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

WEDNESDAY, JULY 6, 2005, 7:00 P.M.

CALL TO ORDER

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

APPOINTMENTS

TO THE WALKER FIELD AIRPORT AUTHORITY

TO THE INTERBASIN COMPACT COMMITTEE (RESOLUTION NO. 116-05) [Attach 1](#)

PRESENTATION OF CERTIFICATES OF APPOINTMENT

DOWNTOWN DEVELOPMENT AUTHORITY

PARKS AND RECREATION ADVISORY BOARD

CITIZEN COMMENTS

DONATION TO THE CITY FOR THE D.A.R.E. PROGRAM [Attach 2](#)

RICK RIEGER REGARDING THE SMOKING ORDINANCE

***** CONSENT CALENDAR ***®**

1. **Minutes of Previous Meetings** [Attach 3](#)

Action: Approve the Summary of the June 13, 2005 Workshop and the Minutes of the June 15, 2005 Special Session and the Minutes of the June 15, 2005 Regular Meeting

2. **Setting a Hearing for Zoning the Career Center Annexation, Located at 2935 North Avenue** [File #ANX-2005-102] [Attach 4](#)

Introduction of a proposed zoning ordinance to zone the Career Center Annexation CSR, located at 2935 North Avenue.

Proposed Ordinance Zoning the Career Center Annexation to CSR, Located at 2935 North Avenue

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

Staff presentation: Senta L. Costello, Associate Planner

3. **Vacation of 10' Utility and Drainage Easement, Located at 662 McCaldon Way** [File #VE-2005-077] [Attach 5](#)

Proposed vacation resolution to vacate the northern 5' portion of an existing 10' utility and drainage easement located at 662 McCaldon Way and more fully described in Book 3701 at Pages 663 and 664 of the Mesa County records.

Resolution No. 117-05 – A Resolution Vacating a Utility and Drainage Easement Located at 662 McCaldon Way, Also Known as Lot 7 of the Forrest Glen Subdivision

®Action: Adopt Resolution No. 117-05

Staff presentation: Lisa E. Cox, Senior Planner

4. **Revocable Permit for a Fence, Located at 1532 N. 25th Street** [File #RVP-2005-122] [Attach 6](#)

Request to allow an encroachment of a proposed chain-link fence up to a maximum height of six feet (6'), to be located in the N. 25th Street right-of-way located at 1532 N. 25th Street.

Resolution No. 118-05 – A Resolution Concerning the Issuance of a Revocable Permit to Robert L. and Bonnie M. Blunk

®Action: Adopt Resolution No. 118-05

Staff presentation: Scott D. Peterson, Associate Planner

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

[Attach 7](#)

Introduction of a proposed ordinance to zone the 35.52 acre Twenty Three Park Plaza Annexation I-O (Industrial/Office Park).

Proposed Ordinance Zoning the Twenty Three Park Plaza Annexation to I-O (Industrial/Office Park), Located at the NW Corner of 23 Road and I-70

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

Staff presentation: Kathy Portner, Planning Manager

6. **Setting a Hearing for Zoning the Koch/Fisher Annexation, Located at 2041 and 2043 Conestoga Drive** [File #ANX-2005-108]

[Attach 8](#)

Introduction of a proposed zoning ordinance to zone the Koch/Fisher Annexation to an RSF-4 (Residential Single-Family with a density not to exceed 4 du/ac) zone district, located at 2041 and 2043 Conestoga Drive.

Proposed Ordinance Zoning the Koch/Fisher Annexation to an RSF-4 (Residential Single-Family with a Density Not to Exceed 4 du/ac) Zone District, Located at 2041 and 2043 Conestoga Drive

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

Staff presentation: Ronnie Edwards, Associate Planner

7. **Setting a Hearing for Zoning the Schultz Annexation, Located at 513 29 ¼ Road** [File #ANX-2005-112]

[Attach 9](#)

Introduction of a proposed zoning ordinance to zone the Schultz Annexation to an RMF-8 (Residential Multi-Family with a density not to exceed 8 du/ac) zone district, located at 513 29 ¼ Road.

Proposed Ordinance Zoning the Schultz Annexation to an RMF-8 (Residential Multi-Family with a Density not to Exceed 8 du/ac) Zone District, Located at 513 29 ¼ Road

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

Staff presentation: Ronnie Edwards, Associate Planner

8. **Setting a Hearing for the Water's Edge No. 2 Annexation, Located at 2927 D Road** [File #ANX-2005-116] [Attach 10](#)

A Resolution referring a petition for annexation and introduction of a proposed ordinance. The 0.97 acre Water's Edge No. 2 Annexation consists of 1 parcel.

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

Resolution No. 119-05 – 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, Water's Edge No. 2 Annexation, Located at 2927 D Road

Action: Adopt Resolution No. 119-05

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Water's Edge No. 2 Annexation, Approximately 0.97 Acres, Located at 2927 D Road

Action: Introduction of Proposed Ordinance and Set a Hearing for August 17, 2005

Staff presentation: Senta L. Costello, Associate Planner

9. **Setting a Hearing to Amend the Existing PD for The Glens at Canyon View Planned Development, Located at 2459 F ¼ Road** [File #PP-2004-219] [Attach 11](#)

The Glens at Canyon View, Located at 2459 F ¼ Road is 20.942 acres in size and is located about one quarter mile north of Mesa Mall, and to the north of F 1/8 Road alignment, and just east of 24 ½ Road. It is zoned PD 17 under a currently lapsed PD, known as the Homestead Subdivision and the Hacienda Subdivision.

Proposed Ordinance Amending the Existing PD Zoning for a Parcel of Land Located at 2459 F ¼ Road Known as The Glens at Canyon View

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

Staff presentation: Lori V. Bowers, Senior Planner

10. **Request to Continue Public Hearing - Bookcliff Veterinary Hospital Annexation, Located at 564 29 Road** [File #ANX-2005-076] [Attach 12](#)

Request to continue the Annexation Public Hearing for the Bookcliff Veterinary Hospital Annexation as previously scheduled and published for the July 6, 2005 City Council Meeting. The request to continue is due to further research required of the existing legal description and associated land ownership issues. City staff is requesting the Annexation Public Hearing be continued until the August 17, 2005 City Council Meeting.

Action: Request to Continue the Bookcliff Veterinary Hospital Annexation Public Hearing until the August 17, 2005 City Council Meeting

Staff presentation: Scott D. Peterson, Associate Planner

11. **Request to Continue Public Hearing – Zoning the Munkres-Boyd Annexation, Located at 2866 A ³/₄ Road** [File #ANX-2005-089] [Attach 13](#)

The 6.04 acre Munkres-Boyd Annexation consists of 1 parcel and is requesting the RSF-4 zone district. Staff is requesting that the public hearing for the zoning of this annexation be continued due to a request from a neighbor to have a rehearing before Planning Commission.

Action: Request to Continue the Public Hearing until July 20, 2005

Staff presentation: Senta L. Costello, Associate Planner

12. **Design Services for the F ¹/₂ Road Improvements Project** [Attach 14](#)

The scope of services consists of all field work, coordination, and design to complete final construction drawings for the F ¹/₂ Road Improvements Project including a turn lane on northbound 24 Road at F ¹/₂ Road.

Action: Authorize the City Manager to Sign a Professional Services Contract for the Design Services for F ¹/₂ Road Improvements Project with Vista Engineering Corporation in the Amount of \$133,670

Staff presentation: Tim Moore, Public Works Manager

13. **Street Maintenance Contract for a Section of I-70B** [Attach 15](#)

CDOT has requested that the City perform full width rotomilling and a 1 ½ inch asphalt overlay of I-70B between Grand Avenue and Pitkin Avenue in 2005.

Resolution No. 120-05 – A Resolution Authorizing an Agreement between the City of Grand Junction and the State of Colorado Department of Transportation for Rotomilling and Asphalt Overlay for 1st Street (I-70B) from Grand to Pitkin Avenue

®Action: *Adopt Resolution No. 120-05*

Staff presentation: Mark Relph, Public Works and Utilities Director

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

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

14. **Public Hearing - Theobold Annexations and Zoning, Located at 3060 D Road**
[File #ANX-2005-073] [Attach 16](#)

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 Zoning Ordinance, designating the property RMF-8, Residential Multi-family, not to exceed eight dwelling units per acre. The property is 5.19 acres in size.

a. Accepting Petition

Resolution No. 121-05 – A Resolution Accepting a Petition for Annexation Making Certain Findings, Determining the Property Known as the Theobold Annexation No. 1 and 2, Located at 3060 D Road is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3788 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Theobold Annexation No. 1, Approximately 4.41 Acres, Located at 3060 D Road

Ordinance No. 3789 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Theobold Annexation No. 2, Approximately 0.78 Acres, Located at 3060 D Road

c. Zoning Ordinance

Ordinance No. 3790 – An Ordinance Zoning the Theobold Annexation to Residential Multi-Family – Eight (RMF-8), Located at 3060 D Road

®Action: Adopt Resolution No. 121-05, Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 3788, 3789, and 3790

Staff presentation: Lori V. Bowers, Senior Planner

15. **Public Hearing - Bookcliff Middle School Annexations and Zoning, Located at 2935 Orchard Avenue** [File #ANX-2005-101] [Attach 17](#)

Acceptance of petition to annex and consider the annexations and zoning for the Bookcliff Middle School Annexation. The Bookcliff Middle School Annexations are located at 2935 Orchard Avenue, includes a portion of the Orchard Avenue right-of-way, is a 3 part serial annexation, and consists of 1 parcel on 20.6 acres. The zoning being requested is CSR.

a. Accepting Petition

Resolution No. 122-05 – A Resolution Accepting Petition for Annexation, Making Certain Findings, Determining the Property Known as the 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 are Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3791 – An 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

Ordinance No. 3792 – An 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

Ordinance No. 3793 – An 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

c. Zoning Ordinance

Ordinance No. 3794 – An Ordinance Zoning the Bookcliff Middle School Annexation to CSR, Located at 2935 Orchard Avenue

®Action: Adopt Resolution No. 122-05, Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 3791, 3792, 3793, and 3794

Staff presentation: Senta L. Costello, Associate Planner

16. **Public Hearing - Beagley II Annexation and Zoning, Located at 2932 and 2938 D ½ Road** [File #ANX-2005-099] [Attach 18](#)

Acceptance of a petition to annex and consider the annexation and zoning for the Beagley II Annexation. The Beagley II Annexation is located at 2932 and 2938 D ½ Road and consists of 2 parcels on 12.43 acres. The zoning being requested is RMF-8.

a. Accepting Petition

Resolution No. 123-05 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining the Property Known as the Beagley II Annexation, Located at 2932 and 2938 D ½ Road and Including a Portion of the D ½ Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3795 – 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 and Including a Portion of the D ½ Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 3796 – An Ordinance Zoning the Beagley II Annexation to RMF-8, Located at 2932 and 2938 D ½ Road

®Action: Adopt Resolution No. 123-05, Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 3795 and 3796

Staff presentation: Senta L. Costello, Associate Planner

17. **Public Hearing – Beanery Annexation and Zoning, Located at 556 29 Road**
[File #ANX-2005-078] [Attach 19](#)

Acceptance of a petition to annex and consider the annexation and zoning for the Beanery Annexation. The Beanery Annexation is located at 556 29 Road and consists of 1 parcel on 1.65 acres. The zoning being requested is RMF-8.

a. Accepting Petition

Resolution No. 124-05 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Beanery Annexation, Located at 556 29 Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3797 – 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

c. Zoning Ordinance

Ordinance No. 3798 – An Ordinance Zoning the Beanery Annexation to RMF-8, Located at 556 29 Road

®Action: Adopt Resolution No. 124-05, Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 3797 and 3798

Staff presentation: Senta L. Costello, Associate Planner

18. **Public Hearing – Munkres-Boyd Annexation No. 1 and No. 2, Located at 2866 A ¾ Road** [File #ANX-2005-089] [Attach 20](#)

Accepting of a petition to annex and consider the annexation for the Munkres-Boyd Annexation. The 6.04 acre Munkres-Boyd Annexations consist of 1 parcel, contains a portion of Highway 50 and A ¾ Road rights-of-way, and is a 2 part serial annexation.

a. Accepting Petition

Resolution No. 125-05 – A Resolution Accepting Petition for Annexation, Making Certain Findings, Determining the Property Known as the Munkres-Boyd Annexations No. 1 and No. 2, Located at 2866 A ¾ Road and a Portion of Highway 50 and A ¾ Road is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3799 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Munkres-Boyd Annexation No. 1, Approximately 3.15 Acres, Located at 2866 A $\frac{3}{4}$ Road and a Portion of Highway 50

Ordinance No. 3800 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Munkres-Boyd Annexation No. 2, Approximately 2.89 Acres, Located at 2866 A $\frac{3}{4}$ Road and a Portion of Highway 50 and A $\frac{3}{4}$ Road

®Action: *Adopt Resolution No. 125-05, Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 3799 and 3800*

Staff presentation: Senta L. Costello, Associate Planner

19. **Public Hearing – Career Center Annexation, Located at 2935 North Avenue**
[File #ANX-2005-102] [Attach 21](#)

Resolution for acceptance of petition to annex and to hold a public hearing and consider final passage of the annexation ordinance for the Career Center Annexation, located at 2935 North Avenue. The 7.91 acre Career Center Annexation consists of 1 parcel.

a. Accepting Petition

Resolution No. 126-05 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining the Property Known as the Career Center Annexation, Located at 2935 North Avenue and Including a Portion of the North Avenue Right-of-Way is Eligible for Annexation

®Action: *Adopt Resolution No. 126-05*

b. Annexation Ordinance

Ordinance No. 3801 - An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Career Center Annexation, Approximately 7.91 Acres, Located at 2935 North Avenue and Including a Portion of the North Avenue Right-of-Way

®Action: *Adopt Resolution No. 126-05, Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3801*

Staff presentation: Senta L. Costello, Associate Planner

20. **Public Hearing - Growth Plan Amendment for the Pear Park School Site Property at 2927 and 2927 ½ D ½ Road** [File #GPA-2005-125] [Attach 22](#)

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

Resolution No. 127-05 – A Resolution Amending the City of Grand Junction Growth Plan Future Land Use Map to Re-designate Approximately 20.42 acres, Located at 2927 and 2927 ½ D ½ Road from “Residential Medium 4-8 du/ac” to “Public”

®Action: Adopt Resolution No. 127-05

Staff presentation: Senta L. Costello, Associate Planner

21. **Purchase of Property at 818, 820 and 832 Struthers Avenue for the Riverside Parkway Project** [Attach 23](#)

The City has entered into a contract to purchase the property at 818, 820, and 832 Struthers Avenue from John R. Crouch. The City’s obligation to purchase this property is contingent upon Council’s ratification of the purchase contract.

Resolution No. 128-05 – A Resolution Authorizing the Purchase of Real Property at 818, 820, and 832 Struthers Avenue from John R. Crouch

®Action: Adopt Resolution No. 128-05

Staff presentation: Mark Relph, Public Works and Utilities Director

22. **Purchase of Property at 2507 Highway 6 & 50 for the Riverside Parkway Project** [Attach 24](#)

The City has entered into a contract to purchase a portion of the property at 2507 Highway 6 & 50 from James Green and Ramona Green, Trustees, of the Green Family Trust. The City’s obligation to purchase this property is contingent upon Council’s ratification of the purchase contract.

Resolution No. 129-05 – A Resolution Authorizing the Purchase of Real Property at 2507 Highway 6 & 50 from James Green and Ramona Green, Trustees of the Green Family Trust

®Action: *Adopt Resolution No. 129-05*

Staff presentation: Mark Relph, Public Works and Utilities Director

23 **NON-SCHEDULED CITIZENS & VISITORS**

24 **OTHER BUSINESS**

25 **ADJOURNMENT**

Attach 1

Appointment to Interbasin Compact Committee

Resolution No. __ -05

**A RESOLUTION APPOINTING AND ASSIGNING
GREGORY O. TRAINOR TO THE DIVISION 5 BASIN ROUNDTABLES PURSUANT
TO C.R.S. 37-75-104**

Recitals:

On June 7, 2005, House Bill 05-1177 creating the Interbasin Compact Committee went into effect. That law known as the Colorado Water for the 21st Century Act provides among other things, for the creation of nine independent basin roundtables and a 27 member committee, the purposes of which are to facilitate discussions within and between basins on water management practices and principles and to encourage locally derived, cooperative approaches to addressing water supply and delivery challenges.

The committee is tasked with developing an Interbasin Compact Charter by July 1, 2006. When completed, the Charter will facilitate the process of interbasin negotiations and agreements on the use, conservation and development of water within Colorado.

Under the law the Roundtables and the Committee shall include one member appointed by the governing body of each county or city within the roundtable area two; representatives from each basin roundtable, six at-large members appointed by the Governor, one member appointed by the Chair of the House Agriculture Committee, one member appointed by the Chair of the Senate Agriculture Committee and the Director of Compact Negotiations.

By this resolution Gregory O. Trainor is appointed as the municipal representative for the municipal interests on the Division 5 roundtable. Furthermore, the City Council endorses Greg to serve as its representative on the Interbasin Compact Committee.

Mr. Trainor has served the City of Grand Junction as the Utilities Manager since 1986. Among other things, he is responsible for the continuing stewardship of the City's significant water rights, water treatment and water distribution system as well as the City-County wastewater system. Mr. Trainor has significant hands on experience managing water and water rights. He is principally responsible for the success of the valley-wide Drought Response Information Program (DRIP) which has reduced the consumption and waste of water in Mesa County.

Mr. Trainor has earned the respect of his colleagues by being both a student and an instructor on the 1922 Colorado River Compact. Mr. Trainor knows the Law of the River and other important water laws and principles. He will be an effective voice for the interests of the Valley and the State.

Mr. Trainor was unanimously recommended for appointment by the elected representatives of Grand Junction, Fruita and Palisade.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Grand Junction that:

Until further action by the City Council, Gregory O. Trainor is appointed to the Division 5 basin roundtable.

PASSED and ADOPTED this 6th day of July 2005.

Bruce Hill,
President of the City Council

ATTEST:

Stephanie Tuin
City Clerk

Attach 2
D.A.R.E. Program

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject		Donation to the City for the D.A.R.E. Program				
Meeting Date		July 6, 2005				
Date Prepared		June 14, 2005			File #	
Author		Stephanie Tuin		City Clerk		
Presenter Name		Dr. Wes Sheader		New Life Chiropractic		
Report results back to Council		<input type="checkbox"/>	No	<input type="checkbox"/>	Yes	When
Citizen Presentation		<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	Name
<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Formal Agenda	<input checked="" type="checkbox"/>	Prior to Consent	Individual Consideration

Summary: Kids Day America International sponsored a fund-raiser at New Life Chiropractic on May 14, 2005 and raised funds for the City's D.A.R.E. program. Dr. Wes Sheader will present the check to the City on behalf of the organization.

Police Chief Greg Morrison will be in attendance to accept the funds on behalf of the Police Department D.A.R.E. Program.

Attach 3
Minutes

**GRAND JUNCTION CITY COUNCIL
WORKSHOP SUMMARY
June 13, 2005**

The City Council of the City of Grand Junction, Colorado met on Monday, June 13, 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, Jim Spehar, Doug Thomason and President of the Council Bruce Hill. Council President Pro Tem Gregg Palmer was absent.

Summaries and action on the following topics:

1. **APPOINTMENTS TO BOARDS & COMMISSIONS:** An update to City Council on soliciting applications for the Riverfront Commission and the VCB Board and the process for appointments to the Ridges Architectural Control Committee. City Clerk Stephanie Tuin reviewed the status of the various advertising for volunteer boards and requested direction on appointments to the Ridges ACC. She also pointed out that Parks & Recreation interviews will take place on June 14th and those appointments could be added to the Wednesday agenda.

Action summary: The City Council agreed with extending the advertising for Riverfront Commission and Ridges ACC, acknowledged they will appoint to the Ridges based on applications, and directed City Clerk Tuin to add Parks and Recreation Advisory Board appointments to Wednesday's agenda.

2. **BUSINESS INCENTIVE PROPOSALS:** An existing business expansion request from the Chamber and two new business incentive requests from the Grand Junction Economic Partnership (GJEP). Diane Schwenke, Executive Director of the Chamber, requested an existing business incentive. The request was for Lewis Engineering, which looks like it will be successful in securing a contract for work that Hamilton Sunstrand used to do. She said they will be expanding their work force and completing a physical expansion. Ms. Schwenke said all of the paperwork is not complete but it appears the expansion will qualify under the guidelines. She said it is not a new job creation, it is actually job retention and they would probably qualify for the \$2000 per job, which will total around \$40,000.

Councilmember Coons asked what would happen if they do not receive the incentive. Ms. Schwenke was not sure and said the owner of Lewis

Engineering is proceeding with his plans based on receiving the incentive.

Council President Hill asked if Lewis Engineering will take advantage of the certification incentive. Ms. Schwenke said no, since they already started going forward with this program. She said they have already expended \$50,000 for that certification but may ask for help with recertification.

Council President Hill said that Council in the future wants to look at other areas that would have more impact and have the resources to respond to the requests.

Ms. Schwenke asked if Council would be willing to look at this request as a new job creation and asked if Lewis Engineering should complete the application. Ms. Schwenke said she would support the completion of the application.

Councilmember Spehar said he would be willing to look at the application in that regard and recognize out of the box things with Hamilton Sundstrand and try to keep the jobs here.

Councilmember Coons also supports the review of the application.

City Attorney John Shaver stated the review can be justified but cautioned Council not to make it a precedent and to review such requests on a case by case basis only.

Councilmember Thomason stated that he supports the review.

Ann Driggers, GJEP Director, presented the next request. First, she reviewed how the incentive program works. She has two other requests from small companies. She said the first company builds custom glass blocks and said the company has been growing at a rate of 25% per year. Ms. Driggers said 100% of the product will be exported outside Mesa County. She said the company initially started with ten new jobs and over the next four years there will be another ten jobs. The average wage is \$13 per hour with benefits and the capital investment is in excess of \$1 million in a new or existing facility. The indirect economic impact is estimated at \$7.7 million. She said the incentive will be secured. Ms. Driggers said the second request is another small company in manufacturing and has been in business since 1982. The company manufactures stainless steel restaurant equipment and is looking at Grand Junction to have some synergy with the wine industry. Ms. Driggers said the company is currently turning away business and said the average wage for the 10 new jobs will be \$14 to \$15 per hour. She said

the capital investment is estimated over \$1 million which the City would be looking at \$2.8 million in economic impact. The request is for \$2,000 per job so a total of \$20,000.

Council President Hill asked if there will be a State match. Ms. Driggers said yes. Council President Hill asked if the County will match as well. Ms. Driggers said the County had declined to participate.

Councilmember Coons asked if Grand Junction has the work force available. Ms. Driggers said yes since some of the Sunstrand employees that were laid off could qualify for these jobs. Councilmember Coons stated that some communities are trying to move away from incentive programs. Ms. Driggers said perhaps other communities are not as diligent as Grand Junction and also some communities put out millions for programs like this one so there is a higher risk.

Councilmember Spehar asked about employee benefits with the second company. Ms. Driggers said they provide medical insurance.

Councilmember Beckstein asked if there are existing facilities that would accommodate either one of these two companies. Ms. Driggers said the first company is looking for an existing facility but will probably have to build a new building.

Councilmember Doody asked if the State will match the incentive. Ms. Driggers said the Government has appointed an Economic Development Council to oversee a \$5 million dollar fund to use to offer incentives, but a local match is required. She said there is more emphasis on rural areas and Grand Junction is considered a rural area.

Councilmember Beckstein asked if the wages will be comparable for the CNC operators from Sunstrand. Ms. Driggers said yes.

Action summary: Council supported the existing business expansion request proposal from the Chamber and directed Ms. Schwenke to work with the applicant on completing the application. Council was willing to go forward with the GJEP requests and asked Ms. Driggers to encourage the second company to complete an application by the end of the year. Council directed Staff to add the first GJEP incentive request to Wednesday's agenda on the Consent Calendar.

3. **BILLBOARD MORATORIUM FOR THE RIVERSIDE PARKWAY:**
Discussion on whether to make the temporary condition of not accepting sign applications along the Riverside Parkway permanent and if so, what conditions, restrictions and/or modification(s) of the Zoning and Development Code will be adopted to protect the public health, safety and

welfare. City Attorney John Shaver reviewed the research he had completed and provided it to Council. City Attorney Shaver said discussion has taken place with Mr. Mark Gamble, owner of Colorado West Outdoor Advertising, and he is not opposed of the precluding signs along Riverside Parkway but is concerned about the extent of the regulations. City Attorney Shaver said there are areas in close proximity to Highway 6 & 50 where the proposed buffer area would affect those areas. After this discussion, City Attorney Shaver said if Council wants to go forward with an ordinance, the matter will need to go to the Planning Commission for a recommendation and then it will come forward, at which time the Council's process would take place and be scheduled for a public hearing.

Council President Hill asked how many signs were affected. City Attorney Shaver said there were four signs that have already been affected and the number that would be affected in the future is a great number, as a number of locations along the alignment are appropriately zoned for signage at 600 foot intervals.

Council President Hill referred to Mr. Gamble's letter. He said the letter asked that Council allow signage on a parcel by parcel basis.

City Attorney Shaver displayed the alignment along the Parkway and identified the affected areas.

Councilmember Thomason said that looking at parcels individually, distance and proximity are considerations.

City Attorney Shaver said the current code requires a 600 foot separation between signs and the proposed ordinance makes that separation perpendicularly. He said Mr. Gamble's concern is the visibility, which makes it more complicated and may make for more enforcement issues.

Mark Gamble, Colorado West Outdoor Advertising, asked about the 1500 foot separation. City Attorney Shaver said that includes the width of the roadway. Mr. Gamble gave a brief history; he said he had 4 billboard locations in the Parkway alignment that had to be moved and there are still 12 to 18 signs that are within the proposed sign-free corridor. He said that he was approached by Trent Prall and Jim Shanks, Project Engineers for the Riverside Parkway, and was told to initially to relocate the billboard signs, then was told the City was not going to allow billboard signs along Riverside Parkway, so negotiations took place for the removal of the signs. Mr. Gamble said he is the only billboard guy in the City, the rules and regulations are prohibitive of another company coming in and his ability to build new ones is pretty restrictive. He said without the Riverside Parkway there will be no new opportunities to relocate or to add new

billboard signs. Mr. Gamble said 300 square feet is the largest billboard sign allowed and the law prohibits billboards within 660 feet of the interstate. He said that he has worked with Mesa Mall for years and finally received permission for a new location when he heard about the moratorium. He said there is a big concern regarding the distance and the clause “no portion of a sign” in the ordinance that makes all his signs along that roadway illegal. City Attorney Shaver said any existing signs are legal non-conforming signs and can continue, unless they are not rebuilt or abandoned.

Council President Hill summarized Mr. Gamble’s concerns and thanked him for his comments.

City Attorney Shaver said there are two issues that need careful consideration. He said there will be elevated portions of the Riverside Parkway that the City will have to deal with elevated signs without distance and the other issue is the placement of billboards along the railroad right-of-way.

Councilmember Spehar asked for clarification on the 600 feet. City Attorney Shaver said the proposed ordinance has 750 feet from the center line of Parkway as the corridor where no signs will be allowed.

Council President Hill reviewed the overlap area along I-70B (Highway 6 & 50). He said the intention was to deal with Riverside Parkway and he did not realize how close it was to the other roadway. It will make the corridor slimmer on the north side. City Attorney Shaver said it is possible to use discreet points, and that it would be easily incorporated into the ordinance.

Councilmember Coons asked if the intent is only to affect the Riverside Parkway. City Attorney Shaver said yes; and only for new permits.

Councilmember Spehar said the Parkway corridor should not have an impact on the north side, he agrees with not allowing conforming and non-conforming uses and he recalls no previous discussion on amortizing the non-conforming signs.

Council President Hill stated that Council should deal with the Riverside Parkway issues only and not with the non-conforming issues. He said the tricky part is north side and the railroad right-of-way regarding new signs. City Attorney Shaver said the non-conforming issue is that signs exist which will be non-conforming. A serpentine swath could eliminate that.

Councilmember Coons said she has concerns with no signs on the Parkway since she feels there is a benefit to some signs, but is concerned with the visual clutter.

Councilmember Spehar asked that staff do more research and come back with other options. He said that it is impossible to keep billboard signs off of the Parkway without prohibiting it on railroad property.

City Manager Kelly Arnold said they perhaps need to investigate railroad right-of-way and or some distance from the railroad right-of-way, and look at the bubble diagram at the Highway 6 & 50 overlap and the area west of Mesa Mall more closely.

Community Development Director Bob Blanchard clarified that the City's regulations will apply to railroad right-of-way and any new ordinances adopted will apply to new signs and any existing signs will become legal non-conforming. He said that any changes will necessitate the sign coming into conformance. He said the same situation currently exists with the size of the sign, which the maximum was reduced a few years ago.

Council President Hill said it was not his intent to restrict signage on any other roadway.

Action summary: Staff was directed to take another look and bring back more options which may include looking at individual parcels and were told to keep the lone billboard company owner advised.

ADJOURN

The meeting adjourned at 9:22 p.m.

GRAND JUNCTION CITY COUNCIL

SPECIAL SESSION MINUTES

JUNE 15, 2005

The City Council of the City of Grand Junction, Colorado met in Special Session on Wednesday, June 15, 2005 at 5:31 p.m. in the Administration Conference Room, 2nd Floor of City Hall. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody, Jim Spehar, Doug Thomason and President of the Council Bruce Hill. Also present was City Manager Kelly Arnold. Council President Pro Tem Gregg Palmer was absent.

Other staff members present were City Attorney John Shaver, Assistant City Manager David Varley, Public Works and Utilities Director Mark Relph, Riverside Parkway Project Manager Jim Shanks, and Project Engineer Trent Prall.

Council President Hill called the meeting to order.

Councilmember Coons moved to go into executive session to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under Section 402(4)(a) of the Open Meetings Law relative to Riverside Parkway and will not be returning to open session. Councilmember Spehar seconded the motion. The motion carried.

The City Council convened into executive session at 5:32 p.m.

Debbie Kemp, CMC
Deputy City Clerk

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

JUNE 15, 2005

The City Council of the City of Grand Junction convened into regular session on the 15th day of June 2005, at 7:05 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody, 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 Pro Tem Gregg Palmer was absent.

Council President Hill called the meeting to order. Councilmember Thomason led in the pledge of allegiance. The audience remained standing for the invocation by Pastor Steve Johnson, Living Hope Church.

PROCLAMATIONS / RECOGNITIONS

PROCLAIMING JUNE 17 THROUGH JUNE 18, 2005 AS "GRAND JUNCTION RELAY FOR LIFE DAYS"

PROCLAIMING JUNE 12 THROUGH JUNE 18, 2005 AS "KIWANIS WEEK" AND RENAME MAIN STREET AS "KIWANIS PANCAKE AVENUE" FOR JUNE 17, 2005

RECOGNITION OF NEIGHBORHOOD ORGANIZATIONS – EL POSO, NIAGARA VILLAGE, THE FALLS, CANYON VISTA, SKYLER SUBDIVISION, AND TRAILS WEST VILLAGE

APPOINTMENTS

TO THE DOWNTOWN DEVELOPMENT AUTHORITY

Councilmember Spehar moved to re-appoint Scott Howard and appoint Peggy Page to the DDA both for 4 year terms expiring June 2009 and amend the terms for Harry Griff and Bill Wagner to expire June 2008. Councilmember Coons seconded the motion. Motion carried.

TO THE PARKS AND RECREATION ADVISORY BOARD

Councilmember Thomason moved to re-appoint Jack Neckels and appoint Dennis Teeters to the Parks and Recreation Advisory Board both for 3 year terms expiring June 2008. Councilmember Doody seconded the motion. Motion carried.

CITIZEN COMMENTS

The Weed Wrangler with the City's Code Enforcement Division introduced himself and told the Council how he will be rounding up weeds.

CONSENT CALENDAR

Councilmember Spehar requested that Item #13 be moved to Individual Consideration.

It was moved by Councilmember Spehar, seconded by Councilmember Thomason and carried by roll call vote to approve Consent Calendar Items #1 through #12.

1. **Minutes of Previous Meetings**

Action: Approve the Minutes of the Special Sessions May 18, 2005 and June 1, 2005 and the June 1, 2005 Regular Meeting

2. **Amending the City Council Meeting Schedule**

The City's Code of Ordinances, Sec. 2-26, requires a meeting schedule and provides a procedure for calling special meetings. The meeting schedule is to be determined by resolution. Typically the scheduled is set annually. Because resolutions are statements of the policy of the Council, a resolution may be amended by another, subsequent resolution.

Resolution No. 97-05 – A Resolution of the City of Grand Junction Amending Resolution No. 01-05 Changing the Start Time for City Council Meetings

Action: Adopt Resolution No. 97-05

3. **Setting a Hearing for the Pear Park School Annexation, Located at 2927 and 2927 ½ D ½ Road** [File #ANX-2005-125]

Resolution referring a petition for annexation and introduction of proposed ordinances. The 20.42 acre Pear Park School Annexation consists of 2 parcels, a portion of the D ½ Road right-of-way, and is a 2 part serial annexation.

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

Resolution No. 105-05 – 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, Pear Park School Annexations #1 & #2, Located at 2927 and 2927 ½ D ½ Road

Action: *Adopt Resolution No.105-05*

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Pear Park School Annexation #1, Approximately 0.11 Acres, Located at 2927 D ½ Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Pear Park School Annexation #2, Approximately 20.31 Acres, Located at 2927 and 2927 ½ D ½ Road

Action: *Introduction of Proposed Ordinances and Set a Hearing for July 20, 2005*

4. **Setting a Hearing for the Koch/Fisher Annexation, Located at 2041 and 2043 Conestoga Drive** [File #ANX-2005-108]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The .79 acres Koch/Fisher annexation consists of two parcels and a portion of Conestoga Drive.

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

Resolution No. 106-05 – 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, Koch/Fisher Annexation, Located at 2041 and 2043 Conestoga Drive and Including a Portion of Conestoga Drive

Action: *Adopt Resolution No. 106-05*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Koch/Fisher Annexation, Approximately 0.79 Acres, Located at 2041 and 2043 Conestoga Drive and Including a Portion of Conestoga Drive

Action: Introduction of Proposed Ordinances and Set a Hearing for July 20, 2005

5. **Setting a Hearing for the Schultz Annexation, Located at 513 29 ¼ Road** [File #ANX-2005-112]

Resolution referring a petition for annexation and introduction of proposed ordinances. The .73 acre Schultz annexation consists of one parcel and 1133.51' of North Avenue and 29 ¼ Road Right-of-Way.

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

Resolution No. 107-05 – 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, Schultz Annexation, a Serial Annexation Comprising Schultz Annexation No. 1 and Schultz Annexation No. 2, Located at 513 29 ¼ Road and Including a Portion of North Avenue and 29 ¼ Road Rights-of-Way

Action: Adopt Resolution No. 107-05

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Schultz Annexation No. 1, Approximately 0.02 Acres of North Avenue and 29 ¼ Road Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Schultz Annexation No. 2, Approximately 0.71 Acres, Located at 513 29 ¼ Road and Including a Portion of North Avenue and 29 ¼ Road Right-of-Way

Action: Introduction of Proposed Ordinances and Set a Hearing for July 20, 2005

6. **Setting a Hearing for Zoning the Beanery Annexation, Located at 556 29 Road** [File #ANX-2005-078]

Introduction of a proposed zoning ordinance to zone the Beanery Annexation RMF-8, located at 556 29 Road.

Proposed Ordinance Zoning the Beanery Annexation to RMF-8, Located at 556 29 Road

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

7. **Setting a Hearing for Zoning the Munkres-Boyd Annexation, Located at 2866 A ¾ Road** [File #ANX-2005-089]

Introduction of a proposed zoning ordinance to zone the Munkres-Boyd Annexation RSF-4, located at 2866 A ¾ Road.

Proposed Ordinance Zoning the Munkres-Boyd Annexation to RSF-4, Located at 2866 A ¾ Road

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

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

Introduction of a proposed zoning ordinance to zone the Beagley II Annexation RMF-8, located at 2932 and 2938 D ½ Road.

Proposed Ordinance Zoning the Beagley II Annexation to RMF-8, Located at 2932 and 2938 D ½ Road

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

9. **Setting a Hearing for Zoning the Bookcliff Middle School Annexation, Located at 2935 Orchard Avenue** [File #ANX-2005-101]

Introduction of a proposed zoning ordinance to zone the Bookcliff Middle School Annexation CSR, located at 2935 Orchard Avenue.

Proposed Ordinance Zoning the Bookcliff Middle School Annexation to CSR, Located at 2935 Orchard Avenue

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

10. **Setting a Hearing for Zoning the Theobold Annexation, Located at 3060 D Road** [File #ANX-2005-073]

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 Zoning Ordinance, designating the

property RMF-8, Residential Multi-family, not to exceed eight dwelling units per acre. The property is 5.19 acres in size.

Proposed Ordinance Zoning the Theobold Annexation to Residential Multi-Family – Eight (RMF-8), Located at 3060 D Road

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

11. **Construction Contract for 2005 Asphalt Overlays**

The 2005 Asphalt Overlay project consists of asphalt resurfacing on twelve selected streets throughout the City.

Action: Authorize the City Manager to Sign a Construction Contract for the 2005 Asphalt Overlay Project to United Companies of Mesa County in the Amount of \$1,069,449.00

12. **Extend School Land Dedication Fee to December 2005**

In December, 2004, City Council authorized a letter to the School Board extending the School Land Dedication fee at its current amount until June, 2005. The working group continues to study the fee and anticipates a recommendation in December, 2005. The letter from December, 2004 will be updated to extend the existing fee until December 31, 2005 and drafted for the Mayor's signature if authorized.

Action: Authorize the Mayor to Sign the Letter and Send it to Ron Rowley, School Board President.

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Economic Development Incentive to GJEP

The resolution authorizes an incentive to GJEP for the benefit of Prospect #04025 in the amount of \$40,000.

Council President Hill explained that Council had an adequate discussion on this item on Monday night with representation from Grand Junction Economic Partnership (GJEP). He said that GJEP is not in attendance, but Council wanted to move this item to individual consideration in order to explain that the City Council discussed this program at their retreat. He said Council will be moving forward on developing a new method or program for economic development and move away from paying per job and focus on things that are important to the community. Council President Hill stated that Council wants to work on specific

things that may come out of the City's "Listening to Business" program that is currently in progress with results expected in August. He said the incentives per job program will be phased out by the end of this year's budget.

Councilmember Spehar agreed and characterized Council's desire to be recognized for efforts on economic development, rather than just for the funding and to develop a program that is good for new and existing businesses.

Councilmember Coons also agreed and said the Council discussed in depth looking at economic development creatively along with the other partners in the community.

Councilmember Doody noted that the current program is an old model and he is excited at the prospect of developing a new way.

Councilmember Thomason agreed.

Councilmember Beckstein added that one of the goals is to insure the dollars stay in the community and benefit the community and it will be a positive direction.

Resolution No. 108-05 – A Resolution Authorizing an Economic Incentive for GJEP Prospect #04025 for \$40,000 for their Job Creation and Relocation to Grand Junction

Councilmember Coons moved to adopt Resolution No. 108-05. Councilmember Thomason seconded. Motion carried by roll call vote.

Public Hearing – Chatfield III Annexation and Zoning, Located at 3156 and 3164 D ½ Road [File #ANX-2005-057]

Acceptance of a petition to annex and consider the annexation and zoning for the Chatfield III Annexation. The Chatfield III Annexation is located at 3156 and 3164 D ½ Road and consists of 2 parcels on 24.781 acres. The zoning being requested is RMF-5.

The public hearing was opened at 7:44 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She described the site location, the surrounding uses, the Growth Plan designation, the requested zoning and the surrounding zoning. She said staff finds the request meets the requirements of the Growth Plan and the Zoning and Development Code.

Ted Ciavonne, Ciavonne, Roberts, & Associates, said he had nothing to add but can answer questions.

Councilmember Beckstein acknowledged a business relationship with Mr. Ciavonne and his company.

There were no public comments.

The public hearing was closed at 7:47 p.m.

a. Accepting Petition

Resolution No. 109-05 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Chatfield III Annexation, Located at 3156 and 3164 D ½ Road, Including a Portion of the D ½ Road Right-of-Way, is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3774 – An 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

c. Zoning Ordinance

Ordinance No. 3780 – An Ordinance Zoning the Chatfield III Annexation to RMF-5, Located at 3156 and 3164 D ½ Road

Councilmember Spehar moved to adopt Resolution No. 109-05 and Ordinances No. 3774 and 3780 on second reading and ordered them published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing – Reynolds Annexation and Zoning, Located at 3077 D ½ Road [File #ANX-2005-058]

Acceptance of a petition to annex and consider the annexation and zoning for the Reynolds Annexation. The Reynolds Annexation is located at 3077 D ½ Road and consists of 1 parcel on 6.55 acres. The zoning being requested is RMF-8.

The public hearing was opened at 7:48 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She noted the annexation is a two part serial annexation and described the site location, the surrounding uses, the Future Land Use designation, the requested zoning, and the surrounding zoning. She said Staff finds the request meets the requirements of the Growth Plan and the Zoning and Development Code. She said the

Planning Commission recommended approval and there are several letters from surrounding property owners noting their concerns.

Council President Hill asked if one of the cul-de-sacs is for the purpose of providing connectivity. Ms. Costello said that is her understanding.

Ted Ciavonne, Ciavonne, Roberts, & Associates, said he represents the developer South Camp LLC and the property owners. He said Mr. Reynolds is also present and the plan meets the requirements of the Pear Park Plan.

There were no public comments.

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

a. Accepting Petition

Resolution No. 110-05 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Reynolds Annexations #1 and #2, Located at 3077 D ½ Road is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3781 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Reynolds Annexation #1, Approximately 1.48 Acres, Located at 3077 D ½ Road

Ordinance No. 3782 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Reynolds Annexation #2, Approximately 5.07 Acres, Located at 3077 D ½ Road

c. Zoning Ordinance

Ordinance No. 3783 – An Ordinance Zoning the Reynolds Annexation to RMF-8, Located at 3077 D ½ Road

Councilmember Thomason moved to adopt Resolution No. 110-05 and Ordinances No. 3781, 3782, and 3783 on second reading and ordered them published. Councilmember Doody seconded the motion. Motion carried by roll call vote.

Public Hearing – Swan Lane Annexation and Zoning, Located at the South End of Swan Lane [File #ANX-2004-249]

Acceptance of a petition to annex and consider the annexation and zoning for the Swan Lane Annexation. The Swan Lane Annexation is located at the south end of Swan Lane and consists of 6 parcels on 4.47 acres. The zoning being requested is RSF-4.

The public hearing was opened at 7:55 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She described the site location, the surrounding uses, the Growth Plan designation, the requested zoning and the surrounding zoning. She said Staff finds the request meets the requirements of the Growth Plan and the Zoning and Development Code. She said the Planning Commission recommended approval.

Tom Dixon, Rolland Engineering, representing the property owner, Robert Smith, said he had nothing to add but can respond to any concerns or public comments.

The public hearing was closed at 7:56 p.m.

a. Accepting Petition

Resolution No. 111-05 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Swan Lane Annexation, Located at the South End of Swan Lane and Including a Portion of the Broadway and Swan Lane Rights-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3784 – An 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

c. Zoning Ordinance

Ordinance No. 3785 – An Ordinance Zoning the Swan Lane Annexation to RSF-4, Located at the South End of Swan Lane

Councilmember Doody moved to adopt Resolution No. 111-05 and Ordinances No. 3784 and 3785 on second reading and ordered them published.

Councilmember Thomason seconded the motion. Motion carried by roll call vote.

Public Hearing – Vacate Rights-of-Way for an Alley and Hoesch Street Within the Riverside School/Proposed Dual Immersion Academy Site [File #VR-2005-067]

Public hearing for a proposed ordinance to vacate undeveloped rights-of-way for an alley and Hoesch Street within the Riverside School/Proposed Dual Immersion Academy site.

The public hearing was opened at 7:59 p.m.

Kristen Ashbeck, Senior Planner, reviewed this item. She explained the project and the time frame for the project. The location of the requested vacation is an area large enough to place a large new building and has never been developed for a roadway or access. She said there are no existing utility lines but there is a sewer line under the old school, so the City is requesting an easement and relocation of the line in exchange for vacation of the rights-of-way. She said the Planning Commission recommended approval with two conditions: an easement for the sewer line and the vacation not be effective until the site development plan has been approved.

Council President Hill asked if the entire property is owned by the School District. Ms. Ashbeck said yes. He asked about other existing buildings. Ms. Ashbeck said the barracks building will stay through the first phase and then that building will come down. Council President Hill asked why the Planning Commission placed the second condition on the approval. City Attorney Shaver advised that is the purpose of the vacation; if this development does not occur there is no reason to vacate. Council President Hill countered that it may be good to vacate those right-of-ways regardless. Ms. Ashbeck advised the two conditions go hand-in-hand.

There were no representatives from the School District.

There were no public comments.

The public hearing was closed at 8:07 p.m.

Ordinance No. 3786 – An Ordinance Vacating Rights-of-Way for an Alleyway and Hoesch Street within the Riverside School Site

Councilmember Spehar moved to adopt Ordinance No. 3786 with the conditions recommended by the Planning Commission on second reading and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Request to Acquire Access for Development of Redlands Mesa, Phase IV
[File #PP-2005-019]

Ron Austin/Sunflower Investment, LLC has a development application (PP-2005-019) pending for a Preliminary Plan and revised zoning ordinance for Redlands Mesa, Phase IV. As was previously discussed with City Council at its December

13, 2004 work session, the developer is interested in obtaining street access to the development across City owned property.

The public hearing was opened at 8:09 p.m.

John Shaver, City Attorney, reviewed this item. He explained the history of the request from the developer Mr. Austin. He said the unusual circumstance of this request is that a right-of-way had been previous dedicated in 1975 and so in essence the right-of-way granted will be a swap with the existing right-of-way so there is no consideration being recommended.

Ron Austin, developer, stated the proposal is to move the access to Mariposa to make the intersection safer and he feels the proposal is a fair trade.

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

Resolution No. 112-05 – A Resolution Approving Designation of City Owned Land as Right-of-Way

Councilmember Coons moved to adopt Resolution No.112-05. Councilmember Spehar seconded the motion. Motion carried by roll call vote.

Public Hearing – Rezone of Redlands Mesa, Phase IV, Located at Monument Road and Mariposa Road [File #PP-2005-019]

Hold a public hearing and consider final passage of an ordinance to amend the PD zoning for Redlands Mesa, Phase IV.

The public hearing was opened at 8:12 p.m.

Kathy Portner, Planning Manager, reviewed this item. She described the site location and how the development has proceeded, a section of West Ridges Blvd. will be skipped and this area will be developed next. She then described the area zoning and how the Planned Development zoning was designed in pods, and the development has occurred in pods. She displayed their Outline Development Plan and described the location of the pods that are being proposed to be developed. She said the proposed density is well below the original plan. Therefore, it does meet with the approval of the Outline Development Plan which was approved under the old Zoning and Development Code.

Ron Austin, the developer, had nothing to add but could answer questions.

There were no public comments.

The public hearing was closed at 8:15 p.m.

Ordinance No. 3787 – An Ordinance Zoning Land Located South and West of The Ridges Known as Redlands Mesa, Phase IV

Councilmember Thomason moved to approve Ordinance No. 3787 on second reading and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing – 2005 CDBG Program Year Action Plan, a Part of the 2001 Five Year Consolidated Plan

City Council will consider final adoption of the 2005 Program Year Action Plan. This annual plan is required by the Department of Housing and Urban Development (HUD) for the use of CDBG funds. The Action Plan includes the CDBG projects for the 2005 Program Year that City Council approved for funding on May 18, 2005.

The public hearing was opened at 8:16 p.m.

Council President Hill noted the good news, that the CDBG program was not cut by the Federal Government and though the funds were reduced, they were not eliminated.

David Thornton, Principal Planner, reviewed this item. He explained the purpose of the public hearing is to adopt the Action Plan for 2005. Mr. Thornton detailed the recommendations for funding and also stated in the plan, a number of human service agencies are included within the consolidated plan which helps bolster the causes of those programs and also funded are a number of City programs that meet the criteria of the CDBG program. Mr. Thornton said the public hearing is to adopt the plan and the public comment period ends July 8th. He said the minutes of this meeting and the plans are then submitted to HUD and then there is a forty day review period. Mr. Thornton said they expect approval from HUD at the end of August or in September, then the City can begin funding.

There were no public comments.

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

Council President Hill stated the CDBG program was the main focus of most communities at the NLC conference due to the possibility of the funding being cut by the Federal Government. He said the City made a presentation at that conference and was pleased to hear that the funds were not eliminated. He said the presentation made it clear that communities do not take these funds lightly and they are appreciated and used wisely. The funds are also used to leverage up to eight times more funding.

Councilmember Spehar commended the efforts to reach out to the legislators to make sure they are aware of the importance of these funds. He said these funds precipitated the start of the City's neighborhood program.

Resolution No. 113-05 – A Resolution Adopting the 2005 Program Year Action Plan as a part of the City of Grand Junction 2001 Five-Year Consolidated Plan for the Grand Junction Community Development Block Grant (CDBG) Program

Councilmember Spehar moved to adopt Resolution No. 113-05. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Purchase of Property at 1101 Kimball Avenue for the Riverside Parkway Project

The City has entered into a contract to purchase the property at 1101 Kimball Avenue from BESS Investments. The City's obligation to purchase this property is contingent upon Council's ratification of the purchase contract.

Jim Shanks, Program Manager for the Riverside Parkway, reviewed this item. He described the location of the property. He said the Parkway needs $\frac{3}{4}$ acre and 1500 feet of right-of-way from this property. Mr. Shanks said the City had an appraisal completed and the property was appraised at \$121,500. He said the owner obtained his own appraisal which came in at \$69,000. In reviewing the two appraisals the City felt there were comparables that justified the higher appraisal amount and Staff feels it is fair market value. He said the closing is scheduled for the following week.

Council President Hill said it has been asked why the alignment did not use more of Las Colonias Park, but noted the alignment actually struck a good balance because it does not take away too much of the Park and does not damage the remaining property of this owner. Mr. Shanks agreed, noting a slight shift in the alignment was made to strike that balance.

Councilmember Spehar noted that he is comfortable with the policy and the City does not want property owners to have hard feelings if their neighbors are paid more for their property than they are.

Councilmember Coons said she appreciates the explanation of why the appraisals came out differently.

Councilmember Doody asked if Council has the authority to negotiate if there is a discrepancy. City Attorney Shaver said the City always negotiates but the question is what the property owner will accept. The City proceeds with the appraisal it feels most comfortable with.

Resolution No. 114-05 – A Resolution Authorizing the Purchase of Real Property at 1101 Kimball Avenue from BESS Investments

Councilmember Coons moved to adopt Resolution No. 114-05. Councilmember Doody seconded the motion. Motion carried by roll call vote.

Purchase of Property at 2902 D Road for the Riverside Parkway Project

The City has entered into a contract to purchase a portion of the property at 2902 D Road from Daniel H. Feuerborn. The City's obligation to purchase this property is contingent upon Council's ratification of the purchase contract.

Jim Shanks, Program Manager for the Riverside Parkway, reviewed this item. He described the location and explained that the net property being paid for is about 1/3 of an acre. The property owner did not obtain his own appraisal. The price was negotiated at \$70,000.

Resolution No. 115-05 – A Resolution Authorizing the Purchase of Real Property at 2902 D Road from Daniel H. Feuerborn

Councilmember Beckstein moved to adopt Resolution No. 115-05. Councilmember Spehar seconded the motion. Motion carried by roll call vote.

NON-SCHEDULED CITIZENS & VISITORS

There were none.

OTHER BUSINESS

Council President Hill advised that Council has made some adjustments to the meeting schedule. For years the Council has met on Wednesday evening at 7:30 p.m. and for a number of reasons has now changed the start time of the meeting to 7:00 p.m. which not only allows Council to complete their business earlier but is also consistent with the start time of the Monday night workshops.

EXECUTIVE SESSION

Councilmember Spehar moved to return to executive session for the purpose of discussing the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under Section 402(4)(a) of the Open Meetings Law relative to the Riverside Parkway project and will not be returning to open session.

ADJOURNMENT

Council adjourned into executive session at 8:44 p.m.

Stephanie Tuin, MMC
City Clerk

Attach 4

Zoning the Career Center Annexation Located at 2935 North Avenue

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Zoning the Career Center Annexation, located at 2935 North Avenue.					
Meeting Date	July 6, 2005					
Date Prepared	June 30, 2005				File #ANX-2005-102	
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 Career Center Annexation CSR, located at 2935 North Avenue.

Budget: N/A

Action Requested/Recommendation: Introduce a proposed zoning ordinance and set a public hearing for July 20, 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:		2935 North Avenue	
Applicants:		Owner: Mesa Co. School Dist. #51 – Jack McKelvy Representative: Blythe Design – Ethan Gibson	
Existing Land Use:		District #51 Career Center – Education	
Proposed Land Use:		District #51 Career Center – Education	
Surrounding Land Use:	North	Vacant / Commercial	
	South	I-70B / Railroad	
	East	Vacant / Commercial	
	West	Mobile Home Park	
Existing Zoning:		County C-2	
Proposed Zoning:		City CSR	
Surrounding Zoning:	North	City C-1	
	South	City I-1	
	East	County C-2	
	West	County C-2	
Growth Plan Designation:		Commercial	
Zoning within density range?	X	Yes	No

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the CSR district is consistent with the Growth Plan intensity of Commercial. 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:

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 consistent and compatible with the surrounding properties and will not cause any adverse impacts to the neighborhood.

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 policies 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

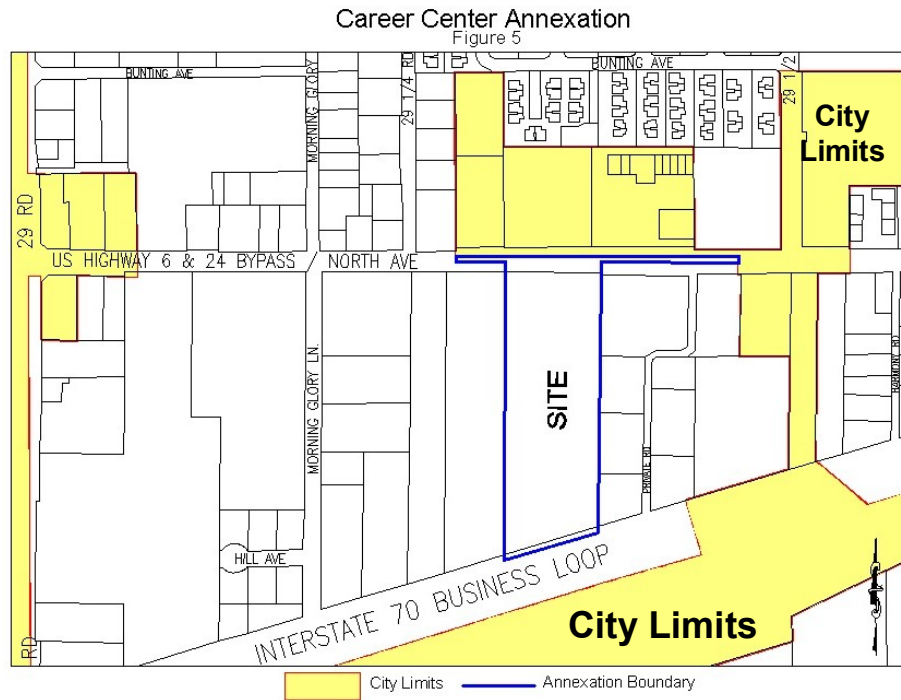
Staff recommends approval of the CSR zone district, with the finding that the proposed zone district is consistent with the Growth Plan and with Sections 2.6 and 2.14 of the Zoning and Development Code.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the CSR district to be consistent with the Growth Plan, the

existing County Zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.

Site Location Map

Figure 1



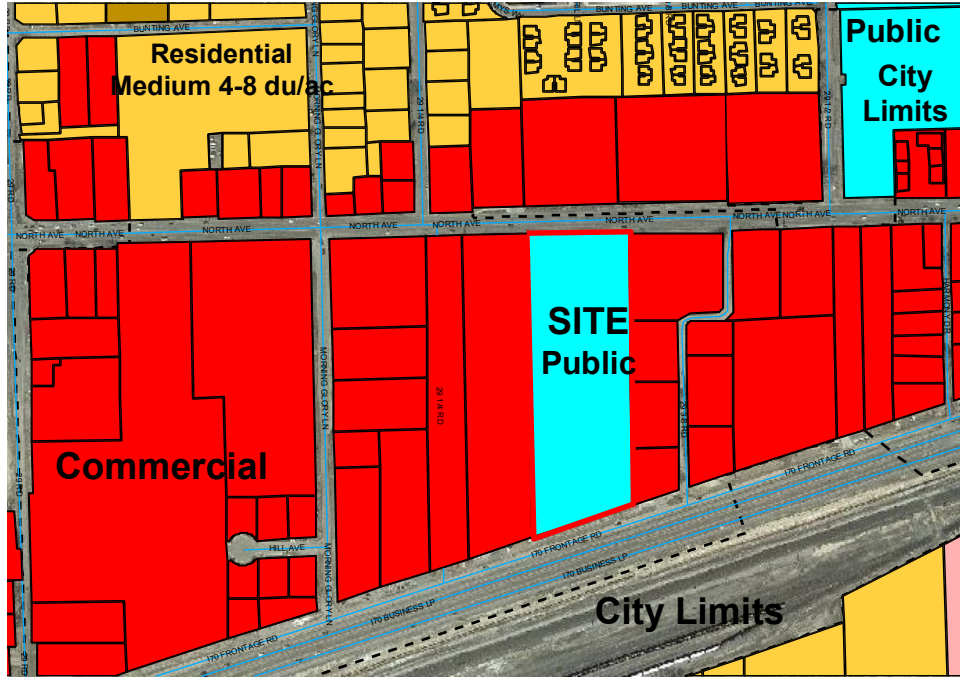
Aerial Photo Map

Figure 2



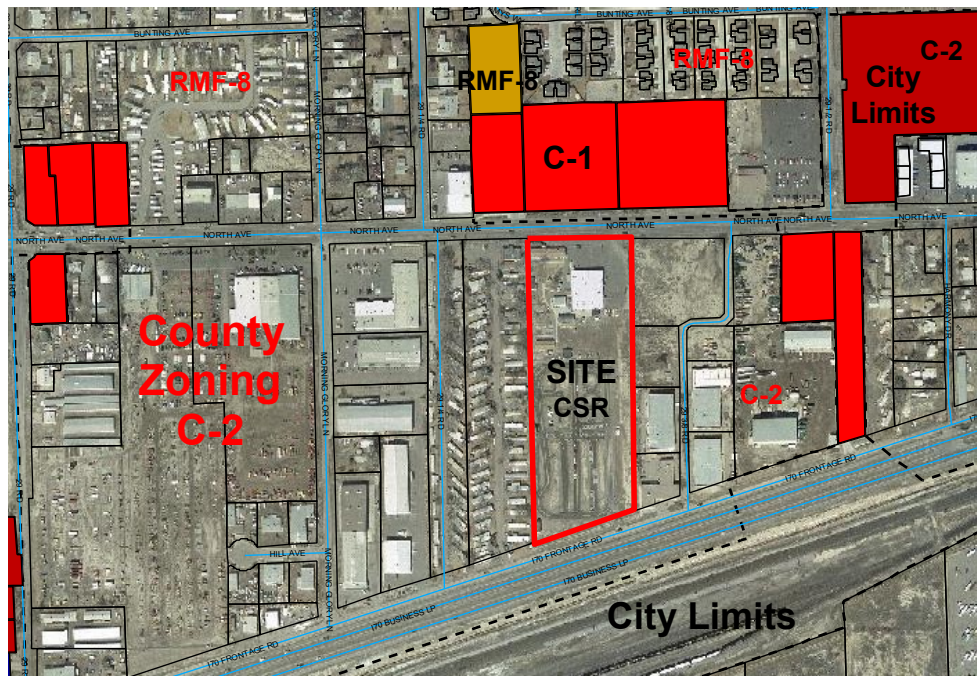
Future Land Use Map

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 CAREER CENTER ANNEXATION TO
CSR**

LOCATED AT 2935 NORTH AVENUE

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Career Center 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.

CAREER CENTER ANNEXATION

A parcel of land located in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 17, 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 Northwest corner of the NE 1/4 NW 1/4 of said Section 17 and assuming the North line of the NE 1/4 NW 1/4 of said Section 17 to bear S89°57'29"E for a basis of bearings with all bearings contained herein relative thereto; thence from said Point of Commencement S89°57'29"E along the North line of the NE 1/4 NW 1/4 of said Section 17 a distance of 164.98 feet to the

Point of Beginning; thence from said Point of Beginning N00°02'29"W a distance of 20.00 feet to the Southwest corner of Cantrell Annexation No. 2, Ordinance No. 3340, City of Grand Junction; thence S89°57'29"E along the South line of said Cantrell Annexation No. 2 a distance of 969.25 feet to a point on the West line of said Cantrell Annexation No. 2; thence S00°02'31"W along said West line a distance of 20.00 feet to the North line of the NE 1/4 NW 1/4 of said Section 17; thence N89°57'29"W along the North line of the NE 1/4 NW 1/4 of said Section 17 a distance of 473.16 feet to the intersection of the Northerly projection of the West line of Centre Square Phase I, as recorded in Plat Book 12, Page 25 of Mesa County, Colorado records; thence S00°10'02"E along said West line a distance of 935.77 feet to the Northerly right of way of Interstate 70 Business Loop; thence S73°44'01"W along said Northerly right of way a distance of 343.93 feet; thence N00°10'17"W a distance of 1032.35 to the North line of the NE 1/4 NW 1/4 of said Section 17; thence N89°57'29"W along the North line of the NE 1/4 NW 1/4 of said Section 17 a distance of 165.54 feet to the Point of Beginning.

Said parcel contains 7.91 acres (344,598 sq. ft.) more or less as described.

Introduced on first reading this 15th day of June, 2005 and ordered published.

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

Mayor

ATTEST:

City Clerk

Attach 5

Vacation of 10' Utility & Drainage Easement Located at 662 McCaldon Way

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Vacate the northern 5' portion of an existing 10' utility and drainage easement located at 662 McCaldon Way						
Meeting Date	July 6, 2005						
Date Prepared	June 14, 2005				File #VE-2005-077		
Author	Lisa E. Cox, AICP			Senior Planner			
Presenter Name	As above			As above			
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Proposed vacation resolution to vacate the northern 5' portion of an existing 10' utility and drainage easement located at 662 McCaldon Way and more fully described in Book 3701 at Pages 663 and 664 of the Mesa County records.

Budget: N/A

Action Requested/Recommendation: Adoption of a proposed vacation resolution to vacate the northern 5' portion of an existing 10' utility and drainage easement located at 662 McCaldon Way.

Background Information: See attached Staff report/Background information

Attachments:

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

ANALYSIS:

1. Background

The existing easement is located on Lot 7 of the Forrest Glen Subdivision. The street address of Lot 7 is 662 McCaldon Way. The lot was originally platted with a 10' utility, irrigation and drainage easement running east-west on the southern property line. When preparing to construct a home on the lot, the applicant requesting a Planning Clearance from the City indicated that the easement was only 5' wide instead of 10' wide. During the construction process, it was noted that the new home encroaches into the existing easement by approximately 3 feet.

The purpose of the 10' utility, irrigation and drainage easement was to provide for placement of side yard utilities if necessary, placement of an irrigation water line and conveyance of stormwater drainage from the property located to the east of Lot 7 out to a culvert in McCaldon Way. Because of the approximate 3 foot encroachment of the home constructed on Lot 7 into the existing 10' easement, the applicant has requested that the northern 5' of the existing easement be vacated.

The property located to the east has not yet been developed, therefore there is no immediate need for conveyance of stormwater drainage. At the time of development, the property owner shall be required to provide all necessary detention facilities and related easements. The existing easement is not absolutely required or needed for the conveyance of stormwater from the property located to the east, therefore the applicant has requested that a portion of the existing easement be vacated at this time.

Upon review of the applicant's request, it is staff's opinion that the northern 5' of the existing 10' utility and drainage easement may be vacated without impairing the ability of the property to the east to develop in the future. If the request to vacate is approved by City Council, all recording fees associated with the vacation shall be the responsibility of the applicant.

2. Consistency with the Growth Plan

The request to vacate the northern 5' portion of the existing 10' utility, irrigation and drainage easement is consistent with the goals and policies of the Growth Plan and the Future Land Use Map.

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

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

- a. The Growth Plan, major street plan and other adopted plans and policies of the City. *The request to vacate the northern 5' portion of the existing 10' utility, irrigation and drainage easement is in conformance with City requirements, plans and policies.*

- b. No parcel shall be landlocked as a result of the vacation. *There is no parcel that will be landlocked as a result of the request to vacate a portion of the existing easement.*
- c. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive or reduces or devalues any property affected by the proposed vacation. *Access shall not be impacted as a result of the request to vacate the northern 5' portion of the existing 10' utility, irrigation and drainage easement.*
- d. There shall be no adverse impacts on the health, safety, and/or welfare of the general community and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g. police/fire protection and utility services). *No adverse impacts have been identified. The applicant shall comply with all City requirements and development standards.*
- e. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of the Zoning and Development Code. *The provision of services shall not be inhibited with the request to vacate. The developer shall provide all required services and related easements with future development where appropriate.*
- f. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc. *The maintenance of the easement is the responsibility of the Forrest Glen HOA, therefore this criterion is not applicable.*

FINDINGS OF FACT/CONCLUSIONS

After reviewing VE-2005-077, Lot 7, Forrest Glen Easement Vacation, request to vacate the northern 5' of an existing 10' utility, irrigation and drainage easement, described in a document recorded in Book 3701 at Pages 663 and 664, staff makes the following findings of fact and conclusions:

1. The requested easement vacation is consistent with the goals and policies of the Growth Plan and Future Land Use Map.
2. The review criteria in Section 2.11.C of the Zoning and Development Code have all been met.
3. As a point of clarification, the existing 10' utility, irrigation and drainage easement referenced in staff's report describes the existing easement as it is shown on the plat of record for the Forrest Glen Subdivision. Only the northern 5' of the utility and drainage easement are being vacated by the City. The northern 5' of the irrigation easement is not being vacated by the City. Being a private easement, it is the responsibility of the property owner

to record appropriate documents to privately vacate that portion of the easement.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission made a recommendation of approval of the request to vacate the northern 5' of an existing 10' utility and drainage easement, described in a document recorded in Book 3701 at Pages 663 and 664, with the findings and conclusions listed above. The applicant shall be responsible for all recording costs of the vacation resolution and/or related documents.

Attachments:

Figure 1: Site Location Map

Figure 2: Aerial Photo Map

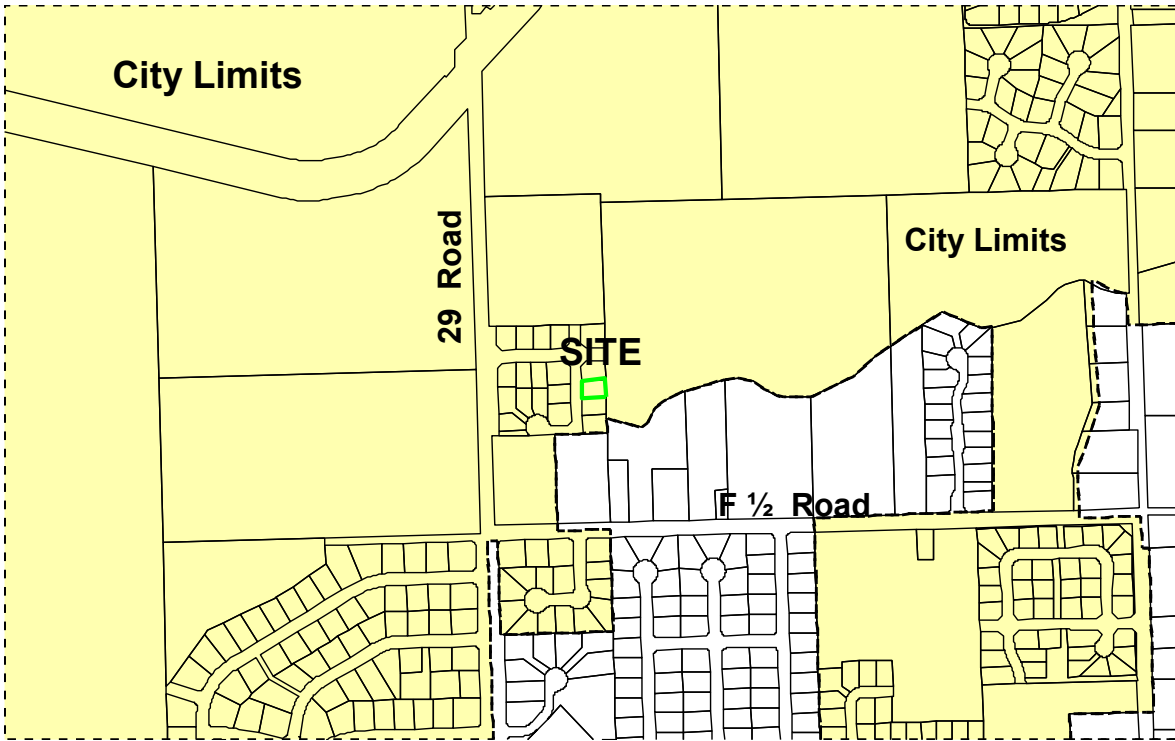
Figure 3: Future Land Use Map

Figure 4: Existing City and County Zoning Map

Resolution to Vacate Easement

Site Location Map

Figure 1



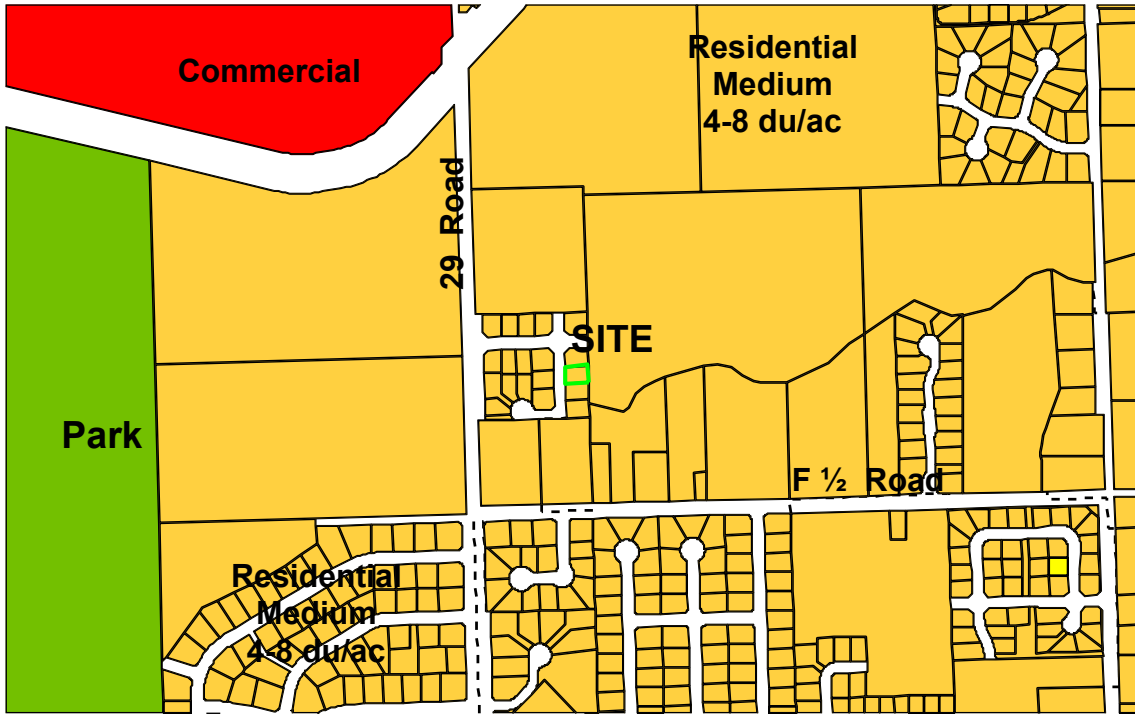
Aerial Photo Map

Figure 2



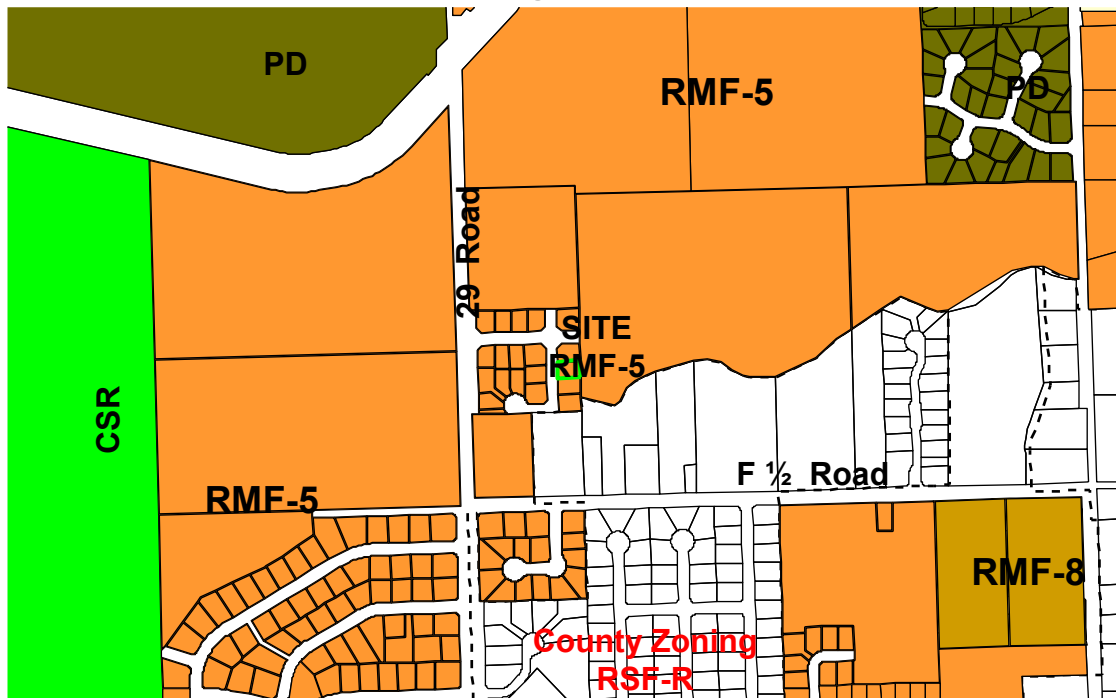
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

CITY OF GRAND JUNCTION

Resolution No. _____

A Resolution Vacating a Utility and Drainage Easement
Located at 662 McCaldon Way,
Also Known as Lot 7 of the Forrest Glen Subdivision

RECITALS:

This resolution vacates the northern 5' of an existing 10' utility and drainage easement, described in a document recorded in Book 3701 at Pages 663 and 664 of the Mesa County records, located at 662 McCaldon Way. The full width of the existing easement is not required at this time, therefore the applicant has requested that the utility and drainage portion be vacated.

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

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

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

1. Applicant shall pay all recording/documentation fees for the Vacation Resolution, and/or related easement and dedication documents.

EASEMENT VACATION DESCRIPTION:

A strip of land 5.00 ft in a width measured at right angles in the SW1/4 NW1/4 SEC5, T1S. R1E of the UM, City of Grand Junction, County of Mesa, State of Colorado being more particularly described as follows: The north 5.00 ft measured at right angles of the south 10-ft Utility, Irrigation and Drainage Easement in Lot 7 of the Forrest Glen Subdivision, a subdivision of the City of Grand Junction, Colorado as recorded in the records of the Mesa County, Colorado, Clerk and Recorder's Records at Book 3701, Pages 663-664, said strip described by metes and bounds as follows: Commencing at the SW COR of said Lot 7 when the SE COR of said Lot 7 bears S90°00'00"E with all other bearings contained and herein being relative thereto, a DIS of 101.00 ft; thence N00°00'00"e ALONG THE WEST LINE OF SAID LOT 7, A DIS of 10.00 ft to the north line of said 10-ft Utility, Irrigation and Drainage Easement and the POB; thence N90°00'00"E along said north line, a DIS of 100.94 ft to the ease line of said Lot 7; thence S00°22'07"E along said east line a DIS of 5.00 ft; thence N90°00'00"W a DIS of 100.97 ft to the West line of said Lot7; thence N00°00'00"E along said west line, a DIS of 5.00 ft to the POB containing 505 sq ft by these measures.

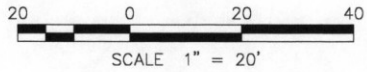
PASSED and ADOPTED this _____ day of _____, 2005.

ATTEST:

President of City Council

City Clerk

A PORTION OF LOT 7
 OF THE FORREST GLEN SUBDIVISION
 IN THE SW 1/4 NW 1/4 SEC. 5
 T. 1 S., R. 1 E., U. M.
 CITY OF GRAND JUNCTION
 COUNTY OF MESA, STATE OF COLORADO



SURVEYORS CERTIFICATE

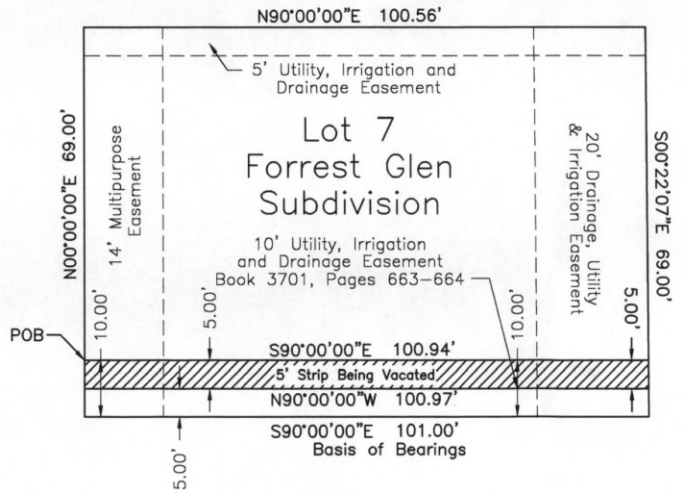
I hereby certify that I was in responsible charge of the survey represented by this exhibit and it was prepared from a field survey completed by me or under my direct supervision.

Robert A. Larson PLS 31160

Preliminary
 for City Review

EASEMENT VACATION EXHIBIT B

Sneddon Construction, Inc.
Parcel No. 2943-052-76-007
Forrest Glen Subdivision Partial Easement Vacation



Attach 6

Revocable Permit for a Fence Located at 1532 N. 25th Street

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Revocable Permit for Lot 1, Block 2, East Elm Avenue Heights Subdivision located at 1532 N. 25 th Street					
Meeting Date	July 6, 2005					
Date Prepared	June 27, 2005				File # RVP-2005-122	
Author	Scott D. Peterson		Associate Planner			
Presenter Name	Scott D. Peterson		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	<input checked="" type="checkbox"/>	Consent	Individual Consideration

Summary: Request to allow an encroachment of a proposed chain-link fence up to a maximum height of six feet (6'), to be located in the N. 25th Street right-of-way located at 1532 N. 25th Street.

Budget: N/A

Action Requested/Recommendation: Approval and acceptance of the Resolution issuing the Revocable Permit.

Background Information: Please see attached Staff Report.

Attachments:

1. Staff report/Background information
2. Site Location Map/Aerial Photo
3. Future Land Use Map/Zoning Map
4. Resolution
5. Revocable Permit
6. Agreement

BACKGROUND INFORMATION					
Location:		1532 N. 25 th Street			
Applicant:		Robert & Bonnie Blunk			
Existing Land Use:		Single-Family Residential			
Proposed Land Use:		N/A			
Surrounding Land Use:	North	Single-Family Residential			
	South	Single-Family Residential			
	East	Single-Family Residential			
	West	Single-Family Residential			
Existing Zoning:		RMF-8, Residential Multi-Family – 8 units/acre			
Proposed Zoning:		N/A			
Surrounding Zoning:	North	RMF-8, Residential Multi-Family – 8 units/acre			
	South	RMF-8, Residential Multi-Family – 8 units/acre			
	East	RMF-8, Residential Multi-Family – 8 units/acre			
	West	RMF-8, Residential Multi-Family – 8 units/acre			
Growth Plan Designation:		Residential Medium (4 – 8 DU/Ac.)			
Zoning within density range?		X	Yes		No

Project Analysis:

1. Background:

The applicants have an existing five foot (5') tall horizontal wood fence located at the back of the City's sidewalk, outside of their property line and in the N. 25th Street right-of-way along the south half of their property located at 1532 N. 25th Street. The applicants are requesting a Revocable Permit in order to remove this existing fence and replace it with up to a maximum height of a six foot (6') tall chain-link fence in the same location. The existing wood fence was never issued a Revocable Permit due it being constructed before the current Zoning & Development Code had come into effect which requires a Revocable Permit for any permanent structure constructed in the right-of-way.

Section 2.17 of the Zoning & Development Code states that review and approval of Revocable Permits for irrigation and landscaping can be approved at the City

Staff level, however the City Council is required to approve Revocable Permits for all other encroachments into the City's right-of-ways.

2. Section 2.17 C. of the Zoning & Development Code:

Requests for a Revocable Permit must demonstrate compliance with all of the following criteria:

- a. There will be benefits derived by the community or area by granting the proposed revocable permit.**

The proposal is to remove an existing horizontal wood fence that is in need of repair with a new chain-link fence.

- b. There is a community need for the private development use proposed for the City property.**

The existing and proposed fence will be located adjacent to the back of the sidewalk of N. 25th Street, approximately four feet (4') into the public right-of-way.

- c. The City property is suitable for the proposed uses and no other uses or conflicting uses are anticipated for the property.**

No other or conflicting uses are anticipated by the City in the area of the right-of-way encroachment with the construction of a chain-link fence.

- d. The proposed use shall be compatible with the adjacent land uses.**

The proposed chain-link fence is compatible with associated single-family residential development and other fencing in the area.

- e. The proposed use shall not negatively impact access, traffic circulation, neighborhood stability or character, sensitive areas such as floodplains or natural hazard areas.**

There are no negative impacts anticipated as the applicants are removing the existing fence that is in need of repair and replacing with a new chain-link fence in the same area.

- f. The proposed use is in conformance with and in furtherance of the implementation of the goals, objectives and policies of the Growth Plan, other adopted plans and the policies, intents and requirements of this Code and other City policies.**

The applicant's request meets with the goals and policies of the Growth Plan and other adopted plans and policies of the City.

- g. The application complies with the submittal requirements as set forth in the Section 127 of the City Charter, Chapter Two of the Zoning & Development Code and the SSID Manual.**

The applicants have complied with all applicable codes and requirements.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Lot 1, Block 2, East Elm Avenue Heights Subdivision application, RVP-2005-122 for the issuance of a Revocable Permit to allow an encroachment of up to a maximum height of a six foot (6') tall chain-link fence into the N. 25th Street right-of-way, staff makes the following findings of fact and conclusions:

- 4. The review criteria in Section 2.17 C. of the Zoning & Development Code have all been met.

STAFF RECOMMENDATION:

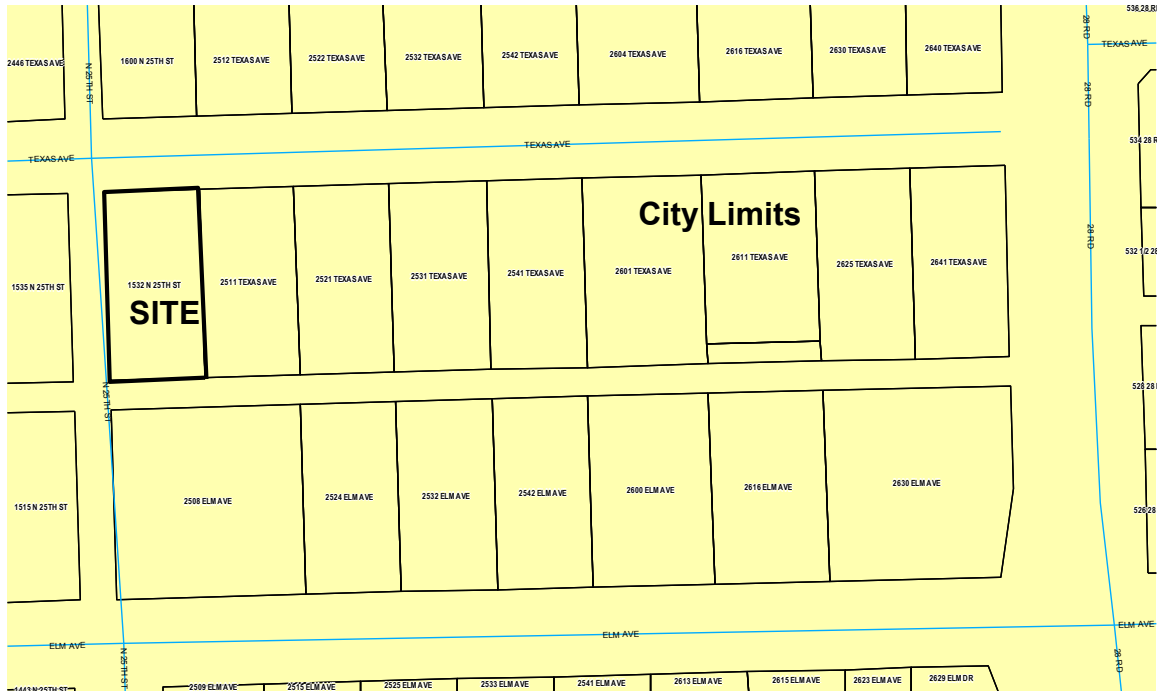
Staff recommends that the City Council approve the requested Revocable Permit to allow an encroachment of up to a maximum height of a six foot (6') tall chain-link fence into the N. 25th Street right-of-way, RVP-2005-122.

Attachments:

Site Location Map/Aerial Photo
Future Land Use Map/Zoning Map
Resolution
Revocable Permit
Agreement

Site Location Map – 1532 N. 25th Street

Figure 1



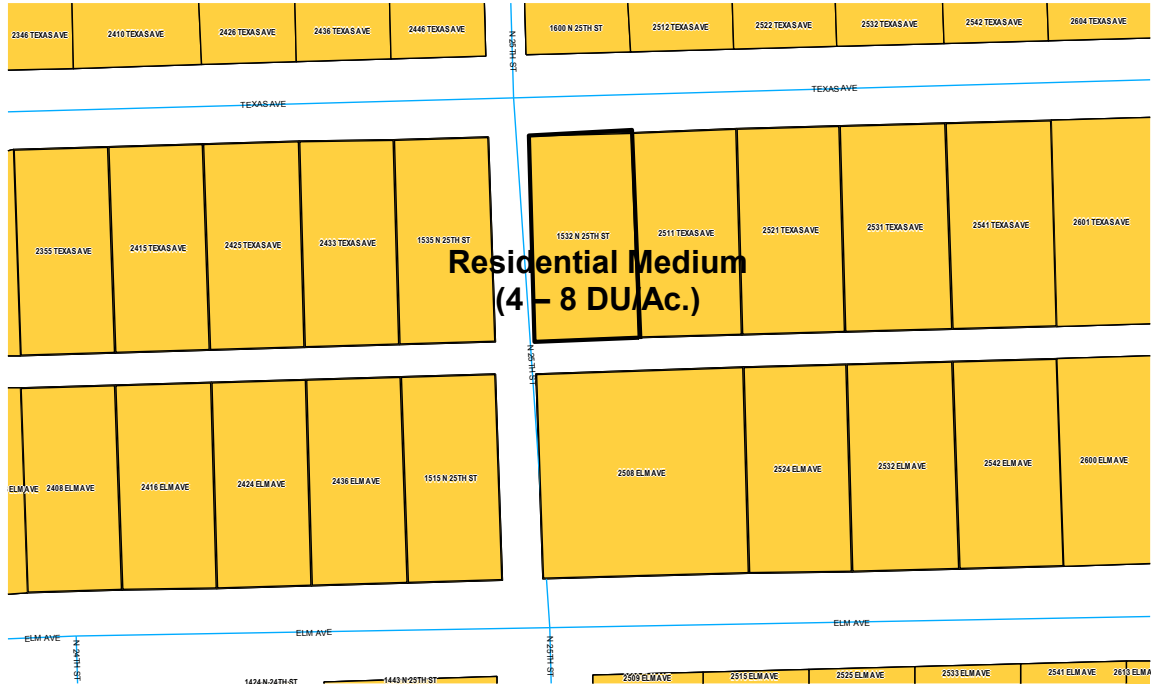
Aerial Photo Map – 1532 N. 25th Street

Figure 2



Future Land Use Map – 1532 N. 25th Street

Figure 3



Existing City Zoning – 1532 N. 25th Street

Figure 4



RESOLUTION NO. _____

**A RESOLUTION CONCERNING THE ISSUANCE OF A REVOCABLE PERMIT
TO
ROBERT L. & BONNIE M. BLUNK**

Recitals.

A. Robert L. & Bonnie M. Blunk, hereinafter referred to as the Petitioner, represent it is the owner of the following described real property in the City of Grand Junction, County of Mesa, State of Colorado, to wit:

Lot 1, Block 2, East Elm Avenue Heights Subdivision and identified by Mesa County Tax Schedule Number 2945-124-09-007.

B. The Petitioner has requested that the City Council of the City of Grand Junction issue a Revocable Permit to allow the Petitioner to install, maintain and repair a chain-link fence within the following described public right-of-way:

The Easterly 4 feet of the 25th Street right-of-way, said Right-of-Way being a part of the Wilcox-Bixby Subdivision as recorded in the Office of the Mesa County Clerk and Recorder at Book 6 Page 19, 56 feet in length, the South line being the Westerly extension of the South line of Lot 1, Block 2, East Elm Avenue Heights Subdivision as recorded in the Office of the Mesa County Clerk and Recorder at Book 7 Page 58.

containing 224 square feet more or less as described.

C. Relying on the information supplied by the Petitioner and contained in File No. RVP-2005-122 in the office of the City's Community Development Department, the City Council has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

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

1. That the City Manager is hereby authorized and directed to issue the attached Revocable Permit to the above-named Petitioner for the purpose aforescribed and within the limits of the public right-of-way aforescribed, subject to each and every term and condition contained in the attached Revocable Permit.

PASSED and ADOPTED this _____ day of _____, 2005.

Attest:

President of the City Council

City Clerk

REVOCABLE PERMIT

Recitals.

A. Robert L. & Bonnie M. Blunk, hereinafter referred to as the Petitioner, represent it is the owner of the following described real property in the City of Grand Junction, County of Mesa, State of Colorado, to wit:

Lot 1, Block 2, East Elm Avenue Heights Subdivision and identified by Mesa County Tax Schedule Number 2945-124-09-007.

B. The Petitioner has requested that the City Council of the City of Grand Junction issue a Revocable Permit to allow the Petitioner to install, maintain and repair a chain-link fence within the following described public right-of-way:

The Easterly 4 feet of the 25th Street right-of-way, said Right-of-Way being a part of the Wilcox-Bixby Subdivision as recorded in the Office of the Mesa County Clerk and Recorder at Book 6 Page 19, 56 feet in length, the South line being the Westerly extension of the South line of Lot 1, Block 2, East Elm Avenue Heights Subdivision as recorded in the Office of the Mesa County Clerk and Recorder at Book 7 Page 58.

containing 224 square feet more or less as described.

C. Relying on the information supplied by the Petitioner and contained in File No. RVP-2005-122 in the office of the City's Community Development Department, the City Council has determined that such action would not at this time be detrimental to the inhabitants of the City of Grand Junction.

NOW, THEREFORE, IN ACCORDANCE WITH THE ACTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

There is hereby issued to the above-named Petitioner a Revocable Permit for the purpose aforescribed and within the limits of the public right-of-way aforescribed; provided, however, that the issuance of this Revocable Permit shall be conditioned upon the following terms and conditions:

1. The Petitioner's use and occupancy of the public right-of-way as authorized pursuant to this Permit shall be performed with due care or any other higher standard of care as may be required to avoid creating hazardous or dangerous situations and to avoid damaging public improvements and public utilities or any other facilities presently existing or which may in the future exist in said right-of-way.
2. The City hereby reserves and retains a perpetual right to utilize all or any portion of the aforescribed public right-of-way for any purpose whatsoever.

The City further reserves and retains the right to revoke this Permit at any time and for any reason.

3. The Petitioner, for itself and for its successors, assigns and for all persons claiming through the Petitioner, agrees that it shall defend all efforts and claims to hold, or attempt to hold, the City of Grand Junction, its officers, employees and agents, liable for damages caused to any property of the Petitioner or any other party, as a result of the Petitioner's occupancy, possession or use of said public right-of-way or as a result of any City activity or use thereof or as a result of the installation, operation, maintenance, repair and replacement of public improvements.

4. The Petitioner agrees that it shall at all times keep the above described public right-of-way in good condition and repair.

5. This Revocable Permit shall be issued only upon the concurrent execution by the Petitioner of an agreement that the Petitioner and the Petitioner's successors and assigns shall save and hold the City of Grand Junction, its officers, employees and agents harmless from, and indemnify the City, its officers, employees and agents, with respect to any claim or cause of action however stated arising out of, or in any way related to, the encroachment or use permitted, and that upon revocation of this Permit by the City the Petitioner shall, at the sole cost and expense of the Petitioner, within thirty (30) days of notice of revocation (which may occur by mailing a first class letter to the last known address), peaceably surrender said public right-of-way and, at its own expense, remove any encroachment so as to make the aforescribed public right-of-way available for use by the City or the general public. The provisions concerning holding harmless and indemnity shall survive the expiration, revocation, termination or other ending of this Permit.

6. This Revocable Permit, the foregoing Resolution and the following Agreement shall be recorded by the Petitioner, at the Petitioner's expense, in the office of the Mesa County Clerk and Recorder.

Dated this _____ day of _____, 2005.

Attest:
municipality

The City of Grand Junction,
a Colorado home rule

City Clerk

City Manager

Acceptance by the Petitioner:

Robert L. Blunk

Bonnie M. Blunk

AGREEMENT

Robert L. & Bonnie M. Blunk, for itself and for its successors and assigns, does hereby agree to:

(a) Abide by each and every term and condition contained in the foregoing Revocable Permit;

(b) Indemnify and hold harmless the City of Grand Junction, its officers, employees and agents with respect to all claims and causes of action, as provided for in the approving Resolution and Revocable Permit;

(c) Within thirty (30) days of revocation of said Permit by the City Council, peaceably surrender said public right-of-way to the City of Grand Junction;

(d) At the sole cost and expense of the Petitioner, remove any encroachment so as to make said public right-of-way fully available for use by the City of Grand Junction or the general public.

Dated this _____ day of _____, 2005.

Robert L. Blunk

Bonnie M. Blunk

State of Colorado)
)ss.
County of Mesa)

The foregoing Agreement was acknowledged before me this _____ day of _____, 2005, by Robert L. Blunk & Bonnie M. Blunk

My Commission expires: _____
Witness my hand and official seal.

Notary Public

Attach 7

Zoning the Twenty Three Park Plaza Annexation Located at the NW Corner of 23 Road & I-70

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Setting a hearing to zone the Twenty Three Park Plaza Annexation, located at the northwest corner of 23 Road and I-70						
Meeting Date	July 6, 2005						
Date Prepared	June 27, 2005				File #GPA-2005-045		
Author	Kathy Portner			Planning Manager			
Presenter Name	Kathy Portner			Planning Manager			
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Introduction of a proposed ordinance to zone the 35.52 acre Twenty Three Park Plaza Annexation I-O (Industrial/Office Park).

Budget: N/A

Action Requested/Recommendation: Introduction of the proposed Twenty Three Park Plaza Annexation Zoning Ordinance and setting a hearing for July 20, 2005.

Background Information: See attached Staff Report/Background Information

Attachments:

1. Staff report/Background information
2. Vicinity Map/Aerial Photo
3. Future Land Use Map/Zoning Map
4. Applicant's Request
5. Planning Commission Minutes (to be provided with 2nd reading)
6. Ordinance

AGENDA TOPIC: GPA-2005-045 Setting a hearing to zone the Twenty Three Park Plaza Annexation, located at the northwest corner of 23 Road and I-70

ACTION REQUESTED: Introduction of the proposed Twenty Three Park Plaza Annexation Zoning Ordinance and setting a hearing for July 20, 2005.

BACKGROUND INFORMATION			
Location:		NW corner of 23 Road and I-70	
Applicants:		Owner: Karen Marquette Representative: Doug Gilliland	
Existing Land Use:		Platted, undeveloped industrial park	
Proposed Land Use:		Industrial park	
Surrounding Land Use:	North	Estate (2-5 acres/unit)	
	South	Commercial/Industrial	
	East	Commercial and Estate	
	West	Estate	
Existing Zoning:		PI (Planned Industrial)--County zoning	
Proposed Zoning:		I-1 (Light Industrial)—requested I-O (Industrial/Office Park)--recommended	
Surrounding Zoning:	North	County AFT	
	South	I-1	
	East	County PC (Planned Commercial)	
	West	County RSF-E (Residential Estate)	
Growth Plan Designation:		Commercial/Industrial	
Zoning within density range?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/> No

PROJECT DESCRIPTION: Introduction of a proposed ordinance to zone the 35.52 acre Twenty Three Park Plaza Annexation I-O (Industrial/Office Park).

RECOMMENDATION: Staff recommends approval.

ANALYSIS

1. Background

The property was recently annexed into the City of Grand Junction pursuant to the Persigo Agreement. The owner had requested a Growth Plan Amendment to change the Future Land Use designation from Commercial/Industrial to Residential Medium Low (2-4 units per acre). The applicant has withdrawn the Growth Plan Amendment request.

The 35.5 acre site is located at the NW corner of 23 Road and I-70. In 1982, the property was zoned Planned Industrial by Mesa County and platted into 30 commercial/industrial lots. Infrastructure improvements for the subdivision were started, but never completed, and sewer was not extended to the property. In 2000 the property owner requested that the Twenty Road Park Plaza be included in the Persigo 201 Sewer Service boundary, which was approved by the City Council and Mesa County Commissioners at a joint meeting November 13, 2000. For future development, the developer will be required to construct all infrastructure to current standards, and extend sewer.

The Persigo Agreement requires that zoning of annexed property be consistent with the prior County zoning or consistent with the Growth Plan. The prior County zoning on this property was PI (Planned Industrial). The most similar City zone districts would be I-1 or I-O. There are three zone districts that implement the Future Land Use designation of Commercial/Industrial, C-2 (Heavy Commercial), I-1 (Light Industrial) and I-O (Industrial/Office Park). In this case, C-2 is not an option since the Zoning and Development Code prohibits rezoning to C-2 where it is adjacent to residentially zoned property. Therefore, the only two options for zoning this property are I-1 and I-O. The applicant has requested I-1 (Light Industrial) zoning for the property. However, the Planning Commission has recommended zoning the property I-O (Industrial/Office Park). The following review is for the recommended I-O zoning.

2. Consistency with the Growth Plan:

The Growth Plan designates this property as Commercial/Industrial. The recommended I-O zone district is consistent with the Growth Plan designation and the prior County zoning.

3. Section 2.6.A of the Zoning and Development Code:

Zone requests must meet all of the following criteria for approval:

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

The recommended I-O zoning is consistent with the prior County zoning of Planned Industrial.

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

The character of the area has changed, but in accordance with the adopted Growth Plan.

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

The I-O zoning will require adequate screening and buffering adjacent to the residential properties, and requires a Conditional Use Permit for many of the industrial type uses.

- 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;*

The recommended I-O zoning conforms to the goals and policies of the Growth Plan and the development of the property will be in accordance with the Zoning and Development Code.

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

Needed infrastructure would have to be extended to serve the parcel.

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

The I-O zoning is consistent with the Growth Plan and prior County zoning.

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

The I-O zoning is consistent with the Growth Plan and prior County zoning.

FINDINGS OF FACT/CONCLUSIONS

After reviewing GPA-2005-045, zoning the Twenty Three Park Plaza Annexation, staff makes the following findings of fact and conclusions:

- 5. The recommended I-O zoning is consistent with the purpose and intent of the Plan.*

6. The review criteria in Section 2.5.C of the Zoning and Development Code have all been met.

PLANNING COMMISSION RECOMMENDATION:

At their June 28, 2005 hearing, the Planning Commission recommended denial of the request for I-1 zoning and recommended approval of the I-O zoning, finding the I-O zoning to be more compatible with the surrounding residential uses.

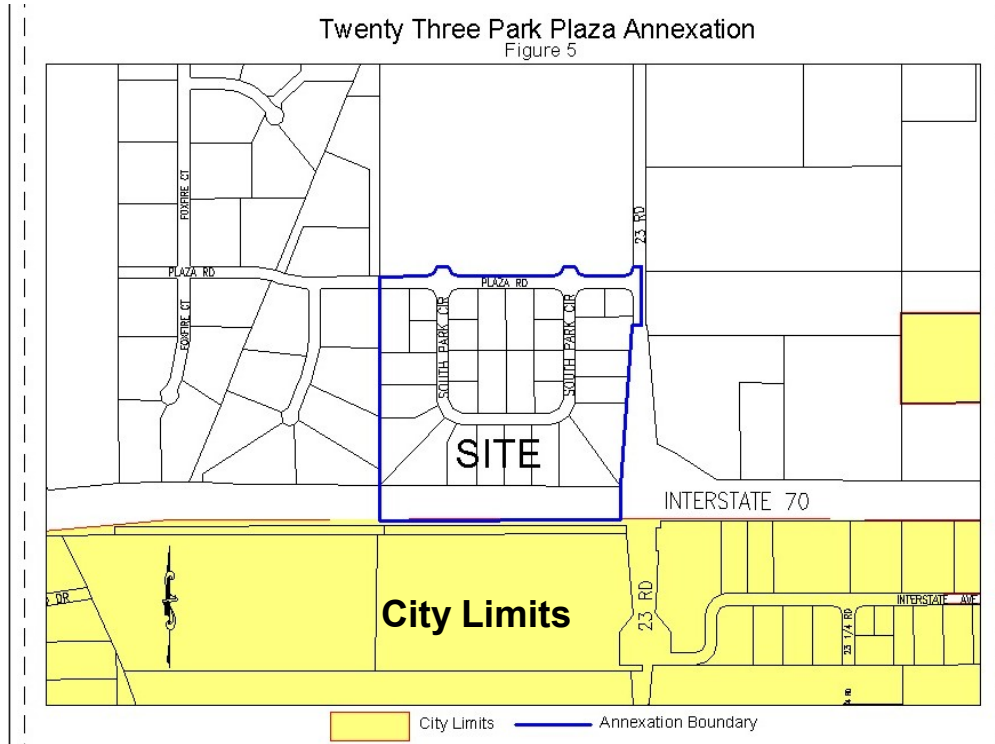
If the City Council considers the I-1 zoning, it would take an affirmative vote of 5 Council members (super-majority) to overturn the Planning Commission recommendation of denial. If the Council considers the I-O zoning, approval requires a simple majority.

Attachments:

1. Staff report/Background information
2. Vicinity Map/Aerial Photo
3. Future Land Use Map/Zoning Map
4. Applicant's Request
5. Planning Commission Minutes (to be provided with 2nd reading)
6. Ordinance

Site Location Map

Figure 1



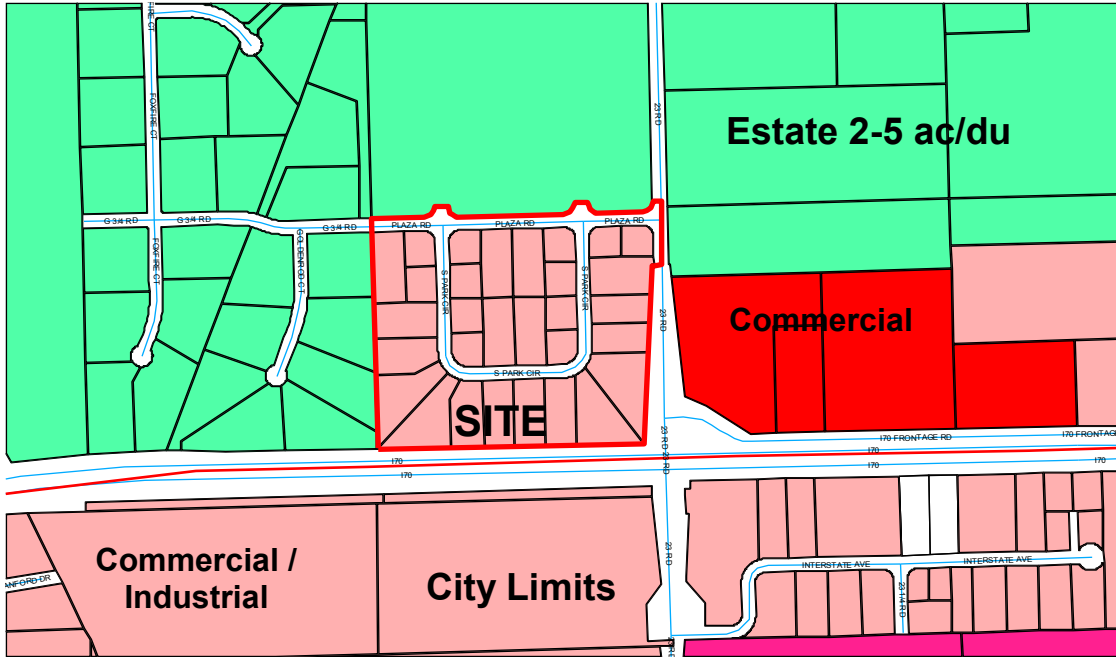
Aerial Photo Map

Figure 2



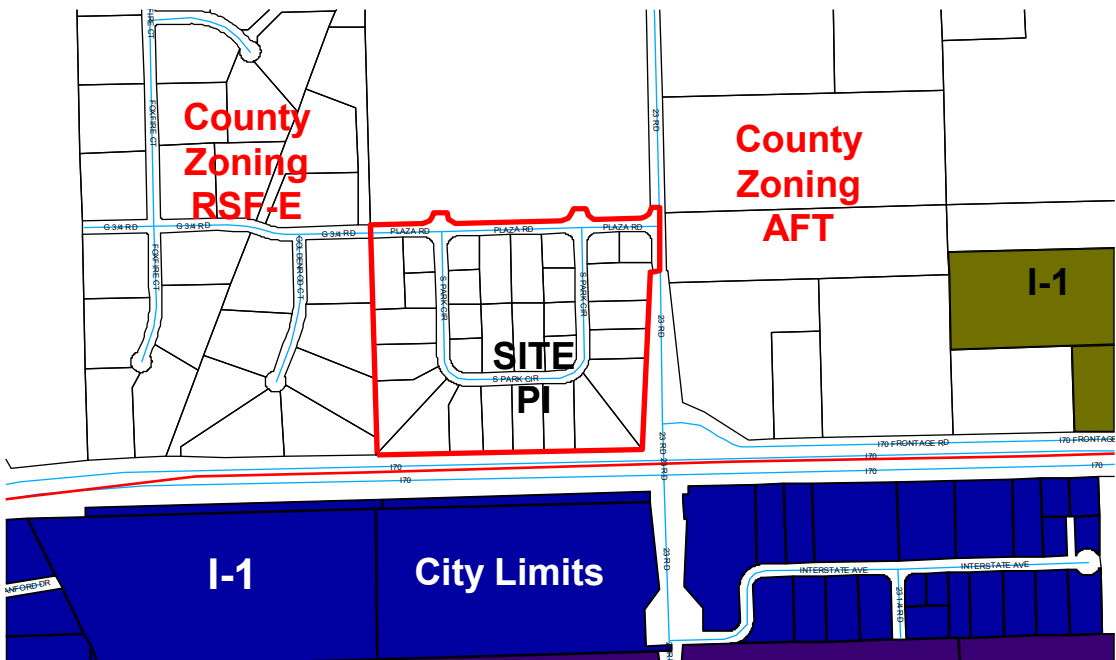
Future Land Use Map

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."



TAURUS OF TEXAS HOLDINGS, LP

9285 Huntington Square, Ste. 100, N. Richland Hills, Texas 76180 ♦ (817) 788-1000 ♦ FAX:
(817) 788-1670

June 7, 2005

Katherine Porter AICP
City of Grand Junction,
Planning Manager
250 North 5th Street
Grand Junction, Colorado 81501

Re: Zoning of 23 Park Plaza land into I1 industrial

Dear Kathy

Thanks again for your assistance on this request. Based upon our conversation today, I am presenting the following input and comments regarding the application to zone the 30 acres of land at 23 Street and I-70 to I1 Industrial. My understanding is that as part of the zoning request we need to address the relevant criteria in Chapter 2.6 a) 1-7 of the Zoning and Development Code. The following material is our response to the Approval Criteria in this section of the Code:

1. Not Applicable to this request since the property is not zoned.
2. The property was annexed into the city not long ago. It is not zoned currently; however it is presented as Industrial/Heavy Commercial on the Growth Plan. While it was in the county it was zoned for Planned Industrial in 1982. It has been in that category since then and through the annexation. The Planned Industrial category allows for a range of industrial and commercial uses. The predominate use under this zoning category as approved in May of 1982 by the county is for manufacturing and distribution facilities, repair shops, outdoor storage, equipment fabrication, and minor uses of office space. Infrastructure improvements for these uses were made but never fully completed. A roadway system along with sanitary sewer and water lines were installed. The curbs were built but the final grade on the streets was not completed.
3. The proposed zoning of I1 is compatible with these former uses, and would meet current standards. The improvements associated with the development will not create adverse impacts on streets, parking, and storm water or drainage systems. A sanitary sewer system will be extended to existing municipal facilities as part of the development plan.
4. The proposed industrial zoning is compatible with the cities future land use plan for this area as indicated in the Growth Plan. That land use plan shows three different types of industrial/commercial are permitted. The proposed use of I1 is consistent with past zoning while in the county, and the current future land use plan. Additionally, there is a

strong demand in the market place today for this type of zoning. As such the proposed zoning conforms with and furthers the goals and policies of the Growth Plan, and other adopted plans envisioned in this Code.

5. As part of the proposed development process, it is our intent to install an off-site sanitary sewer line, and connect it to the existing on-site line. This line will connect to existing city facilities to the south and west of the property. It appears based upon discussions with city staff that the sewer line will need to be a 10" line. It will have the capacity to serve all of the improvements on this site as well as land to the north if and when it is brought into the sewer district. The site has sufficient water and storm sewer to serve the needs of the development based upon the city requirements.
6. Our market research indicates that there is insufficient land with this type of zoning to meet the current demand by industrial users. The strong rise of industrial users in the zoning category will only make the shortage greater. This program will help to satisfy the industrial market, and also add to the tax base for the city. (See the attached market opinion by Mr. Sam Suplizio who is a commercial broker at Bray Commercial Realtors).
7. The community will benefit from this I1 zoning since it will bring to fruition the plan that has been in place since the early 1980s. Construction will be completed on the existing improvements. This means that the area will begin to grow in the manner that the county envisioned as well as the city in its' future land use plan.

Katherine, I believe this completes the response to the approval criteria in the Code. Please let me know if you need additional information to complete this request. I look forward to the Planning & Zoning Hearing on the 28th of this month and to working with you in the future on this project.

Respectfully,

Douglas Gilliland
Taurus of Texas Holdings, LP

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE No. _____

An Ordinance Zoning the Twenty Three Park Plaza Annexation to I-O
(Industrial/Office Park),
Located at the NW corner of 23 Road and I-70

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 Twenty Three Park Plaza Annexation to the I-O zone district.

After public notice and public hearing, the Grand Junction City Council finds that the I-O zone district meets the recommended land use category as shown on the Future Land Use map and the Growth Plan's goals and policies, and meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

The following property is zoned I-O, Industrial/Office Park.

TWENTY THREE PARK PLAZA ANNEXATION

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

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

distance of 239.58 feet, (2) thence 78.52 feet along the arc of a 50.00 foot radius curve, concave Northwest, through a central angle of 89°58'51", whose long chord bears N45°06'56"E with a long chord length of 70.70 feet; (3) thence S89°55'34E a distance of 60.00 feet; (4) thence 78.56 feet along the arc of a 50.00 foot radius curve, concave Northeast, through a central angle of 90°01'09", whose long chord bears S44°53'04"E with a long chord length of 70.72 feet; (5) thence S89°53'39"E a distance of 479.12 feet; (6) thence 78.52 feet along the arc of a 50.00 foot radius curve, concave Northwest, through a central angle of 89°58'51", whose long chord bears N45°06'56"E with a long chord length of 70.70 feet; (7) thence S89°55'34E a distance of 60.00 feet; (8) thence 78.56 feet along the arc of a 50.00 foot radius curve, concave Northeast, through a central angle of 90°01'09", whose long chord bears S44°53'04"E with a long chord length of 70.72 feet; (9) thence S89°53'39"E a distance of 198.99 feet; (10) thence 81.32 feet along the arc of a 50.00 foot radius curve, concave Northwest, through a central angle of 93°09'35", whose long chord bears N45°05'45"E with a long chord length of 70.70 feet; thence 89°56'00E a distance of 33.00 feet to the East line of the NE 1/4 NE 1/4 of said Section 31; thence S00°04'00"W along the East line of the NE 1/4 NE 1/4 of said Section 31 a distance of 26.96 feet to the Northeast corner of the SE 1/4 NE 1/4 of said Section 31; thence S00°03'12"W along the East line of the SE 1/4 NE 1/4 a distance of 266.21 feet; thence S89°58'41"W a distance of 41.93 feet to the East line of said Replat of Twenty Three Park Plaza Filing No. One; thence S04°09'11"W along the East line of said Replat of Twenty Three Park Plaza Filing No. One, a distance of 816.50 feet to the North line of Grand Junction West Annexation Ordinance No. 2555, City of Grand Junction ; thence N89°37'19"W along the North line of said Grand Junction West Annexation a distance of 1219.83 feet to the Point of Beginning.

Said parcel contains 35.52 acres more or less as described.

Introduced on first reading this 6th day of July, 2005.

PASSED and ADOPTED on second reading this ___ day of _____, 2005.

Mayor

ATTEST:

City Clerk

ATTACHMENT 7

From: Jim Spehar
To: stovebolt1@bresnan.net
Date: 7/6/05 8:23:32 AM
Subject: Re: 23 Park Plaza Zoning

Jack:

I am forwarding your letter to the rest of Council and to the City Clerk so that it will be included in the information available at our meeting tonight. I'd also encourage you to attend and offer your perspective.

Jim

>>> "Jack Wernet" <stovebolt1@bresnan.net> 07/05/05 8:42 PM >>>
Dear Mr. Spehar,

I am an interested party regarding the 23 Park Plaza zoning that is on the agenda for the 7/6/05 meeting (Item #5 File # GPA-2005-045). Although I am not within the city limits, my property and house sit directly to the west of said property. Although it is my preference that the property be zoned residential (as the property owner once requested but recently withdrew), I am aware that you only have two choices at this time. Those choices as I understand it are to either take the Planning Commissions recommendations and zone it I-0 or go against that recommendation and zone it I-1 as the property owner is now petitioning for.

I would ask you to study carefully the surrounding area. The petitioner will claim that there is I-1 property that virtually surrounds this property.

Actually, the opposite is true if you consult the Grand Junction City maps and associated information. The closest I-1 property is actually across I-70, directly to the south. On the north side of I-70 there is no I-1 property for a mile to the west, ½ mile to the east, and none to the north. In fact the 40 acres adjoining this property to the north (coincidentally owned by the same property owner) is zoned residential!

Also of great concern is a road (Plaza road) that is the access to the property from 23 road. Unfortunately it also continues directly into our subdivision (Book Cliff Ranches). It connects to Foxfire (via G ¾ road) which connects to H road. Regardless of the zoning, this road, if allowed to continue to connect to Foxfire, will increase traffic tremendously in the subdivision because it will be used as a short cut to get to the property from H road. My request/preference if it can be done would be to terminate Plaza Road where it turns into G ¾. That way there will be no additional traffic into the subdivision coming from H road trying to get access to the property via H road.

I would greatly appreciate it if you would study this item carefully and discuss it with your fellow City Council members. This decision will have a huge impact on the entire subdivision for years to come. If there is no other choice I strongly urge you to vote for the I-0 as the planning Commission has recommended.

Thank you for your time and consideration.

Sincerely,

Jack Wernet
Resident and Vice President of the Book Cliff Ranches Homeowners
Association.
756 Goldenrod Court
Grand Junction, CO 81505
970-255-0831

CC: City Council, Stephanie Tuin, Bob Blanchard

Attach 8

Zoning the Koch/Fisher Annexation Located at 2041 and 2043 Conestoga Dr.

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Zoning the Koch/Fisher Annexation, located at 2041 and 2043 Conestoga Drive.					
Meeting Date	July 6, 2005					
Date Prepared	June 27, 2005			File #ANX-2005-108		
Author	Ronnie Edwards		Associate Planner			
Presenter Name	Ronnie Edwards		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 Koch/Fisher Annexation to an RSF-4 (Residential Single-Family with a density not to exceed 4 du/ac) zone district, located at 2041 and 2043 Conestoga Drive.

Budget: N/A

Action Requested/Recommendation: Introduce a proposed zoning ordinance and set a public hearing for July 20, 2005. The Planning Commission, at its June 28, 2005 hearing, recommended that the site be zoned to the RSF-4 zone district.

Background Information: See attached Staff Report/Background Information

Attachments:

1. Staff report/Background information
2. Annexation / General Location Map / Aerial Photo
3. Growth Plan Map / Zoning Map
4. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION				
Location:		2041 and 2043 Conestoga Drive		
Applicants:		Elvin Koch and Michael Fisher		
Existing Land Use:		Residential Single Family		
Proposed Land Use:		Residential Single Family		
Surrounding Land Use:	North	Residential Single Family		
	South	Residential Single Family		
	East	Residential Single Family		
	West	Residential Single Family		
Existing Zoning:		County RSF-4		
Proposed Zoning:		City RSF-4		
Surrounding Zoning:	North	City RSF-4		
	South	County RSF-4		
	East	County RSF-4		
	West	City RSF-4		
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-4 (Residential Single-Family with a density not to exceed 4 du/ac) zone district is consistent with the Growth Plan density of Residential Medium Low 2-4 du/ac). The existing County zoning is RSF-4 (Residential Single-Family with a density not to exceed 4 du/ac). 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, which in this proposal the RSF-4 zoning meets both criteria..

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 criteria is not applicable.

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

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

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

Response: The proposed zoning of RSF-4 is compatible with the neighborhood and adjacent zoning. All improvements are existing and were constructed when the Independence Heights and The Homestead subdivisions were approved.

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 and existing, being constructed with the development of the property.

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

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

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

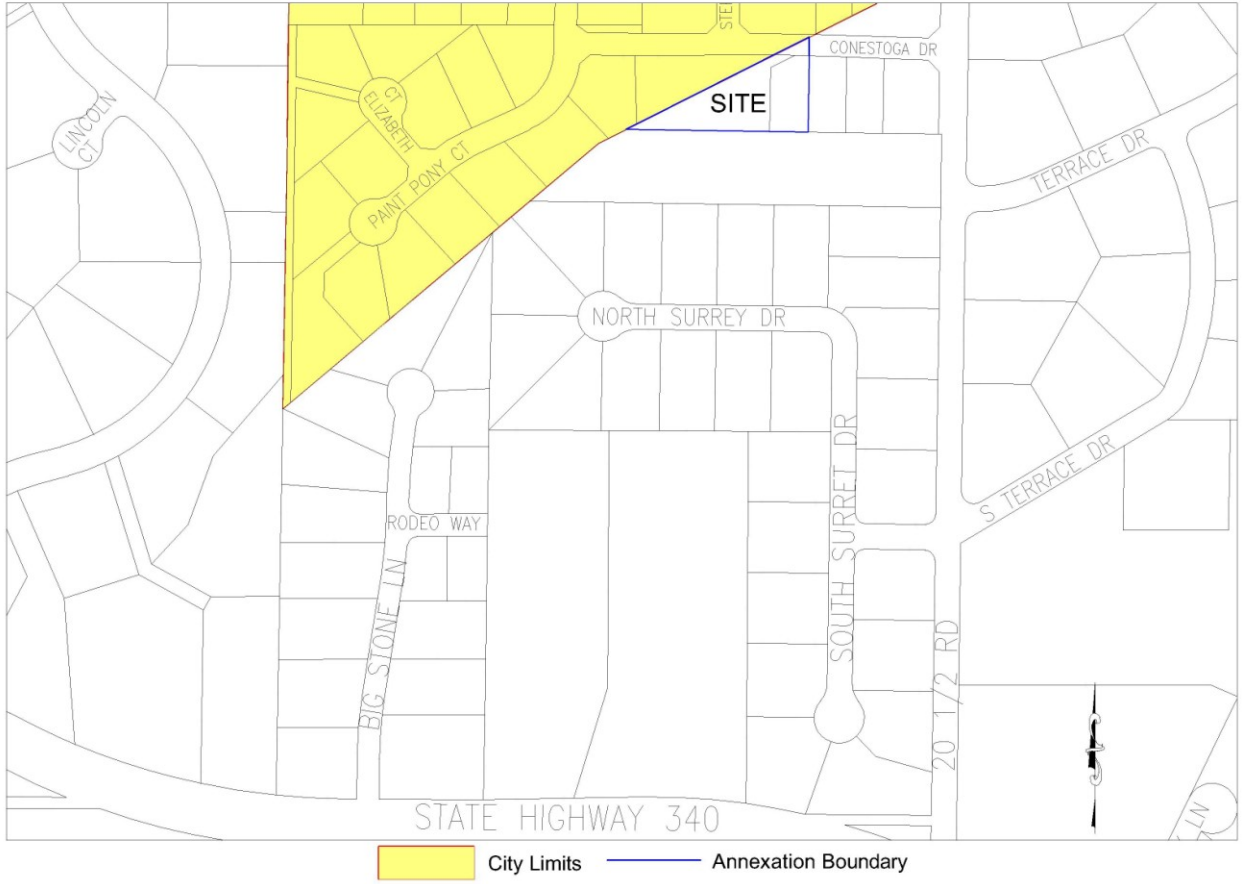
Response: The zoning request is in conjunction with an annexation request. Therefore this criteria is not applicable.

STAFF RECOMMENDATION:

Staff recommends approval of the RSF-4 (Residential Single-Family with a density not to exceed 4 du/ac) 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.

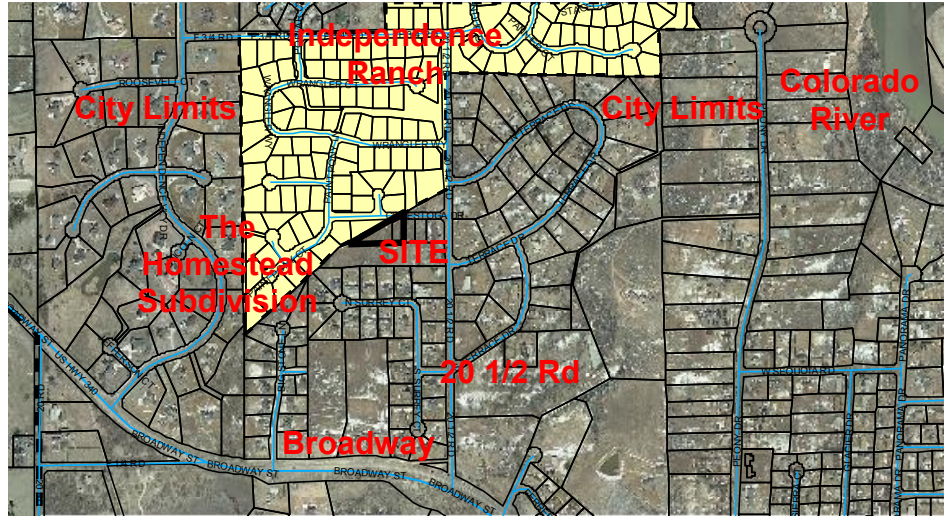
PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the RSF-4 zone district to be consistent with the Growth Plan, the existing County Zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.

Koch/Fisher Annexation
Figure 5



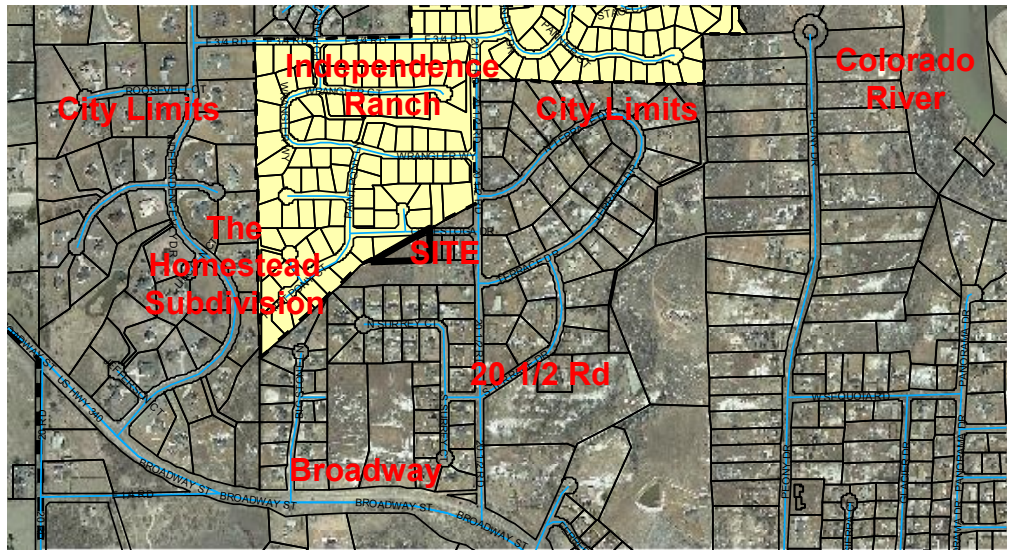
Site Location Map

Figure 1



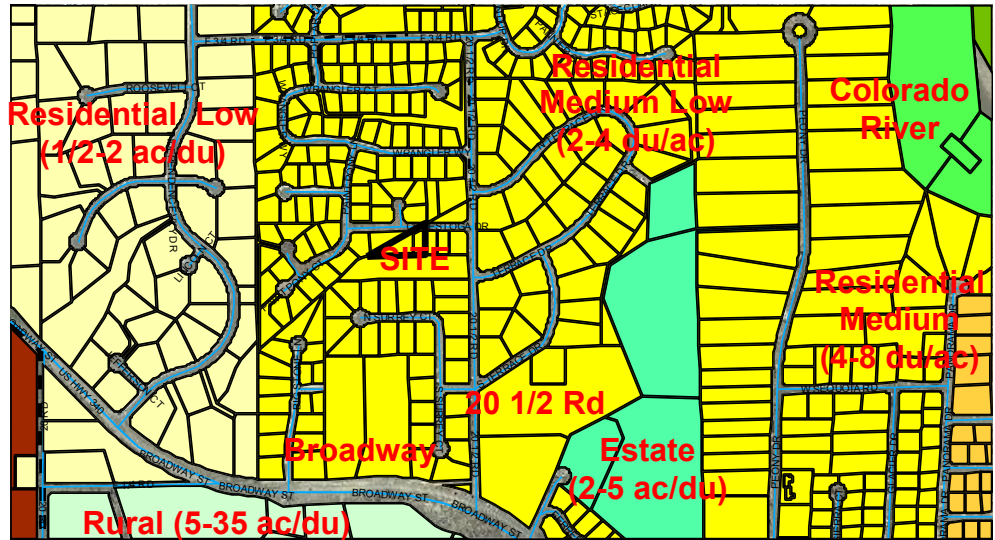
Aerial Photo Map

Figure 2



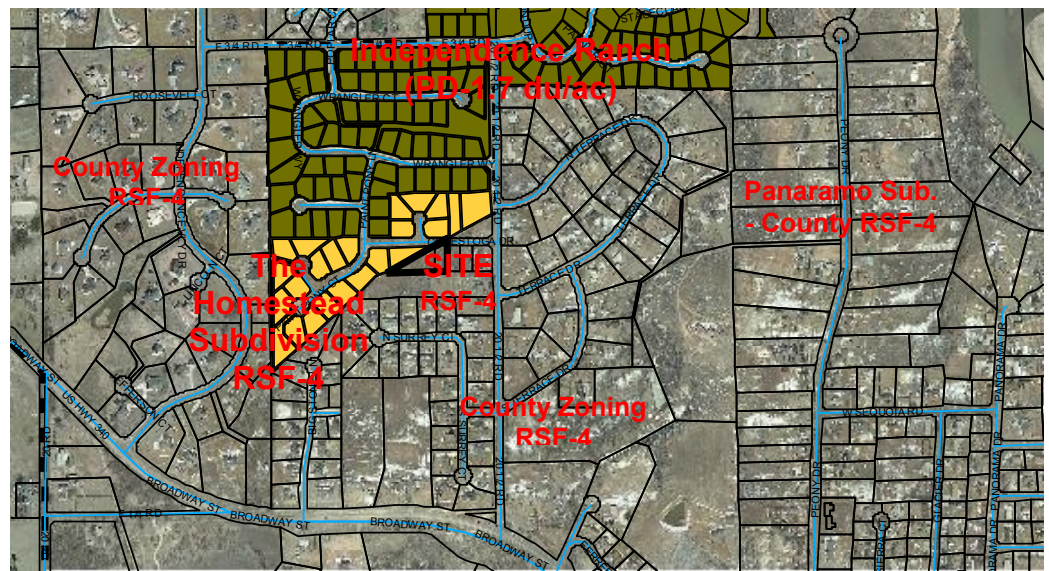
Future Land Use Map

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 ZONING THE KOCH/FISHER ANNEXATION TO
AN RSF-4 (RESIDENTIAL SINGLE-FAMILY WITH A
DENSITY NOT TO EXCEED 4 DU/AC) ZONE DISTRICT**

LOCATED AT 2041 AND 2043 CONESTOGA DRIVE

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Koch/Fisher Annexation to the RSF-4 (Residential Single-Family with a density not to exceed 4 du/ac) 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 (Residential Single-Family with a density not to exceed 4 du/ac) 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 Residential Single-Family with a density not to exceed 4 units per acre.

KOCH/FISHER ANNEXATION

A parcel of land located in the Southeast Quarter of the Northwest Quarter (SE 1/4 NW 1/4) of Section 15, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado being more particularly described as follows:

Commencing at the Southeast corner of the SE 1/4 NW 1/4 of said Section 15 and assuming the East line of the SE 1/4 NW 1/4 of said Section 15 to bear N00°58'57"E with all bearings contained herein relative thereto; thence

N89°27'34"W along the South line of the SE 1/4 NW 1/4 of said Section 15 a distance of 284.30 feet to the intersection of the Southerly projection of the East line of Lot 4, Block 1, The Homestead Subdivision as recorded in Plat Book 16, Page 369 Mesa County, Colorado records; thence N00°59'16"E along said Southerly projected line of said Lot 4 a distance of 16.33 feet to the Southeast corner of said Lot 4 also being the Point of Beginning; thence N89°00'44"W along the South line of Lots 4 and 5, Block 1 of said Homestead Subdivision a distance of 362.30 to the Southwest corner of said Lot 5, also being the South line of The Zambrano Annexation, Ordinance No. 3427, City of Grand Junction; thence N63°27'57"E along the South line of said Zambrano Annexation a distance of 411.17 feet to a point on the North right of way of Conestoga Drive; thence S04°02'03"W a distance of 44.08 feet to the Northeast corner of said Lot 4; thence S00°59'16"W along the East line of said Lot 4 a distance of 145.98 feet to Point of Beginning.

Said parcel contains 0.79 acres (34,247 sq. ft.) more or less as described.

Introduced on first reading this 6th day of July, 2005 and ordered published.

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

Mayor

ATTEST:

City Clerk

Attach 9

Zoning the Schultz Annexation Located at 513 29 ¼ Road
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject		Zoning the Schultz Annexation, located at 513 29 1/4 Road.						
Meeting Date		July 6, 2005						
Date Prepared		June 27, 2005			File #ANX-2005-112			
Author		Ronnie Edwards		Associate Planner				
Presenter Name		Ronnie Edwards		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 Schultz Annexation to an RMF-8 (Residential Multi-Family with a density not to exceed 8 du/ac) zone district, located at 513 29 1/4 Road.

Budget: N/A

Action Requested/Recommendation: Introduce a proposed zoning ordinance and set a public hearing for July 20, 2005. The Planning Commission, at its June 28, 2005 hearing, recommended that the site be zoned to the RMF-8 zone district.

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:		513 29 1/4 Road		
Applicants:		Scott Schultz		
Existing Land Use:		Residential Single Family		
Proposed Land Use:		Residential Single Family Duplex		
Surrounding Land Use:	North	Residential Single Family		
	South	Residential Single Family		
	East	Residential Duplexes		
	West	Residential Single Family		
Existing Zoning:		County RMF-8		
Proposed Zoning:		City RMF-8		
Surrounding Zoning:	North	County RMF-8		
	South	County RMF-8		
	East	County RMF-8		
	West	County RMF-8		
Growth Plan Designation:		Residential Medium (4-8 du/ac)		
Zoning within density range?	X	Yes		No

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the RMF-8 (Residential Multi-Family with a density not to exceed 8 du/ac) zone district is consistent with the Growth Plan density of Residential Medium (4-8 du/ac). The existing County zoning is RMF-8 (Residential Multi-Family with a density not to exceed 8 du/ac). 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, which in this proposal the RMF-8 zoning meets both criteria..

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 criteria is not applicable.

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

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

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

Response: The proposed zoning of RMF-8 is compatible with the neighborhood and adjacent zoning. Future improvements to facilities will occur when the simple subdivision and site plan review for the proposed residential duplex goes forward.

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

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

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

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

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

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

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

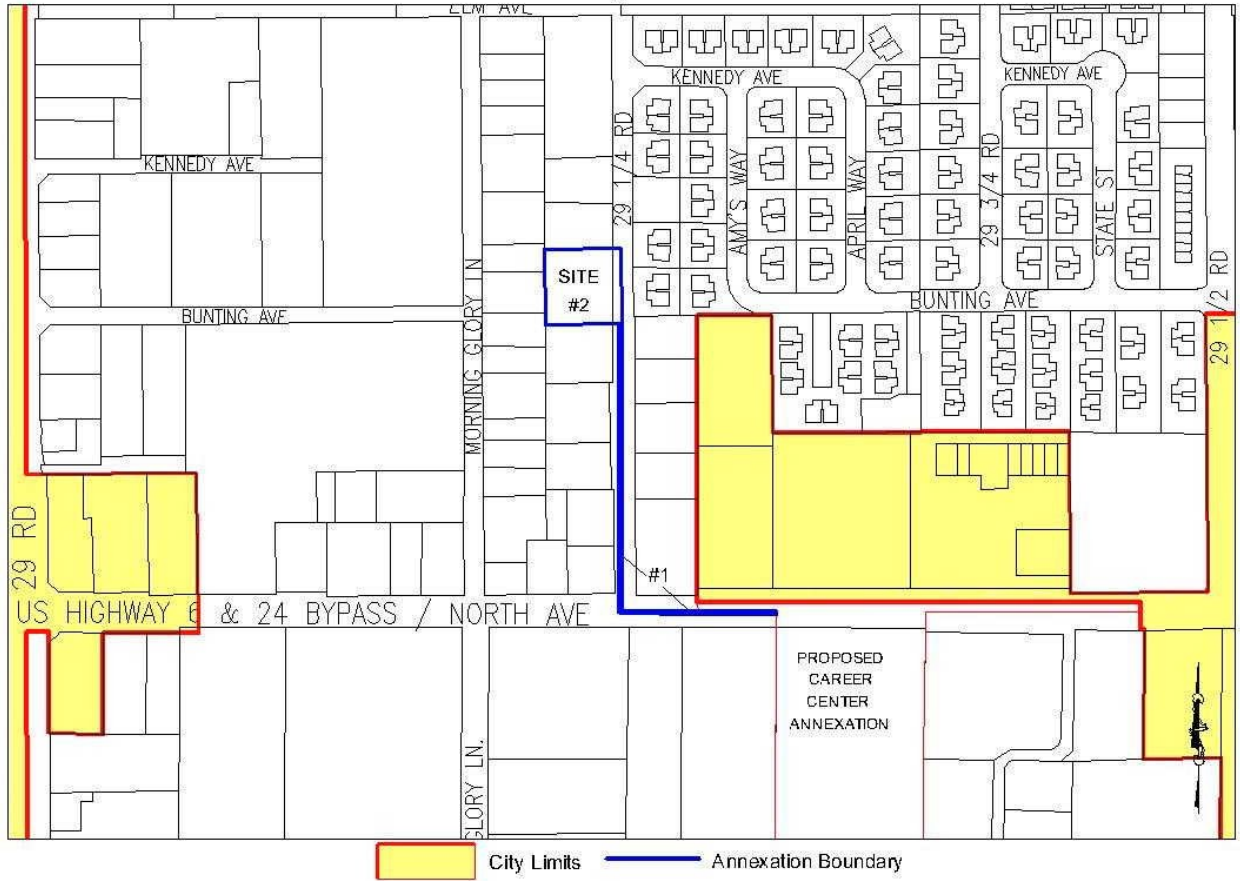
Response: The zoning request is in conjunction with an annexation request. Therefore this criteria is not applicable.

STAFF RECOMMENDATION:

Staff recommends approval of the RMF-8 (Residential Multi-Family with a density not to exceed 8 du/ac) 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.

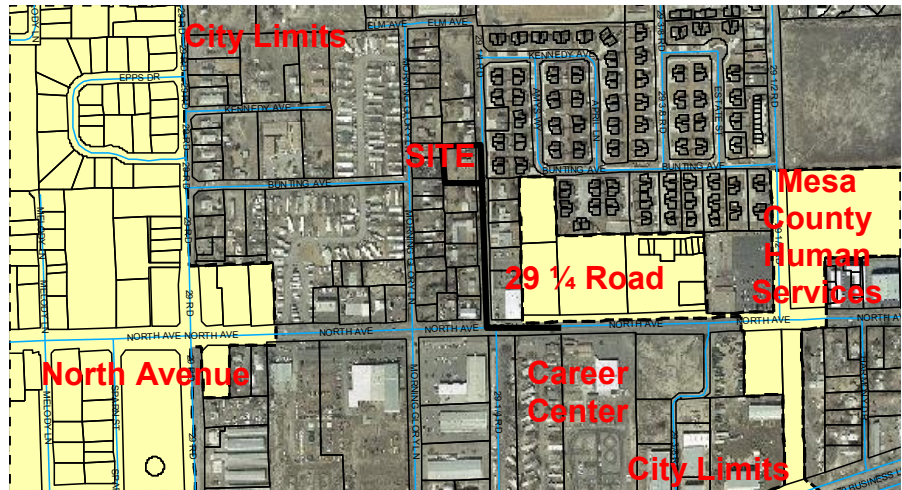
PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the RMF-8 zone district to be consistent with the Growth Plan, the existing County Zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.

Schultz Annexations #1 & #2
Figure 5



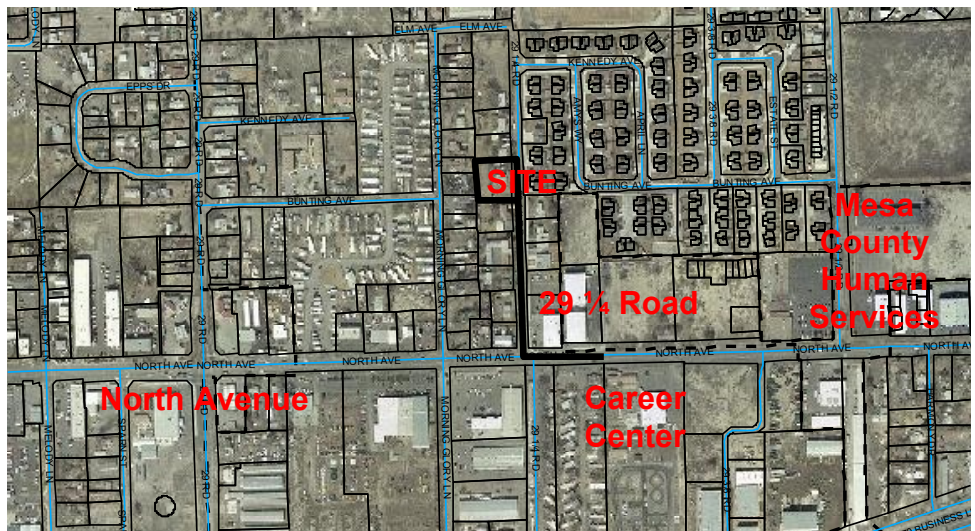
Site Location Map

Figure 1



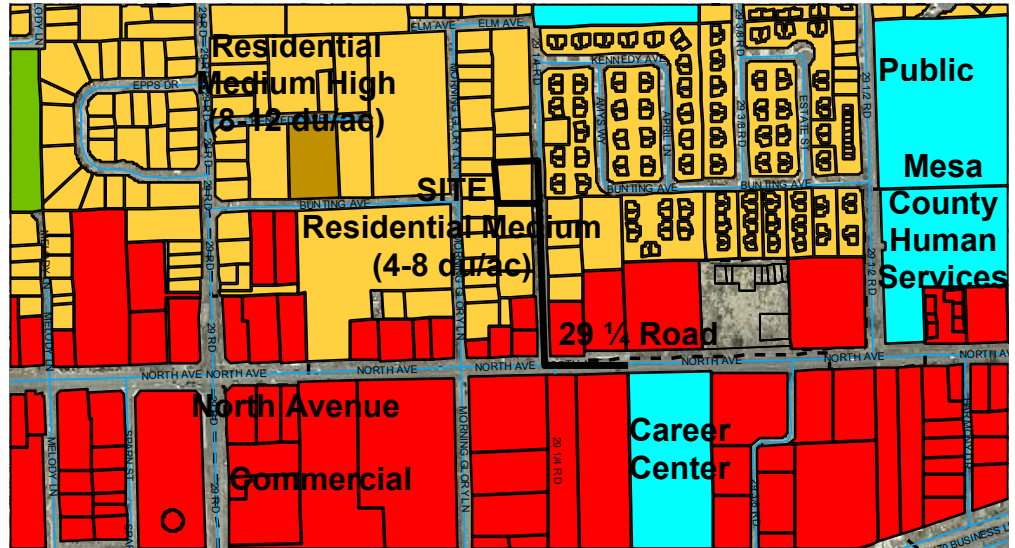
Aerial Photo Map

Figure 2



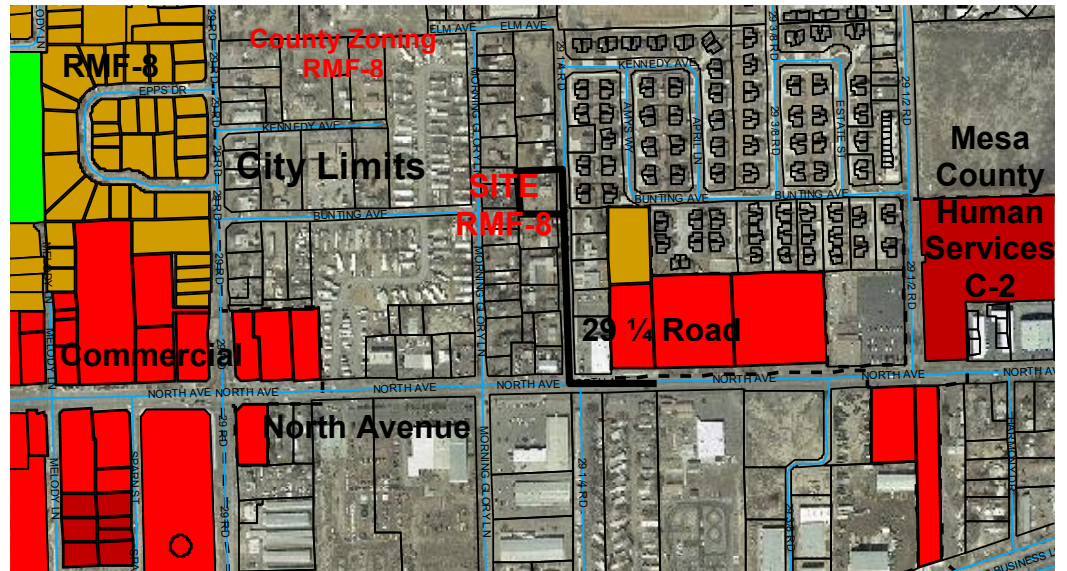
Future Land Use Map

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 ZONING THE SCHULTZ ANNEXATION TO
AN RMF-8 (RESIDENTIAL MULTI-FAMILY WITH A
DENSITY NOT TO EXCEED 8 DU/AC) ZONE DISTRICT**

LOCATED AT 513 29 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 Schultz Annexation to the RMF-8 (Residential Multi-Family with a density not to exceed 8 du/ac) 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-8 (Residential Multi-Family with a density not to exceed 8 du/ac) zone district be established.

The Planning Commission and City Council find that the RMF-8 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 Residential Multi-Family with a density not to exceed 8 units per acre.

SCHULTZ ANNEXATION

A parcel of land located in the Southwest Quarter (SW 1/4) of Section 8 and the Northwest Quarter (NW 1/4) of Section 17, 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 Northwest corner of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 17 and assuming the East line of the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of said Section 8

to bear N00°03'56"W with all bearings contained herein relative thereto; thence from said Point of Commencement N89°57'27"W along the South line of the SW 1/4 SW 1/4 of said Section 8 a distance of 2.00 feet to the Point of Beginning; thence N00°03'56"W along a line being 2.00 feet West of and parallel with the East line of the SW 1/4 SW 1/4 of said Section 8 a distance of 160.00 feet to the Northwest corner of the Schultz Annexation No. 1, Ordinance No. _____, City of Grand Junction; thence N89°56'04"E along the North line of said Schultz Annexation No. 1, a distance of 2.00 feet to the East line of the SW 1/4 SW 1/4 of said Section 8; thence N00°03'56"W along the East line of the SW 1/4 SW 1/4 of said Section 8 a distance of 643.00 feet; thence S89°56'04"W a distance of 170.00 feet; thence S00°03'56"E a distance of 164.00 feet; thence N89°56'04"E a distance of 166.00 feet; thence S00°03'56"E feet along a line being 4.00 feet West of and parallel with the East line of the SW 1/4 SW 1/4 of said Section 8 a distance of 638.99 feet to the South line of the SW 1/4 SW 1/4 of said Section 8; thence S00°11'03"E along a line being 4.00 feet West of and parallel with the West line of the NE 1/4 NW 1/4 of said Section 17 a distance of 4.00 feet; thence S89°57'27"E along a line being 4.00 feet South of and parallel with the South line of the SW 1/4 SW 1/4 of said Section 8 a distance of 4.00 feet to the West line of the NE 1/4 NW 1/4 of said Section 17; thence S89°57'29"E along a line being 4.00 feet South of and parallel with the North line of the NE 1/4 NW 1/4 of said Section 17 a distance of 330.52 feet to the West line of the Career Center Annexation, Ordinance No. _____, City of Grand Junction; thence N00°02'31"E along the West line of said Career Center Annexation a distance of 2.00 feet to the Southeast corner of said Schultz Annexation No. 1; thence N89°57'29"W along the South line of said Schultz Annexation No. 1 a distance of 330.52 feet to the West line of the NE 1/4 NW 1/4 of said Section 17; thence N89°57'27"W along a line being 2.00 feet South of and parallel with the South line of the SW 1/4 SW 1/4 of said Section 8 a distance of 2.00 feet; thence N00°11'03"E along a line being 2.00 feet West of and parallel to the West line of the NE 1/4 NW 1/4 of said Section 17 a distance of 2.00 feet Point of Beginning. Said parcel contains 0.71 acres (30,789 sq. ft.) more or less as described.

Introduced on first reading this 6th day of July, 2005 and ordered published.

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

Mayor

ATTEST:

City Clerk

Attach 10

Setting a Hearing for Water's Edge No. 2 Annexation Located at 2927 D Rd

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Setting a hearing for the Water's Edge No. 2 Annexation located at 2927 D Road						
Meeting Date	July 6, 2005						
Date Prepared	June 30, 2005				File #ANX-2005-116		
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 0.97 acre Water's Edge No. 2 Annexation consists of 1 parcel.

Budget: N/A

Action Requested/Recommendation: Approval of the Resolution of Referral, accepting the Water's Edge No. 2 Annexation petition and introduce the proposed Water's Edge No. 2 Annexation Ordinance, exercise land use jurisdiction immediately and set a hearing for August 17, 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:		2927 D Road			
Applicants:		Owner: LaDuke Enterprises Development, LLP – Duncan McArthur Representative: Development Construction Services, Inc – Tracy Moore			
Existing Land Use:		Residential / Agricultural			
Proposed Land Use:		Single Family Residential subdivision			
Surrounding Land Use:	North	Residential / Agricultural			
	South	Gravel Pit			
	East	Residential / Agricultural			
	West	Residential / Agricultural			
Existing Zoning:		County RSF-R			
Proposed Zoning:		City RMF-8			
Surrounding Zoning:	North	County RSF-R			
	South	City RSF-R			
	East	City RMF-8			
	West	County RSF-R			
Growth Plan Designation:		Residential Medium 4-8 du/ac			
Zoning within density range?		X	Yes		No

Staff Analysis:

ANNEXATION:

This annexation area consists of 0.97 acres of land and is comprised of 1 parcel. 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 Water's Edge No. 2 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>	
July 6, 2005	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
July 26, 2005	Planning Commission considers Zone of Annexation
August 3, 2005	Introduction Of A Proposed Ordinance on Zoning by City Council
August 17, 2005	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
September 18, 2005	Effective date of Annexation and Zoning

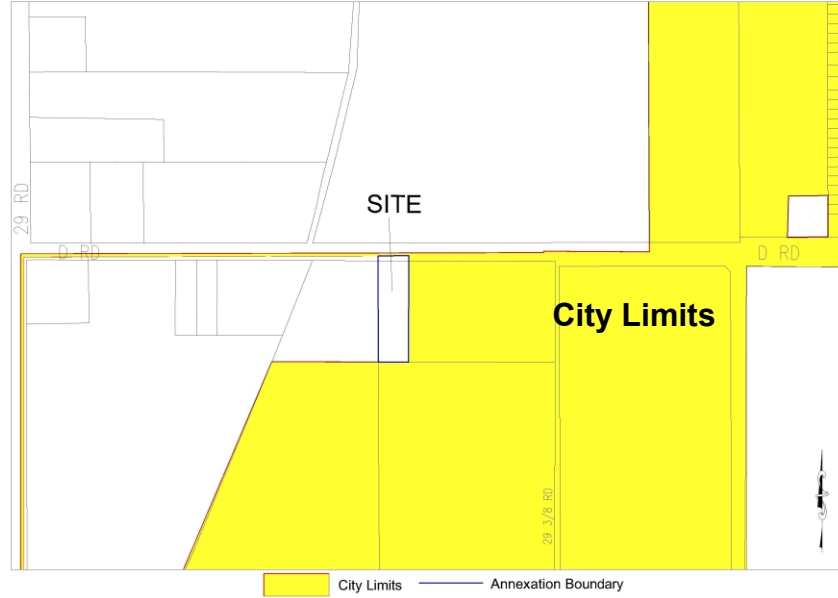
WATER'S EDGE NO. 2 ANNEXATION SUMMARY

File Number:		ANX-2005-116
Location:		2927 D Road
Tax ID Number:		2943-202-00-035
Parcels:		1
Estimated Population:		0
# of Parcels (owner occupied):		0
# of Dwelling Units:		1
Acres land annexed:		0.97 acres
Developable Acres Remaining:		0.953 acres
Right-of-way in Annexation:		0.0 acres
Previous County Zoning:		RSF-R
Proposed City Zoning:		RMF-8
Current Land Use:		Residential / Agricultural
Future Land Use:		Single Family Residential subdivision
Values:	Assessed:	= \$2,430
	Actual:	= \$30,550
Address Ranges:		2927 D 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

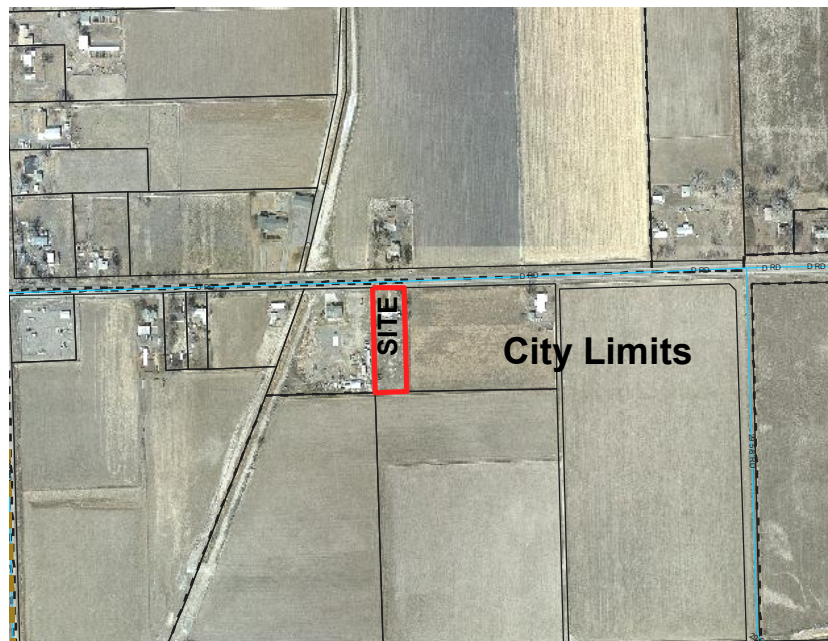
Figure 1

Water's Edge Annexation No. 2
Figure 5



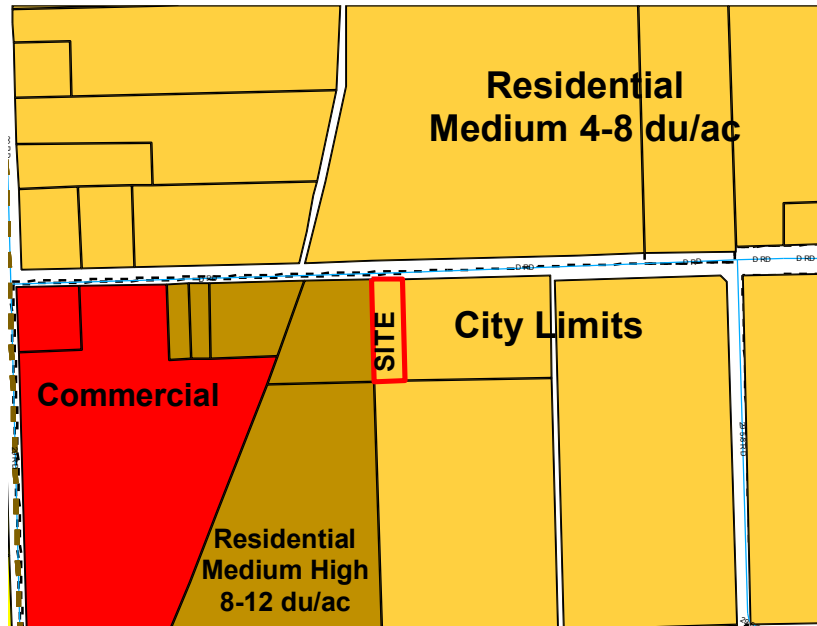
Aerial Photo Map

Figure 2



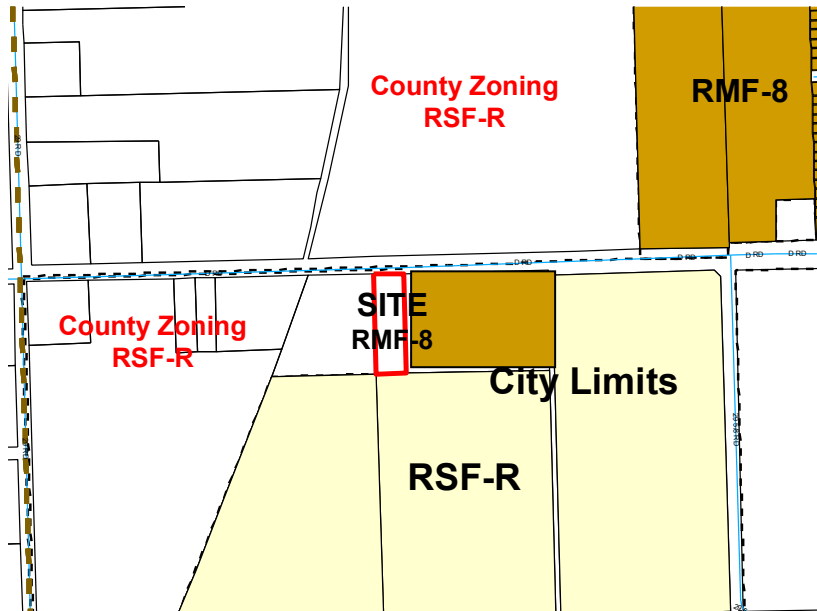
Future Land Use Map

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 6th of July, 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**

WATER'S EDGE NO. 2 ANNEXATION

LOCATED AT 2927 D ROAD.

WHEREAS, on the 6th day of July, 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:

WATER'S EDGE NO. 2 ANNEXATION

A parcel of land located in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 20, 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 Northwest corner of the NE 1/4 NW 1/4 of said Section 20, and assuming the North line of the NE 1/4 NW 1/4 of said Section 20 to bear N89°58'45"E with all bearings contained herein relative thereto; thence from said Point of Commencement S00°03'15"E along the West line of the NE 1/4 NW 1/4 of said Section 20 a distance of 10.00 feet to a point on the South line of the Ephemeral Resources Annexation No. 3, Ordinance No. 3299, City of Grand Junction also being the Point of Beginning; thence N89°58'45"E along the South line of said Ephemeral Resources Annexation No. 3 a distance of 108.00 feet to the Northwest corner of the Water's Edge Annexation, Ordinance No. 3706, City of Grand Junction; thence S00°03'15"W along the West line of said Water's Edge Annexation a distance of 393.00 feet to the Southwest corner of said Water's Edge Annexation; thence S89°58'45"W a distance of 108.00 to the West line of the NE 1/4 NW 1/4 of said Section 20; thence N00°03'15"E along the West line of the NE 1/4 NW 1/4 of said Section 20 a distance of 393.00 feet to the Point of Beginning.

Said parcel contains 0.97 acres (42,441 square feet) more or less as described.

WHEREAS, the Council has found and determined that the petition complies substantially with the provisions of the Municipal Annexation Act and a

hearing should be held to determine whether or not the lands should be annexed to the City by Ordinance;

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

1. That a hearing will be held on the 17th day of August, 2005, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 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 6th day of July, 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>
July 8, 2005
July 15, 2005
July 22, 2005
July 29, 2005

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

WATER'S EDGE NO. 2 ANNEXATION

APPROXIMATELY 0.97 ACRES

LOCATED AT 2927 D ROAD

WHEREAS, on the 6th day of July, 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 17th day of August, 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:

WATER'S EDGE NO. 2 ANNEXATION

A parcel of land located in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 20, 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 Northwest corner of the NE 1/4 NW 1/4 of said Section 20, and assuming the North line of the NE 1/4 NW 1/4 of said Section 20 to bear N89°58'45"E with all bearings contained herein relative thereto; thence from said Point of Commencement S00°03'15"E along the West line of the NE 1/4 NW 1/4 of said Section 20 a distance of 10.00 feet to a point on the South line of the Ephemeral Resources Annexation No. 3, Ordinance No. 3299, City of Grand Junction also being the Point of Beginning; thence N89°58'45"E along the South line of said Ephemeral Resources Annexation No. 3 a distance of 108.00 feet to

the Northwest corner of the Water's Edge Annexation, Ordinance No. 3706, City of Grand Junction; thence S00°03'15"W along the West line of said Water's Edge Annexation a distance of 393.00 feet to the Southwest corner of said Water's Edge Annexation; thence S89°58'45"W a distance of 108.00 to the West line of the NE 1/4 NW 1/4 of said Section 20; thence N00°03'15"E along the West line of the NE 1/4 NW 1/4 of said Section 20 a distance of 393.00 feet to the Point of Beginning.

Said parcel contains 0.97 acres (42,441 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 July, 2005 and ordered published.

ADOPTED on second reading this 17th day of August, 2005.

Attest:

President of the Council

City Clerk

Attach 11

Setting a Hearing to Amend the Existing PD for The Glens Located at 2459 F ¼ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Introduction of a proposed ordinance amending the existing PD for The Glens at Canyon View Planned Development.						
Meeting Date	July 6, 2005						
Date Prepared	June 27, 2005			File # PP-2004-219			
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 Glens at Canyon View, located at 2459 F ¼ Road is 20.942 acres in size and is located about one quarter mile north of Mesa Mall, and to the north of F 1/8 Road alignment, and just east of 24 ½ Road. It is zoned PD 17 under a currently lapsed PD, known as the Homestead Subdivision and the Hacienda Subdivision, (file number FPP-1998-131).

Budget: N/A

Action Requested/Recommendation: Set a date to July 20, 2005 to hold a public hearing and consider the Introduction of an Ordinance for a Planned Development and consider a recommendation for private streets within the proposed subdivision.

Background Information: See attached Staff Report/Background Information

Attachments:

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

BACKGROUND INFORMATION					
Location:		2459 F ¼ Road			
Applicants:		Hacienda Partners LLC, owners and developers; Tamara Alexander, representative.			
Existing Land Use:		Vacant land & some foundations			
Proposed Land Use:		Planned Residential Subdivision			
Surrounding Land Use:	North	Single Family Residential			
	South	Vacant / Commercial			
	East	Vacant			
	West	Commercial			
Existing Zoning:		PD - 17			
Proposed Zoning:		PD -14			
Surrounding Zoning:	North	RMF-8			
	South	C-1			
	East	C-1			
	West	C-1			
Growth Plan Designation:		Residential High, 12+ du/acre			
Zoning within density range?		X	Yes		No

ANALYSIS:

1. Background: The Glens at Canyon View development located at 2459 F ¼ Road had received final approval in 1998, under the name of The Hacienda, formerly The Homestead. Subsequent to that, two extensions for completion of the development were granted. The most recently approved schedule for commencement and completion of each phase was as follows:

Phase I Aug. of 2000 through July, 2001
Phase II Aug. of 2001 through July, 2003
Phase III Aug. of 2003 through July 2005
Phase IV through VI: Completion by July 2006

Infrastructure for Phase 1 had been completed and the City did have a Development Improvements Agreement and Disbursement Agreement in place to fix the deficiencies. However, Phase II improvements had not been completed. It was acknowledged in May of 2003, that the developers were planning on completing the land development work for Phase II of the project to meet the City's deadline by the end of July and to have all the Phase II work done. There was a failure to meet the approved scheduled benchmarks thus resulting in the approval of the project lapsing. The developers were then notified that any future development of the property, other than Phase I, would require a new submittal and review, subject to the current Zoning and Development Code and other current regulations of the City of Grand Junction. All work, other than in Phase I, was ordered to cease immediately.

2. Consistency with the Growth Plan: The Growth Plan shows this area as residential high development with a density range of at least 12 dwelling units and no more than 24 dwelling units per acre. This project is consistent with that designation. The applicants propose a density of 14 dwelling units per acre. This density is down by the previous proposed 17 units per acre.

3. Section 2.12.C.2 of the Zoning and Development Code: A preliminary development plan application shall demonstrate conformance with all of the following:

- a. The ODP review criteria in Section 2.12.B:
- b. The applicable preliminary plat criteria in Section 2.8.B:
- c. The applicable site plan review criteria in Section 2.2.D.4: These criteria will be addressed in detail at the Final Review stage.
- d. The approved ODP, if applicable: This is not applicable since there is no ODP associated with this project.
- e. The approved PD rezoning ordinance:
- f. An appropriate, specific density for all areas include in the preliminary plan approval:
- g. The area of the plan is at least five (5) acres in size:

The following is a breakdown of the above items a – g.

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.

Sundance Crossing, now known as The Glens at Canyon View, implements the goals and objectives of each of the various plans by designing a neighborhood in an area identified by the Growth Plan for multifamily projects with a density of 14 units plus per acre. A previous submission (the Homestead Subdivision FPP-

1998-131) had an approved plan with a density of 17 units per acre, but that plan has since lapsed. This proposal reduces the density thereby providing more usable open space and it still meets the required intents of the various City plan and policies and the density objective profiled in the Growth Plan.

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

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

There was no error in the zoning at the time of adoption. A rezone request to provide 14 dwelling units per acre versus the established 17 dwelling units per acre is required with this application.

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

There has been a change in character in the area due to new growth trends and development transitions in the area. The proposed rezone is compatible with the surrounding uses since this site is in conformance with the Growth Plan and is surrounded by commercially zoned properties to the east, west and south.

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

The proposed rezone should be compatible with the future redevelopment of this area. The proposed plan has addressed the street network, extra parking has been provided, storm water and drainage issues have been reviewed as well as lighting.

d. The proposed rezone to PD 14 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.

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

Adequate public facilities are currently available or will be made available and can address the impacts of development consistent with the PD zone district.

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

The zoning map has shown this area to be zoned PD since 1998, and it is consistent with adjacent zoning on other properties.

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

The proposed PD zone will benefit the community by providing more efficient infrastructure and provide future interconnectivity for the developing neighborhood.

- 3) The planned development requirements of Chapter Five of the Zoning and Development Code, 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-16.

- 1. Setback standards are provided on the plans for the different pods of development. They are consistent with or greater than the RMF-16 zoning district.
- 2. Open space for this project equals 7.64 acres disbursed across the 20.94 acre site. The required amount based on 200 SF per bedroom for the multi-family area equals 3.55 acres.

3. Section 6.5.C requires a six foot wall to be placed as a buffer along the property line where the adjacent zoning is C-1. That applies to all sides of this development, except where an alley or street separates a different zone district. In that case the Director may approve increased landscaping rather than requiring a wall or fence. The applicant's intent of this project is to not create an enclave but rather provide for an open and accessible network of open spaces without fence barriers at the periphery of the site. The applicants propose screening consisting of 2 to 3 foot berms that undulate in height and planted with landscape materials for the desired screening effect. The southern most portion of the site is already enclosed by a wall. The construction of F 1/8 Road will eliminate the wall requirement along the southern property line. Another roadway will separate the western portion of the property from the C-1 zoned property with the construction of Balanced Rock Way. A 14-foot landscape area is proposed along this street. Another street, Devil's Thumb Road will buffer the property to the east. Fencing for patios shall not be greater than 4 feet tall and shall be visually transparent such as pickets; chain link fencing will not be allowed. Screening for patios, etc. may be 4-feet tall or privacy walls designed to match the surrounding architecture. Refuse enclosures shall be completely screened from view with a six foot screen fencing or other architecturally designed enclosure.

4. This project will complete the Homestead Subdivision and should be compatible with the existing neighborhood.

5. Landscaping shall conform to applicable requirements, such as parking lot landscaping and buffer areas. Entry feature signage will be provided to identify the neighborhood complex. Signage shall comply with the Code requirements.

6. Parking provided meets the Code requirements. 1.8 spaces are required per condominium unit (144 units = 260 spaces). Townhouse units (151 units = 302 spaces).

7. Street development standards were reviewed per TEDS. There are private streets and drives. Private streets need a recommendation from the Planning Commission to City Council for approval within this project. Pedestrian safe movement from the parking areas to the buildings and the centralized mailbox areas is provided. The Primary access from F 1/4 Road has a boulevard entrance. There are three secondary accesses also proposed for F 1/4 Road.

G. Deviation from Development Default Standards:

The Planning Commission recommended that the City Council allow for a deviation from the default district standards subject to the provision of any of the community amenities listed below. In order for the Planning Commission to recommend and the City Council to approve deviation the listed amenities to be provided shall be in excess of what would otherwise be required by the Code, and in addition to any community benefits provided pursuant to Density bonus provisions in Chapter Three. These amenities include:

1. Transportation amenities including but not limited to, trails other than required by the multimodal plan, bike or pedestrian amenities or transit oriented improvements, including school and transit bus shelters;

The applicants feel they have provided a pedestrian oriented community concept. Circulation and access has been provided for both internal and external circulation for traffic and pedestrians.

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

The overall open space for this project totals 36.5% of the site.

3. Community facilities for provision of public services beyond those required for development within the PD;

The applicants state that they are providing pocket parks with active and passive areas. Picnic areas, tot-lots and two pet parks are also proposed.

4. The provision of affordable housing for moderate, low and very low income households pursuant to HUD definitions for no less than twenty (20) years; and

The applicants feel they have provided a mix of housing types, in close proximity to work and shopping areas, with adequate recreation amenities on site. (They do not meet the definitions of HUD for affordable housing).

5. Other amenities, in excess of minimum standards required by this Code, that the Council specifically finds provide sufficient community benefit to offset the proposed deviation.

Other proposed amenities, but not required by the Code are: Picnic areas, tot lots, and pet parks with appropriate amenities.

- 4) An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed.

The following Phasing Schedule has been provided:

Phase 1, is 32 townhouse units to be completed by October of 2005.

Phase 2, totals 119 townhouse units to be completed by June of 2006.

Phase 3 totals 144 condominium units, to be completed by April of 2006.

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

The property is slightly over 20 acres in size and meets this requirement.

b) The applicable preliminary plat criteria in Section 2.8.B of the Zoning and Development Code: Review Criteria. A preliminary plat will not be approved unless the applicant proves compliance with all of the following criteria:

- a. The Growth Plan, major street plan, Urban Trails Plan and other adopted plans;
- b. The purposes of this Section 2.8.B;
- c. The Subdivision standards (Section 6.7);
- d. The Zoning standards (Chapter Three)
- e. Other standards and requirements of this Code and other City policies and regulations;
- f. Adequate public facilities and services will be available concurrent with the subdivision;
- g. The project will have little or no adverse or negative impacts upon the natural or social environment;
- h. Compatibility with existing and proposed development on adjacent properties;
- i. Adjacent agricultural property and land uses will not be harmed;
- j. Is neither piecemeal development nor premature development of agricultural land or other unique areas;
- k. There is adequate land to dedicate for provision of public services; and
- l. This project will not cause an undue burden on the City for maintenance

c) The applicable site plan review criteria in Section 2.2.D.4 of the Zoning and Development Code: The site plan review criteria in Section 2.2.D.4 are applicable at the final plan review. The site plan will be reviewed in detail at that time for conformance.

d) The approved ODP, if applicable: There is no ODP for this project.

e) The approved PD rezoning ordinance: The criteria were addressed above under the rezoning criteria of Section 2.6 above.

f) An appropriate, specific density for all areas included in the preliminary plan approval. The overall density is 14 dwelling units per acre.

g) The area of the plan is at least five (5) acres in size or as specified in an applicable approved ODP: There is no ODP for this property and the entire acreage of this proposal is 20.942 acres.

4. Chapter 5 – Planned Development (PD): These were discussed above and referenced by Section 5.4.F.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing The Glens at Canyon View application, (aka Sundance Crossing) PP-2004-219 for a Planned Development, Preliminary Development Plan, staff recommends that the City Council make the following findings of fact and conclusions:

7. The requested Planned Development amendment and the Preliminary Development Plan are consistent with the Growth Plan.
8. The review criteria in Section 2.12.C.2 of the Zoning and Development Code have all been met. (Planned Development)
9. The review criteria in Section 2.8.B of the Zoning and Development Code have all been met. (Subdivisions)
10. The review criteria in Section 2.2.D.4 of the Zoning and Development Code shall be met at Final Review. (Site Plan Review, major)
11. The criterion of Section 6.7.E.5 (Private Streets) may be authorized by the City Council.

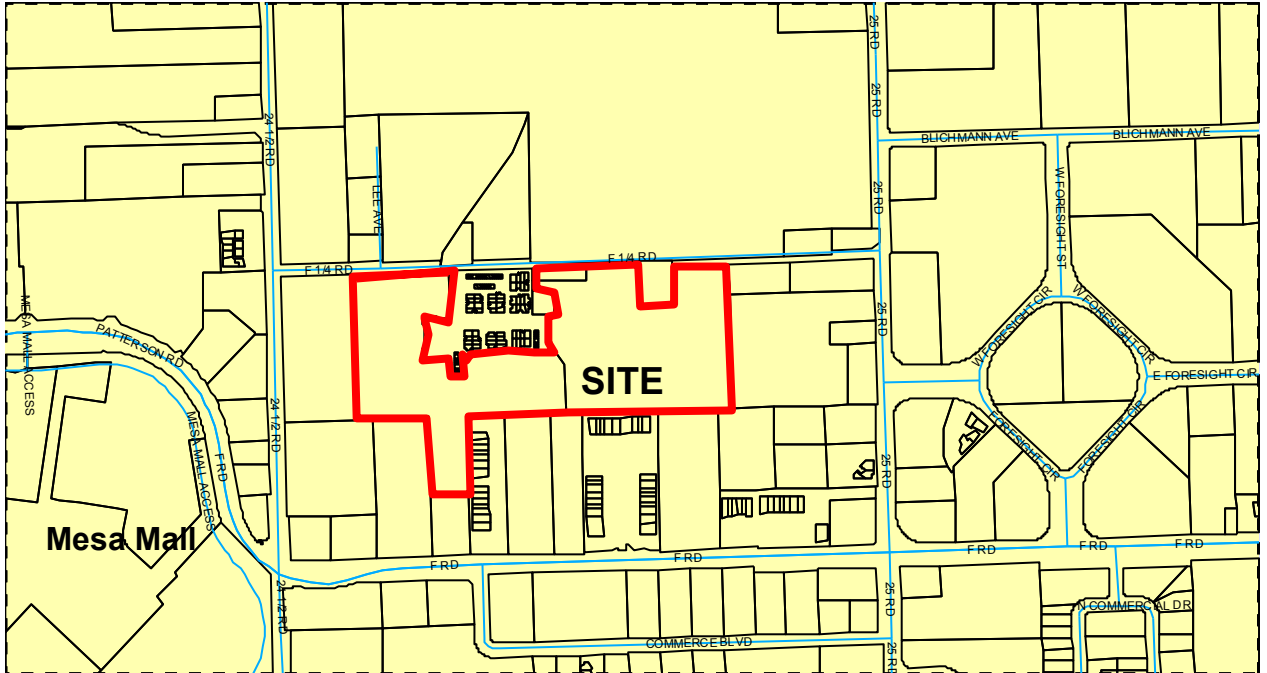
PLANNING COMMISSION RECOMMENDATION:

The Glens at Canyon View was considered a non-controversial item and was placed on the Consent Calendar by the Planning Commission on June 28, 2005. Therefore the Planning Commission forwards a recommendation of approval to the City Council for the requested Planned Development, Preliminary Development Plan, file number PP-2004-219, with the findings and conclusions as listed above.

Site Location Map

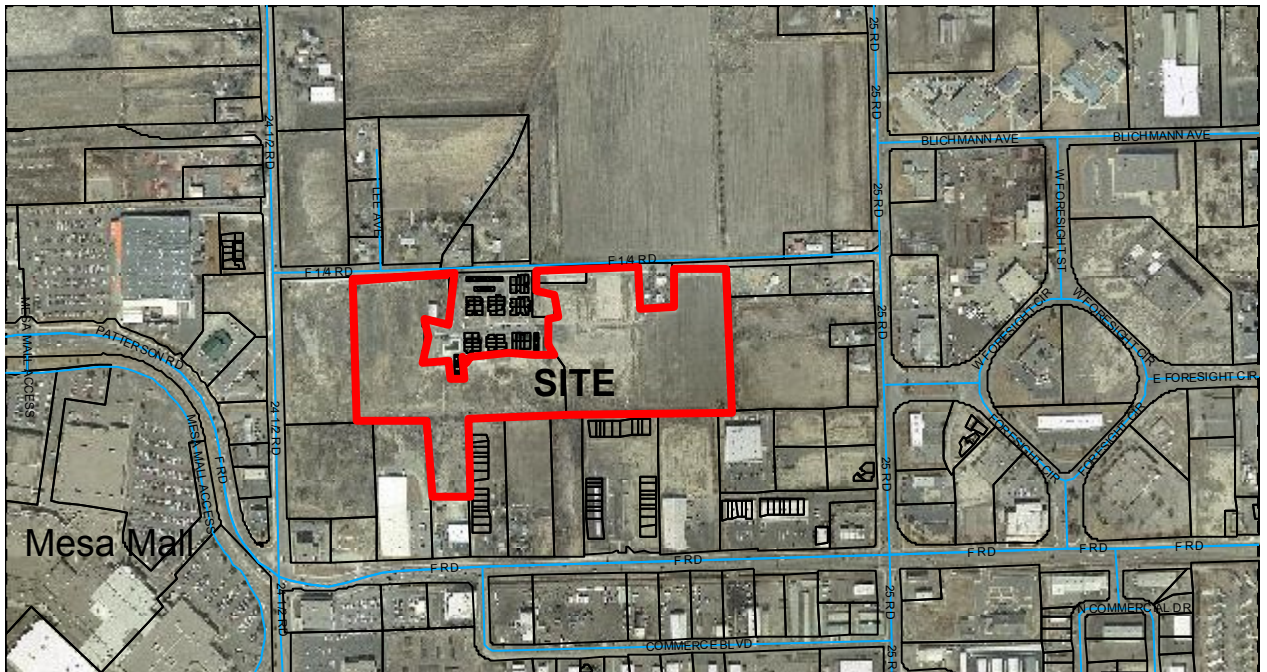
City Limits

2459 F ¼ Road



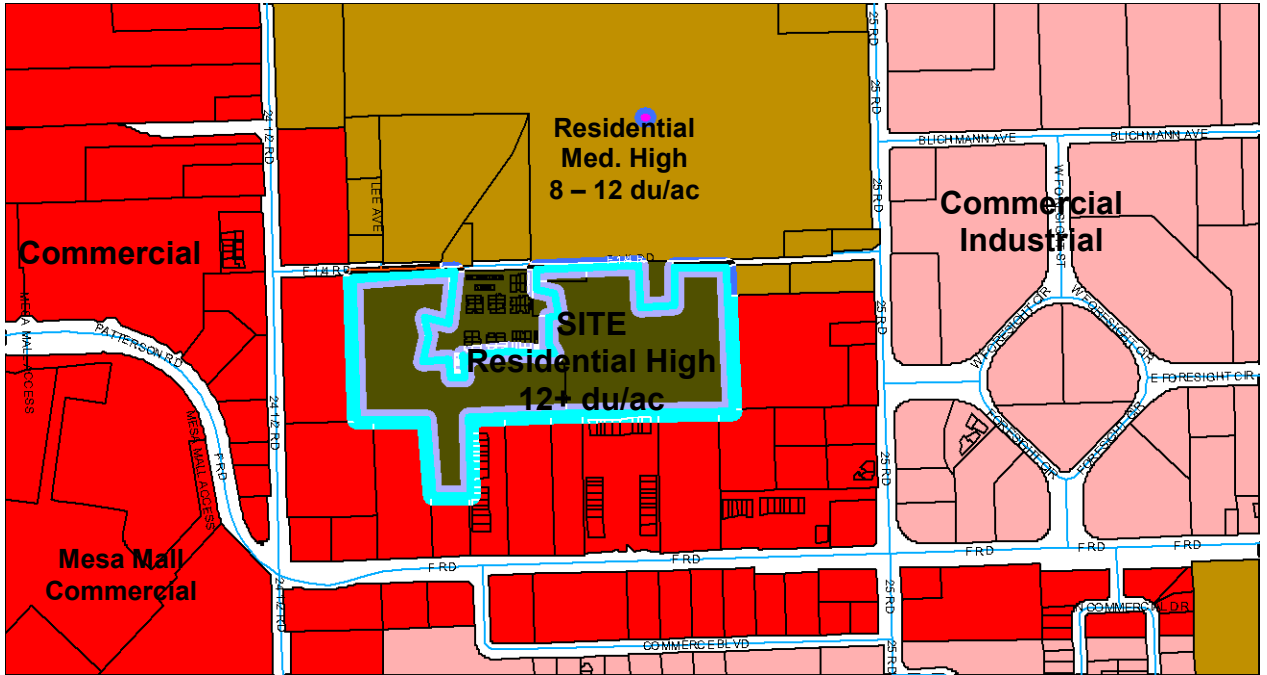
Aerial Photo Map

2459 F ¼ Road



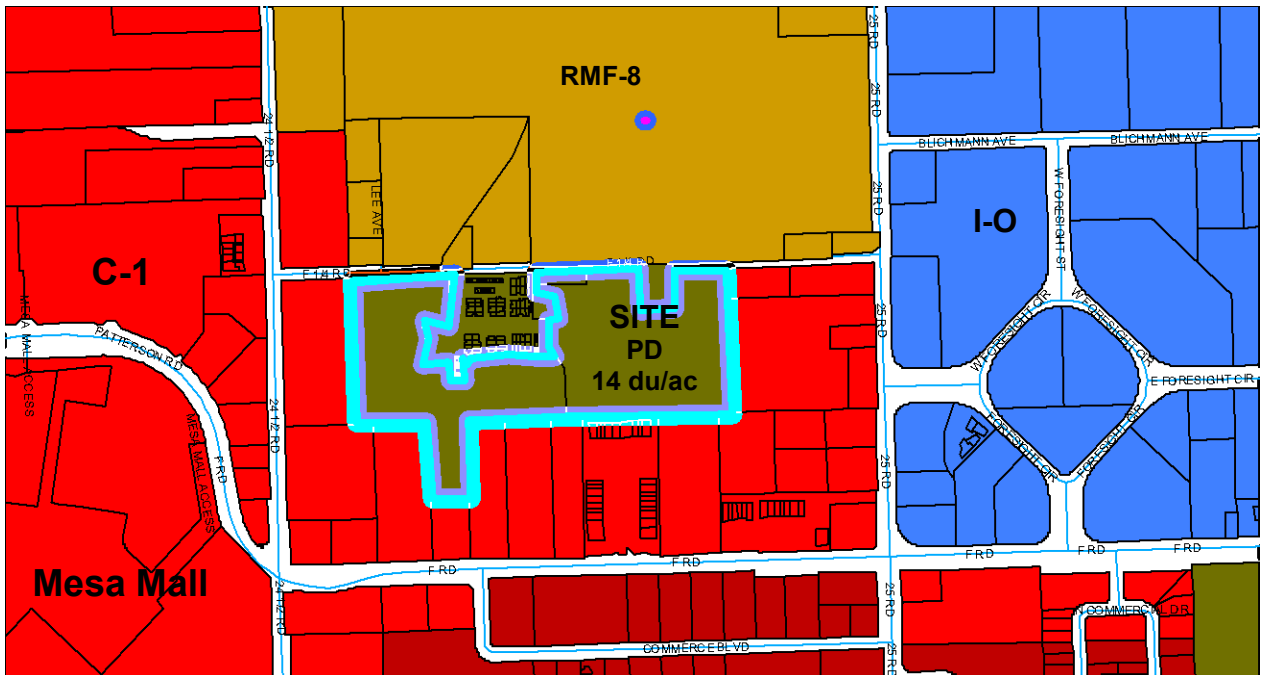
Future Land Use Map

2459 F ¼ Road



Existing City and County Zoning

2459 F ¼ 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."



DATA

BLDG TYPE	QUANTITY	UNITS	% MIX
Condo	11	144	49%
Town #1	4	32	11%
Town #2	4	35	12%
Town #3	12	84	28%
TOTAL		295	100%

DENSITY
 Achieved: 14.0 DU/A = (s) 295 Units
 SITE (s) 20.942 Acres

DESIGN GOALS/AMENITIES:

- Landscaped entrance feature
- Multiple Parks - Each over an acre in size with active and passive uses.
- 2 Pet parks
- Pedestrian pathway system
- Landscape features
- Picnic areas
- Pedestrian safe street crossings
- Extensive buffering
- More than 9 acres of park-like open space
- Use of "green" building practices
- Use of Xeriscape principals with native/heat native vegetation for water conservation & drought tolerance

ACTIVITY AREAS INCLUDE:

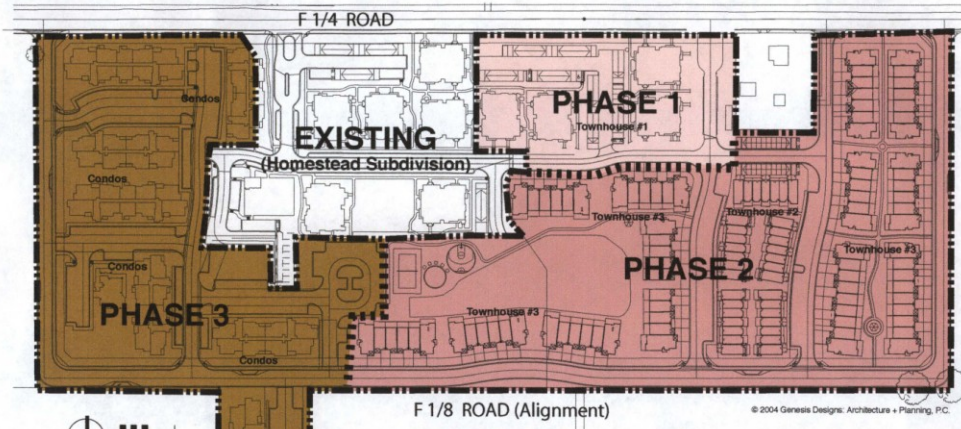
- Multiple outdoor recreation centers with...
- Picnic areas
- Tot Lots
- Sand Volleyball Courts
- Gazebos
- Pathway system for exercising

DIAGRAM #2

CONCEPT #2.4

THE GLENS AT CANYON VIEW PLANNED DEVELOPMENT

2459 F 1/4 Road, Grand Junction, CO Plan is not to scale. Information is approximate and subject to change. 6-08-05 Genesis Designs: Architecture + Planning, P.C. Ph. 970-245-6093 Fax 970-245-7568



**PHASING DIAGRAM
PROPOSED SCHEDULE**

BLDG TYPE	Phase 1	Phase 2	Phase 3
Condo	0	0	144
Townhouse #1	32	0	0
Townhouse #2	0	35	0
Townhouse #3	0	84	0
TOTALS	32	119	144

DENSITY
Achieved: 14.0 DU/A = (s) 295 Units
SITE (s) 20.942 Acres

DESIGN GOALS/AMENITIES:

- Landscaped entrance feature
- Multiple Parks - Each over an acre in size with active and passive uses.
- 2 Pet parks
- Pedestrian pathway system
- Landscape features
- Picnic areas
- Pedestrian safe street crossings
- Extensive buffering
- More than 9 acres of park-like open space
- Use of "green" building practices
- Use of Xeriscape principals with native/near native vegetation for water conservation & drought tolerance

DIAGRAM #5

CONCEPT #2.4

THE GLENS AT CANYON VIEW PLANNED DEVELOPMENT

2459 F 1/4 Road, Grand Junction, CO Plan is not to scale. Information is approximate and subject to change. 6-08-05 Genesis Designs: Architecture + Planning, P.C. Ph. 970-245-0093 Fax 970-245-7568

CITY OF GRAND JUNCTION, COLORADO

Ordinance No. ____

An Ordinance Amending the Existing PD Zoning for a Parcel of Land Located at 2459 F ¼ Road Known as The Glens at Canyon View

Recitals.

A rezone from Planned Development – 17 units per acre (PD-17) to Planned Development -14 units per acre (PD-14) has been requested for the property located at 2459 F ¼ Road, as part of the previously known as “The Homestead Subdivision” and the “Hacienda Subdivision”, now to be known as “The Glens at Canyon View”, for purposes of developing a residential project of mixed multi-family housing types on 20.942 acres, as follows: 151 townhouses; and 144 condominium units, for a total of 295 dwelling units. The City Council finds that the request meets the goals and policies and future land use set forth by the Growth Plan (12+ units per acre). City Council also finds that the requirements for a rezone as set forth in Section 2.6 of the Zoning and Development Code have been satisfied.

The Grand Junction Planning Commission, at its June 28, 2005 hearing, recommended approval of the rezone request from PD 17 to PD 14 and approval of the Preliminary Planned Development (PD) for The Glens at Canyon View.

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 14 UNITS PER ACRE (PD 14):

THE GLENS AT CANYON VIEW

A PARCEL OF LAND SITUATED IN BLOCKS 1 AND 2 OF THE HOMESTEAD IN GRAND JUNCTION AS RECORDED IN RECEPTION NO. 1930890 OF THE MESA COUNTY CLERK AND RECORDER’S OFFICE, SE1/4 SECTION 4, TOWNSHIP 1 SOUTH, RANGE 1 WEST OF THE UTE MERIDIAN, COUNTY OF MESA, STATE OF COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID BLOCK 1 THE POINT OF BEGINNING; THENCE S00°02'34"W ALONG THE EASTERLY BOUNDARY OF SAID BLOCK 1 A DISTANCE OF 632.70 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 1; THENCE S89°51'30"W ALONG THE SOUTHERLY LINE OF SAID BLOCK 1 A DISTANCE OF 659.81 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 2; THENCE LEAVING SAID SOUTHERLY BOUNDARY BLOCK 1 S89°50'25"W ALONG THE SOUTHERLY

BOUNDARY OF SAID BLOCK 2 A DISTANCE OF 494.90 FEET; THENCE CONTINUING ALONG SAID BLOCK 2 S00°01'58"W A DISTANCE OF 334.41 FEET; THENCE CONTINUING ALONG SAID BLOCK 2 S89°44'14"W A DISTANCE OF 164.95 FEET; THENCE CONTINUING ALONG SAID BLOCK 2 N00°01'51"E A DISTANCE OF 334.71 FEET; THENCE CONTINUING ALONG SAID BLOCK 2 S89°50'25"W A DISTANCE OF 327.89 FEET; THENCE CONTINUING ALONG SAID BLOCK 2 N00°10'17"W A DISTANCE OF 632.69 FEET; THENCE CONTINUING ALONG SAID BLOCK 2 N89°50'05"E A DISTANCE OF 429.17 FEET TO A POINT ON THE BOUNDARY FOR THE HOMESTEAD IN GRAND JUNCTION CONDOMINIUM MAP 1 AS RECORDED IN RECEPTION NO. 1963289 OF THE MESA COUNTY CLERK AND RECORDER'S OFFICE; THENCE LEAVING SAID BLOCK 2 S00°02'24"W ALONG SAID CONDOMINIUM MAP 1 A DISTANCE OF 210.59 FEET; THENCE CONTINUING ALONG SAID CONDOMINIUM MAP 1 ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 180.00 FEET AND A CENTRAL ANGLE OF 23°10'17", A DISTANCE OF 72.80 FEET (CHORD BEARS N78°22'30"W 72.30 FEET); THENCE CONTINUING ALONG SAID CONDOMINIUM MAP 1 N89°57'36"W A DISTANCE OF 50.55 FEET; THENCE CONTINUING ALONG SAID CONDOMINIUM MAP 1 S00°02'24"W A DISTANCE OF 32.00 FEET; THENCE CONTINUING ALONG SAID CONDOMINIUM MAP 1 ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 18.00 FEET AND A CENTRAL ANGLE OF 27°46'23", A DISTANCE OF 8.73 FEET (CHORD BEARS S76°04'18"E 8.64 FEET); THENCE CONTINUING ALONG SAID CONDOMINIUM MAP 1 ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 452.00 FEET AND A CENTRAL ANGLE OF 16°44'24", A DISTANCE OF 132.06 FEET (CHORD BEARS S05°25'46"W 131.59 FEET); THENCE CONTINUING ALONG SAID CONDOMINIUM MAP 1 S89°57'36"E A DISTANCE OF 133.93 FEET TO A POINT ON THE WESTERLY BOUNDARY OF A PARCEL OF LAND RECORDED IN RECEPTION NO. 2153580 OF THE MESA COUNTY CLERK AND RECORDER'S OFFICE; THENCE LEAVING SAID CONDOMINIUM MAP 1 S00°02'24"W ALONG SAID BOUNDARY A DISTANCE OF 93.31 FEET; THENCE CONTINUING ALONG SAID BOUNDARY S89°57'36"E A DISTANCE OF 35.00 FEET; THENCE CONTINUING ALONG SAID BOUNDARY N00°02'24"E A DISTANCE OF 93.31 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF THE HOMESTEAD IN GRAND JUNCTION CONDOMINIUM MAP 3 AS RECORDED IN RECEPTION NO. 2024406 OF THE MESA COUNTY CLERK AND RECORDER'S OFFICE; THENCE LEAVING SAID RECEPTION NO. 2153580 S89°57'36"E ALONG SAID SOUTHERLY BOUNDARY A DISTANCE OF 101.05 FEET TO THE SOUTHEAST CORNER OF SAID CONDOMINIUM MAP 3; THENCE ALONG THE BOUNDARY OF SAID CONDOMINIUM MAP 3 N00°02'24"E A DISTANCE OF 7.65 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID RECEPTION NO. 2153580; THENCE LEAVING SAID CONDOMINIUM MAP 3 S89°57'36"E A DISTANCE OF 216.75 FEET TO A POINT ON THE WESTERLY BOUNDARY OF THE HOMESTEAD IN GRAND JUNCTION CONDOMINIUM MAP 4 AS RECORDED

IN RECEPTION NO. 2031996 OF THE MESA COUNTY CLERK AND RECORDER'S OFFICE; THENCE S00°02'24"W ALONG THE BOUNDARY OF SAID CONDOMINIUM MAP 4 A DISTANCE OF 6.51 FEET; THENCE CONTINUING ALONG SAID BOUNDARY CONDOMINIUM MAP 4 S89°57'36"E A DISTANCE OF 90.33 FEET; THENCE CONTINUING ALONG SAID BOUNDARY CONDOMINIUM MAP 4 N34°52'14"W A DISTANCE OF 44.27 FEET; THENCE CONTINUING ALONG SAID BOUNDARY CONDOMINIUM MAP 4 N00°02'24"E A DISTANCE OF 122.93 FEET; THENCE CONTINUING ALONG SAID BOUNDARY CONDOMINIUM MAP 4 N89°57'36"W A DISTANCE OF 65.00 FEET TO A POINT ON THE WESTERLY BOUNDARY OF SAID BLOCK 1; THENCE LEAVING SAID BOUNDARY CONDOMINIUM MAP 4 N00°02'24"E ALONG SAID BLOCK 1 A DISTANCE OF 202.19 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 1; THENCE N89°51'56"E ALONG SAID BLOCK 1 A DISTANCE OF 472.01 FEET; THENCE CONTINUING ALONG SAID BLOCK 1 S00°08'49"E A DISTANCE OF 171.74 FEET; THENCE CONTINUING ALONG SAID BLOCK 1 N89°49'13"E A DISTANCE OF 140.03 FEET; THENCE CONTINUING ALONG SAID BLOCK 1 N00°09'42"W A DISTANCE OF 171.62 FEET; THENCE CONTINUING ALONG SAID BLOCK 1 N89°51'56"E A DISTANCE OF 247.37 FEET TO THE POINT OF BEGINNING; SAID PARCEL CONTAINING 20.942 ACRES, MORE OR LESS.

- 1) The uses allowed for this zone and property shall be townhomes and condominiums.
- 2) The underlying zoning is RMF-16.
- 3) The development will contain at a minimum tot-lots, two pet parks with appropriate waste disposal, gazebos, picnic areas, sand volleyball court and a pedestrian pathway system.
- 4) The ordinance further allows for public and private streets. All street crossings are to be marked for safe pedestrian crossing.
- 5) The ordinance allows for a deviation from the required subdivision perimeter fencing by providing an undulating berm with landscaping, 2 to 3 feet tall.
- 6) Buffering and setbacks are as follows, and as provided in the project narrative and concept drawings dated June 8, 2005:

INTRODUCED on first reading on the 6th day of July, 2005 and ordered published.

PASSED on this _____ day of _____, 2005.

ATTEST:

City Clerk

President of Council

Attach 12

Request to Continue Hearing Bookcliff Veterinary Hospital

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Request to Continue Annexation Public Hearing for the Bookcliff Veterinary Hospital Annexation until the August 17, 2005 City Council Meeting					
Meeting Date	July 6, 2005					
Date Prepared	June 27, 2005				File #ANX-2005-076	
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		Consent	X Individual Consideration

Summary: Request to continue the Annexation Public Hearing for the Bookcliff Veterinary Hospital Annexation as previously scheduled and published for the July 6, 2005 City Council Meeting. The request to continue is due to further research required of the existing legal description and associated land ownership issues. City staff is requesting the Annexation Public Hearing be continued until the August 17, 2005 City Council Meeting.

Budget: N/A

Action Requested/Recommendation: Request to Continue the Bookcliff Veterinary Hospital Annexation Public Hearing until the August 17, 2005 City Council Meeting.

Attach 13

Request to Continue Public Hearing Zoning the Munkres-Boyd Annexation
Located at 2866 A ¾ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject	Zoning of the Munkres-Boyd Annexation located at 2866 A ¾ Road.							
Meeting Date	July 6, 2005							
Date Prepared	June 30, 2005				File #ANX-2005-089			
Author	Senta L. Costello		Associate Planner					
Presenter Name	Senta L. Costello		Associate Planner					
Report results back to Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	When		
Citizen Presentation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda			Consent	<input checked="" type="checkbox"/>	Individual Consideration

Summary: The 6.04 acre Munkres-Boyd Annexation consists of 1 parcel and is requesting the RSF-4 zone district. Staff is requesting that the public hearing for the zoning of this annexation be continued due to a request from a neighbor to have a rehearing before Planning Commission.

Budget: N/A

Action Requested/Recommendation: Request to continue the public hearing to consider final passage of the zoning ordinance to the July 20, 2005 City Council hearing.

Attach 14

Design Services for the F ½ Road Improvements Project

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Award of a Professional Services Contract to Provide Design Services for the F ½ Road Improvements Project						
Meeting Date	July 6, 2005						
Date Prepared	June 30, 2005				File # - N/A		
Author	Tim Moore, Public Works Manager						
Presenter Name	Tim Moore, Public Works Manager						
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: The scope of services consists of all field work, coordination, and design to complete final construction drawings for the **F ½ Road Improvements Project** including a turn lane on northbound 24 Road at F 1/2 Road.

Budget: Funds are available for the project from Transportation Capacity Payments (TCP) Fund and, upon approval by Council, will be transferred to the Capital Improvement Projects (CIP) budget (F54500). Project costs and funding sources are shown below:

Estimated costs:

Geotechnical Investigation	\$ 7,390.00
Transaction Screen	\$ 1,380.00
Utilities	\$ 9,980.00
Aerial Survey	\$ 15,110.00
Property Survey	\$ 31,030.00
Engineering Design	\$ 48,920.00
Bid Documents and Specifications	\$ 7,750.00
Estimated Cost of Construction	\$ 5,140.00
Open House	\$ 1,690.00
Biweekly Progress Meetings	\$ 5,280.00
Total Project Costs	\$133,670.00

Funding:

Transportation Capacity Payments	\$133,670.00
Total Project Funding (2011–F54500)	\$133,670.00

Action Requested/Recommendation: Authorize the City Manager to sign a professional services contract for the **F ½ Road Improvements Project** with **Vista Engineering Corp.** in the amount of **\$133,670.00**.

Attachments: none

Background Information: Project plans and specifications will be completed by the design consultant as a part of the professional services contract, while the bidding and construction of the project will be handled by the Public Works Department. Construction is scheduled to begin in early 2006.

Two firms responded to the RFQ and submitted Statements of Qualifications, consistent with the TCP policies and ordinance. Of the two respondents, one indicated their current workload would not allow them to complete this project within the specified schedule.

This project will be designed and coordinated with the proposed Canyon View Market Place which is currently in the development review process and located at 24 Road and F ½ Road. The development schedule anticipates a March 2006 completion date.

The team of Vista Engineering Corp. was deemed most qualified and was asked to enter into contract negotiations with the City of Grand Junction. Vista Engineering Corp. was asked to modify their project team to include experts in the fields of geotechnical engineering, utility locating services, mapping/ortho, and environmental site assessment during contract negotiations, to which they agreed. The contract with Vista Engineering Corp. includes the added benefit of expertise in the aforementioned while remaining within the project budget for consultant services.

Attach 15

Street Maintenance Contract for a Section of I-70B

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Street Maintenance Contract for Asphalt Overlay for 1 st Street (I-70B) from Grand to Pitkin Avenue						
Meeting Date	July 6, 2005						
Date Prepared	June 30, 2005						
Author	Don Newton		Engineering Projects 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		X	Consent	Individual Consideration

Summary:

CDOT has requested that the City perform full width rotomilling and a 1 ½ inch asphalt overlay of I-70B between Grand Avenue and Pitkin Avenue in 2005.

Budget:

State Funds available-----	\$150,000
Bid price for proposed work-----	(\$120,000)
Construction Inspection and Administration (estimate)-----	(\$5,000)
Remaining Balance-----	\$25,000

Action Requested/Recommendation:

Adopt a resolution which authorizes the City Manager to sign a contract with CDOT for State funds not to exceed \$150,000 for resurfacing I-70B from Grand Avenue to Pitkin Avenue.

Background Information:

The proposed CDOT/Grand Junction maintenance contract will provide State funds to rotomill and overlay I-70B (1st Street) from Grand Avenue to Pitkin Avenue. This work has been included in the City's 2005 Street Overlay Contract which was recently awarded to United Companies. Under the terms of the agreement, the State will reimburse the City for the actual cost of the overlay work up to \$150,000. The estimated total cost of the work is \$125,000. As part of the project, CDOT's Traffic Department will furnish traffic cameras to the City for

installation at three intersections on this section of I-70B. The work is scheduled to be performed in late August or September, 2005.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF GRAND JUNCTION AND THE STATE OF COLORADO DEPARTMENT OF TRANSPORTATION FOR ROTOMILLING AND ASPHALT OVERLAY FOR 1ST STREET (I-70B) FROM GRAND TO PITKIN AVENUE

Recitals:

The State has requested that the City perform rotomilling and asphalt overlay of I-70 B between MP 4.9 and MP 5.2 Grand Avenue to Pitkin Avenue in the City’s work contracted to be performed on 1st Street. The City has agreed to perform the work for the State.

In order to proceed with the contract and to accept State funds for reimbursement of the work, the City must execute an agreement with the State of Colorado.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

- 1) The City Council of the City of Grand Junction hereby authorizes the City Manager to sign the contract with the State of Colorado Department of Transportation for the MP 4.9-5.2 rotomill and overlay project described herein.
- 2) The City Council of the City of Grand Junction hereby authorizes the expenditure of funds (estimated to be \$150,000.00) as necessary to meet the terms and obligations of the construction agreement.
- 3) This resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this _____ day of _____ 2005.

Bruce Hill
President of the Council

ATTEST:

Stephanie Tuin
City Clerk

Attach 16

Public Hearing – Theobold Annexation & Zoning Located at 3060 D Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Public Hearing to Consider Final Passage of a proposed ordinance zoning the Theobold Annexation No. 1 and 2, and acceptance of the Annexation Ordinance.					
Meeting Date	July 6, 2005					
Date Prepared	June 27, 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 Zoning Ordinance, designating the property RMF-8, Residential Multi-family, not to exceed eight dwelling units per acre. The property is 5.19 acres in size.

Budget: N/A

Action Requested/Recommendation: Hold a Public Hearing and consider final passage of the Annexation Ordinance and the Zoning Ordinance.

Background Information: See attached Staff Report/Background Information

Attachments:

7. Staff report/Background information
8. Annexation Map / Aerial Photo
9. Growth Plan Map / Zoning Map
10. Annexation Ordinance

11. Zoning Ordinance

<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.

Zone of Annexation: The requested zone of annexation to the RMF-8 zone district is consistent with the Growth Plan density of Residential Medium, 4 to 8 dwelling units per acre. The existing County zoning is RMF-5. 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 proposed zone is compatible with the neighborhoods in and around the area, although there are some larger lots adjacent to the property. The applicant's staff report states that the proposed project is asking for a density of 5 units per acre, yet they request the zoning designation of RMF-8.

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.

PLANNING COMMISSION RECOMMENDATION: At their regularly scheduled meeting of May 24, 2005, the Planning Commission recommended approval to the City Council of the zone of RMF-8 (Residential Multi-Family, not to exceed eight dwelling units per acre) finding that the proposal is consistent with the Growth Plan, the Persigo Agreement and Section 2.6 of the Zoning and Development Code.

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

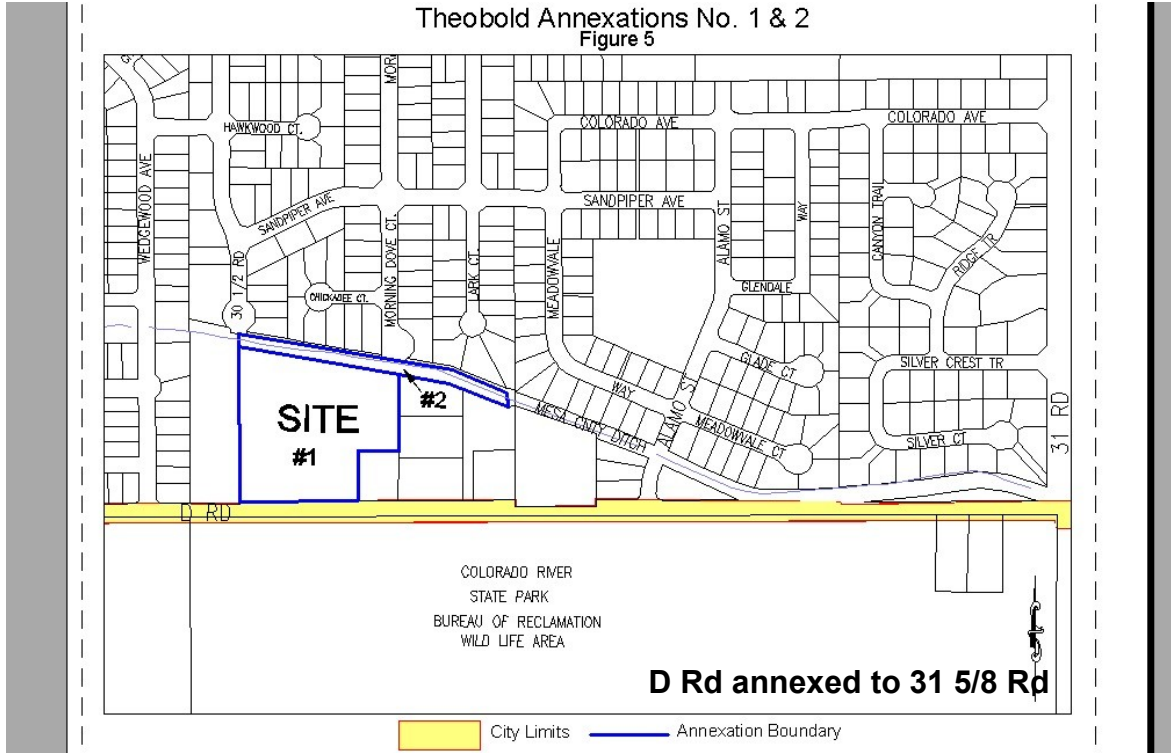
THEOBOLD ANNEXATION SUMMARY

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

Annexation Map

3060 D Road

Theobald Annexations No. 1 & 2
Figure 5



Aerial Photo Map

3060 D Road



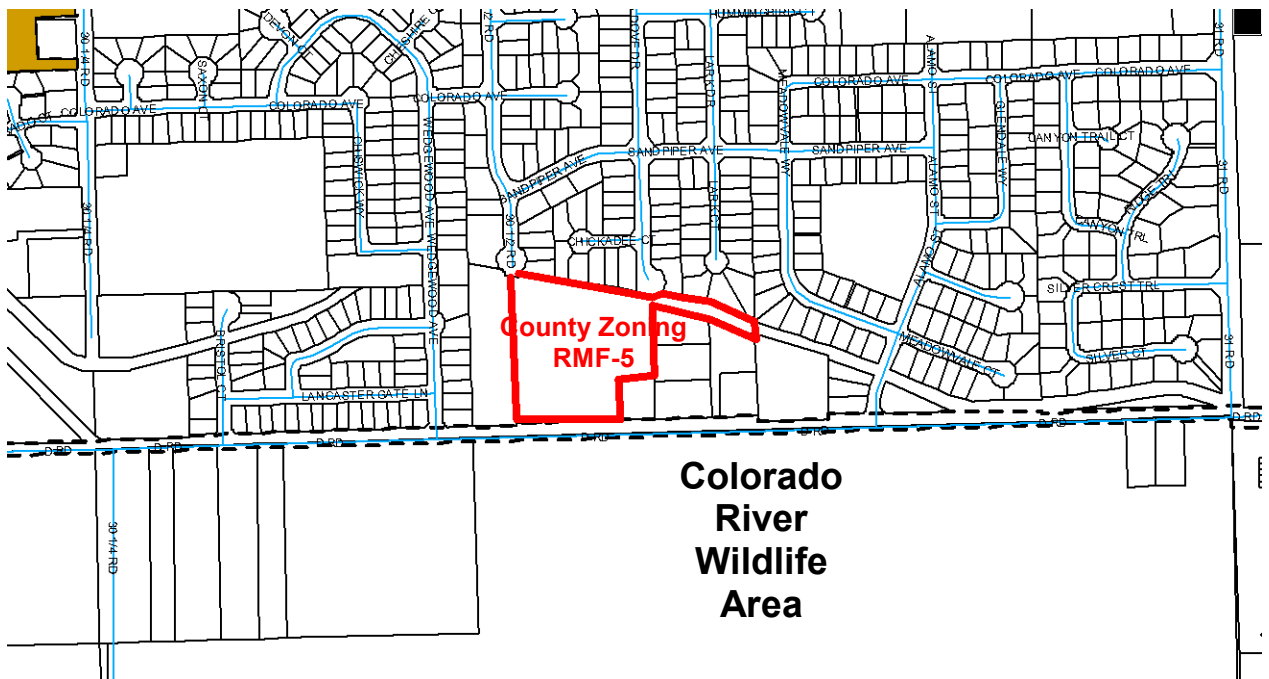
Future Land Use Map

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

THEOBOLD ANNEXATION NO. 1 & 2,

LOCATED AT 3060 D ROAD

IS ELIGIBLE FOR ANNEXATION

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:

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 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.

Theobold Annexation No. 2

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 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 ¼ SE ¼ 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, a hearing on the petition was duly held after proper notice on the 6th day of July, 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 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**

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 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.

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**

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 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 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 6th day of July, 2005.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. ____

**AN ORDINANCE ZONING THE THEOBOLD ANNEXATION TO
RESIDENTIAL MULTI-FAMILY - EIGHT (RMF-8)**

LOCATED AT 3060 D ROAD

Recitals.

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

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RMF-8 zone district be established for the following reasons:

- This zone district meets the criteria of Section 2.14.F of the Zoning and Development Code by being identical to or nearly identical to the former Mesa County zoning for each parcel and conforms to the adopted Growth Plan Future Land Use Map.
- This zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

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

The following property shall be zoned the Residential Multi-family - eight (RMF-8) zone district

Includes the following tax parcel 2943-164-48-001

**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 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 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.

Introduced on first reading this 15th day of June, 2005.

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

Attest:

President of the Council

City Clerk

Attach 17

Public Hearing Bookcliff Middle School Annexation & Zoning Located at 2935 Orchard Avenue

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA									
Subject		Annexation and zoning of the Bookcliff Middle School Annexations located at 2935 Orchard Avenue.							
Meeting Date		July 6, 2005							
Date Prepared		June 30, 2005				File #ANX-2005-101			
Author		Senta L. Costello			Associate Planner				
Presenter Name		Senta L. Costello			Associate Planner				
Report results back to Council		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	When		
Citizen Presentation		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No	Name		
<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Formal Agenda			<input type="checkbox"/>	Consent	<input checked="" type="checkbox"/>	Individual Consideration

Summary: Acceptance of a petition to annex and consider the annexations and zoning for the Bookcliff Middle School Annexation. The Bookcliff Middle School Annexations are located at 2935 Orchard Avenue, includes a portion of the Orchard Avenue right-of-way, is a 3 part serial annexation, and consists of 1 parcel on 20.6 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:

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

Zone of Annexation: The requested zone of annexation to the CSR district is consistent with the Growth Plan designation of Public. The existing County zoning is RMF-8. 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 propose zone district is compatible with the neighborhood and does not create any adverse impacts to the area.

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.

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, 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>	
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

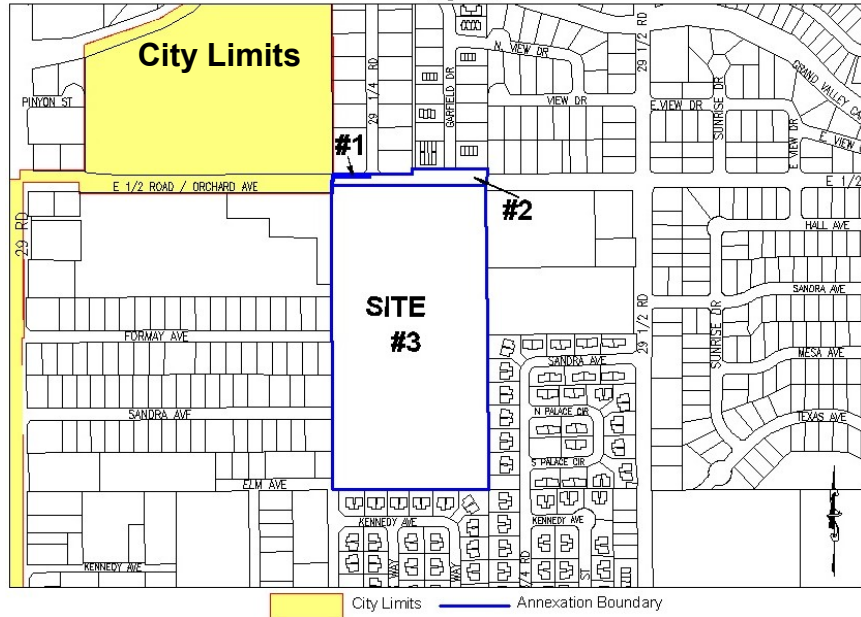
BOOKCLIFF MIDDLE SCHOOL ANNEXATION SUMMARY

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



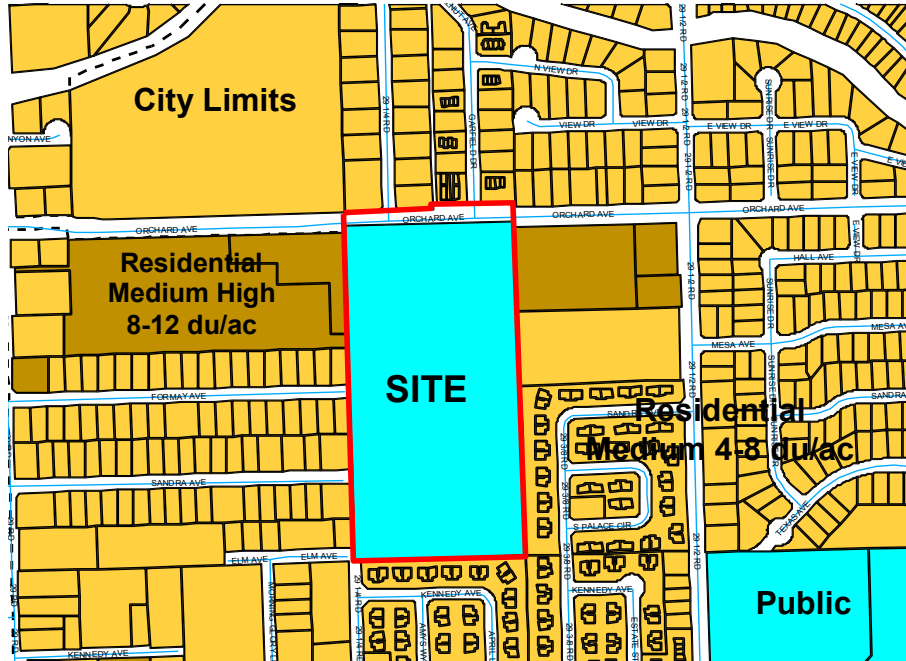
Aerial Photo Map

Figure 2



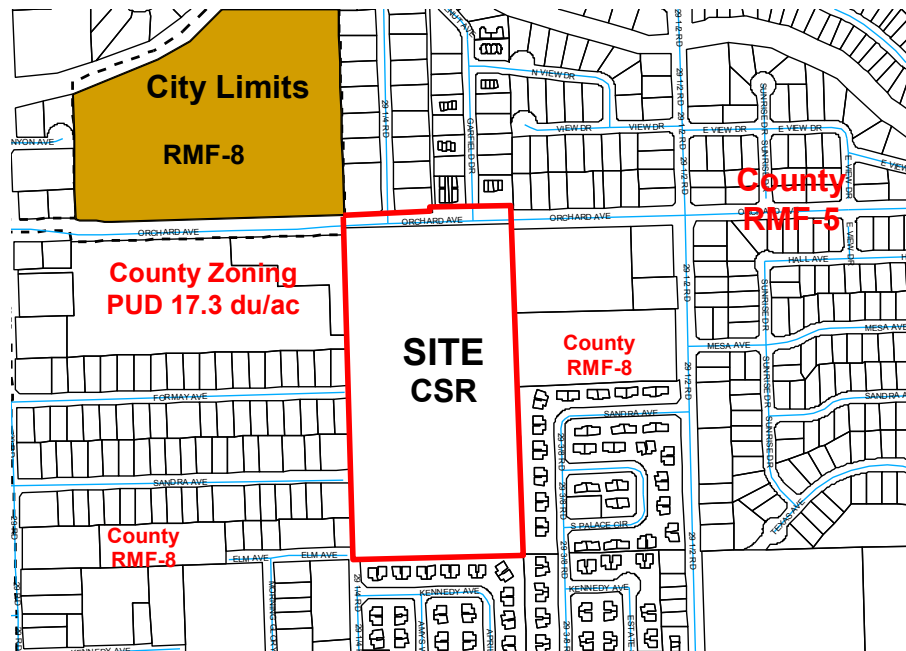
Future Land Use Map

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."

RESOLUTION NO. ____

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

BOOKCLIFF MIDDLE SCHOOL ANNEXATIONS #1, 2, and 3

**LOCATED AT 2935 ORCHARD AVENUE AND INCLUDING A PORTION OF
THE ORCHARD AVENUE RIGHT-OF-WAY**

ARE ELIGIBLE FOR ANNEXATION

WHEREAS, on the 1st day of June, 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:

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, a hearing on the petition was duly held after proper notice on the 6th day of July, 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 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 #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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE BOOKCLIFF MIDDLE SCHOOL ANNEXATION
TO
CSR**

LOCATED AT 2935 ORCHARD AVE

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 Bookcliff Middle School 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.

BOOKCLIFF MIDDLE SCHOOL ANNEXATION

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.

Introduced on first reading this 15th day of June, 2005 and ordered published.

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

Mayor

ATTEST:

City Clerk

Attach 18

Public Hearing Beagley II Annexation & Zoning Located at 2932 & 2938 D ½ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Annexation and zoning of the Beagley II Annexation located at 2932 and 2938 D ½ Road					
Meeting Date	July 6, 2005					
Date Prepared	June 30, 2005				File #ANX-2005-099	
Author	Senta L. Costello		Associate Planner			
Presenter Name	Senta L. Costello		Associate Planner			
Report results back to Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	When
Citizen Presentation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No	Name
<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Formal Agenda	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Consent	<input checked="" type="checkbox"/> Individual Consideration

Summary: Acceptance of a petition to annex and consider the annexation and zoning for the Beagley II Annexation. The Beagley II Annexation is located at 2932 and 2938 D ½ Road and consists of 2 parcels on 12.43 acres. The zoning being requested is RMF-8.

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:

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

Zone of Annexation: The requested zone of annexation to the RMF-8 district is consistent with the Growth Plan density of Residential Medium 4-8. The existing County zoning is RSF-R and I-2. Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

In order for the 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 criteria is not applicable.

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

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

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

Response: The proposed zoning is compatible with the neighborhood and will not create any adverse impacts to the area. Any issues that arise with development of the property will be addressed through the review of the development.

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

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

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

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

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

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

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

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

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the RMF-8 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>	
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

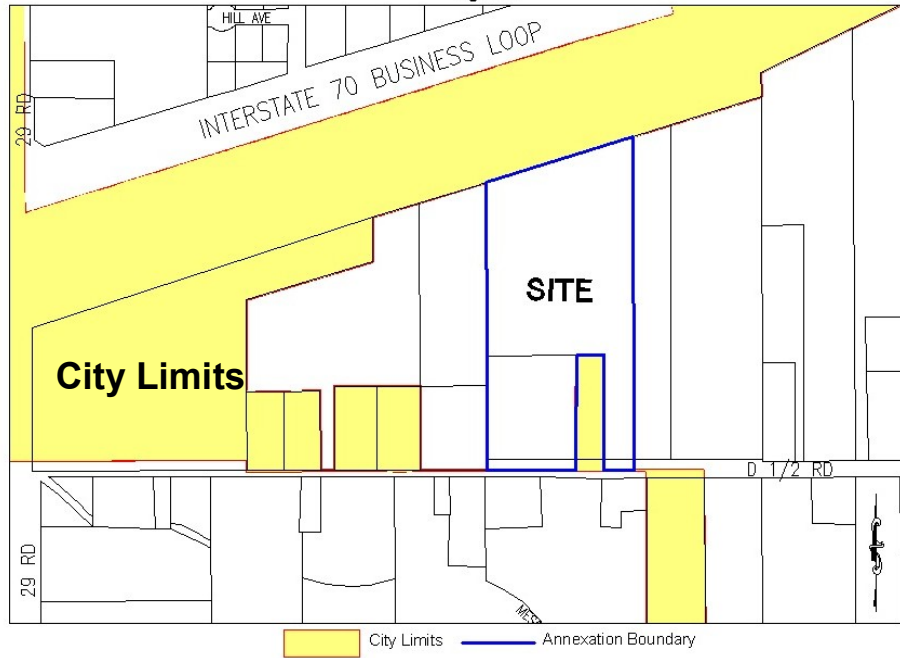
BEAGLEY II ANNEXATION SUMMARY

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



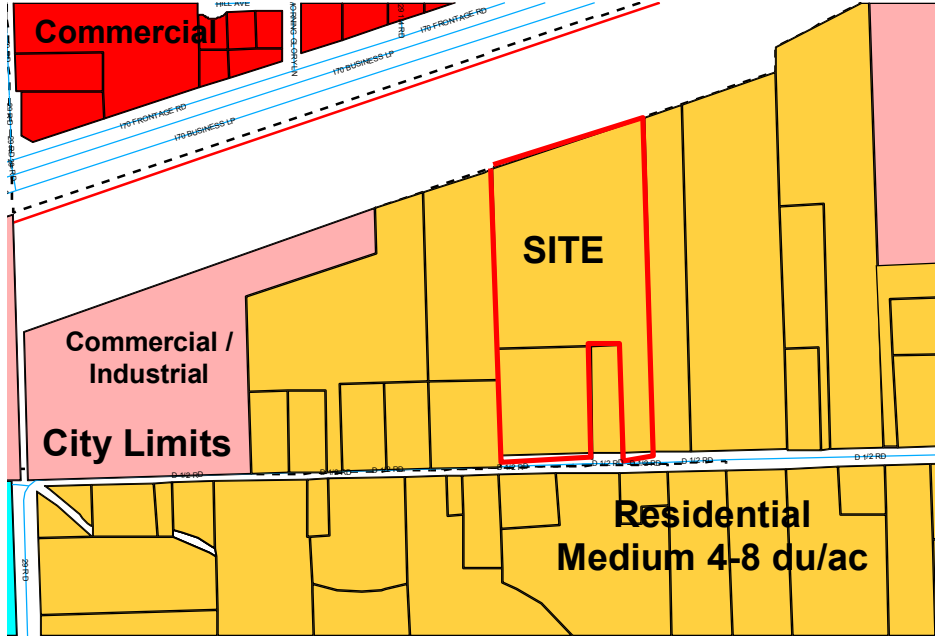
Aerial Photo Map

Figure 2



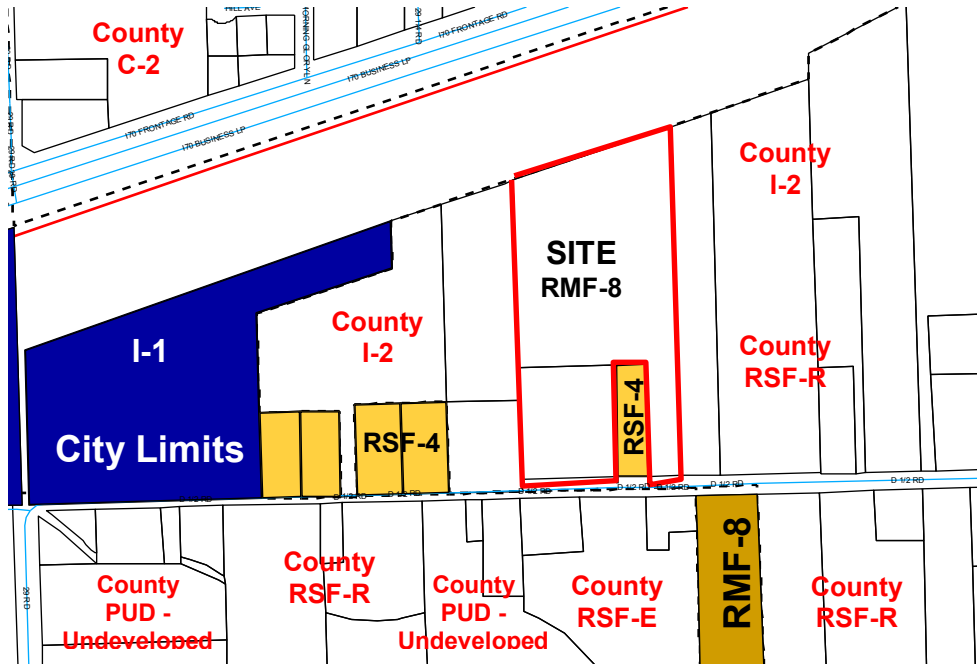
Future Land Use Map

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."

RESOLUTION NO. ____

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

BEAGLEY II ANNEXATION

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

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 18th day of May, 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:

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, a hearing on the petition was duly held after proper notice on the 6th day of July, 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 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**

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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE BEAGLEY II ANNEXATION TO
RMF-8**

LOCATED AT 2932 AND 2938 D 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 Beagley II Annexation to the RMF-8 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-8 zone district be established.

The Planning Commission and City Council find that the RMF-8 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-8 with a density not to exceed 8 units per acre.

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.

Introduced on first reading this 15th day of June, 2005 and ordered published.

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

Mayor

ATTEST:

City Clerk

Attach 19

Public Hearing Beanery Annexation & Zoning Located at 556 29 Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Annexation and zoning of the Beanery Annexation located at 556 29 Road.						
Meeting Date	July 6, 2005						
Date Prepared	June 30, 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		No	Name		
	Workshop	X	Formal Agenda			Consent	X Individual Consideration

Summary: Acceptance of a petition to annex and consider the annexation and zoning for the Beanery Annexation. The Beanery Annexation is located at 556 29 Road and consists of 1 parcel on 1.65 acres. The zoning being requested is RMF-8.

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:

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

STAFF REPORT / BACKGROUND INFORMATION			
Location:		556 29 Road	
Applicants:		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.

Zone of Annexation: The requested zone of annexation to the RMF-8 district is consistent with the Growth Plan density of Residential Medium 4-8 du/ac. The existing County zoning is RMF-8. 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 proposed zone district is compatible with the neighborhood and will not create any adverse impacts to the area. Any issues that should arise with the development of the property will be dealt with through the review process.

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.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the RMF-8 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><u>ANNEXATION SCHEDULE</u></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

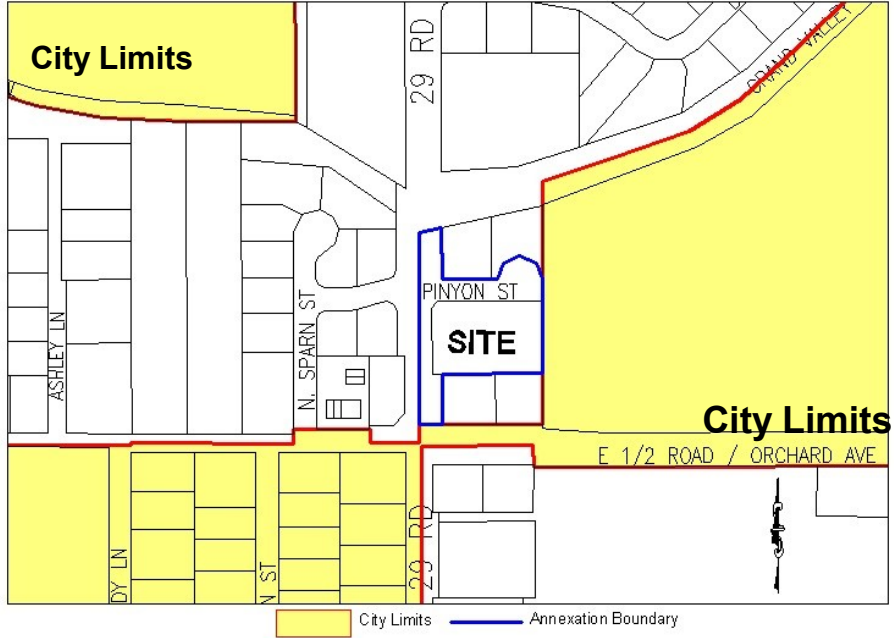
BEANERY ANNEXATION SUMMARY

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



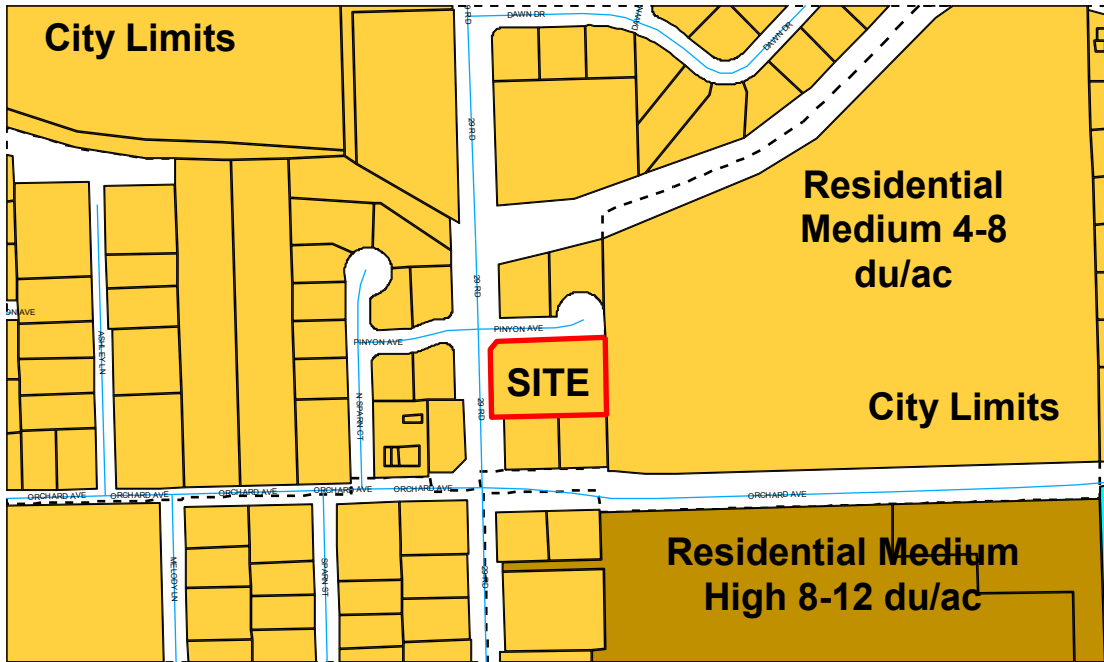
Aerial Photo Map

Figure 2



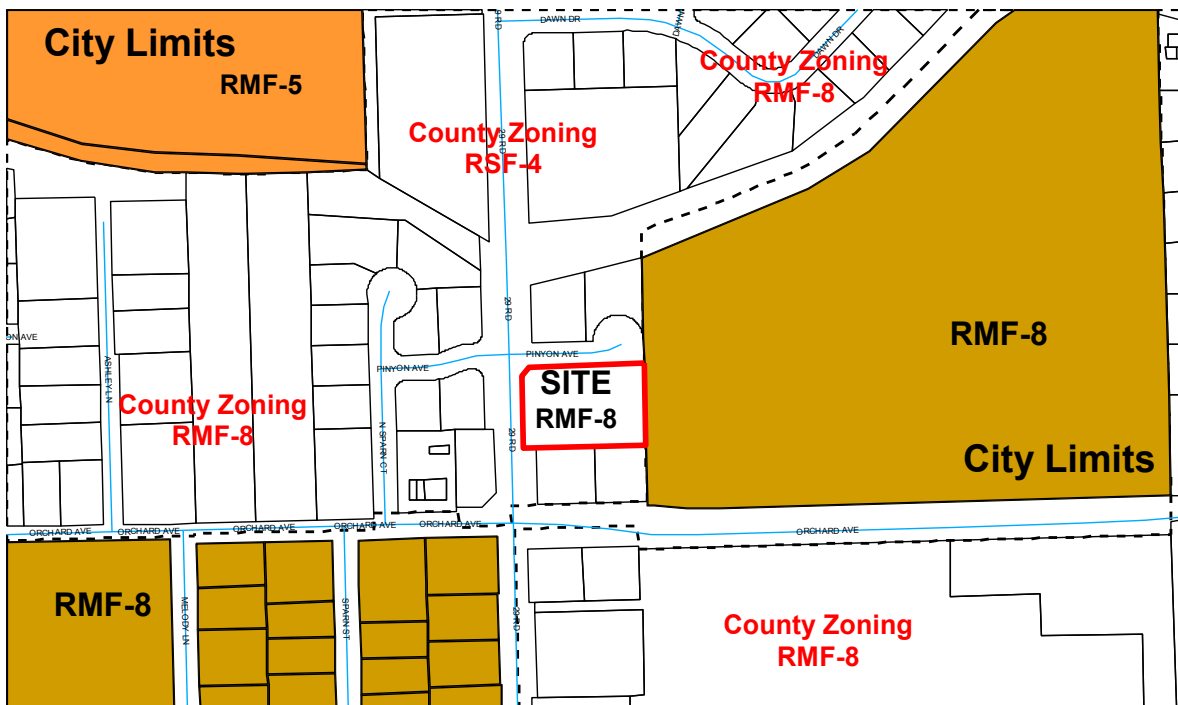
Future Land Use Map

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."

RESOLUTION NO. ____

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

BEANERY ANNEXATION

LOCATED AT 556 29 ROAD

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 18th day of May, 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:

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, a hearing on the petition was duly held after proper notice on the 6th day of July, 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 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**

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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE BEANERY ANNEXATION TO
RMF-8**

LOCATED AT 556 29 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 Beanery Annexation to the RMF-8 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-8 zone district be established.

The Planning Commission and City Council find that the RMF-8 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-8 with a density not to exceed 8 units per acre.

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.

Introduced on first reading this 15th day of June, 2005 and ordered published.

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

Mayor

ATTEST:

City Clerk

Attach 20

Public Hearing Munkres-Boyd Annexation No. 1 & 2 Located at 2866 A ¾ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Annexation of the Munkres-Boyd Annexations located at 2866 A ¾ Road.						
Meeting Date	July 6, 2005						
Date Prepared	June 30, 2005				File #ANX-2005-089		
Author	Senta L. Costello		Associate Planner				
Presenter Name	Senta L. Costello		Associate Planner				
Report results back to Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	When	
Citizen Presentation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	No	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 for the Munkres-Boyd Annexations. The 6.04 acre Munkres-Boyd Annexations consist of 1 parcel, contains a portion of Highway 50 and A ¾ Road rights-of-way, and is a 2 part serial annexation.

Budget: N/A

Action Requested/Recommendation: 1) approve resolution accepting a petition for annexation, 2) public hearing to consider final passage of the annexation ordinances.

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. Acceptance Resolution
5. Annexation Ordinances

STAFF REPORT / BACKGROUND INFORMATION				
Location:		2866 A ¾ Road		
Applicants:		Owner: Munkres-Boyd Investment, LLC – Ted Munkres Developer: Freestyle – Ted Munkres Representative: Robert Jasper		
Existing Land Use:		Single Family Residential		
Proposed Land Use:		Single Family Residential subdivision		
Surrounding Land Use:	North	Single Family Residential		
	South	Single Family Residential		
	East	Single Family Residential		
	West	Single Family Residential		
Existing Zoning:		County RSF-4		
Proposed Zoning:		City RSF-4		
Surrounding Zoning:	North	County 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 6.04 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 in the County. 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 Munkres-Boyd 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.

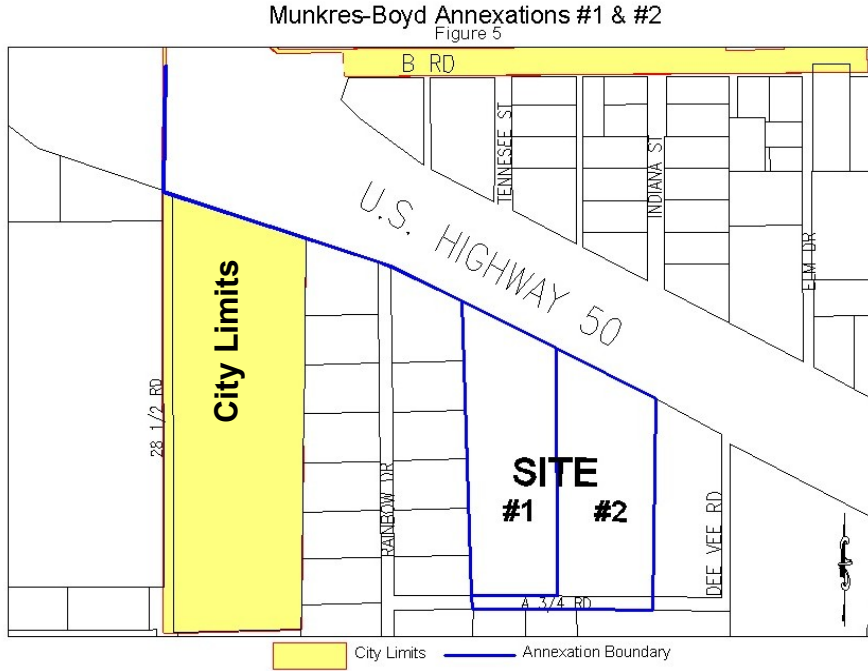
<i>ANNEXATION SCHEDULE</i>	
June 1, 2005	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
June 14, 2005	Planning Commission considers Zone of Annexation
June 15, 2005	Introduction Of A Proposed Ordinance on Zoning by City Council
July 6, 2005	Acceptance of Petition and Public Hearing on Annexation
July 20, 2005	Public Hearing on Zoning by City Council
August 7, 2005	Effective date of Annexation

MUNKRES-BOYD ANNEXATION SUMMARY

File Number:	ANX-2005-089
Location:	2866 A ¾ Road
Tax ID Number:	2943-311-12-025
Parcels:	1
Estimated Population:	1
# of Parcels (owner occupied):	1
# of Dwelling Units:	1
Acres land annexed:	6.04 acres
Developable Acres Remaining:	5.76 acres
Right-of-way in Annexation:	15,154 sq. ft. of Highway 50 & A ¾ Road
Previous County Zoning:	RSF-4
Proposed City Zoning:	RSF-4
Current Land Use:	Single Family Residence
Future Land Use:	Single Family Residential subdivision
Values:	Assessed: = \$8,490
	Actual: = \$106,720
Address Ranges:	2860-2866 A ¾ Road (even only)
Special Districts:	Water: Ute Water
	Sewer: Orchard Mesa Sanitation
	Fire: Grand Jct Rural Fire District
	Irrigation/Drainage: Orchard Mesa Irrigation
	School: Mesa County School District #51
	Pest: N/A

Site Location Map

Figure 1



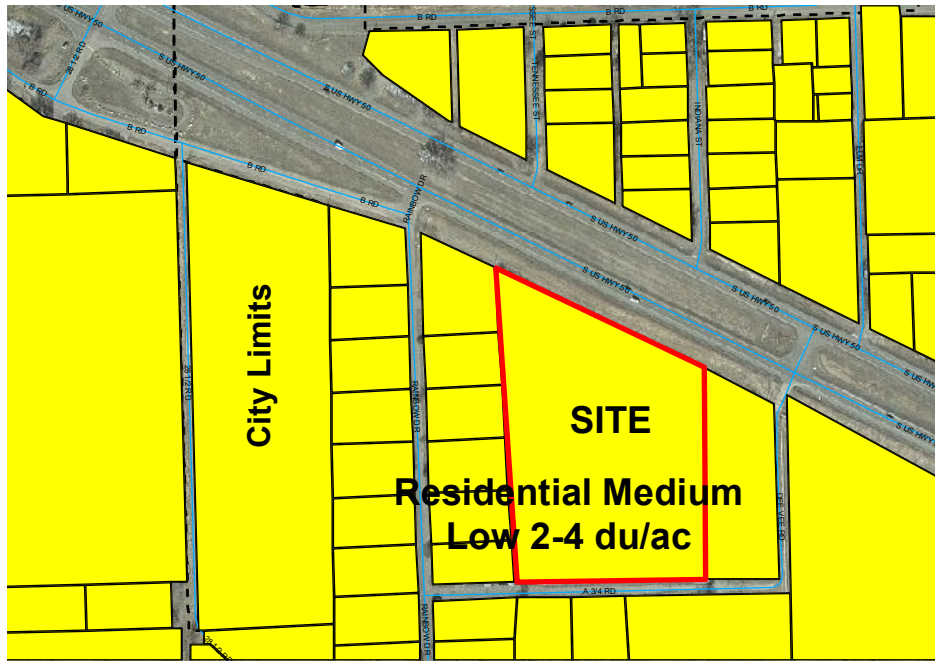
Aerial Photo Map

Figure 2



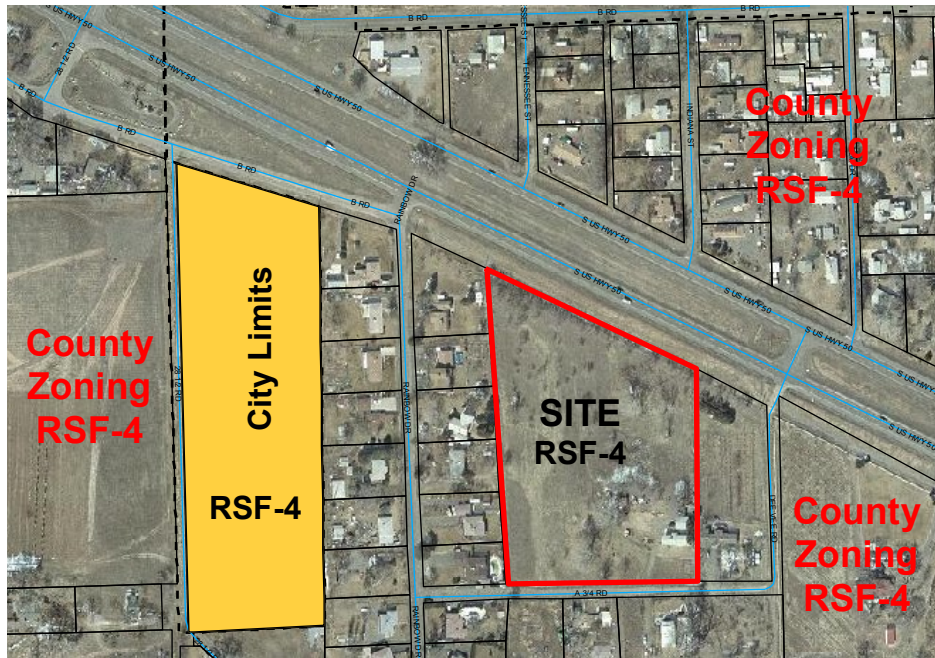
Future Land Use Map

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."

RESOLUTION NO. ____

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

MUNKRES-BOYD ANNEXATIONS #1 & 2

**LOCATED AT 2866 A ¾ ROAD AND A PORTION OF HIGHWAY 50 AND A ¾
ROAD**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 1st day of June, 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:

Munkres – Boyd Annexation No. 1

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

Commencing at the Northwest corner of the NW 1/4 NE 1/4 of said Section 31 and assuming the West line of the NW 1/4 NE 1/4 of said Section 31 to bear S00°00'45"E for a basis of bearings with all bearings contained herein relative thereto; thence from said Point of Commencement N89°57'54"E along the North line of the NW 1/4 NE 1/4 of said Section 31 a distance of 1.00 foot to a point of the East line of Rowe Annexation, Ordinance No. 3489, City of Grand Junction; thence S00°00'45"E along the East line of said Rowe Annexation, (being a line 1.00 foot East of and parallel with, the West line of the NW 1/4 NE 1/4 of said Section 31) a distance of 294.51 feet to the Southerly right of way of U.S. Highway 50; thence S71°11'18"E along the Southerly right of way of said Highway 50 a distance of 523.30 feet; thence S62°30'17"E continuing along the Southerly right of way of said Highway 50 a distance of 226.03 feet to the Northeast corner of Lot 7, Sharon Heights Subdivision, as recorded in Plat Book 7, Page 18, Mesa County, Colorado records; thence S02°27'54"E along the East line of said Sharon Heights Subdivision a distance of 694.02 feet to the Southeast corner of Lot 1, of said Sharon Heights Subdivision, also being a point of the North right of way of A ¾ Road (Rainbow Drive); thence N89°58'49"E along the North right of way of said A ¾ Road a distance of 199.87 feet; thence N00°11'48"W a distance of 577.03 feet; thence along a line being 2.00 feet North of and parallel with the Southerly right of way of said Highway 50 the following two course; N62°30'17"W a distance of 481.88 feet; thence N71°11'18"W a

distance of 522.02 feet; thence N00°00'45"W along a line being 3.00 feet East of and parallel with the West line of the NW 1/4 NE 1/4 of said Section 31 a distance of 293.08 feet to the North line of the NW 1/4 NE 1/4 of said Section 31; thence S89°59'56"W along the North line of the NW 1/4 NE 1/4 of said Section 31 a distance of 2.00 feet to the Point of Beginning.

Said parcel contains 3.15 acres (137,226 sq. ft.) more or less as described.

Munkres – Boyd Annexation No. 2

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

Commencing at the Northwest corner of the NW 1/4 NE 1/4 of said Section 31 and assuming the West line of the NW 1/4 NE 1/4 of said Section 31 to bear S00°00'45"E for a basis of bearings with all bearings contained herein relative thereto; thence from said Point of Commencement S00°00'45"E along the West line of the NW 1/4 NE 1/4 of said Section 31 a distance of 294.17 feet to a point on the Southerly right of way of U.S. Highway 50; thence S71°11'17"E along the Southerly right of way of said Highway 50 a distance of a distance of 524.36 feet; thence S62°30'17"E continuing along the Southerly right of way of said Highway 50 a distance of 482.78 feet to the East line of Munkres - Boyd Annexation No. 1, Ordinance No. ????, City of Grand Junction also being the Point of Beginning; thence S62°30'17"E continuing along the Southerly right of way of said Highway 50 a distance of 247.64 feet; thence S00°11'48"E a distance of 490.37 feet to the South right of way of A 3/4 Road (Rainbow Drive); thence S89°58'49"W along the South right of way of said A 3/4 Road a distance of 417.96 feet; thence N02°27'54"W a distance of 30.03 feet to the North right of way of said A 3/4 Road also being the Southeast corner of Lot 1, Sharon Heights Subdivision as recorded in Plat Book 7, Page 18, Mesa County, Colorado records; thence N89°58'49"E along the North right of way of said A 3/4 Road a distance of 199.87 feet to the Southeast corner of said Munkres – Boyd Annexation No.1; thence N00°11'48"W along the East line of said Munkres – Boyd Annexation No.1 a distance of 574.77 feet to the Point of Beginning.

Said parcel contains 2.89 acres (126,048 sq. ft.) more or less as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 6th day of July, 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 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**

MUNKRES-BOYD ANNEXATION #1

APPROXIMATELY 3.15 ACRES

LOCATED AT 2866 A ¾ ROAD AND A PORTION OF HIGHWAY 50

WHEREAS, on the 1st day of June, 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:

Munkres – Boyd Annexation No. 1

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

Commencing at the Northwest corner of the NW 1/4 NE 1/4 of said Section 31 and assuming the West line of the NW 1/4 NE 1/4 of said Section 31 to bear S00°00'45"E for a basis of bearings with all bearings contained herein relative thereto; thence from said Point of Commencement N89°57'54"E along the North line of the NW 1/4 NE 1/4 of said Section 31 a distance of 1.00 foot to a point of the East line of Rowe Annexation, Ordinance No. 3489, City of Grand Junction; thence S00°00'45"E along the East line of said Rowe Annexation, (being a line 1.00 foot East of and parallel with, the West line of the NW 1/4 NE 1/4 of said

Section 31) a distance of 294.51 feet to the Southerly right of way of U.S. Highway 50; thence S71°11'18"E along the Southerly right of way of said Highway 50 a distance of 523.30 feet; thence S62°30'17"E continuing along the Southerly right of way of said Highway 50 a distance of 226.03 feet to the Northeast corner of Lot 7, Sharon Heights Subdivision, as recorded in Plat Book 7, Page 18, Mesa County, Colorado records; thence S02°27'54"E along the East line of said Sharon Heights Subdivision a distance of 694.02 feet to the Southeast corner of Lot 1, of said Sharon Heights Subdivision, also being a point of the North right of way of A 3/4 Road (Rainbow Drive); thence N89°58'49"E along the North right of way of said A 3/4 Road a distance of 199.87 feet; thence N00°11'48"W a distance of 577.03 feet; thence along a line being 2.00 feet North of and parallel with the Southerly right of way of said Highway 50 the following two course; N62°30'17"W a distance of 481.88 feet; thence N71°11'18"W a distance of 522.02 feet; thence N00°00'45"W along a line being 3.00 feet East of and parallel with the West line of the NW 1/4 NE 1/4 of said Section 31 a distance of 293.08 feet to the North line of the NW 1/4 NE 1/4 of said Section 31; thence S89°59'56"W along the North line of the NW 1/4 NE 1/4 of said Section 31 a distance of 2.00 feet to the Point of Beginning.

Said parcel contains 3.15 acres (137,226 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 1st day of June, 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**

MUNKRES-BOYD ANNEXATION #2

APPROXIMATELY 2.89 ACRES

**LOCATED AT 2866 A ¾ ROAD AND A PORTION OF HIGHWAY 50 AND A ¾
ROAD**

WHEREAS, on the 1st day of June, 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:

Munkres – Boyd Annexation No. 2

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

Commencing at the Northwest corner of the NW 1/4 NE 1/4 of said Section 31 and assuming the West line of the NW 1/4 NE 1/4 of said Section 31 to bear S00°00'45"E for a basis of bearings with all bearings contained herein relative thereto; thence from said Point of Commencement S00°00'45"E along the West line of the NW 1/4 NE 1/4 of said Section 31 a distance of 294.17 feet to a point on the Southerly right of way of U.S. Highway 50; thence S71°11'17"E along the

Southerly right of way of said Highway 50 a distance of a distance of 524.36 feet; thence S62°30'17"E continuing along the Southerly right of way of said Highway 50 a distance of 482.78 feet to the East line of Munkres - Boyd Annexation No. 1, Ordinance No. ?????, City of Grand Junction also being the Point of Beginning; thence S62°30'17"E continuing along the Southerly right of way of said Highway 50 a distance of 247.64 feet; thence S00°11'48"E a distance of 490.37 feet to the South right of way of A 3/4 Road (Rainbow Drive); thence S89°58'49"W along the South right of way of said A 3/4 Road a distance of 417.96 feet; thence N02°27'54"W a distance of 30.03 feet to the North right of way of said A 3/4 Road also being the Southeast corner of Lot 1, Sharon Heights Subdivision as recorded in Plat Book 7, Page 18, Mesa County, Colorado records; thence N89°58'49"E along the North right of way of said A 3/4 Road a distance of 199.87 feet to the Southeast corner of said Munkres – Boyd Annexation No.1; thence N00°11'48"W along the East line of said Munkres – Boyd Annexation No.1 a distance of 574.77 feet to the Point of Beginning.

Said parcel contains 2.89 acres (126,048 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 1st day of June, 2005 and ordered published.

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

Attest:

President of the Council

City Clerk

Attach 21

Public Hearing Career Center Annexation Located at 2935 North Avenue

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Annexation of the Career Center Annexation located at 2935 North Avenue.						
Meeting Date	July 6, 2005						
Date Prepared	June 30, 2005				File #ANX-2005-102		
Author	Senta L. Costello		Associate Planner				
Presenter Name	Senta L. Costello		Associate Planner				
Report results back to Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	When	
Citizen Presentation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No	Name
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda			Consent	<input checked="" type="checkbox"/> Individual Consideration

Summary: Resolution for acceptance of petition to annex and to hold a public hearing and consider final passage of the annexation ordinance for the Career Center Annexation, located at 2935 North Avenue. The 7.91 acre Career Center Annexation consists of 1 parcel.

Budget: N/A

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

Background Information: See attached Staff Report/Background Information

Attachments:

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

STAFF REPORT / BACKGROUND INFORMATION			
Location:		2935 North Avenue	
Applicants:		Owner: Mesa Co. School Dist. #51 – Jack McKelvy Representative: Blythe Design – Ethan Gibson	
Existing Land Use:		District #51 Career Center – Education	
Proposed Land Use:		District #51 Career Center – Education	
Surrounding Land Use:	North	Vacant / Commercial	
	South	I-70B / Railroad	
	East	Vacant / Commercial	
	West	Mobile Home Park	
Existing Zoning:		County C-2	
Proposed Zoning:		City CSR	
Surrounding Zoning:	North	City C-1	
	South	City I-1	
	East	County C-2	
	West	County C-2	
Growth Plan Designation:		Commercial	
Zoning within density range?	X	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 7.91 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 career center facility 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 Career Center Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;

- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

The following annexation and zoning schedule is being proposed.

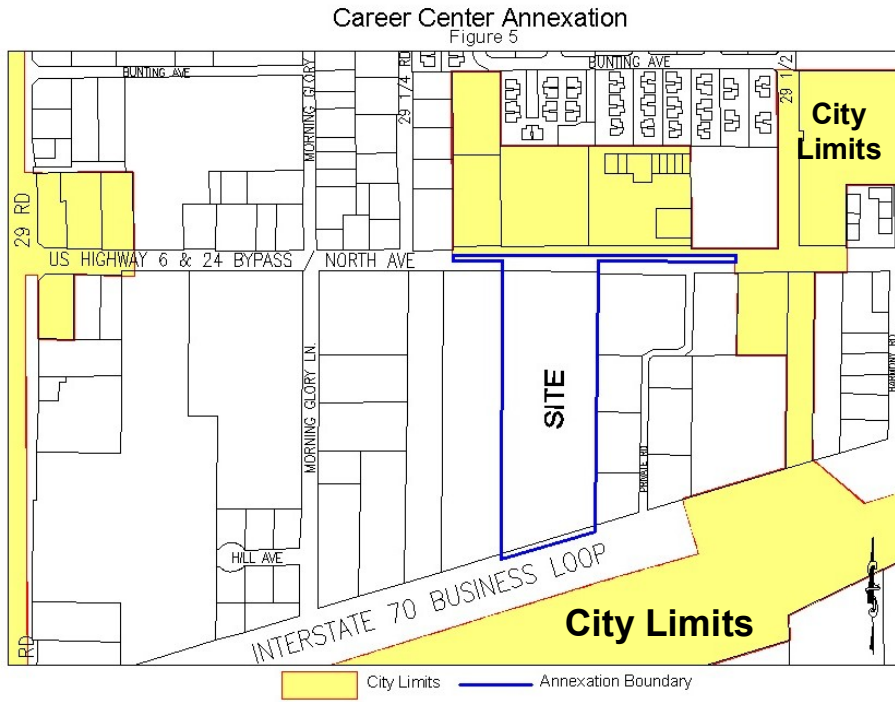
<u><i>ANNEXATION SCHEDULE</i></u>	
June 1, 2005	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
June 14, 2005	Planning Commission considers Zone of Annexation
July 6, 2005	Introduction Of A Proposed Ordinance on Zoning by City Council and Acceptance of Petition and Public Hearing on Annexation by City Council
August 3, 2005	Public Hearing on Zoning by City Council
August 7, 2005	Effective date of Annexation and Zoning

CAREER CENTER ANNEXATION SUMMARY

File Number:	ANX-2005-102	
Location:	2935 North Avenue	
Tax ID Number:	2943-172-00-962	
Parcels:	1	
Estimated Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	7.91 acres	
Developable Acres Remaining:	7 acres +/-	
Right-of-way in Annexation:	19,385 square feet of North Avenue	
Previous County Zoning:	C-2	
Proposed City Zoning:	CSR	
Current Land Use:	District #51 Career Center – Education	
Future Land Use:	District #51 Career Center – Education	
Values:	Assessed:	= \$199,380
	Actual:	= \$687,500
Address Ranges:	2935 North Avenue	
Special Districts:	Water:	Ute Water
	Sewer:	Fruitvale Sanitation
	Fire:	Grand Junction Rural
	Irrigation/Drainage:	Grand Valley Irrigation / Grand Junction Drainage Dist
	School:	Mesa Co School District #51
	Pest:	N/A

Site Location Map

Figure 1



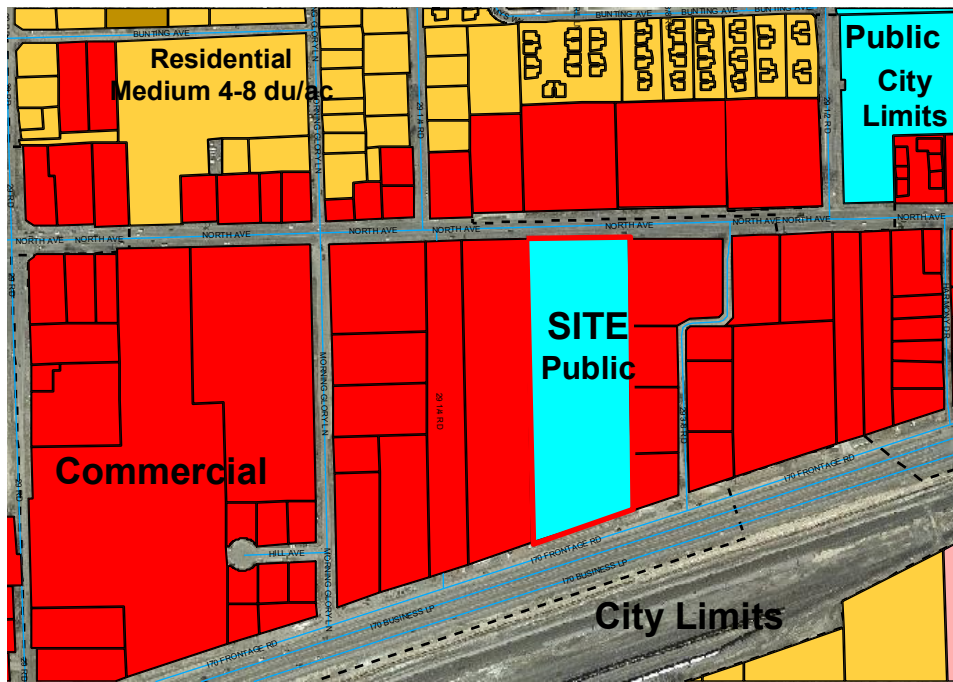
Aerial Photo Map

Figure 2



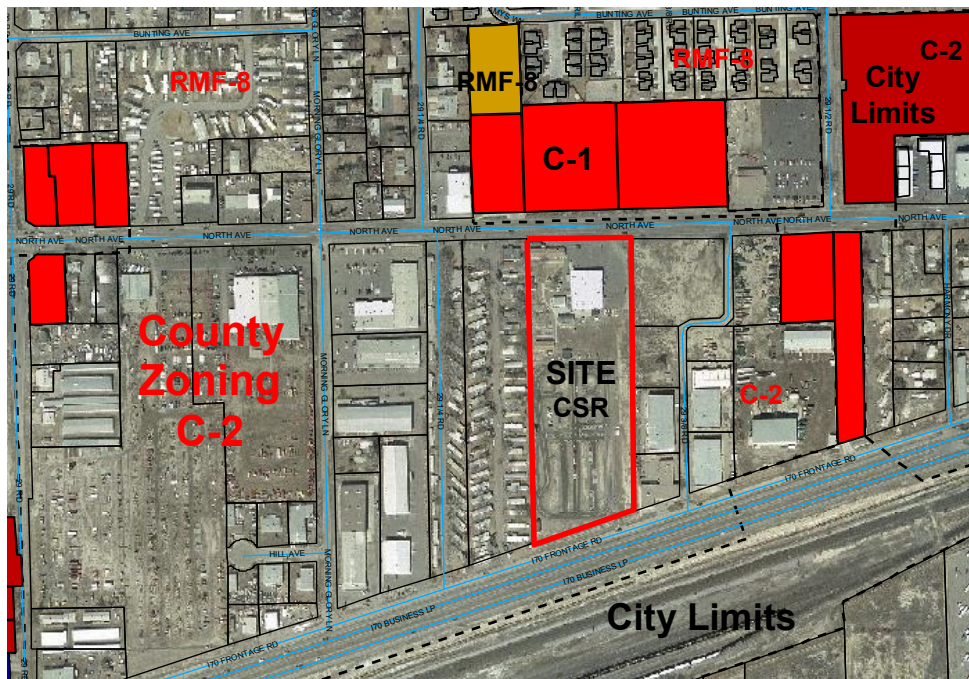
Future Land Use Map

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."

RESOLUTION NO. ____

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

CAREER CENTER ANNEXATION

**LOCATED AT 2935 NORTH AVENUE AND INCLUDING A PORTION OF THE
NORTH AVENUE RIGHT-OF-WAY.**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 1st day of June, 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:

CAREER CENTER ANNEXATION

A parcel of land located in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 17, 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 Northwest corner of the NE 1/4 NW 1/4 of said Section 17 and assuming the North line of the NE 1/4 NW 1/4 of said Section 17 to bear S89°57'29"E for a basis of bearings with all bearings contained herein relative thereto; thence from said Point of Commencement S89°57'29"E along the North line of the NE 1/4 NW 1/4 of said Section 17 a distance of 164.98 feet to the Point of Beginning; thence from said Point of Beginning N00°02'29"W a distance of 20.00 feet to the Southwest corner of Cantrell Annexation No. 2, Ordinance No. 3340, City of Grand Junction; thence S89°57'29"E along the South line of said Cantrell Annexation No. 2 a distance of 969.25 feet to a point on the West line of said Cantrell Annexation No. 2; thence S00°02'31"W along said West line a distance of 20.00 feet to the North line of the NE 1/4 NW 1/4 of said Section 17; thence N89°57'29"W along the North line of the NE 1/4 NW 1/4 of said Section 17 a distance of 473.16 feet to the intersection of the Northerly projection of the West line of Centre Square Phase I, as recorded in Plat Book 12, Page 25 of Mesa County, Colorado records; thence S00°10'02"E along said West line a distance of 935.77 feet to the Northerly right of way of Interstate 70 Business Loop; thence S73°44'01"W along said Northerly right of way a distance of 343.93 feet; thence N00°10'17"W a distance of 1032.35 to the North line of the NE 1/4 NW 1/4 of said Section 17; thence N89°57'29"W along the North line of the NE 1/4 NW 1/4 of said Section 17 a distance of 165.54 feet to the Point of Beginning.

Said parcel contains 7.91 acres (344,598 sq. ft.) more or less as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 6th day of July, 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 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**

CAREER CENTER ANNEXATION

APPROXIMATELY 7.91 ACRES

**LOCATED AT 2935 NORTH AVENUE AND INCLUDING A PORTION OF THE
NORTH AVENUE RIGHT-OF-WAY.**

WHEREAS, on the 1st day of June, 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:

Career Center Annexation

A parcel of land located in the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 17, 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 Northwest corner of the NE 1/4 NW 1/4 of said Section 17 and assuming the North line of the NE 1/4 NW 1/4 of said Section 17 to bear S89°57'29"E for a basis of bearings with all bearings contained herein relative thereto; thence from said Point of Commencement S89°57'29"E along the North line of the NE 1/4 NW 1/4 of said Section 17 a distance of 164.98 feet to the Point of Beginning; thence from said Point of Beginning N00°02'29"W a distance of 20.00 feet to the Southwest corner of Cantrell Annexation No. 2, Ordinance

No. 3340, City of Grand Junction; thence S89°57'29"E along the South line of said Cantrell Annexation No. 2 a distance of 969.25 feet to a point on the West line of said Cantrell Annexation No. 2; thence S00°02'31"W along said West line a distance of 20.00 feet to the North line of the NE 1/4 NW 1/4 of said Section 17; thence N89°57'29"W along the North line of the NE 1/4 NW 1/4 of said Section 17 a distance of 473.16 feet to the intersection of the Northerly projection of the West line of Centre Square Phase I, as recorded in Plat Book 12, Page 25 of Mesa County, Colorado records; thence S00°10'02"E along said West line a distance of 935.77 feet to the Northerly right of way of Interstate 70 Business Loop; thence S73°44'01"W along said Northerly right of way a distance of 343.93 feet; thence N00°10'17"W a distance of 1032.35 to the North line of the NE 1/4 NW 1/4 of said Section 17; thence N89°57'29"W along the North line of the NE 1/4 NW 1/4 of said Section 17 a distance of 165.54 feet to the Point of Beginning.

Said parcel contains 7.91 acres (344,598 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 1st day of June, 2005 and ordered published.

ADOPTED this 6th day of July, 2005.

Attest:

President of the Council

City Clerk

Attach 22

Public Hearing Growth Plan Amendment for the Pear Park School Site Property at 2927 and 2927 ½ D ½ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Request approval of a Growth Plan Amendment from "Residential Medium 4-8" to "Public" for 2 properties located at 2927 and 2927 ½ D ½ Road					
Meeting Date	July 6, 2005					
Date Prepared	June 30, 2005				File # GPA-2005-125	
Author	Senta L. Costello		Associate Planner			
Presenter Name	Senta L. Costello		Associate Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda			Consent X Individual Consideration

Summary: Hold a public hearing and consider final passage of the Resolution to change the Growth Plan designation from "Residential Medium 4-8" to "Public".

Budget: N/A

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

Background Information: See attached Staff Report/Background Information

Attachments:

- 18. Staff report/Background information
- 19. Vicinity Map / Aerial Photo
- 20. Growth Plan Map
- 21. Resolution

ANALYSIS

1. Background

The 20.42 acre site is located on the south side of D ½ Road, ¼ mile east of 29 Road, is the proposed site for the new Pear Park Elementary School and Park and other potential public facilities, and is currently zoned PUD in the County. The Future Land Use designation is Residential Medium 4-8 du/ac. Staff is requesting the Growth Plan Amendment to change the 20.42 acre site to “Public” to be consistent with other publicly owned properties, including schools.

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

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

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

The property has recently been determined to be the site of a new school and park with potential for other public facilities in the future. When the map designation was originally placed on the property, this was not a project that could have been foreseen.

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

The property has recently been determined to be the site of a new school and park with potential for other public facilities in the future. This event has changed the original premise on which the current designation was determined for the property.

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

Through the Pear Park Plan process it was determined that due to the current residential development trends in the Pear Park area, new schools and park were needed to serve the rapidly growing population. This property has been acquired to serve the purpose of one of the new schools and parks with potential for other public facilities in the future.

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

The amendment is consistent with the following goals and policies of the Growth Plan:

Goal 4: To coordinate the timing, location and intensity of growth with the provision of adequate public facilities.

Policy 4.5: The City and County will require adequate public services and facilities to be in place or assured so they will be in place concurrently with

urban development in the joint planning area. The City and County will adopt consistent urban level of service and concurrency standards for the following services: water, wastewater, streets, fire stations, schools and stormwater management.

Goal 6: To promote the cost-effective provision of services for businesses and residents by all service providers.

Policy 6.3: The City and County will cooperate with the school district to identify appropriate locations for future school facilities. Elementary schools should be located within residential neighborhoods to minimize the need for children to cross arterial streets.

Policy 6.4: The City and County will encourage consolidations of services whenever such consolidations will result in improved service efficiencies while maintaining adopted level of service standards.

Policy 6.6: The City and County will work with service providers to monitor demands from existing land uses and provide assistance in projecting demands based on future land uses, approved development projects, existing development and projected growth rates.

Goal 17: To promote a healthy, sustainable, diverse economy.

Policy 17.3: The City and County will support public and private projects which increase the attractiveness of the community for residents and tourists.

Goal 26: To develop and maintain an interconnected system of neighborhood and community parks, trails and other recreational facilities throughout the urban area.

Policy 26.2: The City will develop and maintain a network of recreation areas and facilities.

Policy 26.5: The City and County will obtain adequate park land needed to meet neighborhood, community, and regional park needs, as urban development occurs, through the subdivision process and other appropriate mechanisms. Other public, quasi-public and private interest will be encouraged to secure, develop and/or maintain parks.

Policy 26.6: The City and County will coordinate with the school district to achieve cost savings through joint development of school and recreational facilities.

The amendment is consistent with the following goals and policies of the Pear Park neighborhood Plan:

Schools, Parks, and Trails –

Goal 1: Provide adequate public school and park sites to service the Pear Park residents as identified on the Pear Park Neighborhood Parks and Schools Map.

Goal 2: Schools and parks sites should be co-located and parks jointly developed by the city, county and school district for the benefit of all residents.

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

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

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

The proposed land uses for these properties are public in nature (i.e. elementary school and park) and require a “Public” land use designation in order to be zoned appropriately.

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

The community as a whole and the Pear Park area will benefit from the amendment and the proposed school and park uses.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Pear Park School application, GPA-2005-125 for a Growth Plan Amendment, staff makes the following findings of fact and conclusions:

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

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission forward a recommendation of approval of the requested Growth Plan Amendment, GPA-2005-125 to the City Council with the findings and conclusions listed above.

RECOMMENDED PLANNING COMMISSION MOTION:

Mr. Chairman, on item GPA-2005-125, I move that we forward this Growth Plan Amendment request for Public designation to City Council with a recommendation of approval, making the findings of fact and conclusions listed in the staff report.

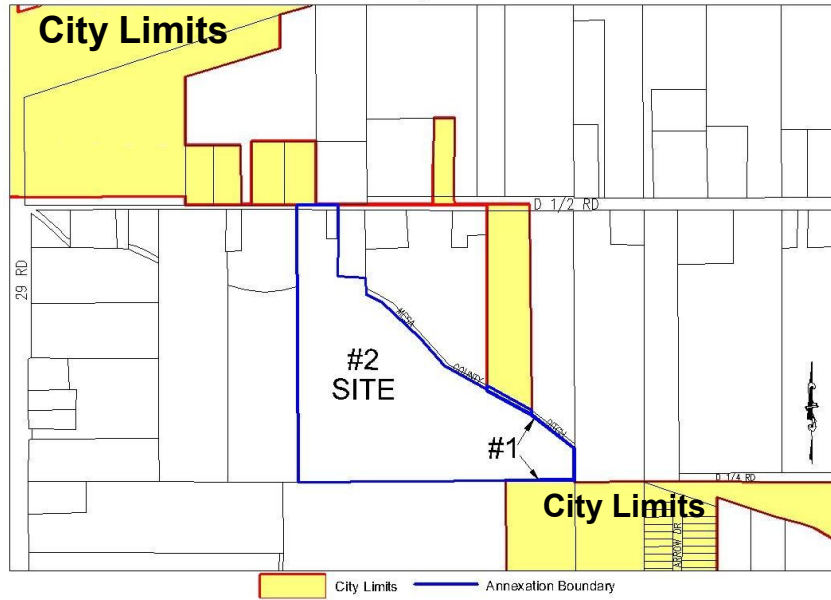
Attachments:

- Vicinity Map
- Aerial Photo
- Growth Plan Map
- Resolution

Site Location Map

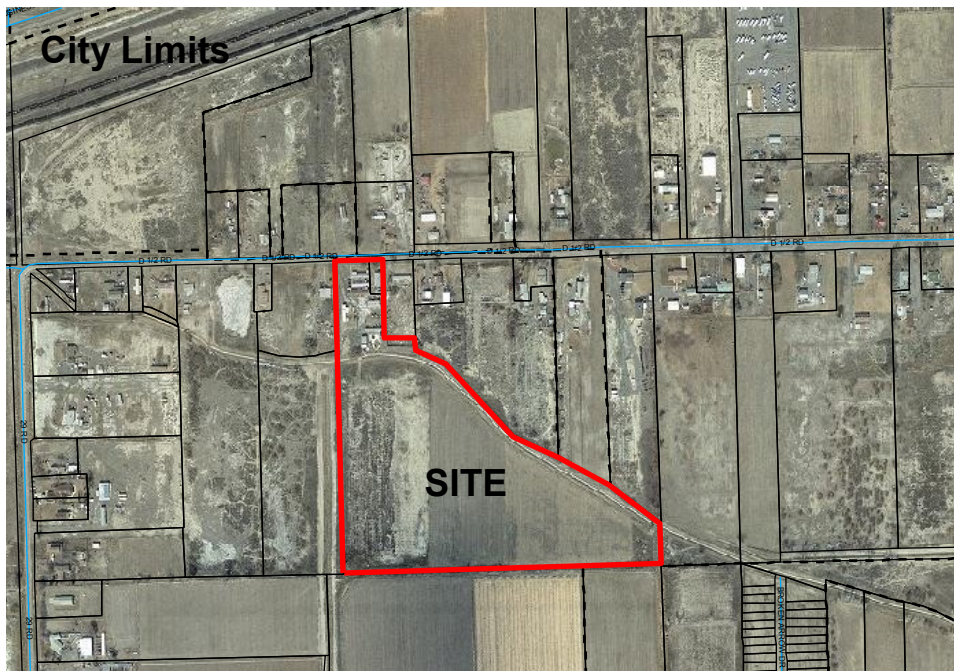
Figure 1

Pear Park School Annexations #1 & #2
Figure 5



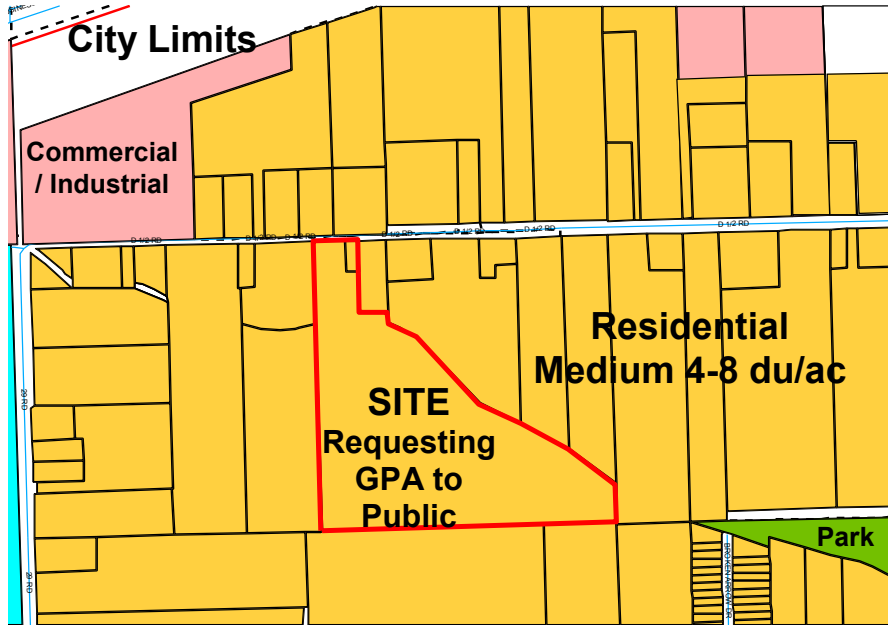
Aerial Photo Map

Figure 2



Future Land Use Map

Figure 3



CITY OF GRAND JUNCTION, COLORADO

Resolution No.

A resolution amending the City of Grand Junction Growth Plan Future Land Use Map to Re-designate approximately 20.42 acres located at 2927 and 2927 ½ D ½ Road from "Residential Medium 4-8 du/ac" to "Public"

Recitals:

A request for the Growth Plan amendment has been submitted in accordance with the Zoning and Development Code to the City of Grand Junction. The applicant has requested that approximately 20.42 acres located at 2927 and 2927 ½ D ½ Road from "Residential Medium 4-8 du/ac" to "Public" on the Future Land Use Map.

In a public hearing, the City Council reviewed the request for the proposed Growth Plan amendment and determined that it satisfied the criteria as set forth and established in Section 2.5.C of the Zoning and Development Code and the proposed amendment is consistent with the purpose and intent of the Growth Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE GRAND JUNCTION GROWTH PLAN IS AMENDED IN THE FOLLOWING WAY:

That approximately 20.42 acres of property, located at 2927 and 2927 ½ D ½ Road is designated as Public on the Future Land Use Map. The boundary description of the area being more fully described as follows:

Pear Park School Annexation No. 1

A parcel of land located in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW1/4) of Section 17, 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 the NE 1/4 SW 1/4 of said Section 17, and assuming the South line of the NE 1/4 SW 1/4 of said Section 17 to bear S89°59'26"W with all bearings contained herein relative thereto; thence from said Point of Beginning S89°59'26"W along the South line of the NE 1/4 SW 1/4 of said Section 17 a distance of 334.50 feet; thence N00°00'34"W a distance of 5.00 feet; thence N89°59'26"E along a line being 5.00 feet North of and parallel with the South line of the NE 1/4 SW 1/4 of said Section 17 a distance of 329.50 feet; thence N00°00'25"W along a line being 5.00 feet West of and parallel with the East line of the NE 1/4 SW 1/4 of said Section 17 a distance of 160.48 feet; thence N58°21'28"W along a line being 5.00 South of and parallel with the centerline of the Grand Valley Canal a distance of 477.96

feet; thence $N00^{\circ}02'58''E$ a distance of 5.88 feet to said centerline of the Grand Valley Canal; thence $S58^{\circ}21'28''E$ along said centerline of the Grand Valley Canal a distance of 483.84 feet to the East line of the NE 1/4 SW 1/4 of said Section 17; thence $S00^{\circ}00'25''E$ along the East line of the NE 1/4 SW 1/4 of said Section 17 a distance of 168.27 feet to the Point of Beginning. Said parcel contains 0.11 acres (4,886 square feet) more or less as described.

Pear Park School Annexation No. 2

A parcel of land located in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 17, 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 Southeast corner of the NE 1/4 SW 1/4 of said Section 17, and assuming the South line of the NE 1/4 SW 1/4 of said Section 17 to bear $S89^{\circ}59'26''W$ with all bearings contained herein relative thereto; thence from said Point of Commencement $S89^{\circ}59'26''W$ along the South line of the NE 1/4 SW 1/4 of said Section 17 a distance of 334.50 feet to the Southwest corner of Pear Park School Annexation No. 1, Ordinance No. _____, City of Grand Junction also being the Point of Beginning; thence continuing $S89^{\circ}59'26''W$ along the South line of the NE 1/4 SW 1/4 of said Section 17 a distance of 984.46 feet to the Southwest corner of the NE 1/4 SW 1/4 of said Section 17; thence $N00^{\circ}07'35''W$ along the West line of the NE 1/4 SW 1/4 of said Section 17 a distance of 1319.08 feet to the South line of Siena View Annexation No. 2, Ordinance No. 3501, City of Grand Junction; thence $N89^{\circ}59'38''E$ along the South line of said Siena View Annexation No. 2 also being a line being 2.00 feet South of and parallel with the North line of the NE 1/4 SW 1/4 of said Section 17 a distance of 200.29 feet; thence $S00^{\circ}09'17''E$ a distance of 357.98 feet; thence $N89^{\circ}58'18''E$ a distance of 130.00 feet; thence $S00^{\circ}09'17''E$ a distance of 74.96 feet to the centerline of the Grand Valley Canal; thence along said centerline of the Grand Valley Canal the following three (3) courses: (1) $S46^{\circ}01'52''E$ a distance of 249.36 feet; (2) $S42^{\circ}08'07''E$ a distance of 169.97 feet; (3) $S58^{\circ}21'28''E$ a distance of 248.86 feet; thence $N00^{\circ}02'58''W$ a distance of 20.32 feet the Southwest corner of said Siena View Annexation No. 2; thence $S60^{\circ}16'02''E$ along the South line of Siena View Annexation No. 2 a distance of 239.08 feet to the Southeast corner of Siena View Annexation No. 2; thence $S00^{\circ}02'58''E$ a distance of 29.68 feet to a point on the North line of said Pear Park School Annexation No. 1; thence $N58^{\circ}21'28''W$ along the North line of said Pear Park School Annexation No. 1 a distance of 241.51 feet to the Northwest corner of said Pear Park School Annexation No. 1; thence $S00^{\circ}02'58''E$ along the West line of said Pear Park School Annexation No. 1 a distance of 5.88 feet; thence $S58^{\circ}21'28''E$ along the South line of said Pear Park School Annexation No. 1 a distance of 477.96 feet; thence $S00^{\circ}00'25''E$ along a line being 5.00 feet West of and parallel with the West line of the NE 1/4 SW 1/4 of said Section 17 a distance of 160.48 feet; thence $S89^{\circ}59'26''W$ along a line being 5.00 feet North of and parallel with the West line of the NE 1/4 SW 1/4 of said Section 17 a distance of 329.50 feet; thence $S00^{\circ}00'34''E$ a distance of 5.00

feet to the Point of Beginning. Said parcel contains 20.31 acres (884,590 square feet) more or less as described.

PASSED on this 6th day of July, 2005.

ATTEST:

President of Council

City Clerk

Attach 23

Purchase of Property at 818,820 and 832 Struthers Avenue for the Riverside Parkway Project

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Purchase of Property at 818, 820, and 832 Struthers Ave for the Riverside Parkway Project						
Meeting Date	July 6, 2005						
Date Prepared	June 30, 2005				File #		
Author	Trent Prall			Riverside Pkwy Project Manager			
Presenter Name	Mark Relph			Public Works and Utilities Director			
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		Consent	X	Individual Consideration

Summary: The City has entered into a contract to purchase the property at 818, 820, and 832 Struthers Avenue from John R. Crouch. The City's obligation to purchase this property is contingent upon Council's ratification of the purchase contract.

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

2005 Right-of-Way Budget	\$10,000,000
2005 Right-of-Way Related Expenses to Date:*	\$7,476,673
Costs Related to this Property Purchase:	
Purchase Price	\$257,500
Estimated Moving Costs (owner)	\$2,500
Estimated Moving Costs (tenant)	\$20,000
Estimated relocation benefits (tenant)	\$35,000
Closing Costs	\$3,500
Environmental Inspections	\$3,500
Asbestos Removal	\$5,000
Demolition and Misc environmental cleanup	\$5,000
Total Costs Related to This Request	\$332,000
2005 Remaining Right-of-Way Funds	\$2,191,327
Total Project Budget	\$91,495,000
Estimated Project Costs:	
Prelim. Engineering / 1601 Process	\$5,486,000
Other Prelim. Engineering (Admin / Stipends / Attorneys)	\$3,115,000
Utility Relocations / Street Lights	\$4,500,000
Final Design	\$2,994,000
Construction	\$52,000,000
Construction Oversight	\$4,400,000
Right-of-Way Land Purchases and Relocations (Project inception to date: \$10,735,004)	\$19,000,000
Total Estimated Project Costs	\$91,495,000
Remaining Funds / Contingency	\$0
*Includes 2902 DRd (\$70,000) and 1101 Kimball (\$121,500) approved by Council on 6/15/05	

Action Requested/Recommendation: Adopt a Resolution authorizing the purchase of property at 818,820, and 832 Struthers Ave from John R. Crouch.

Attachments:

1. Proposed Resolution.

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

The subject properties include the following:

Project Parcel	Assessor Number	Address	Zoned	Current use	ROW Reqd (Sq Ft)
C-69	2945-231-17-021	818 Struthers	C-2	Vacant	13,005
C-70	2945-231-17-020	820 Struthers	C-2	2030 SF Masory Building constructed in 1956 (Religious Experience Salsa)	17,625
C-71	2945-231-17-019	832 Struthers	C-2	Vacant	5,875
Total square footage					36,505
Total acreage					0.84

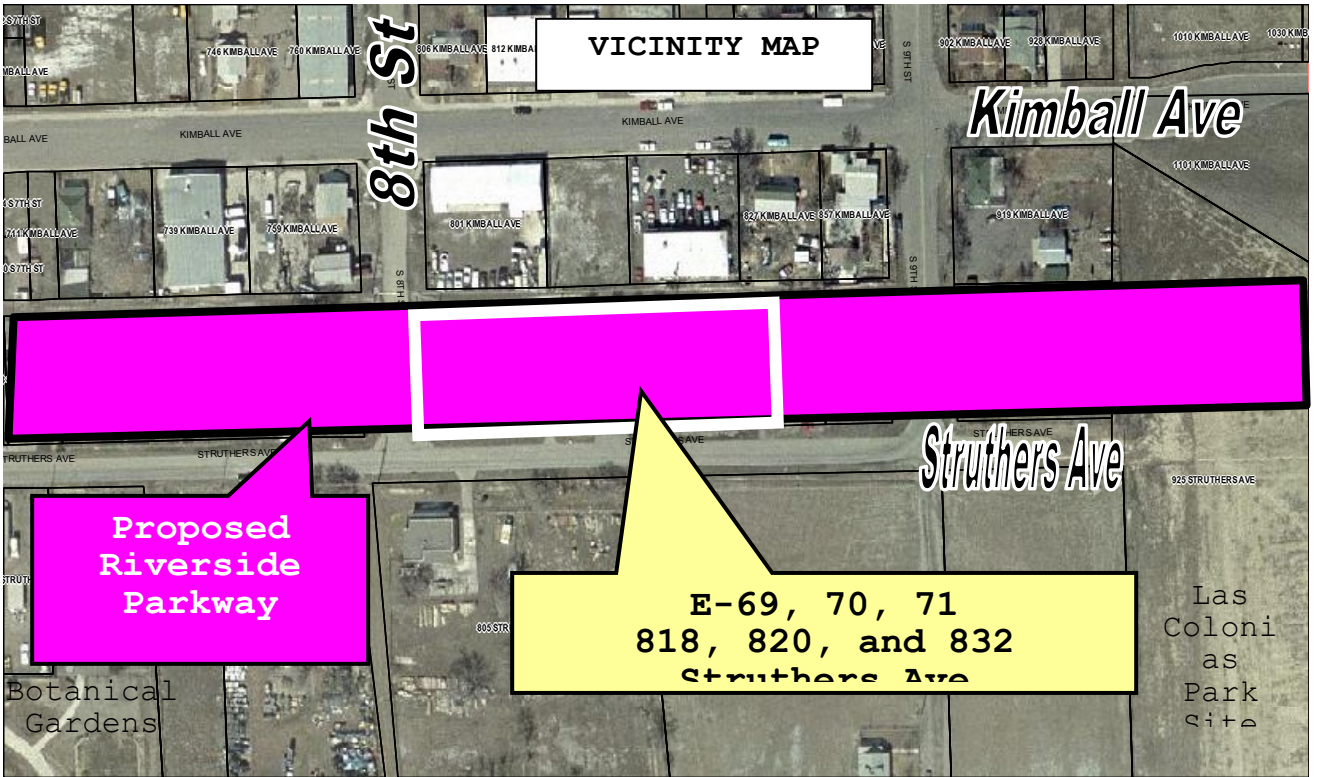
A Phase I Environmental Audit has been completed for the purchase. No special remediation requirements are anticipated.

As standard practice the City of Grand Junction completes an appraisal of the real estate to be acquired prior to acquisition. The property owner is encouraged, but not required, to also obtain an appraisal. City staff, as well as the City's real estate consultant HC Peck and Associates, Inc., reviewed the independently prepared appraisal and believes that the purchase price of \$257,500 for the subject property is indicative of the fair market value. The City's appraisal estimated the property value at \$214,000 while the owner's appraisal valued the property at \$300,000.

Closing is set for to occur on or before July 15, 2005.

The tenant at 820 Struthers is RE Foods who mainly manufactures Religious Experience salsa. Moving costs for the tenant is estimated \$20,000. Relocation benefits are estimated at \$30,000. The tenant will have no less than 90 days from July 8, 2005 to vacate the premises at 820 Struthers Ave.

Staff recommends this purchase as it is necessary for the construction of the proposed Riverside Parkway.



RESOLUTION NO. _____
 A RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY
 AT 818, 820, and 832 STRUTHERS AVE FROM JOHN R. CROUCH

Recitals.

A. The City of Grand Junction has entered into a contract with John R. Crouch, for the purchase by the City of certain real properties located within the proposed alignment of the Riverside Parkway:

Project Parcel	Assessor Number	Address	Zoned	ROW Reqd (Sq Ft)
C-69	2945-231-17-021	818 Struthers	C-2	13,005
C-70	2945-231-17-020	820 Struthers	C-2	17,625
C-71	2945-231-17-019	832 Struthers	C-2	5,875
Total square footage				36,505
Total acreage				0.84

B. The purchase contract provides that on or before July 6, 2005, the City Council must ratify the purchase and the allocation of funds for all expenses required to effectuate the purchase of the 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 the property at 818, 820, and 832 Struthers Avenue.

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 \$257,500. In addition, the City will pay moving expenses of \$2,500 and closing costs of \$1,500. The total acquisition cost is \$261,500. 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. The sum of \$257,500 is authorized to be paid at closing, in exchange for conveyance of the fee simple title to the described property. The balance of the \$4,000 will be reimbursed after the owner incurs those expenses either at or shortly after closing.

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

PASSED and ADOPTED this _____, 2005.

Attest:

President of the Council

City Clerk

Attach 24

Purchase of Property at 2507 Highway 6 & 50 for the Riverside Parkway

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Purchase of Property at 2507 Highway 6 & 50 for the Riverside Parkway Project					
Meeting Date	July 6, 2005					
Date Prepared	June 30, 2005				File #	
Author	Trent Prall		Riverside Pkwy Project Manager			
Presenter Name	Mark Relph		Public Works and Utilities Director			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary: The City has entered into a contract to purchase a portion of the property at 2507 Highway 6 & 50 from James Green and Ramona Green, Trustees, of the Green Family Trust. The City's obligation to purchase this property is contingent upon Council's ratification of the purchase contract.

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

2005 Right-of-Way Budget	\$10,000,000
2005 Right-of-Way Related Expenses to Date:*	\$7,476,673
Costs Related to this Property Purchase:	
Purchase Price	\$71,750
Closing Costs	\$500
Environmental Inspections	\$0
Asbestos Removal	\$0
Demolition and Misc environmental cleanup	\$1,000
Total Costs Related to This Request	\$73,250
2005 Remaining Right-of-Way Funds	\$2,450,077
Total Project Budget	\$91,495,000
Estimated Project Costs:	
Prelim. Engineering / 1601 Process	\$5,486,000
Other Prelim. Engineering (Admin / Stipends / Attorneys)	\$3,115,000
Utility Relocations / Street Lights	\$4,500,000
Final Design	\$2,994,000
Construction	\$52,000,000
Construction Oversight	\$4,400,000
Right-of-Way Land Purchases and Relocations (Project inception to date: \$10,735,004)	\$19,000,000
Total Estimated Project Costs	\$91,495,000
Remaining Funds / Contingency	\$0
*Includes 2902 D Rd (\$70,000) and 1101 Kimball (\$121,500) approved by Council on 6/15/05	

Action Requested/Recommendation: Adopt a Resolution authorizing the purchase of property at 2507 Highway 6 & 50 from James Green and Ramona Green, Trustees, of the Green Family Trust.

Attachments:

1. Proposed Resolution.

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

The property is located on east of 25 Road south of Highway 6&50. The project requires the following from the 1.55 acre, C-2 zoned, property:

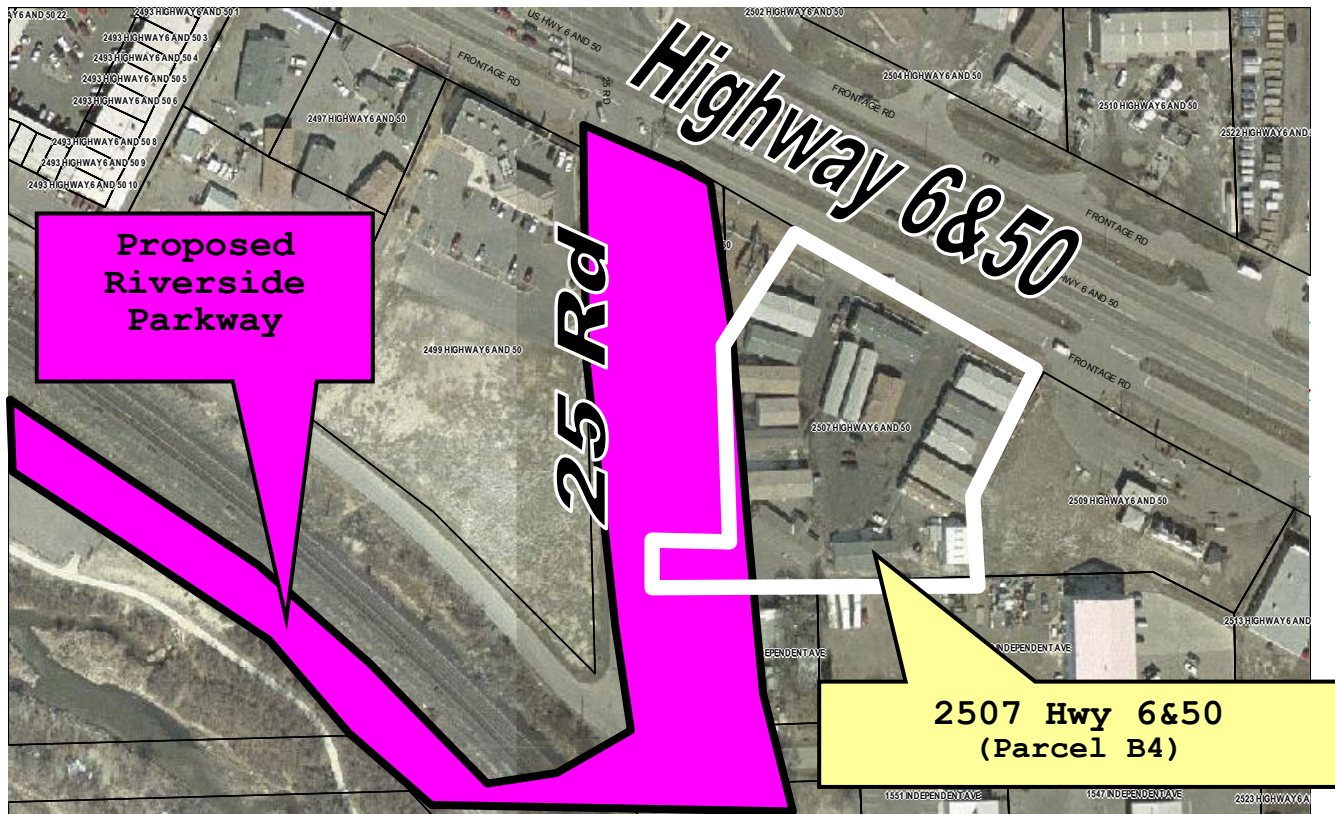
Parcel	Total ROW	Utility Easement
B-4	3,431	0 sf
PE B-4	0	3,183 sf
Totals	3,431	3,183 sf
	0.079	0.073 ac

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

As standard practice the City of Grand Junction completes an appraisal of the real estate to be acquired prior to acquisition. The City's appraisal determined the value to be \$63,500. The property owner is encouraged, but not required, to also obtain an appraisal. The owner obtained an appraisal that valued the portion of property to be acquired \$80,000. An administrative settlement was reached at \$71,750.

Closing is set for to occur on or before July 31, 2005. Staff recommends this purchase as it is necessary for the construction of the proposed Riverside Parkway.

VICINITY MAP



RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY
AT 2507 HIGHWAY 6 & 50 FROM JAMES GREEN AND RAMONA GREEN,
TRUSTEES, OF THE GREEN FAMILY TRUST

Recitals.

A. The City of Grand Junction has entered into a contract with James Green and Ramona Green, Trustees, of the Green Family Trust, for the purchase by the City of certain real property located within the proposed alignment of the Riverside Parkway. The street address of the property is 2507 Highway 6 & 50 and the Mesa County Assessor parcel number is 2945-103-00-069, designated as Project Parcel No. B-4.

B. The purchase contract provides that on or before July 6, 2005, the City Council must ratify the purchase and the allocation of funds for all expenses required to effectuate the purchase of the 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 the property at 2507 Highway 6 & 50.

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 \$71,750. 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. The sum of \$71,750 is authorized to be paid at closing, in exchange for conveyance of the fee simple title to the described property.

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

PASSED and ADOPTED this _____ day of _____, 2005.

Attest:

President of the Council

City Clerk
