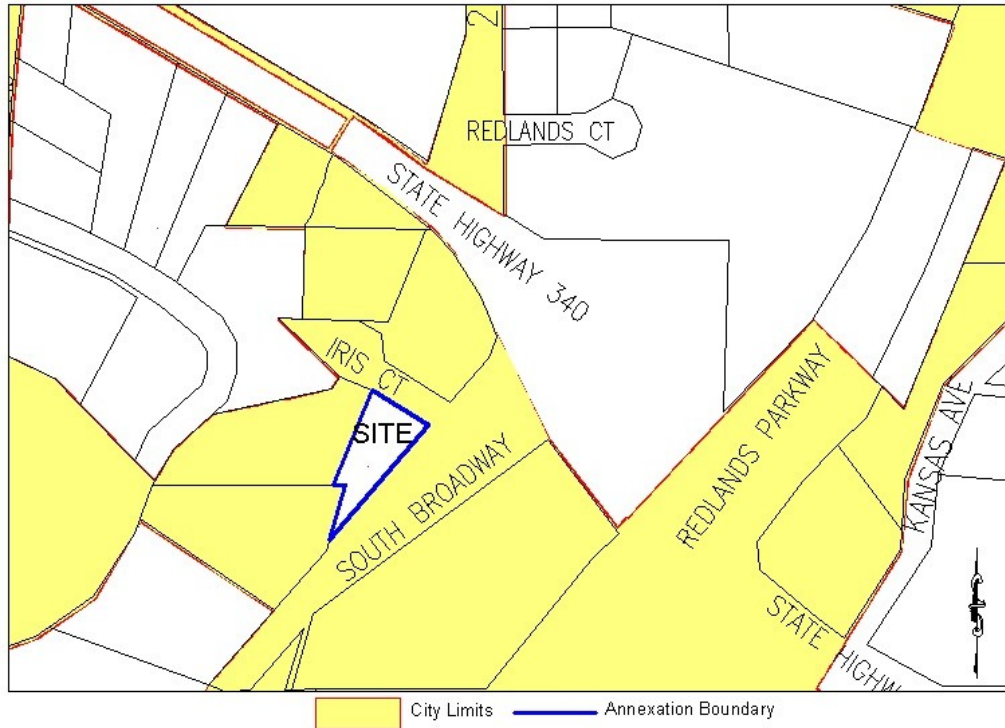
<u>ANNEXATION SCHEDULE</u>	
March 16, 2005	Notice of Intent to Annex & (30 Day Notice)
March 22, 2005	Planning Commission considers Zone of Annexation
April 6, 2005	First Reading on Annexation & Zoning by City Council
April 20, 2005	Public hearing on Annexation and Zoning by City Council
May 22, 2005	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

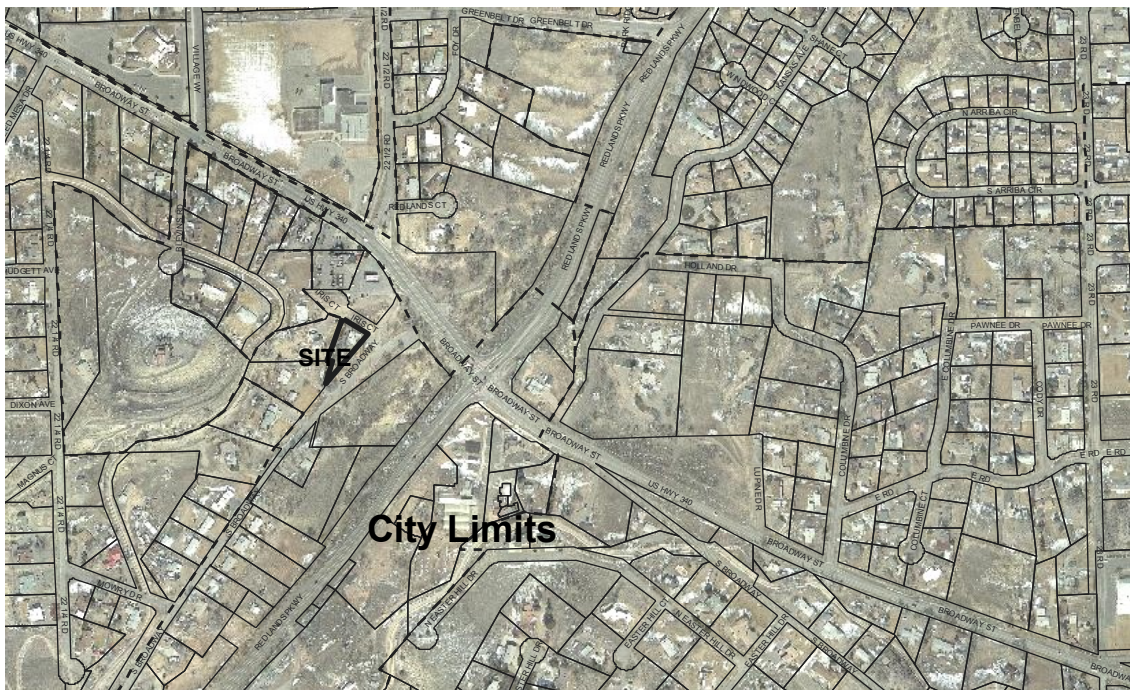
Site Location Map

Figure 1



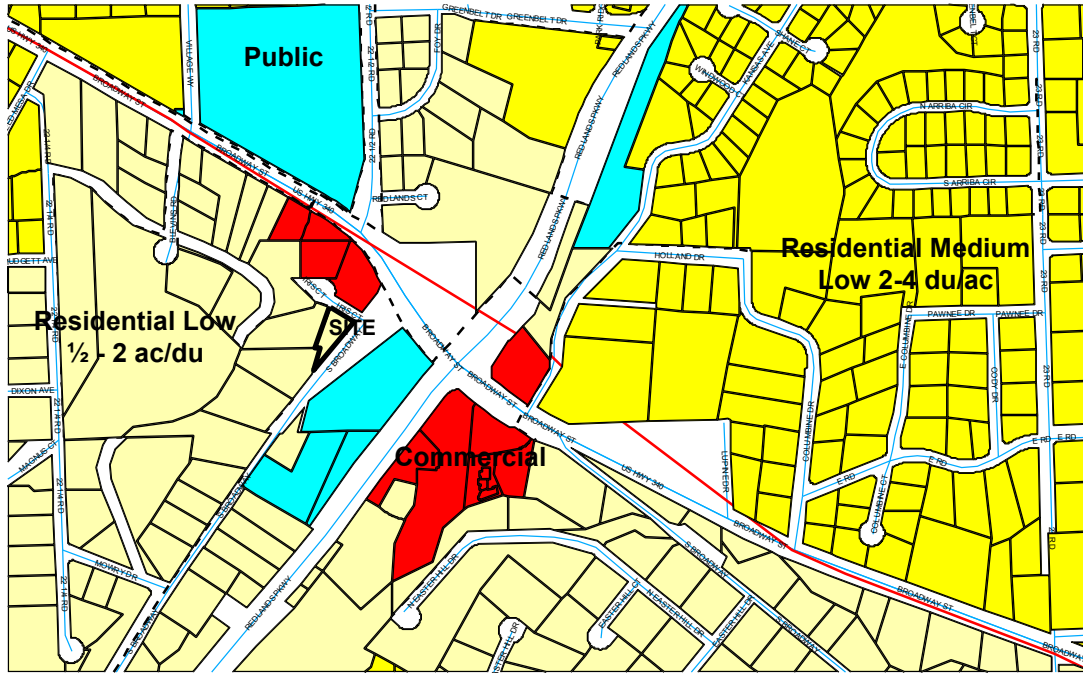
Aerial Photo Map

Figure 2



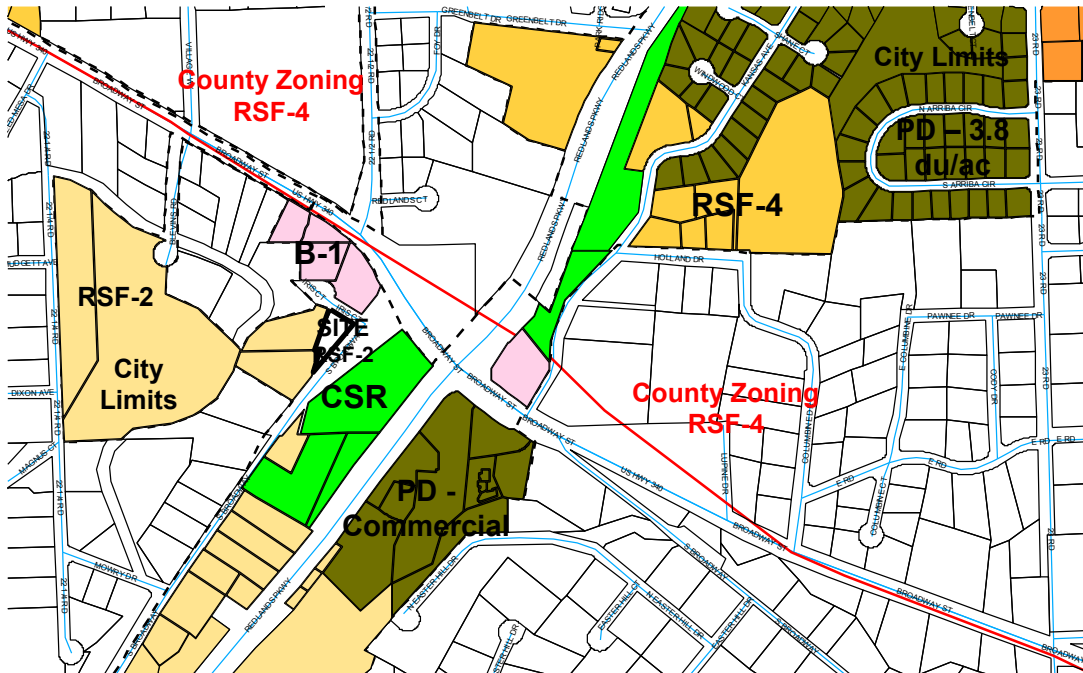
Future Land Use Map

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 20

Public Hearing PS Substation Enclave Annexation

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	May 18, 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"/>	When	
Citizen Presentation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		<input type="checkbox"/>	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:

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

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 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.

9. 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.

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 criterion 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 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.

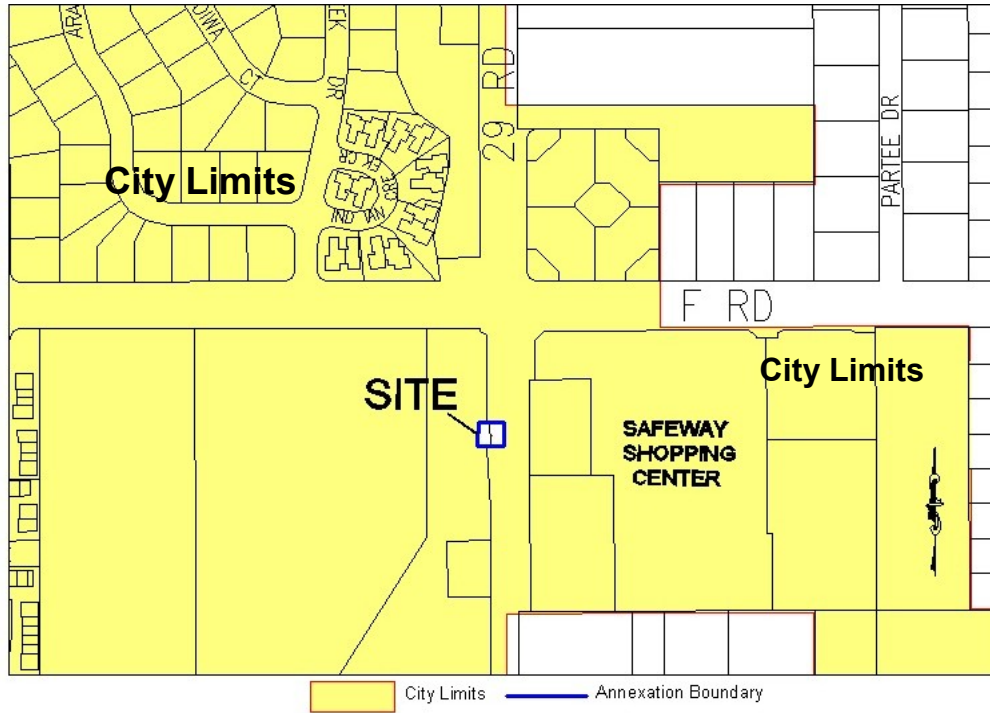
<u>ANNEXATION SCHEDULE</u>	
March 16, 2005	Notice of Intent to Annex & (30 Day Notice)
March 22, 2005	Planning Commission considers Zone of Annexation
April 6, 2005	First Reading on Annexation & Zoning by City Council
April 20, 2005	Public hearing on Annexation and Zoning by City Council
May 22, 2005	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



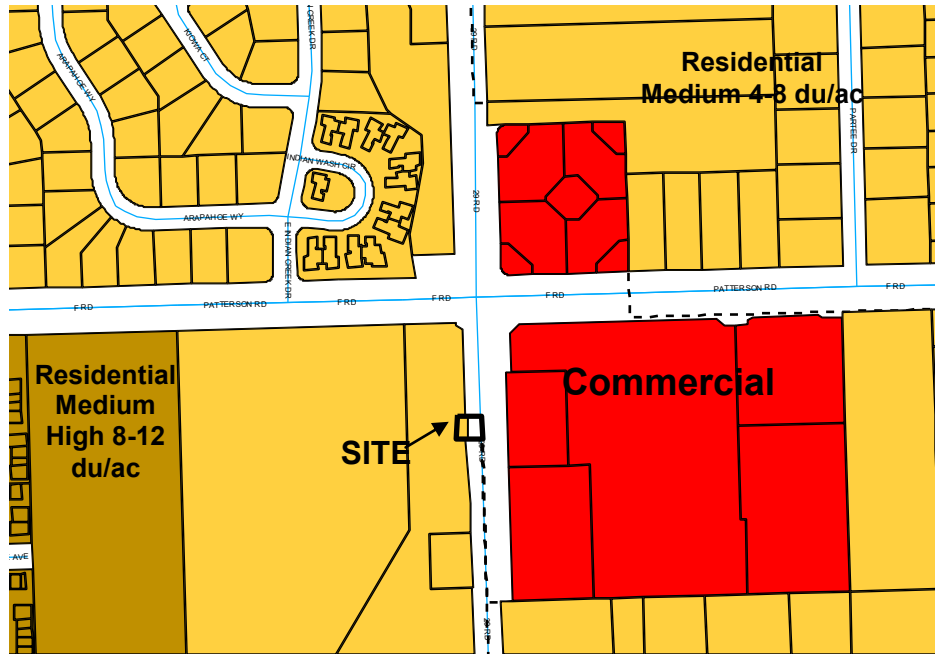
Aerial Photo Map

Figure 2



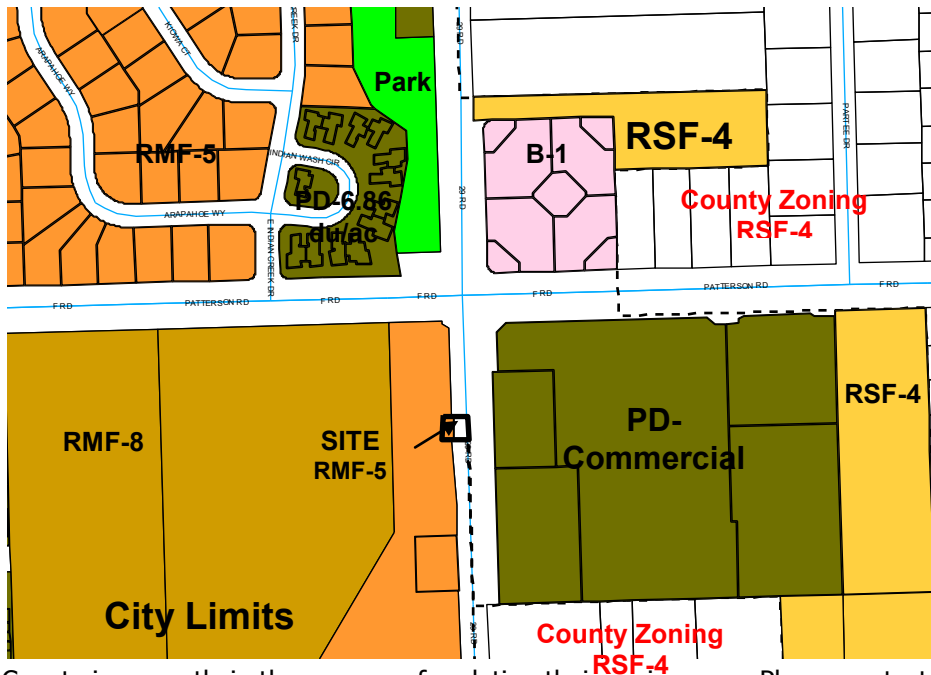
Future Land Use Map

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 21

Public Hearing Webb Crane Enclave Annexation

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	May 18, 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"/>	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 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:

- 36. Staff report/Background information
- 37. Annexation - Location Map / Aerial Photo
- 38. Growth Plan Map / Zoning Map
- 39. Annexation Ordinance
- 40. 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:

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 polices 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.

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:

5. 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.

15. 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.

16. 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.

17. 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.

11. 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.

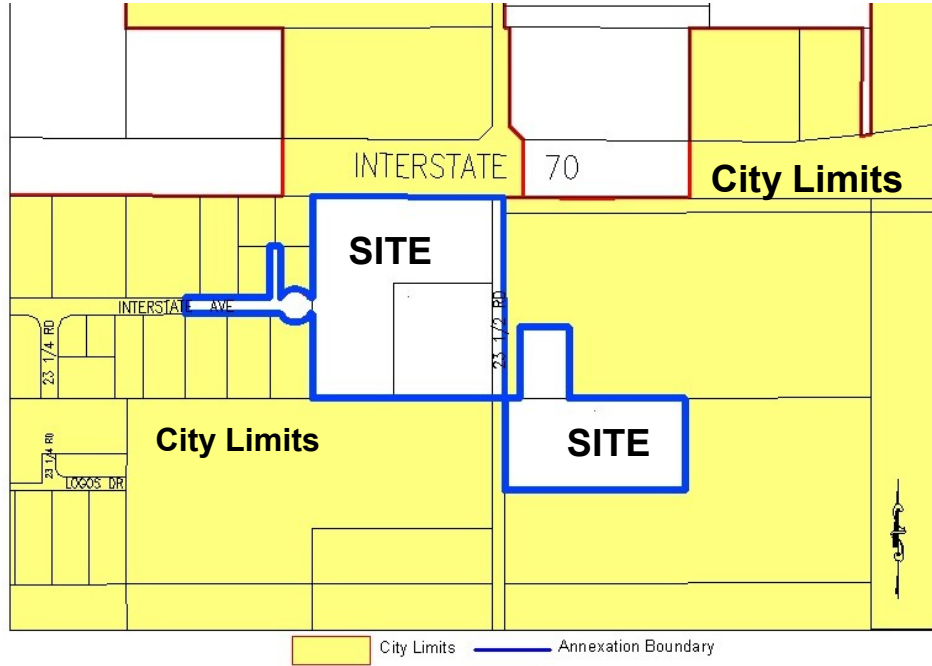
<u>ANNEXATION SCHEDULE</u>	
March 16, 2005	Notice of Intent to Annex & (30 Day Notice)
March 22, 2005	Planning Commission considers Zone of Annexation
April 6, 2005	First Reading on Annexation & Zoning by City Council
April 20, 2005	Public hearing on Annexation and Zoning by City Council
May 22, 2005	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

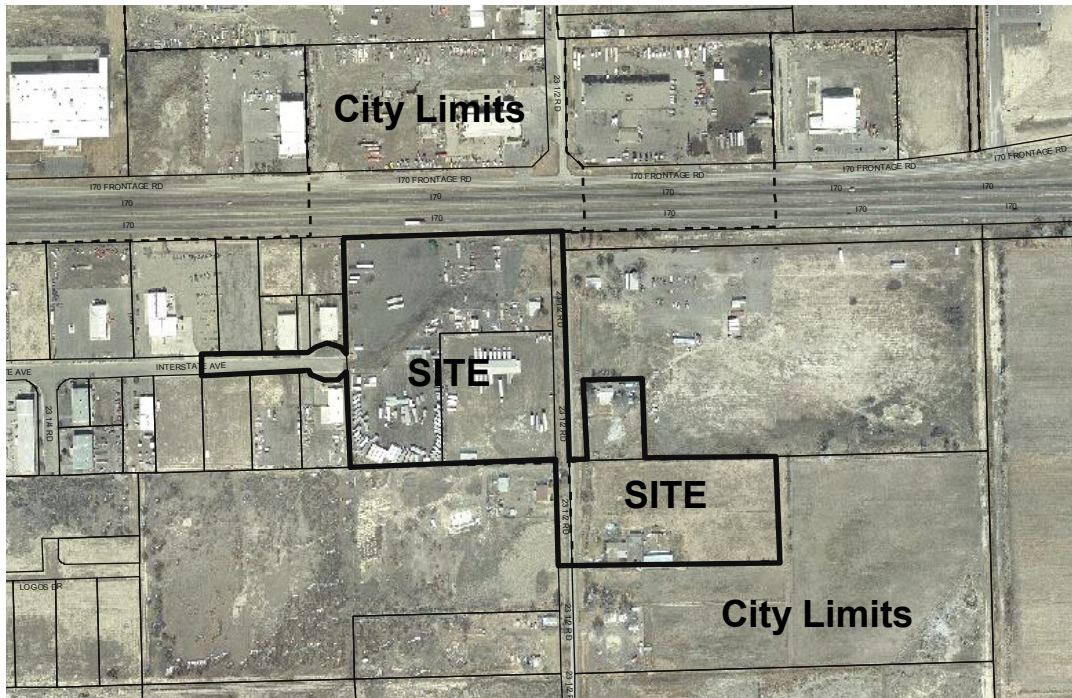
Site Location Map

Figure 1



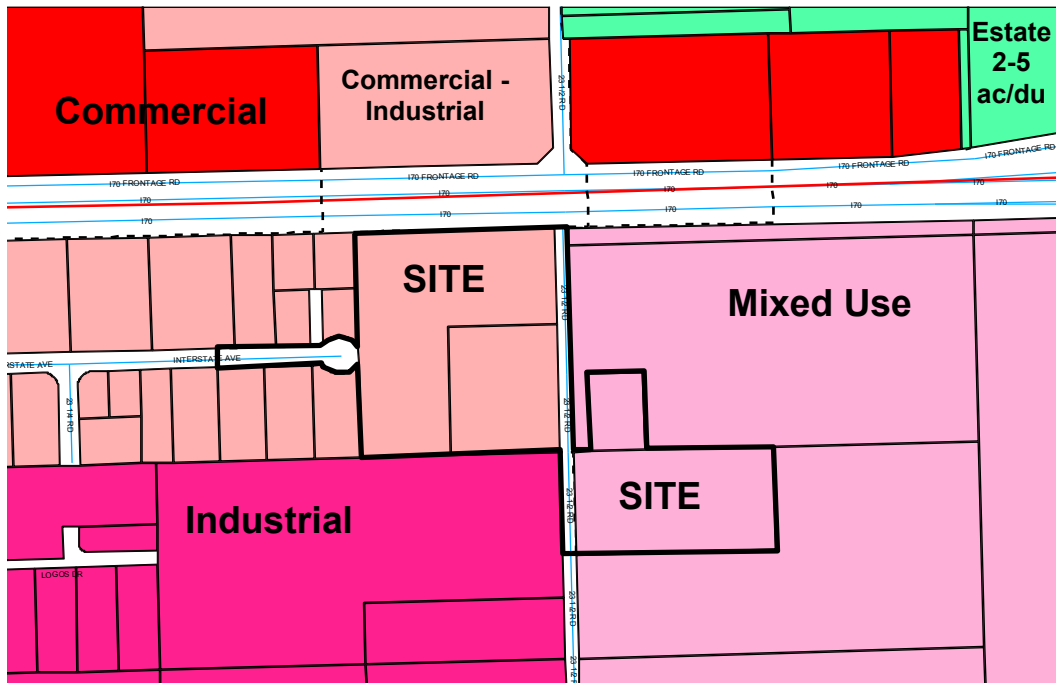
Aerial Photo Map

Figure 2



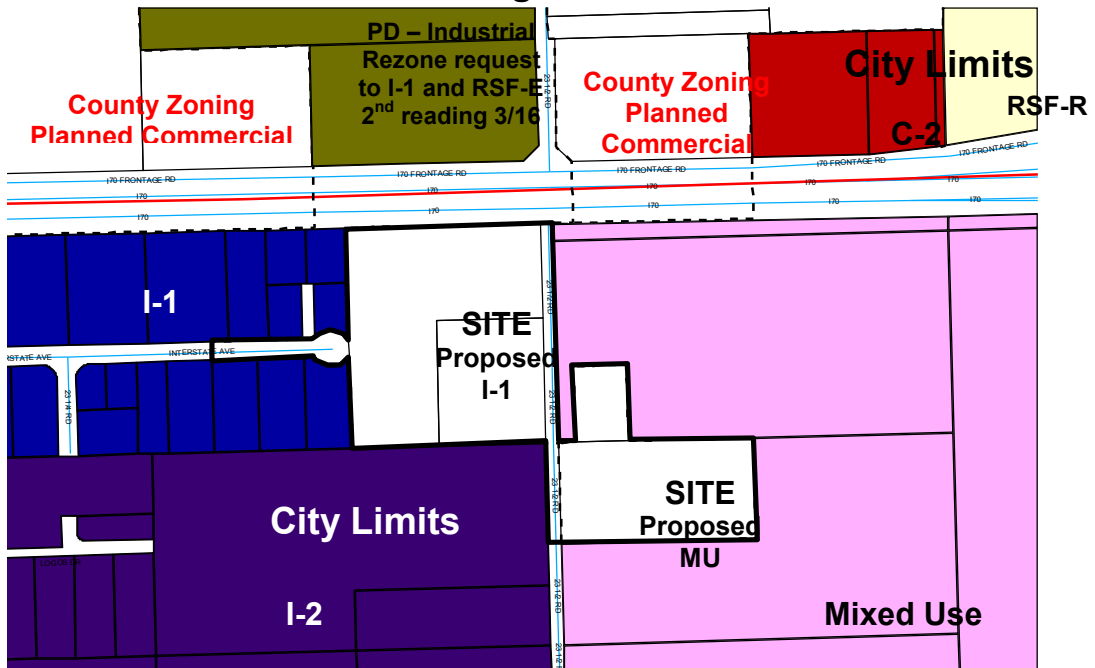
Future Land Use Map

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 22

Public Hearing Anson Annexation No. 1,2,3,4 Located at 2929 B ¼ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Annexation and Zoning of the Anson Annexations Located at 2729 B ¼ Road					
Meeting Date	May 18, 2005					
Date Prepared	May 12, 2005				File #ANX-2005-036	
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		<input type="checkbox"/>	Consent
					<input checked="" type="checkbox"/>	Individual Consideration

Summary: Acceptance of a petition to annex and consider the annexations and zoning for the Anson Annexations. The Anson Annexations are located at 2729 B ¼ Road, includes a portion of the B ¼ Road right-of-way, consists of 1 parcel on 3.53 acres, and is a four part serial annexation. The zoning being requested is RSF-4.

Budget: N/A

Action Requested/Recommendation: 1) approve resolution accepting a petition for annexation, 2) public hearing to consider final passage of the annexations and zoning ordinances.

Background Information: See attached Staff Report/Background Information

Attachments:

41. Staff report/Background information
42. Annexation - Location Map / Aerial Photo
43. Growth Plan Map / Zoning Map
44. Acceptance Resolution
45. Annexation Ordinances
46. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION					
Location:		2729 B ¼ Road			
Applicants:		Owner: South Camp LLC – Cliff Anson Representative: Ciavonne Roberts & Assoc – Ted Ciavonne			
Existing Land Use:		Single Family Residence			
Proposed Land Use:		Single Family Subdivision			
Surrounding Land Use:	North	Single Family Residential / Agricultural			
	South	Single Family Residential / Agricultural			
	East	Single Family Residential / Agricultural			
	West	Single Family Residential / Agricultural			
Existing Zoning:		County RSF-4			
Proposed Zoning:		City RSF-4			
Surrounding Zoning:	North	County RSF-4			
	South	County RSF-4			
	East	County RSF-4			
	West	County RSF-4			
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 3.606 acres of land and is comprised of 1 parcel. The property owners have requested annexation into the City as the result of a desire to subdivide the property. Under the 1998 Persigo Agreement all subdivisions require annexation and processing in the City.

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

Zoning: The requested zone of annexation to the RSF-4 district is consistent with the Growth Plan density of Residential Medium Low 2-4 du/ac. 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 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:

6. 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.

18. 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.

19. 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.

20. 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.

12. 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 RSF-4 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.

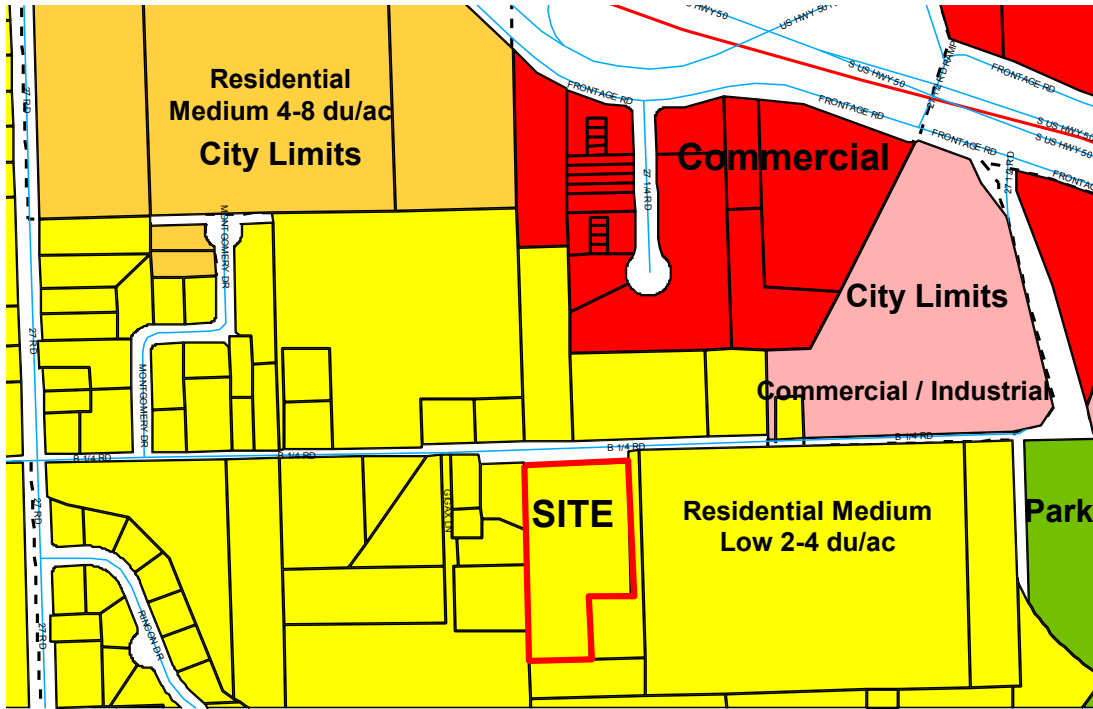
<i>ANNEXATION SCHEDULE</i>	
April 6, 2005	Referral of Petition (30 Day Notice), Introduction Of Proposed Ordinances, Exercising Land Use
April 26, 2005	Planning Commission considers Zone of Annexation
May 4, 2005	Introduction Of A Proposed Ordinance on Zoning by City Council
May 18, 2005	Acceptance of Petition and Public Hearing on Annexations and Zoning by City Council
June 19, 2005	Effective date of Annexations and Zoning

ANSON ANNEXATION SUMMARY

File Number:	ANX-2005-036	
Location:	2729 B ¼ Road	
Tax ID Number:	2945-253-00-104	
Parcels:	1	
Estimated Population:	3	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	1	
Acres land annexed:	3.606 acres	
Developable Acres Remaining:	2.6	
Right-of-way in Annexation:	27,842 sq ft of B ¼ Road right-of-way	
Previous County Zoning:	RSF-4	
Proposed City Zoning:	RSF-4	
Current Land Use:	Single Family Residence	
Future Land Use:	Single Family Subdivision	
Values:	Assessed:	= \$12,720
	Actual:	= \$159,880
Address Ranges:	2723-2729 B ¼ Road (odd only)	
Special Districts:	Water:	Ute Water
	Sewer:	Orchard Mesa Sanitation District
	Fire:	Grand Junction Rural Fire District
	Irrigation:	Orchard Mesa Irrigation
	School:	Mesa County District #51
	Pest:	N/A

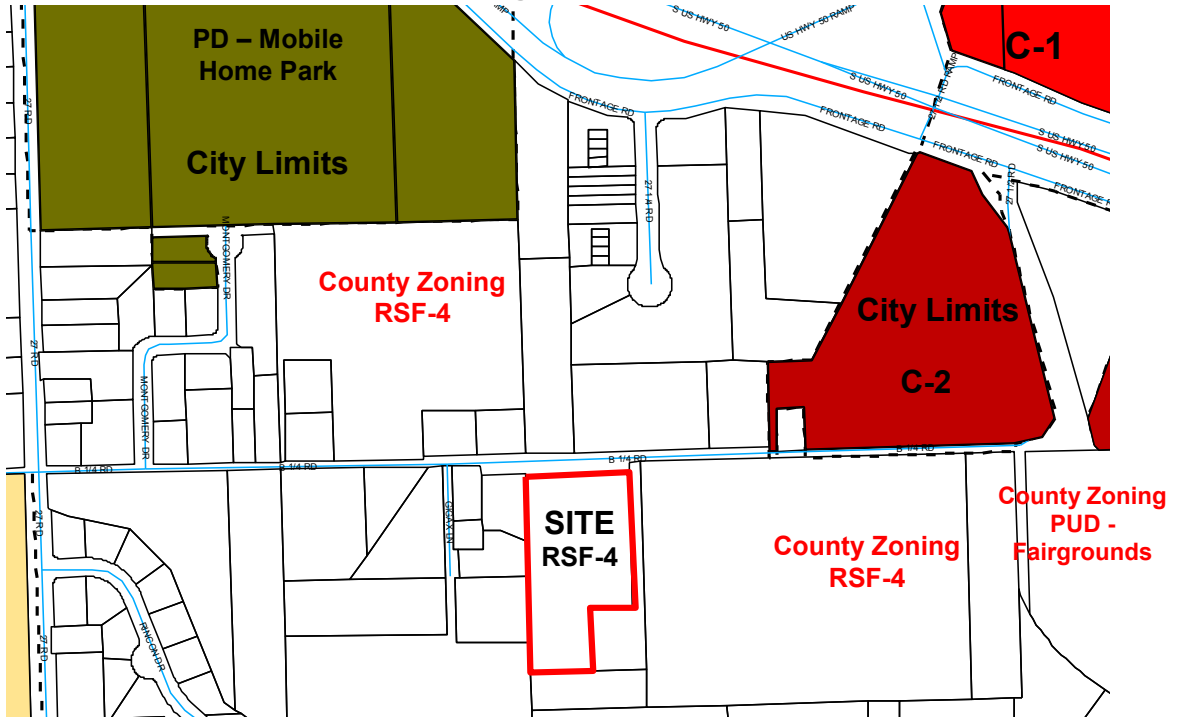
Future Land Use Map

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."

RESOLUTION NO. ____

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

ANSON ANNEXATIONS NOS. 1, 2, 3, and 4

LOCATED at 2729 B ¼ Road and a portion of the B ¼ Road right-of-way

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 6th day of April, 2005, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

Anson Annexation No. 1

A parcel of land located in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 25, Township 1 South, 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 Wheeling Corrugated Annexation, Ordinance No. 3145 City of Grand Junction, lying on the North line of the SE 1/4 SW 1/4 of said Section 25, and assuming the North line of the SE 1/4 SW 1/4 of said Section 25 bears S89°54'50"W with all bearings contained herein relative thereto; thence from said Point of Beginning S89°54'50"W along the North line of the SE 1/4 SW 1/4 of said Section 25 a distance of 5.00 feet; thence N00°05'10"W a distance of 15.00 feet; thence S89°54'50"W along a line being 5.00 South of and parallel with the North right of way of B 1/4 Road a distance of 34.50 feet; thence N00°05'10"W a distance of 5.00 feet to the North right of way of said B 1/4 Road; thence N89°54'50"E along the North right of way of said B 1/4 Road a distance of 39.50 feet to the West line of said Wheeling Corrugated Annexation; thence S00°05'10"E along the West line of said Wheeling Corrugated Annexation a distance of 20.00 feet to the Point of Beginning.

Said parcel contains 0.006 acres (272 square feet) more or less as described.

Anson Annexation No. 2

A parcel of land located in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) and the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the Southwest corner of Wheeling Corrugated Annexation, Ordinance No. 3145 City of Grand Junction, lying on the North line of the SE 1/4 SW 1/4 of said Section 25, and assuming the North line of the SE 1/4 SW 1/4 of said Section 25 bears S89°54'50"W with all bearings contained herein relative thereto; thence from said Point of Commencement S89°54'50"W along the North line of the SE 1/4 SW 1/4 of said Section 25 a distance of 5.00 feet to the Point of Beginning; thence S00°05'10"E a distance of 20.00 feet to the South right of way of B 1/4 Road; thence S89°54'50"W along the South right of way of said B 1/4 Road a distance of 83.30 feet; thence N00°05'10"W a distance of 5.00 feet; thence N89°54'50"E along a line being 5.00 feet North of and parallel with the South right of way line of said B 1/4 Road a distance of 78.80 feet; thence N00°05'10"W a distance of 25.00 feet; thence S89°54'50"W along a line being 10.00 feet South of and parallel with the North right of way of said B 1/4 Road a distance of 29.50 feet; thence N00°05'10"W a distance of 5.00 feet; thence N89°54'50"E along a line being 5.00 feet South of and parallel with the North right of way line of said B 1/4 Road a distance of 34.50 feet; thence S00°05'10"E along a line being 5.00 West of and parallel with the West line of said Wheeling Corrugated Annexation a distance of 15.00 feet to the Point of Beginning.

Said parcel contains 0.02 acres (717 square feet) more or less as described.

Anson Annexation No. 3

A parcel of land located in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) and the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the Southwest corner of Wheeling Corrugated Annexation, Ordinance No. 3145 City of Grand Junction, lying on the North line of the SE 1/4 SW 1/4 of said Section 25, and assuming the North line of the SE 1/4 SW 1/4 of said Section 25 bears S89°54'50"W with all bearings contained herein relative thereto; thence from said Point of Commencement S89°54'50"W along the North line of the SE 1/4 SW 1/4 of said Section 25 a distance of 10.00 feet to the Point of Beginning; thence S00°05'10"E a distance of 15.00 feet; thence S89°54'50"W along a line being 5.00 feet North of and parallel with the South right of way line of B 1/4 Road a distance of 78.80 feet; thence S00°05'10"E a distance of 5.00 feet to the South right of way of said B 1/4 Road; thence along the South right of way of said B 1/4 Road S89°54'50" a distance of 292.30 feet; thence N00°05'10"W a distance of 5.00 feet; thence N89°54'50"E along a line being 5.00 feet North of and parallel with the South right of way line of said B 1/4 Road a distance of 287.30 feet; thence N00°05'10"W a distance of 5.00 feet; thence N89°54'50"E along a line being 10.00 feet North of and parallel with the South right of way line of said B 1/4 Road a distance of 78.80 feet; thence N00°05'10"W a distance of 15.00 feet; thence S89°54'50"W along a line being 15.00 feet South of and parallel with the North right of way line of said B 1/4 Road a distance of 29.50 feet; thence N00°05'10"W a distance of 15.00 feet to the North right of way line of said B 1/4 Road;

thence N89°54'50"E along the North right of way of said B 1/4 Road a distance of 5.00 feet; thence S00°05'10"E a distance of 10.00 feet; thence N89°54'50"E along a line being 10.00 feet South of and parallel with the North right of way line of said B 1/4 Road a distance of 29.50 feet; thence S89°54'50"W a distance of 10.00 feet to the Point of Beginning.

Said parcel contains 0.05 acres (2178 square feet) more or less as described.

Anson Annexation No. 4

A parcel of land located in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) and the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Northwest corner of the SE 1/4 SW 1/4 of said Section 25 and assuming the North line of the SE 1/4 SW 1/4 of said Section 25 bears S89°54'50"W with all bearings contained herein relative thereto; thence from said Point of beginning N00°05'10"W a distance of 20.00 feet to the North right of way of B 1/4 Road; thence N89°54'50"E along the North right of way of said B 1/4 Road a distance of 616.67 feet; thence S00°05'10"E a distance of 15.00 feet; thence N89°54'50"E a distance of 29.50 feet; thence S00°05'10"E a distance of 15.00 feet; thence S89°54'50"W along a line being 10.00 foot North of and parallel with the South right of way of B 1/4 Road a distance of 78.80 feet; thence S00°05'10"E a distance of 5.00 feet; thence S89°54'50"W along a line being 5.00 foot North of and parallel with the South right of way of B 1/4 Road a distance of 287.29 feet; thence S00°11'53"E a distance of 371.80 feet; thence S89°49'02"W a distance of 115.00 feet; thence S00°11'58"E a distance of 170.00 feet; thence S89°58'52"W a distance of 165.00 feet; thence N00°11'58"W a distance of 576.80 feet to the Point of Beginning.

Said parcel contains 3.53 acres (153,961 square feet) more or less as described

WHEREAS, a hearing on the petition was duly held after proper notice on the 18th day of May, 2005; and

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

in excess of two hundred thousand dollars is included without the landowner's consent; and that no election is required under the Municipal Annexation Act of 1965.

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

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

ADOPTED this 18th day of May, 2005.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

ANSON ANNEXATION NO. 1

APPROXIMATELY 0.006 ACRES OF B 1/4 ROAD RIGHT-OF-WAY

WHEREAS, on the 6th 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 18th day of May, 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:

ANSON ANNEXATION #1

A parcel of land located in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 25, Township 1 South, 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 Wheeling Corrugated Annexation, Ordinance No. 3145 City of Grand Junction, lying on the North line of the SE 1/4 SW 1/4 of said Section 25, and assuming the North line of the SE 1/4 SW 1/4 of said Section 25 bears S89°54'50"W with all bearings contained herein relative thereto; thence from said Point of Beginning S89°54'50"W along the North line of the SE 1/4 SW 1/4 of said Section 25 a distance of 5.00 feet; thence N00°05'10"W a distance of 15.00 feet; thence S89°54'50"W along a line being 5.00 South of and parallel with the North right of way of B 1/4 Road a distance of 34.50 feet; thence N00°05'10"W a distance of 5.00 feet to the North right of way of said B 1/4 Road; thence N89°54'50"E along the North right of way

of said B 1/4 Road a distance of 39.50 feet to the West line of said Wheeling Corrugated Annexation; thence S00°05'10"E along the West line of said Wheeling Corrugated Annexation a distance of 20.00 feet to the Point of Beginning.

Said parcel contains 0.006 acres (272 square feet) more or less as described.

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

INTRODUCED on first reading on the 6th day of April, 2005 and ordered published.

ADOPTED on second reading this 18th day of May, 2005.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

ANSON ANNEXATION NO. 2

APPROXIMATELY 0.02 ACRES OF B ¼ ROAD RIGHT-OF-WAY

WHEREAS, on the 6th 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 18th day of May, 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:

ANSON ANNEXATION #2

A parcel of land located in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) and the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the Southwest corner of Wheeling Corrugated Annexation, Ordinance No. 3145 City of Grand Junction, lying on the North line of the SE 1/4 SW 1/4 of said Section 25, and assuming the North line of the SE 1/4 SW 1/4 of said Section 25 bears S89°54'50"W with all bearings contained herein relative thereto; thence from said Point of Commencement S89°54'50"W along the North line of the SE 1/4 SW 1/4 of said Section 25 a distance of 5.00 feet to the Point of Beginning; thence S00°05'10"E a distance of 20.00 feet to the South right of way of B 1/4 Road; thence S89°54'50"W along the South right of way of said B 1/4 Road a distance of 83.30 feet; thence

N00°05'10"W a distance of 5.00 feet; thence N89°54'50"E along a line being 5.00 feet North of and parallel with the South right of way line of said B 1/4 Road a distance of 78.80 feet; thence N00°05'10"W a distance of 25.00 feet; thence S89°54'50"W along a line being 10.00 feet South of and parallel with the North right of way of said B 1/4 Road a distance of 29.50 feet; thence N00°05'10"W a distance of 5.00 feet; thence N89°54'50"E along a line being 5.00 feet South of and parallel with the North right of way line of said B 1/4 Road a distance of 34.50 feet; thence S00°05'10"E along a line being 5.00 West of and parallel with the West line of said Wheeling Corrugated Annexation a distance of 15.00 feet to the Point of Beginning.

Said parcel contains 0.02 acres (717 square feet) more or less as described.

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

INTRODUCED on first reading on the 6th day of April, 2005 and ordered published.

ADOPTED on second reading this 18th day of May, 2005.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

ANSON ANNEXATION NO. 3

APPROXIMATELY 0.05 ACRES OF B ¼ ROAD RIGHT-OF-WAY

WHEREAS, on the 6th 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 18th day of May, 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:

ANSON ANNEXATION #3

A parcel of land located in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) and the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Commencing at the Southwest corner of Wheeling Corrugated Annexation, Ordinance No. 3145 City of Grand Junction, lying on the North line of the SE 1/4 SW 1/4 of said Section 25, and assuming the North line of the SE 1/4 SW 1/4 of said Section 25 bears S89°54'50"W with all bearings contained herein relative thereto; thence from said Point of Commencement S89°54'50"W along the North line of the SE 1/4 SW 1/4 of said Section 25 a distance of 10.00 feet to the Point of Beginning; thence S00°05'10"E a distance of 15.00 feet; thence S89°54'50"W along a line being 5.00 feet North of and parallel with the South right of way line of B 1/4 Road a distance of 78.80 feet; thence

S00°05'10"E a distance of 5.00 feet to the South right of way of said B 1/4 Road; thence along the South right of way of said B 1/4 Road S89°54'50" a distance of 292.30 feet; thence N00°05'10"W a distance of 5.00 feet; thence N89°54'50"E along a line being 5.00 feet North of and parallel with the South right of way line of said B 1/4 Road a distance of 287.30 feet; thence N00°05'10"W a distance of 5.00 feet; thence N89°54'50"E along a line being 10.00 feet North of and parallel with the South right of way line of said B 1/4 Road a distance of 78.80 feet; thence N00°05'10"W a distance of 15.00 feet; thence S89°54'50"W along a line being 15.00 feet South of and parallel with the North right of way line of said B 1/4 Road a distance of 29.50 feet; thence N00°05'10"W a distance of 15.00 feet to the North right of way line of said B 1/4 Road; thence N89°54'50"E along the North right of way of said B 1/4 Road a distance of 5.00 feet; thence S00°05'10"E a distance of 10.00 feet; thence N89°54'50"E along a line being 10.00 feet South of and parallel with the North right of way line of said B 1/4 Road a distance of 29.50 feet; thence S89°54'50"W a distance of 10.00 feet to the Point of Beginning.

Said parcel contains 0.05 acres (2178 square feet) more or less as described.
Be and is hereby annexed to the City of Grand Junction, Colorado.

INTRODUCED on first reading on the 6th day of April, 2005 and ordered published.

ADOPTED on second reading this 18th day of May, 2005.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

ANSON ANNEXATION NO. 4

APPROXIMATELY 3.53 ACRES

**LOCATED AT 2729 B ¼ ROAD INCLUDING A PORTION OF B ¼ ROAD RIGHT-OF-
WAY**

WHEREAS, on the 6th 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 18th day of May, 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:

ANSON ANNEXATION #4

A parcel of land located in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) and the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 25, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Northwest corner of the SE 1/4 SW 1/4 of said Section 25 and assuming the North line of the SE 1/4 SW 1/4 of said Section 25 bears S89°54'50"W with all bearings contained herein relative thereto; thence from said Point of beginning N00°05'10"W a distance of 20.00 feet to the North right of way of B 1/4 Road; thence N89°54'50"E along the North right of way of said B 1/4 Road a distance of 616.67 feet;

thence S00°05'10"E a distance of 15.00 feet; thence N89°54'50"E a distance of 29.50 feet; thence S00°05'10"E a distance of 15.00 feet; thence S89°54'50"W along a line being 10.00 foot North of and parallel with the South right of way of B 1/4 Road a distance of 78.80 feet; thence S00°05'10"E a distance of 5.00 feet; thence S89°54'50"W along a line being 5.00 foot North of and parallel with the South right of way of B 1/4 Road a distance of 287.29 feet; thence S00°11'53"E a distance of 371.80 feet; thence S89°49'02"W a distance of 115.00 feet; thence S00°11'58"E a distance of 170.00 feet; thence S89°58'52"W a distance of 165.00 feet; thence N00°11'58"W a distance of 576.80 feet to the Point of Beginning.

Said parcel contains 3.53 acres (153,961 square feet) more or less as described.

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

INTRODUCED on first reading on the 6th day of April, 2005 and ordered published.

ADOPTED on second reading this 18th day of May, 2005.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

LOCATED AT 2729 B 1/4 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 Anson Annexation to the RSF-4 zone district for the following reasons:

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

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

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

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

The following property shall be zoned RSF-4 with a density not to exceed 4 units per acre.

ANSON ANNEXATION

BEG S 0DEG01' E 25FT FR NW COR SE4SW4 SEC 25 1S 1W E 280FT S 0DEG01' E
361.8FTW 115FT S 0DEG01' E 170FT W 165FT N 0DEG01' W 531.8FT TO POB

CONTAINING 2.97 Acres (129,373.2 Sq. Ft.), more or less, as described.

Introduced on first reading this 4th day of May, 2005 and ordered published.

Adopted on second reading this _____ day of _____, 2003.

ATTEST:

City Clerk

Mayor

Attach 23

Public Hearing – Burkey Park Annexation & Zoning Located at 2980 F Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Annexation and Zoning of the Burkey Park Annexation Located at 2980 F Road					
Meeting Date	May 18, 2005					
Date Prepared	May 9, 2005				File #GPA-2005-060	
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: Acceptance of a petition to annex and consider the annexation and zoning for the Burkey Park Annexation. The Burkey Park Annexation is located at 2980 F Road and consists of 2 parcel on 19.19 acres. The zoning being requested is CSR.

Budget: N/A

Action Requested/Recommendation: 1) approve resolution accepting a petition for annexation, 2) public hearing to consider final passage of annexation and zoning ordinances.

Background Information: See attached Staff Report/Background Information

Attachments:

- 47. Staff report/Background information
- 48. Annexation - Location Map / Aerial Photo
- 49. Growth Plan Map / Zoning Map
- 50. Acceptance Resolution
- 51. Annexation Ordinance
- 52. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION			
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

Staff Analysis:

ANNEXATION:

This annexation area consists of 19.19 acres of land and is comprised of 2 parcel. The property owner has requested annexation into the City as the result of a desire to develop the property. Under the 1998 Persigo Agreement all non-residential development requires 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 Burkey Park 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.

Zone of Annexation: The requested zone of annexation to the CSR district is consistent with the Growth Plan intensity of Park. 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 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:

- 7. 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.

- 21. 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 when the park is developed.

- 22. 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.

- 23. 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.

13. 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 CSR district to be consistent with the Growth Plan and Sections 2.6 and 2.14 of the Zoning and Development Code.

The following annexation and zoning schedule is being proposed.

<i>ANNEXATION SCHEDULE</i>	
April 6, 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 4, 2005	Introduction Of A Proposed Ordinance on Zoning by City Council
May 18, 2005	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
June 19, 2005	Effective date of Annexation and Zoning

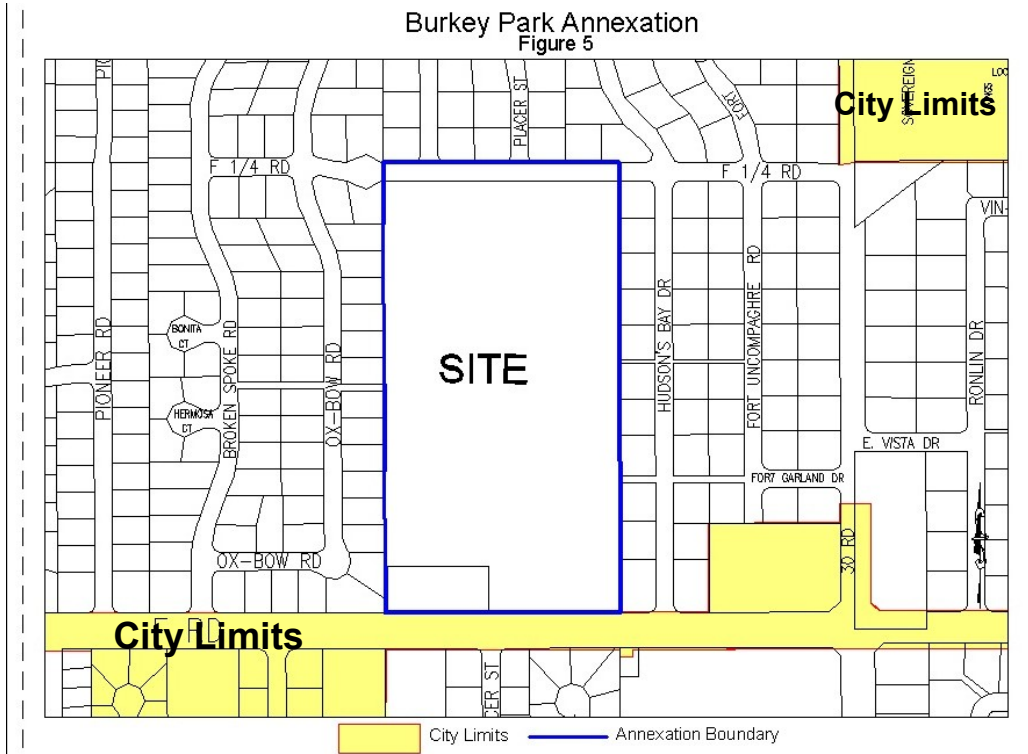
BURKEY PARK ANNEXATION SUMMARY

File Number:	ANX-2005-060	
Location:	2980 F Road	
Tax ID Number:	2943-054-00-940 / 941	
Parcels:	2	
Estimated Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	19.19 ac	
Developable Acres Remaining:	19 ac	
Right-of-way in Annexation:	33,046 sq ft of F ¼ Road right-of-way	
Previous County Zoning:	RSF-4	
Proposed City Zoning:	CSR	
Current Land Use:	Vacant	
Future Land Use:	City Park	
Values:	Assessed:	= \$26,710
	Actual:	= \$92,100
Address Ranges:	2976 – 2986 F Road (even only), 2975 – 2987 F ¼ Road (odd only)	
Special Districts:	Water:	Ute Water
	Sewer:	Central Grand Valley Sanitation
	Fire:	Grand Junction Rural Fire District
	Irrigation/Drainage:	Palisade Irrigation / Grand Junction Drainage District
	School:	Mesa County District #51
	Pest:	N/A

Site Location Map

Figure 1

Burkey Park Annexation
Figure 5



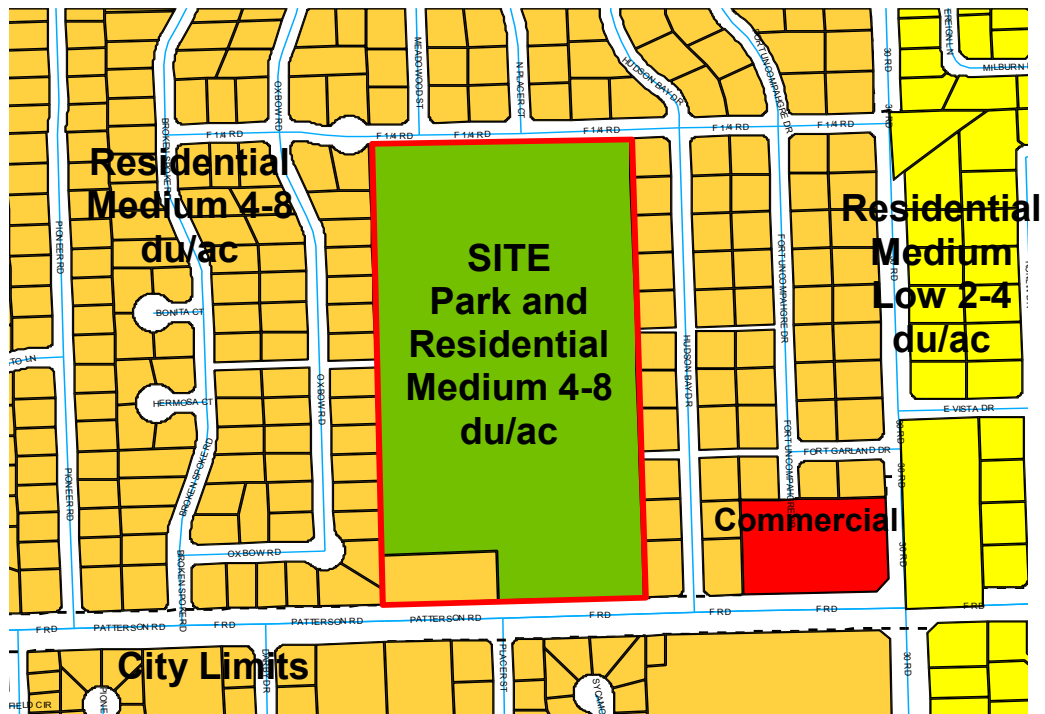
Aerial Photo Map

Figure 2



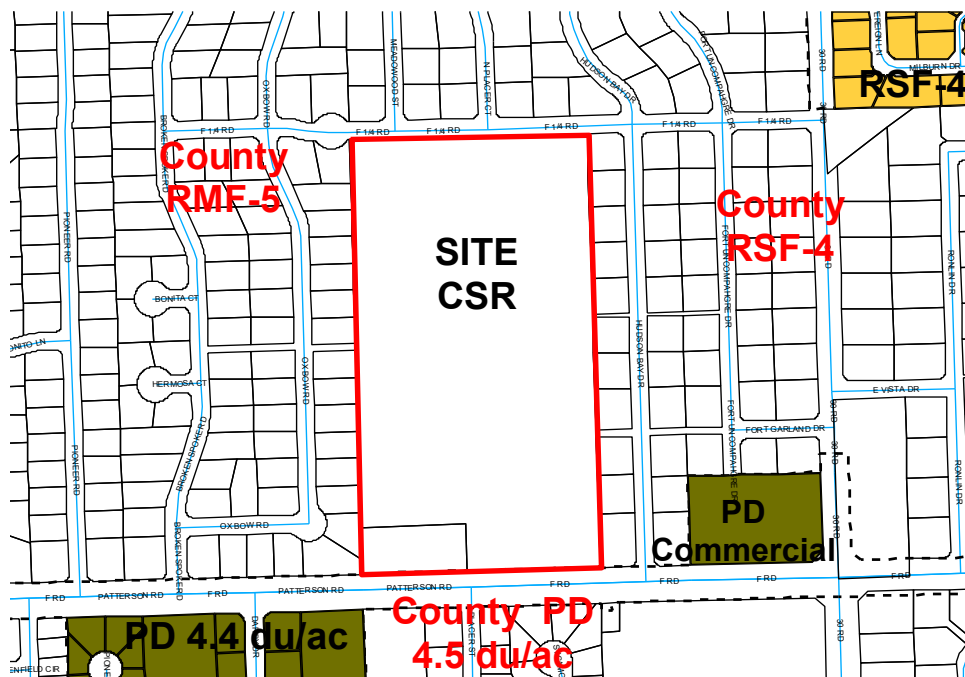
Future Land Use Map

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."

RESOLUTION NO. ____

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

BURKEY PARK ANNEXATION

LOCATED at 2980 F Road

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 6th day of April, 2005, a petition was submitted to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

BURKEY PARK ANNEXATION

A parcel of land located in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 5, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado being more particularly described as follows:

Beginning at the Southeast corner of Ox-Bow Subdivision Filing No. Three, as recorded in Plat Book 11, Page 264, public records of Mesa County, Colorado, and assuming the West line of the SE 1/4 SE 1/4 of said Section 5 bears N00°10'24"W with all bearings contained herein relative thereto; thence from said Point of Beginning N00°10'24"W along the West line of the SE 1/4 SE 1/4 of said section 5 a distance of 1265.81 feet to the Northwest corner of the SE 1/4 SE 1/4 of said section 5; thence S89°53'33"E along the North line of the SE 1/4 SE 1/4 of said section 5 a distance of 660.94 feet to the intersection of the Northerly projected West line of Trading Post Subdivision as recorded in Plat Book 11, Page 212, public records of Mesa County, Colorado; thence S00°09'50"E along said West line of Trading Post Subdivision a distance of 1264.30 feet to the Southwest corner of said Trading Post Subdivision and being the North Right of Way of 'F' Road; thence S89°58'34"W along the North Right of Way line of 'F' Road a distance of 660.73 feet to the Point of Beginning.

Said parcel contains 19.19 acres (835,988 sq. ft.) more or less as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 18th day of May, 2005; and

WHEREAS, the Council has found and determined and does hereby find and determine that said petition is in substantial compliance with statutory requirements

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

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

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

ADOPTED this 18th day of May, 2005.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

BURKEY PARK ANNEXATION

APPROXIMATELY 19.19 ACRES

LOCATED AT 2980 F Road

WHEREAS, on the 6th 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 18th day of May, 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:

BURKEY PARK ANNEXATION

A parcel of land located in the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 5, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado being more particularly described as follows:

Beginning at the Southeast corner of Ox-Bow Subdivision Filing No. Three, as recorded in Plat Book 11, Page 264, public records of Mesa County, Colorado, and assuming the West line of the SE 1/4 SE 1/4 of said Section 5 bears N00°10'24"W with all bearings contained herein relative thereto; thence from said Point of Beginning N00°10'24"W along the West line of the SE 1/4 SE 1/4 of said section 5 a distance of 1265.81 feet to the Northwest corner of the SE 1/4 SE 1/4 of said section 5; thence S89°53'33"E along the North line of the SE 1/4 SE 1/4 of said section 5 a distance of 660.94 feet to the

intersection of the Northerly projected West line of Trading Post Subdivision as recorded in Plat Book 11, Page 212, public records of Mesa County, Colorado; thence S00°09'50"E along said West line of Trading Post Subdivision a distance of 1264.30 feet to the Southwest corner of said Trading Post Subdivision and being the North Right of Way of 'F' Road; thence S89°58'34"W along the North Right of Way line of 'F' Road a distance of 660.73 feet to the Point of Beginning.

Said parcel contains 19.19 acres (835,988 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 6th day of April, 2005 and ordered published.

ADOPTED on second reading this 18th day of May, 2005.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE BURKEY PARK ANNEXATION TO
CSR**

LOCATED AT 2980 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 Burkey Park Annexation to the CSR zone district for the following reasons:

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

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

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

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

The following property shall be zoned CSR.

BURKEY PARK ANNEXATION

Beginning at the Southeast corner of Ox-Bow Subdivision Filing No. Three, as recorded in Plat Book 11, Page 264, public records of Mesa County, Colorado, and assuming the West line of the SE 1/4 SE 1/4 of said Section 5 bears N00°10'24"W with all bearings contained herein relative thereto; thence from said Point of Beginning N00°10'24"W along the West line of the SE 1/4 SE 1/4 of said section 5 a distance of 1265.81 feet to the Northwest corner of the SE 1/4 SE 1/4 of said section 5; thence S89°53'33"E along the North line of the SE 1/4 SE 1/4 of said section 5 a distance of 660.94 feet to the intersection of the Northerly projected West line of Trading Post Subdivision as recorded in Plat Book 11, Page 212, public records of Mesa County, Colorado; thence

S00°09'50"E along said West line of Trading Post Subdivision a distance of 1264.30 feet to the Southwest corner of said Trading Post Subdivision and being the North Right of Way of 'F' Road; thence S89°58'34"W along the North Right of Way line of 'F' Road a distance of 660.73 feet to the Point of Beginning.

Said parcel contains 19.19 acres (835,988 sq. ft.) more or less as described.

Introduced on first reading this 4th day of May, 2005 and ordered published.

Adopted on second reading this 18th day of May, 2005.

Mayor

ATTEST:

City Clerk

Attach 24

Public Hearing First Supplemental Appropriation Ordinance for 2005

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	1st Supplemental Appropriation Ordinance for 2005					
Meeting Date	May 18, 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		Consent	X 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.

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.

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.

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 hold a public hearing and consider final passage and final publication on May 18th, 2005.

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

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:

FUND NAME	FUND #	APPROPRIATION
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 25

Public Hearing – Amendment to Chapter 4, Code of Ordinances Regarding Special Events

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA									
Subject		Special Events Permits							
Meeting Date		May 18, 2005							
Date Prepared		April 12, 2005					File #		
Author		John Shaver			City Attorney				
Presenter Name		John Shaver			City Attorney				
Report results back to Council		x	No		Yes	When			
Citizen Presentation			Yes	x	No	Name			
	Workshop	X	Formal Agenda				Consent	X	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 20th day of April, 2005.

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

Bruce Hill
President of the Council

Attest:

Stephanie Tuin
City Clerk

Attach 26

Public Hearing Correct Scrivener's Error in Parking Code

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject	Correction of scrivener's error in parking code							
Meeting Date	May 18, 2005							
Date Prepared	April 22, 2005				File #			
Author	Shelly Dackonish			Staff Attorney				
Presenter Name	John Shaver			City Attorney				
Report results back to Council		No		Yes	When			
Citizen Presentation		Yes	x	No	Name			
	Workshop			Formal Agenda	X	Consent		Individual Consideration

Summary: On December 6, 2000, Ordinance No. 3320 was adopted, containing Section 36-22, regarding parking privileges for the handicapped. Due to a scrivener's error, the word "not" was omitted from that Section describing exceptions to the privileges for handicapped parking. This amendment is designed to correct the scrivener's error.

Budget: N/A

Action Requested/Recommendation: Adopt proposed amendment.

Attachments: (1) Redlined ordinance highlighting the amendment. (2) Ordinance.

Background Information: On December 6, 2000, Ordinance No. 3320 was adopted, containing Section 36-22, regarding parking privileges for the handicapped. Due to a scrivener's error, the word "not" was omitted from that Section describing exceptions to the privileges for handicapped parking. This amendment is designed to correct the scrivener's error.

ORDINANCE NO. _____

AN ORDINANCE AMENDING PART OF CHAPTER 36 OF THE CITY OF GRAND JUNCTION CODE OF ORDINANCES RELATING TO HANDICAPPED PARKING PRIVILEGE

Recitals.

On December 6, 2000, Ordinance No. 3320 was adopted, containing Section 36-22, regarding parking privileges for the handicapped.

Due to a scrivener's error, the word "not" was omitted from that Section describing exceptions to the privileges for handicapped parking.

This amendment is corrects the scrivener's error.

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

Chapter 36-22 of the Code of Ordinances, City of Grand Junction, Colorado, is hereby amended to read as follows.

Sec. 36-22. Parking privilege for the handicapped.

A vehicle with distinguishing license plates or an identifying placard indicating a "person with mobility handicap," defined as a person so severely handicapped that the person is unable to move from place to place without the aid of a mechanical device, may be parked along public streets regardless of any time limitation imposed by official signs upon parking in such area; except that such privilege shall **not** apply to zones in which:

- (1) Stopping, standing or parking of all vehicles is prohibited at all times;
- (2) Only special vehicles may be parked; or
- (3) Parking is not allowed during specific periods of the day in order to accommodate heavy traffic.

All other provisions of Chapter 36 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

ORDINANCE NO. _____

AN ORDINANCE AMENDING PART OF CHAPTER 36 OF THE CITY OF GRAND JUNCTION CODE OF ORDINANCES RELATING TO HANDICAPPED PARKING PRIVILEGE

Recitals.

On December 6, 2000, Ordinance No. 3320 was adopted, containing Section 36-22, regarding parking privileges for the handicapped.

Due to a scrivener's error, the word "not" was omitted from that Section describing exceptions to the privileges for handicapped parking.

This amendment is designed to correct the scrivener's error.

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

Chapter 36-22 of the Code of Ordinances, City of Grand Junction, Colorado, is hereby amended to read as follows.

Sec. 36-22. Parking privilege for the handicapped.

A vehicle with distinguishing license plates or an identifying placard indicating a "person with mobility handicap," defined as a person so severely handicapped that the person is unable to move from place to place without the aid of a mechanical device, may be parked along public streets regardless of any time limitation imposed by official signs upon parking in such area; except that such privilege shall not apply to zones in which:

- (1) Stopping, standing or parking of all vehicles is prohibited at all times;
- (2) Only special vehicles may be parked; or
- (3) Parking is not allowed during specific periods of the day in order to accommodate heavy traffic.

All other provisions of Chapter 36 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