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

WEDNESDAY, JULY 20, 2005, 7:00 P.M.

CALL TO ORDER

Pledge of Allegiance
Invocation – Rob Storey, River of Life Alliance Church

PRESENTATIONS OF CERTIFICATES OF APPOINTMENT

Downtown Development Authority

Walker Field Public Airport Authority

PROCLAMATIONS / RECOGNITIONS

PROCLAIMING JULY 30, 2005 AS “CELEBRATE THE AMERICANS WITH
DISABILITIES ACT DAY” JOINTLY WITH MESA COUNTY

APPOINTMENT

TO THE GUNNISON BASIN COMPACT COMMITTEE (RESOLUTION NO. 130-05)

[Attach 1](#)

CITIZEN COMMENTS

***** CONSENT CALENDAR ***[®]**

1. **Minutes of Previous Meetings**

[Attach 2](#)

*Action: Approve the Minutes of the July 6, 2005 Special Session and the July 6,
2005 Regular Meeting*

2. **Setting a Hearing for the Reduction of Distance Restriction for Brew Pub
Liquor Licenses to College Campuses**

[Attach 3](#)

*** Indicates New Item

[®] Requires Roll Call Vote

State law requires five hundred feet, using direct pedestrian access, from the property line of a school to the liquor-licensed premise; however, the law also allows local jurisdictions to reduce that distance for a certain class of license for one or more types of schools. In 1987, the Grand Junction City Council reduced the distance for full service restaurant licenses from college campuses to 300 feet and then in 2004, the City Council eliminated the distance restriction from college campuses to full service restaurant licenses. The City Council has now been requested to consider reducing the distance restriction from college campuses to brew pub liquor licenses.

Proposed Ordinance Amending Section 4-52 of the Grand Junction Code of Ordinances Reducing the Distance a Brew Pub Liquor Licensed Premise Must Be from the Principal Campus of a College or University in the City of Grand Junction

Action: Introduction of Proposed Ordinance and Set a Hearing for August 3, 2005

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

3. **Setting a Hearing for the Formation of Downtown Grand Junction Business Improvement District** [Attach 4](#)

The Downtown Grand Junction Business Improvement District group has turned in petitions which represent more than 50% of the property owners in the proposed Business Improvement District. At the hearing, the City Council will determine if the petitions were signed in conformity with the law and if the District should be formed. The City Council may exclude property from the District as allowed by statute or if it deems it to be in the best interest of the District. Once the Improvement District is formed, the petition group has asked that Council set a special election for November 1, 2005 for a ballot question on a special assessment and authorizing the retention of all revenues (de-Brucing).

Proposed Ordinance Establishing the Downtown Grand Junction Business Improvement District and Approving an Operating Plan and Budget Therefor

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

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

4. **Setting a Hearing – Vacating a Public Right-of-Way – Forrest Run Subdivision, Located at 641 29 ½ Road** [File #VR-2005-052] [Attach 5](#)

The petitioner is requesting approval of a vacation of a 25 foot wide public road right-of-way located on the west side of Marchun Drain. The road right-of-way was dedicated in the County as part of the Holton’s Haciendas Subdivision. There is no improved road or utilities within the right-of-way.

Proposed Ordinance Vacating a Public Road Right-of-Way Located at 641 29 ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for August 3, 2005

Staff presentation: Pat Cecil, Development Services Supervisor

5. **Setting a Hearing on Zoning the Pear Park School Annexation, Located at 2927 and 2927 ½ D ½ Road** [File # GPA-2005-125] [Attach 6](#)

Introduction of a proposed zoning ordinance to zone the Pear Park School Annexation CSR, located at 2927 and 2927 ½ D ½ Road.

Proposed Ordinance Zoning the Pear Park School Annexation to CSR, Located at 2927 and 2927 ½ D ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for August 3, 2005

Staff presentation: Senta L. Costello, Associate Planner

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

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

6. **Public Hearing – Zoning the Munkres-Boyd Annexation, Located at 2866 A ¾ Road** [File #ANX-2005-089] **CONTINUED FROM JULY 6, 2005** [Attach 7](#)

Hold a public hearing and consider final passage of the zoning ordinance to zone the Munkres-Boyd Annexation RSF-4, located at 2866 A ¾ Road. The Munkres-Boyd Annexation consists of 1 parcel on 6.04 acres and the zoning being requested is RSF-4.

Ordinance No. 3802 – An Ordinance Zoning the Munkres-Boyd Annexation to RSF-4, Located at 2866 A ¾ Road

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3802

Staff presentation: Senta L. Costello, Associate Planner

7. **Public Hearing – Zoning the Twenty Three Park Plaza Annexation, Located at the Northwest Corner of 23 Road and I-70** [File #GPA-2005-045] [Attach 8](#)

Hold a public hearing and consider final passage of the ordinance to zone the 35.52 acre Twenty Three Park Plaza Annexation I-O (Industrial/Office Park).

Ordinance No. 3803 – 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

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3803

Staff presentation: Bob Blanchard, Community Development Director

8. **Public Hearing – Zoning the Career Center Annexation, Located at 2935 North Avenue** [File #ANX-2005-102] [Attach 9](#)

Hold a public hearing and consider final passage of the zoning ordinance to zone the Career Center Annexation CSR, located at 2935 North Avenue. The Career Center consists of 1 parcel on 7.91 acres. The zoning being requested is CSR.

Ordinance No. 3804 – An Ordinance Zoning the Career Center Annexation to CSR, Located at 2935 North Avenue

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3804

Staff presentation: Senta L. Costello, Associate Planner

9. **Public Hearing – Pear Park School Annexation, Located at 2927 and 2927 ½ D ½ Road** [File #GPA-2005-125] [Attach 10](#)

Resolution for acceptance of petition to annex and to hold a public hearing and consider final passage of the annexation ordinance for the Pear Park School Annexation, located at 2927 and 2927 ½ D ½ Road. The 20.42 acre Pear Park School Annexation consists of 2 parcels and is a 2 part serial annexation.

a. **Accepting Petition**

Resolution No. 131-05 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Pear Park School Annexations #1 & #2, Located at 2927 and 2927 ½ D ½ Road is Eligible for Annexation

b. **Annexation Ordinances**

Ordinance No. 3805 – An 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

Ordinance No. 3806 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Pear Park School Annexation #2, Approximately 20.19 Acres, Located at 2927 and 2927 ½ D ½ Road

®Action: Adopt Resolution No. 131-05 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinances No. 3805 and 3806

Staff presentation: Senta L. Costello, Associate Planner

10. **Public Hearing – Koch/Fisher Annexation and Zoning, Located at 2041 and 2043 Conestoga Drive** [File #ANX-2005-108] [Attach 11](#)

Acceptance of a petition to annex and consider the annexation and zoning for the Koch/Fisher Annexation. The Koch/Fisher Annexation is located at 2041 and 2043 Conestoga Drive and consists of two parcels on .744 acres. The zoning being requested is RSF-4 (Residential Single Family with a density not to exceed 4 du/ac).

a. **Accepting Petition**

Resolution No. 132-05 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Koch/Fisher Annexation, Located at 2041 and 2043 Conestoga Drive and Including a Portion of Conestoga Drive is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3807 – An 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

c. Zoning Ordinance

Ordinance No. 3808 – 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

®Action: Adopt Resolution No. 132-05 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3708 and Ordinance No. 3808

Staff presentation: Ronnie Edwards, Associate Planner

11. **Public Hearing – Schultz Annexation and Zoning, Located at 513 29 ¼ Road**
[File #ANX-2005-112] [Attach 12](#)

Acceptance of a petition to annex and consider the annexation and zoning for the Schultz Annexation. The Schultz Annexation is located at 513 29 ¼ Road and consists of one parcel on .73 acres and 1133.51 feet of North Avenue and 29 ¼ Road right-of-way. The zoning being requested is RMF-8 (Residential Multi-Family with a density not to exceed 8 du/ac).

a. Accepting Petition

Resolution No. 133-05 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the 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 is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3809 – An 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

Ordinance No. 3810 – An 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 Rights-of-Way

c. Zoning Ordinance

Ordinance No. 3811 – 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 ¼ Road

®Action: Adopt Resolution No. 133-05 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinances No. 3809, 3810, and 3811

Staff presentation: Ronnie Edwards, Associate Planner

12. **Public Hearing – Amending the Existing PD for The Glens at Canyon View Planned Development, Located at 2459 F ¼ Road** [File #PP-2004-219]

[Attach 13](#)

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.

Ordinance No. 3812 – 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

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3812

Staff presentation: Lori V. Bowers, Senior Planner

13. **Amendment #1 of the Engineering Services Contract with Carter & Burgess for 29 Road and I-70B Interchange Approval Process**

[Attach 14](#)

This amendment is for the preparation of an environmental assessment for the 1601 interchange approval process for the connection of 29 Rd to I-70B. Pending changes to the 1601 process made it difficult to originally estimate the full scope of the project without some preliminary work and meetings with CDOT.

Action: Authorize the City Manager to Approve a Contract Amendment in the Amount of \$235,392

Staff presentation: Mark Relph, Public Works and Utilities Director

14. **Purchase of Property at 758 Struthers Avenue for the Riverside Parkway Project** [Attach 15](#)

The City has entered into a contract to purchase the property at 758 Struthers Avenue from Rose M. Reed. The City's obligation to purchase this property is contingent upon Council's ratification of the purchase contract.

Resolution No. 134-05 – A Resolution Authorizing the Purchase of Real Property at 758 Struthers Avenue from Rose M. Reed

®Action: Adopt Resolution No. 134-05

Staff presentation: Mark Relph, Public Works and Utilities Director

15. **Purchase of Property at 725 Struthers Avenue** [Attach 16](#)

The City has entered into a contract to purchase the property at 725 Struthers Avenue from Martha Arcieri and Lorraine Williams. The City's obligation to purchase this property is contingent upon Council's ratification of the purchase contract.

Resolution No. 135-05 – A Resolution Authorizing the Purchase of Real Property at 725 Struthers Avenue from Martha Arcieri and Lorraine Williams

®Action: Adopt Resolution No. 135-05

Staff presentation: Mark Relph, Public Works and Utilities Director

16.*** **Change Order #2 to the Contract for the Duck Pond Park Lift Station Elimination Project** [Attach 19](#)

Approve Contract Change Order #2 for Repair/Replacement of a 24-inch water transmission line to Mendez, Inc. in the amount of \$298,379.55 to the Duck Pond Park Lift Station Elimination Project construction contract for a revised contract amount of \$2,120,759.59.

Action: Authorize the City Manager to approve contract Change Order #2 to the Duck Pond Park Lift Station Elimination Project in the amount of \$298,379.55 with Mendez, Inc. for repair/replacement of a 24-inch waterline from the north side of Duck Pond Park across Highway 50

Staff presentation: Mark Relph, Public Works and Utilities Director

17. **Sister City Request – San Pedro Perulapan** [Attach 17](#)

This is a request for the City of Grand Junction to enter into a “Sister City” relationship with the village of El Espino, San Pedro Perulapan, El Salvador, Central America.

Action: Approve a “Sister City” Relationship Between the City of Grand Junction, Colorado and the village of El Espino, San Pedro Perulapan, El Salvador, Central America Through an Organization Known as the Foundation for Cultural Exchange

Staff presentation: David Varley, Assistant City Manager

18. **Ambulance Service Provider Request for Proposals** [Attach 18](#)

On December 6, 2004 the Mesa County Board of County Commissioners (BOCC) adopted a resolution concerning the delivery of emergency medical services. The resolution became effective on January 1, 2005. The primary goal of the resolution is to formalize regulation of the primary components (ambulances and personnel) in the delivery of emergency medical services to Mesa County. The resolution provides that the City of Grand Junction may determine who and how will provide patient transport within the Grand Junction Ambulance Service Area.

Action: Authorize the RFP as Drafted and Continue with the Ambulance Service Provider Selection Process as Defined in the RFP

Staff presentation: John Shaver, City Attorney

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

20. **OTHER BUSINESS**

21. **ADJOURNMENT**

Attach 1
Appointment to the Gunnison Basin Compact Committee
RESOLUTION NO. _____

**A RESOLUTION APPOINTING AND ASSIGNING DAN VANOVER TO THE
DIVISION 4 BASIN ROUNDTABLE 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 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 Dan Vanover is appointed as the municipal representative for the municipal interests on the Division 4 roundtable. Furthermore, the City Council endorses Dan to serve as its representative on the Interbasin Compact Committee.

The City of Grand Junction is the only Mesa County municipality in the Lower Gunnison River Drainage.

Mr. Vanover has served the City as Water Supply Supervisor since 1978. Among other things, he is responsible for the continuing stewardship of the City's significant water rights, direct flow decrees and reservoir system in the Kannah Creek and Whitewater Creek watersheds. Mr. Vanover has significant hands on experience managing the water and water rights of not only the City of Grand Junction, but also of the Grand Mesa Reservoir Company and the Grand Mesa Pool.

Mr. Vanover has earned the respect of his colleagues as well as the professional staff of Water Division 4, State Engineer's Office.

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

Until further action by the City Council, Dan Vanover is appointed to the Division 4 Basin Roundtable.

PASSED and ADOPTED _____ day of _____, 2005.

Bruce Hill,
President of the Council

Attest:

Stephanie Tuin
City Clerk

Attach 2
Minutes of Previous Meetings
GRAND JUNCTION CITY COUNCIL

SPECIAL SESSION MINUTES

JULY 6, 2005

The City Council of the City of Grand Junction, Colorado met in Special Session on Wednesday, July 6, 2005 at 5:30 p.m. in the Administration Conference Room, 2nd Floor of City Hall. Those present were Councilmembers Bonnie Beckstein, Jim Doody, Gregg Palmer, Jim Spehar (arrived 5:55 p.m.), Doug Thomason and President of the Council Bruce Hill. Absent was Councilmember Teresa Coons. Also present was City Manager Kelly Arnold.

Other staff members present were City Attorney John Shaver, Assistant City Manager David Varley, and Community Development Director Bob Blanchard.

Council President Hill called the meeting to order.

Councilmember Beckstein 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 possible exchange of a portion of the City's Painted Bowl property and will not be returning to open session. Councilmember Palmer seconded the motion. The motion carried.

The City Council convened into executive session at 5:31 p.m.

Stephanie Tuin, MMC
City Clerk

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

JULY 6, 2005

The City Council of the City of Grand Junction convened into regular session on the 6th day of July 2005, at 7:07 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Jim Doody, Gregg Palmer, Jim Spehar, Doug Thomason and President of the Council Bruce Hill. Councilmember Teresa Coons was absent. Also present were City Manager Kelly Arnold, City Attorney John Shaver and City Clerk Stephanie Tuin.

Council President Hill called the meeting to order. Councilmember Doody led in the pledge of allegiance. The audience remained standing for the invocation by Jim Hale, Spirit of Life Christian Fellowship.

APPOINTMENTS

TO THE WALKER FIELD AIRPORT AUTHORITY

President Pro Tem Palmer moved to appoint John Stevens to the Walker Field Airport Authority for a 4 year term expiring May 2009. Councilmember Spehar seconded the motion. Motion carried.

TO THE INTERBASIN COMPACT COMMITTEE (RESOLUTION NO. 116-05)

Councilmember Spehar moved to adopt Resolution No. 116-05 appointing Greg Trainor as the City's representative to the Basin 5 (Colorado River) committee. Councilmember Beckstein seconded the motion. Motion carried.

Council President commended Councilmember Spehar for his efforts on water issues on behalf of the City of Grand Junction.

PRESENTATION OF CERTIFICATES OF APPOINTMENT

DOWNTOWN DEVELOPMENT AUTHORITY

Scott Howard was present to receive his certificate of reappointment for the Downtown Development Authority.

PARKS AND RECREATION ADVISORY BOARD

Dennis Teeters was present to receive his Certificate for the Parks and Recreation Advisory Board.

Jack Neckels was not present to receive his Certificate for the Parks and Recreation Advisory Board. (Mr. Neckels arrived later and received his certificate.)

CITIZEN COMMENTS

DONATION TO THE CITY FOR THE D.A.R.E. PROGRAM

Dr. Wes Sheader, New Life Chiropractic, thanked everyone for their assistance with the event (a health/safety event for children). The event raised \$1,048.99 for the D.A.R.E. program. Chief Morrison accepted the check on behalf of the City and explained what the funds will be used for and thanked Dr. Sheader and New Life Chiropractic.

RICK RIEGER REGARDING THE SMOKING ORDINANCE

Rick Rieger was not in attendance to address Council regarding the smoking ordinance.

CONSENT CALENDAR

It was moved by Council President Pro Tem Palmer, seconded by Councilmember Thomason and carried by roll call vote to approve Consent Items #1 through #13.

Council President Hill announced the public hearing for Bookcliff Veterinary Hospital was continued to August 17th and the public hearing for the zoning of the Munkres-Boyd Annexation has been continued to July 20. If there is anyone who has questions, please contact Community Development Department.

1. Minutes of Previous Meetings

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]

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

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

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

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

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

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]

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

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

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

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

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

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

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

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]

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

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

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

11. **Request to Continue Public Hearing – Zoning the Munkres-Boyd Annexation, Located at 2866 A ¾ Road** [File #ANX-2005-089]

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

12. **Design Services for the F ½ Road Improvements Project**

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 ½ Road.

Action: Authorize the City Manager to Sign a Professional Services Contract for the Design Services for F ½ Road Improvements Project with Vista Engineering Corporation in the Amount of \$133,670

13. **Street Maintenance Contract for a Section of I-70B**

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

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Public Hearing - Theobold Annexations and Zoning, 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.

The public hearing was opened at 7:21 p.m.

Lori V. Bowers, Senior Planner, reviewed this item. She reviewed the site location, surrounding zoning, the surrounding uses and the future land use designation of surrounding properties. The requested zoning of RMF-8 meets the criteria of the Zoning and Development Code and the Planning Commission recommends approval.

Tracy Moore with Construction Services was present representing the applicant and was available for questions.

There were no public comments.

The public hearing was closed at 7:24 p.m.

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

Council President Pro Tem Palmer moved to adopt Resolution No. 121-05 and Ordinance Nos. 3788, 3789, and 3790 on second reading and ordered them published. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

Jack Neckels arrived and was presented with his Certificate of Appointment for Parks and Recreation Advisory Board.

Public Hearing - Bookcliff Middle School Annexations and Zoning, Located at 2935 Orchard Avenue [File #ANX-2005-101]

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.

The public hearing was opened at 7:26 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She reviewed the site location, surrounding zoning, the surrounding uses and the future land use designation of surrounding properties. The requested zoning meets the criteria of the Growth Plan and the Zoning and Development Code and the Planning Commission recommends approval.

John Potter on behalf of the School District said he had nothing to add but could answer questions.

There were no public comments.

The public hearing was closed at 7:29 p.m.

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

Councilmember Spehar moved to adopt Resolution No. 122-05 and Ordinance Nos. 3791, 3792, 3793, and 3794 on second reading and ordered them published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Public Hearing - Beagley II Annexation and Zoning, Located at 2932 and 2938 D ½ Road [File #ANX-2005-099]

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.

The public hearing was opened at 7:31 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She reviewed the site location, surrounding zoning, the surrounding uses and the future land use designation of surrounding properties. The requested zoning meets the criteria of the Growth Plan and the Zoning and Development Code and the Planning Commission recommends approval.

Council President Hill asked if the Future Land Use Plan includes the Pear Park Plan, noting he thought it had been updated. Community Development Director Bob Blanchard responded that the plan has been updated and he will provide a copy to Council President Hill.

The applicant was not present.

There were no public comments.

The public hearing was closed at 7:33 p.m.

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

Councilmember Thomason moved to adopt Resolution No. 123-05 and Ordinance Nos. 3795 and 3796 on second reading and ordered them published. Council President Pro Tem Palmer seconded the motion. Motion carried by roll call vote.

Public Hearing – Beanery Annexation and Zoning, Located at 556 29 Road [File #ANX-2005-078]

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.

The public hearing was opened at 7:35 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She reviewed the site location, the parcel size, the Growth Plan designation and surrounding designations, the requested zoning and surrounding zoning. She said the request meets the criteria of the Growth Plan and the Zoning and Development Code and the Planning Commission recommends approval.

Council President Pro Tem Palmer asked if the annexation creates an enclave. Ms. Costello said no as the right-of-way does not count for creating an enclave.

John Morrison, a representative for the applicant, was present to answer questions.

There were no public comments.

The public hearing was closed at 7:37 p.m.

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

Councilmember Beckstein moved to adopt Resolution No. 124-05 and Ordinance Nos. 3797 and 3798 on second reading and ordered them published. Council President Pro Tem Palmer seconded the motion. Motion carried by roll call vote.

Public Hearing – Munkres-Boyd Annexation No. 1 and No. 2, Located at 2866 A ³/₄ Road [File #ANX-2005-089]

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 ³/₄ Road rights-of-way, and is a 2 part serial annexation.

The public hearing was opened at 7:38 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She reviewed the site location, the parcel size, noting it is a two-part serial annexation, and the existing uses. Ms. Costello advised that the property was used for agricultural uses years ago but has not been used for that in a number of years. The request meets the annexation criteria and the Planning Commission recommends approval.

Councilmember Doody asked for an explanation of a serial annexation. City Attorney Shaver explained the 1/6 contiguity requirements and how that is accomplished by building the new boundary with each annexation. Community Development Director Bob Blanchard showed the first annexation for this applicant that goes down the right-of-way thus creating the new boundary.

Councilmember Doody inquired if that is a flagpole annexation. City Attorney Shaver said yes.

Council President Hill clarified that the Persigo Agreement determines that annexations in the Urban Growth Boundary are required to be annexed if development is to occur.

The applicant was not present.

Kevin Elisha, 2865 A $\frac{3}{4}$ Road, disagreed that the agricultural uses have not been used recently. It has only been 1 $\frac{1}{2}$ years since the agricultural use stopped. He said it is hard to understand the contiguity as he thought the right-of-way belongs to the State Highway Department, for use as a frontage road. In the Orchard Mesa Neighborhood Plan, there is a paragraph about leapfrogging development into agricultural areas causing problems. He asked how parks will be addressed for the area and how other needs will be addressed for that area as well.

There were no other comments.

The public hearing was closed at 7:49 p.m.

Council President Pro Tem Palmer asked City Attorney Shaver to address the right-of-way issue.

City Attorney Shaver said the annexation does not change ownership, it just changes jurisdiction. The City is not taking ownership. Usually when the right-of-way is used, the surveyor avoids the traveled portion of the road but some might be included. The City has an agreement with the State for maintenance and shared roadway maintenance.

Councilmember Doody asked about the agricultural character of the area. City Attorney Shaver advised that certain findings are required for an annexation. The area must be urban or urbanizing and there must be a community of interest. He said clearly the area is urbanizing even though it had an agricultural use in the past. The second criteria, community of interest, is met by the Persigo Agreement. It is a developing area and is becoming suburban.

Council President Pro Tem Palmer noted the Persigo Agreement between the City and County that recognizes areas to be annexed and certain parcels as they develop that need to be in the City for the provision of urban services. City Attorney Shaver said also for the consistency in the planning and development process and to avoid proliferation of septic tanks.

Councilmember Spehar addressed the parks and other services question of Mr. Elisha. He said as these areas come into the City, the Council needs to begin to plan for those needs. There are some facilities at Eagle Rim Park and at the fairgrounds but as the area grows, the City needs to plan for more.

Councilmember Beckstein clarified that Council is just discussing the annexation tonight. Council President Hill agreed but noted the citizen made a comment regarding parks.

Council President Pro Tem Palmer thanked Mr. Elisha for coming forward.

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 $\frac{3}{4}$ Road and a Portion of Highway 50 and A $\frac{3}{4}$ 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

Council President Pro Tem Palmer moved to adopt Resolution No. 125-05 and Ordinance Nos. 3799 and 3800 on second reading and ordered them published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Public Hearing – Career Center Annexation, Located at 2935 North Avenue [File #ANX-2005-102]

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.

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

Senta L. Costello, Associate Planner, reviewed this item. She reviewed the site location, the parcel size, the proposed expansion, the surrounding uses, surrounding zoning, and the future land use designation of surrounding properties. The requested zoning meets the criteria of the Growth Plan and the Zoning and Development Code and the Planning Commission recommends approval.

Council President Pro Tem Palmer asked if the annexation is creating an enclave. Ms. Costello responded that it is not due to the right-of-way and areas not within the City limits surrounding the property.

Ms. Costello stated that the review tonight is just for the annexation.

Ethan Gibson, representing the School District, said the School District is building a new Career Center and once it is built they will demolish the existing building.

There were no public comments.

The public hearing was closed at 8:00 p.m.

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

Councilmember Beckstein moved to adopt Resolution No.126-05 and Ordinance No. 3801 on second reading and ordered it published. Councilmember Spehar seconded the motion. Motion carried by roll call vote.

Public Hearing - Growth Plan Amendment for the Pear Park School Site Property at 2927 and 2927 ½ D ½ Road [File #GPA-2005-125]

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

The public hearing was opened at 8:01 p.m.

Senta L. Costello, Associate Planner, reviewed this item. She identified the location and the size of the parcel. The current use is a residential home and agricultural uses in the past. The current Future Land Use designation is Residential Medium and the request is to change it to Public. Ms. Costello said staff and Planning Commission recommend approval.

There were no public comments.

The public hearing was closed at 8:03 p.m.

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”

Councilmember Thomason moved to adopt Resolution No. 127-05. Councilmember Doody seconded the motion.

Council President Hill said he was asked by the media about the Growth Plan Amendment process so he clarified that the Growth Plan change is separate from the zoning. It is important to amend the Growth Plan first, prior to considering the zoning.

Motion carried by roll call vote.

Council President Hill called a recess at 8:05 p.m.

The meeting reconvened at 8:19 p.m.

Purchase of Property at 818, 820 and 832 Struthers Avenue for the Riverside Parkway Project

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.

Mark Relph, Public Works and Utilities Director, reviewed this item. He described the location and the current business tenant. Under the City’s policy, an appraisal is obtained and the property owner can obtain a separate appraisal. Mr. Relph said the final price was negotiated after reviewing both appraisals. In addition to the purchase price, there is a relocation cost and a relocation benefit if the applicant relocates within the City limits. He said that a new relocation site has not been identified yet. The relocation benefit is an estimated amount of \$30,000 maximum. Mr. Relph stated that the relocation has a timing factor due to the nature of the business.

Councilmember Doody pointed out that the negotiated price was a happy medium. Mr. Relph concurred.

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

Councilmember Spehar moved to adopt Resolution No. 128-05. Council President Pro Tem Palmer seconded the motion. Motion carried by roll call vote.

Purchase of Property at 2507 Highway 6 & 50 for the Riverside Parkway Project

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.

Mark Relph, Public Works and Utilities Director, reviewed this item. He identified the location and what portion of the Riverside Parkway will cross the property. Council President Hill asked if this is the last piece of land needed north of the railroad tracks. Mr. Relph said yes it is.

Mr. Relph stated the City is not purchasing the entire parcel. Both parties obtained an appraisal. The two appraisals were reviewed and the price was negotiated in between. The total purchase is less than one half acre for the road structure and utilities. Closing is scheduled for July 31. Mr. Relph said the first phase of the Parkway, on the east end, is in final plan review with bids going out mid August. The groundbreaking will be October 3rd.

Councilmember Spehar asked if the utility relocations have been accomplished. Mr. Relph said yes, XCel Energy has moved those poles and one is presently in the middle of the existing 25 Road but protected by barriers.

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

Councilmember Doody moved to adopt Resolution No. 129-05. Council President Pro Tem Palmer seconded the motion. Motion carried by roll call vote.

NON-SCHEDULED CITIZENS & VISITORS

There were none.

OTHER BUSINESS

Future Workshop Agenda

City Manager Kelly Arnold referred the City Council to the Future Workshop Agenda. He asked Council to bring to him any topic for the meeting with the Chamber of Commerce on July 18th. Mr. Arnold said for the evening workshop, he proposed the workshop to have a start time of 7:00 p.m. and to reschedule the gymnasium issue to sometime in August and the Citizen Survey should be the first item discussed on July 18th. Mr. Arnold asked about Council's desire for a presentation on the Listening to Business Report. Council President Hill suggested and Councilmember Spehar agreed that it should be at a televised meeting for a public presentation. Mr. Arnold suggested thirdly for July 18th, the Downtown BID discussion (for 30 minutes) and the last item to be discussed that evening to be the storm water ordinance. Mr. Arnold said on August 1st, a continuation of the meeting with Planning Commission is at lunch and the August 1st evening will be the

Referendums forum, which will be televised with other officials. Mr. Arnold said that will put Riverside Parkway at lunch on August 15th, with the CIP budget that evening.

Councilmember Spehar suggested putting the Sister City request on a regular Council meeting (July 20) so Council can make a decision and the Communications Update will go back in the bin list.

Mr. Arnold said the Persigo meeting scheduled for August 10th will probably go for 2 hours and there will be some hearings for boundary adjustments. He said the evening on August 15th is scheduled for Budget CIP. He said lunch on September 19th will be all Economic Partners board members for a lunch discussion, keeping in mind the regular ED Partner meeting has a reschedule issue. Mr. Arnold said regarding the watershed tour in September, it will be a full 4 hour tour. He said after the lunch workshop on September 19th, they could do the tour followed by dinner at 4:30 – 5:00. He advised scheduling the Avalon discussion for October 3rd and suggested adding the Botanical Gardens to the bin list.

Upcoming Board Vacancies

City Clerk Tuin said she would set up interviews via email, regarding the board vacancies.

ADJOURNMENT

The meeting adjourned at 8:49 p.m.

Stephanie Tuin, MMC
City Clerk

Attach 3

Setting a Hearing for the Reduction of Distance Restriction for Brew Pub Liquor Licenses to College Campuses

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Reduction of Distance Restriction for Brew Pub Liquor Licenses to College Campuses					
Meeting Date	July 20, 2005					
Date Prepared	June 30, 2005				File # NA	
Author	Stephanie Tuin			City Clerk		
Presenter Name	Stephanie Tuin John Shaver			City Clerk City Attorney		
Report results back to Council	X	No		Yes	When	
Citizen Presentation	X	Yes		No	Name	Jim Jeffryes
	Workshop	X		Formal Agenda		Consent X Individual Consideration

Summary: State law requires five hundred feet, using direct pedestrian access, from the property line of a school to the liquor-licensed premise; however, the law also allows local jurisdictions to reduce that distance for a certain class of license for one or more types of schools. In 1987, the Grand Junction City Council reduced the distance for full service restaurant licenses from college campuses to 300 feet and then in 2004, the City Council eliminated the distance restriction from college campuses to full service restaurant licenses. The City Council has now been requested to consider reducing the distance restriction from college campuses to brew pub liquor licenses.

Budget: There is no cost other than that of processing an ordinance. A change to the ordinance may result in additional liquor licenses in the vicinity of Mesa State College.

Action Requested/Recommendation: Adopt ordinance on first reading and set a hearing for August 3, 2005.

Attachments:

1. Letter from Jim Jeffryes requesting Council consideration
2. Map of the area affected
3. Measurement of Distance Map
4. Proposed Ordinance

Background Information: Mr. Jim Jeffryes has leased the old Prime Cut Restaurant just north of Mesa State College Campus on 12th Street and is asking the City Council to reduce the distance restriction so that a brew pub liquor license can proceed through the licensing process.

State law, 12-47-313(1)(d)(II), C.R.S., provides that the distance is measured “by direct measurement from the nearest property line of the land used for school purposes to the nearest portion of the building in which liquor is to be sold, using a route of direct pedestrian access.” State Liquor Code Regulation 47-326 further clarifies that it is “measured as a person would walk safely and properly, without trespassing with right angles at crossings and with the observance of traffic regulations and lights.”

Any change to the distance will affect all locations in the City where a principal campus of a college, university or seminary exist. At present, there are no other principal college campuses.

The Liquor Code defines a brew pub as a retail establishment that manufactures no more than 1,860,000 gallons of malt liquor on-premises per year. The manufactured beer can be sold by the drink on the premises or sold in sealed containers for off-premise consumption (sometimes referred to as “growlers”) or to independent wholesalers or distributors. Only 15% of the gross annual income from on-premises business needs to be from food; hotel-restaurant liquor licenses require 25% food. The Zoning and Development Code requires on-premise consumption liquor establishments to go through the Conditional Use Permit process unless the food service accounts for at least 75% of the annual revenue.

Although Mr. Jeffryes represents that his brew pub will be run like a restaurant, any change made by the City Council would affect any subsequent license at this location with very little review (liquor licenses can be transferred to new owners and the new owner would only need to comply with the minimum requirements) or any additional brew pub licenses in that vicinity.

Currently hotel-restaurant liquor licenses are allowed immediately adjacent to the college. Existing food establishments in the immediate vicinity of the college are all listed below. Mr. Jeffryes is proposing a brew pub license at the former Prime Cut location. Measurement is defined as how a pedestrian would legally walk, using crosswalks. The measurements are approximate using the GIS system; only an on ground survey could determine the exact distance.

1. Chopstix Chinese Restaurant, 1029 North Ave - 342 feet
2. Blackjack Pizza, 1059 North Ave – 468 feet
3. Steaming Bean Coffee House, 1059 North Ave – 468 feet
4. Kentucky Fried Chicken, 1111 North Ave – 535 feet
5. Diorios Pizza, 1125 North Ave – 457 feet
6. El Tapatio, 1145 North Ave – 281 feet
7. Arby’s, 1155 North Ave – 226 feet
8. McDonalds, 1212 North Ave – 343 feet
9. Taco John’s, 1122 N. 12 St - 241 feet
10. Higher Grounds Coffee Shop, 1230 N. 12th St. – 332 feet
11. Papa Kelsey’s & Fred, 1234 N. 12th St - 133 feet

12. Subway, 1840 N. 12th St – 200 feet
13. (Formerly) Prime Cut, 1960 N. 12th St – 372 feet (the applicant states 340 feet)
14. Higher Grounds & Biscotti Lounge, 936 North Ave – 297 feet

A map showing the locations of the listed properties is attached.

Jim Jeffryes
ROSCO'S INC.
2683 Del Mar Drive
Grand Junction, CO 81506
(970) 201-6781

June 7, 2005

Grand Junction City Council
c/o Bruce Hill, Mayor
250 N 5th Street
Grand Junction, CO 81501

RE: Amendment of City Code No. 4-52

Dear Mayor Hill and City Council members:

Our company has leased the old Sirloin Stockade/Prime Cut Restaurant at 1910 N 12th Street and would like to open a brew pub at that location. Using the GIS system, we have calculated that the distance from our building to the parking lot owned by Mesa State College at the northwest corner of the intersection of 12th Street and Orchard Avenue is 340 feet.

I am writing this letter to request that the Grand Junction City Council amend City Code 4-52, which requires that the premises of a brew pub licensed establishment be at least 500 feet from the principal campus of a college or university. Specifically, I request that this distance be reduced to 300 feet or less.

We feel that there are several reasons which support the reduction from 500 feet to 300 feet for a brew pub. First, this issue was presented to the City Council regarding a hotel/restaurant liquor license last year by the owners of El Tapitio Restaurant located at 1145 North Avenue. This restaurant is located directly across the street from Mesa State College on North Avenue. At that time the City Council approved a reduction from 300 feet down to 0 feet for a hotel/restaurant license. It should also be noted that in 1987, the City Council reduced the distance between full-service restaurant licenses to college campuses from 500 feet to 300 feet. Based on this precedent, we feel it is appropriate that the distance between a college campus and a brew pub be reduced down to 300 feet.

Although the distance requirement for a hotel/restaurant liquor license was reduced to zero last May, we recognize that a brew pub license is different because it manufactures beer and is able to distribute beer to wholesale or retail accounts. However, we intend to operate a restaurant that serves freshly prepared foods at very affordable prices and to operate our small brewery to serve unique and fresh beer using our own recipes. We do not have any plans to distribute our beer to wholesale or retail accounts. In fact, our business plan goal is 18% of total

Grand Junction City Council
June 7, 2005
Page 2

sales in beer and 5% in wine. Our hours of operation will be 11 a.m. to 10 p.m., so there will be no late night activity to disturb the surrounding neighborhood.

The great location of our restaurant provides a tremendous opportunity for a successful lunch business. Liquor sales during lunch will be almost non-existent. Dinner sales are not projected to be as strong as lunch time, but that is the period of time when we will sell more beer and wine. In addition, because we will not be open late-night, beer and wines sales overall will be low. Based on our business plan, we anticipate that we will be operating more like a traditional restaurant instead of a brew pub. Although we are located in close proximity to the college, we plan to vigorously card young people to insure they are over 21 and to monitor consumption and behavior of our clientele to insure that we do not serve anyone who might be visibly intoxicated. Generally speaking, our business plan is not to draw a large number of college students or other young people who are interested primarily in drinking. Rather, we expect our market to be those persons who want to have a specialty beer with a meal.

In the alternative, we request that the City Council make a determination that our business premises are located more than 500 from the principal campus of Mesa State College based on the method by which this measurement is calculated. Pursuant to the Colorado Division of Liquor/Tobacco Enforcement Regulation 47-326, the distance between a principal campus of any college or university and the premises where liquor is sold is to be computed by direct measurement from the nearest property line of land used for school purposes to the nearest portion of the building in which malt, vinous or spiritous liquors are to be sold using a route of direct pedestrian access.

We submit that the parking lot at the southwest corner of 12th and Orchard, while legally owned by Mesa State College, is not used for school purposes. Rather, it is actually used as a transfer station by Grand Valley Transit. Because this area is not being used by Mesa State College for school purposes, the closest area being used by the college for school purposes is the tennis courts lying to the west of the GVT parking lot. This distance is more than 500 feet. Thus, as it relates to a specific brew pub license, we feel that we would qualify under that criteria. In the event that the City Council does not approve our request to reduce the minimum distance between the premises of a brew pub and the principal campus of a college or university to 300 feet, we ask that the Council make a factual determination that our building is more than 500 feet from the nearest area of its property actually being used by Mesa State College and that my client qualifies for a brewpub license.

In summary, we believe that our request is reasonable for the following reasons:


1. Our location's distance from college buildings is nearly 1000 feet
2. The parking lot of the college closest to our access is actually used for Grand Valley Transit as a transfer station, not actual college use

Grand Junction City Council
June 7, 2005
Page 3

3. We are a neighborhood business with our success closely tied to being good neighbors and serving the best products that we can make
4. We manufacture beer only for restaurant purposes, not to distribute
5. We are providing a full-service restaurant in an area that is underserved . . . ½ mile to any full service restaurant from our neighborhood
6. Our affordable prices fit the college community and the local customers we will attract for lunch and dinner

Please consider our request and approve a change to the City Code 4-52 that will allow us to establish our business at this landmark location. In the alternative, make a factual determination that my client qualifies for a brewpub license at its intended location under the current criteria.

Sincerely,


Jim Jeffryes

cc: Mark Luff, Esq.
Stephanie Tuin, City Clerk

Parcel Search & Roadmap

Total: 355.14 FEET Segment: 71.25 FEET

Zoom to Area...

978
1935 N 12TH ST

971
001 N 12TH ST

109
1910 N 12TH ST

113
168

N 12TH ST

ORCHARD AVE

923
1040 MESA AVE

026
1840 N 12TH ST

Mesa County, Colo

2005 BW
Measure Totals cleared.

LEGEND MAP LAYERS

MAP LAYERS

- All Layers
 - Property Information
 - Parcel Lines
 - Parcel Numbers
 - Arbitrary Blocks
 - Map Features
 - Transportation
 - Roads
 - State Highways
 - Railroad
 - Incorporated Areas
 - Buffer Zones
 - Facilities
 - Survey Lines
 - Waterways
 - Public Lands
 - Ortho Photos
 - 2005 BW
 - 2003 CIR
 - 2001-2002 Color
 - 2001 BW
 - 1997 Color
 - 1994 BW
 - 1966 BW
 - 1954 BW
 - Shade Relief

Refresh Map

http://mcgis.co.mesa.co.us/website/assessor/viewer.htm?ActiveLayer=16&Query=PARCEL_NUM%3D%222945-122-00-109%2... 6/8/2005

Parcel Search & Roadmap

Total: 738.75 FEET Segment: 640.2 FEET

Zoom to Area...

LEGEND

MAP LAYERS

- All Layers
- Property Information
 - Parcel Lines
 - Parcel Numbers
 - Arbitrary Blocks
- Map Features
 - Transportation
 - Roads
 - State Highways
 - Railroad
 - Incorporated Areas
 - Buffer Zones
 - Facilities
- Survey Lines
- Waterways
- Public Lands
- Ortho Photos
 - 2005 BW
 - 2003 CIR
 - 2001-2002 Color
 - 2001 BW
 - 1997 Color
 - 1994 BW
 - 1966 BW
 - 1954 BW
 - Shade Relief

Refresh Map

Mesa County GIS.

2005 BW
Measure Totals cleared.

http://mcgis.co.mesa.co.us/website/assessor/viewer.htm?ActiveLayer=16&Query=PARCEL_NUM%3D%222945-122-00-109%2... 6/8/2005

Parcel Search & Roadmap

Total: 708.83 FEET Segment: 755.59 FEET

Mesa County GIS.

2005 BW
Measure Totals cleared.

Zoom to Area . . .

LEGEND MAP LAYERS

MAP LAYERS

- All Layers
- Property Information
 - Parcel Lines
 - Parcel Numbers
 - Arbitrary Blocks
- Map Features
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 - Roads
 - State Highways
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Refresh Map

http://mcgis.co.mesa.co.us/website/assessor/viewer.htm?ActiveLayer=16&Query=PARCEL_NUM%3D%222945-122-00-109%2... 6/8/2005

Mesa State College and Vicinity

Formerly Prime Cut

Mesa State

Subway

Papa Kelsey's

Taco John's

Higher Grounds

Chopstix

KFC

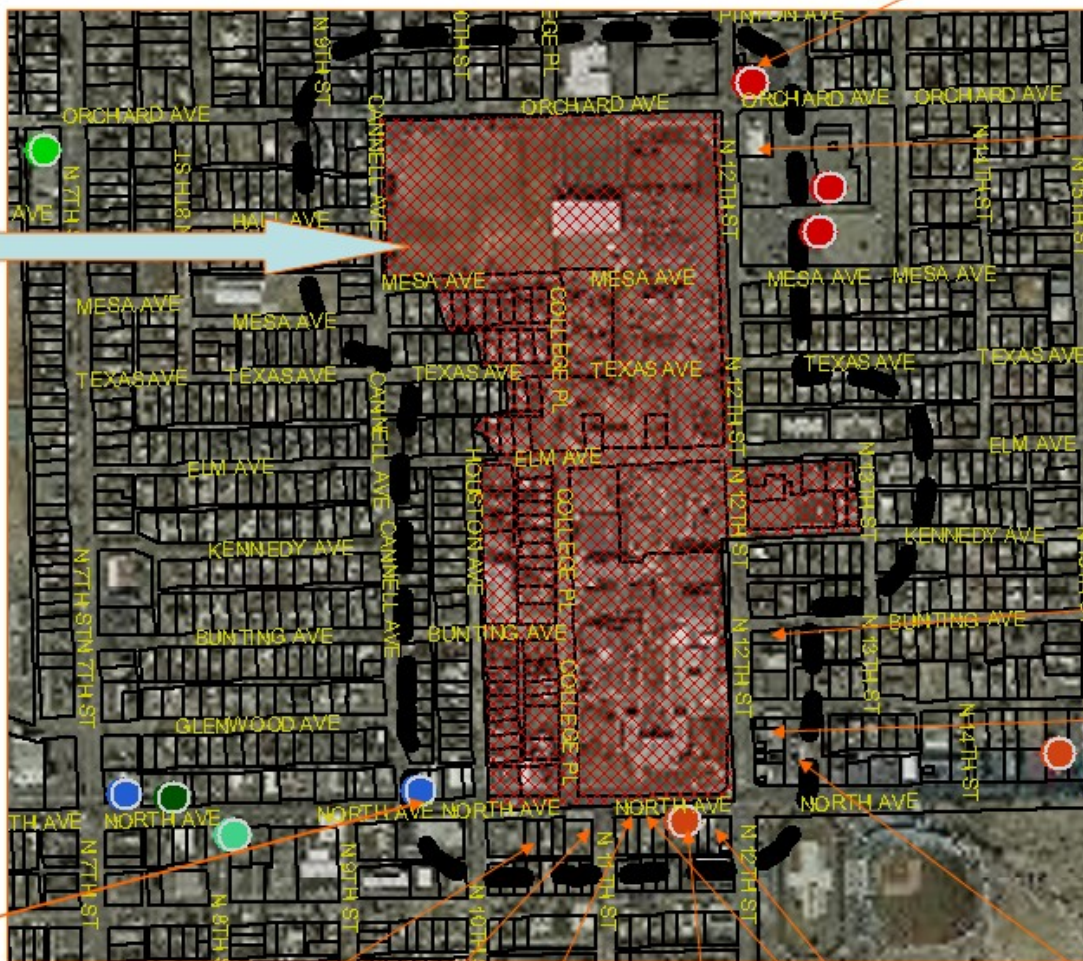
El Tapatio

Arby's

McDonald's

Blackjack/Coffee House

Dioiros





Distance Measurement

MSC Parking Lot

Ordinance No. _____

An Ordinance Amending Section 4-52 of the Grand Junction Code of Ordinances Reducing the Distance a Brew Pub Liquor Licensed Premise Must Be from the Principal Campus of a College or University in the City of Grand Junction

Recitals.

12-47-313 (1)(d)(I) C.R.S. requires any building where the malt, vinous, or spirituous liquor is to be sold to be located at least five hundred feet from any public or parochial school or the principal campus of any college, university or seminary.

12-47-313 (1)(d)(III) C.R.S. provides that "The local licensing authority of any city and county, by rule or regulation, the governing body of any other municipality, by ordinance and the governing body of any other county, by resolution, may eliminate or reduce the distance restrictions imposed by this paragraph (d) for any class of license, or may eliminate one or more types of schools or campuses from the application of any distance restrictions established by or pursuant to this paragraph (d)".

In 1987, the City Council of the City of Grand Junction, after a properly noticed public hearing, adopted Ordinance No. 2367 which reduced the distance a hotel and restaurant liquor licensed establishment must be from the principal campus of a college or university to 300 feet. Subsequently in 2004, the City Council adopted Ordinance No. 3620 which reduced the distance for a college campus down to zero for hotel-restaurant liquor licenses.

The City Council considered a reduction of distance required between brew pub liquor licenses and the principal campus of colleges and universities and has established the required distance as provided with this ordinance.

NOW, THEREFORE, BE IT ORDAINED THAT:

Under the provisions of 12-47-313 (1)(d)(III) C.R.S., the distance that a brew pub liquor licensed premises must be separated from the principal campus of a college or university in the City of Grand Junction is reduced from 500 feet to 300 feet. The distance shall be determined in accordance with 12-47-313 (1)(d)(II) C.R.S. and Colorado Liquor Regulation 47-326.

Introduced on first reading and ordered published this _____ day of _____, 2005.

Passed on second reading and order published this _____ day of _____, 2005.

ATTEST:

City Clerk

President of the Council

Attach 4

Setting a Hearing for the Formation of Downtown Grand Junction Business Improvement District

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Formation of Downtown Grand Junction Business Improvement District					
Meeting Date	July 20, 2005					
Date Prepared	July 14, 2005				File #	
Author	Stephanie Tuin		City Clerk			
Presenter Name	Stephanie Tuin John Shaver		City Clerk City Attorney			
Report results back to Council		No		Yes	When	
Citizen Presentation		Yes	<input checked="" type="checkbox"/>	No	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda			Consent <input checked="" type="checkbox"/> Individual Consideration

Summary: The Downtown Grand Junction Business Improvement District group has turned in petitions which represent more than 50% of the property owners in the proposed Business Improvement District. At the hearing, the City Council will determine if the petitions were signed in conformity with the law and if the District should be formed. The City Council may exclude property from the district as allowed by statute or if it deems it to be in the best interest of the District. Once the Improvement District is formed, the petition group has asked that Council set a special election for November 1, 2005 for a ballot question on a special assessment and authorizing the retention of all revenues (de-Brucing).

Budget: The District representatives have remitted a check to cover the costs of forming the District. By statute, the group is required to cover all expenses connected with the proceedings.

Action Requested/Recommendation: Set a public hearing to consider an ordinance that will create the Downtown Grand Junction Business Improvement District.

Attachments:

1. Map of the proposed district
2. Proposed Operating Plan and 2006 Budget
3. Proposed Ordinance

Background Information: On June 22, 2005, and subsequently on July 5 and July 12, 2005, the City received petitions representing the Downtown Grand Junction Business Improvement District group. In all, the City received 135 petition sections.

The total acreage being proposed for the district is 69.332 acres, with a valuation of \$24,067,310. Petitions were submitted to the City that represent 35.569 acres, valued at \$15,139,980. The law requires that the petitions must represent more than 50 percent of both the property and of the valuation. The petitions appear to represent 51.30% of the property and 62.91% of the valuation.

The proposed ordinance will form the district and adopt the proposed operating plan and budget. The ordinance also designates the Grand Junction City Council as the initial board of directors. The City Clerk as the secretary to the District can then conduct the election being requested for the special assessment.

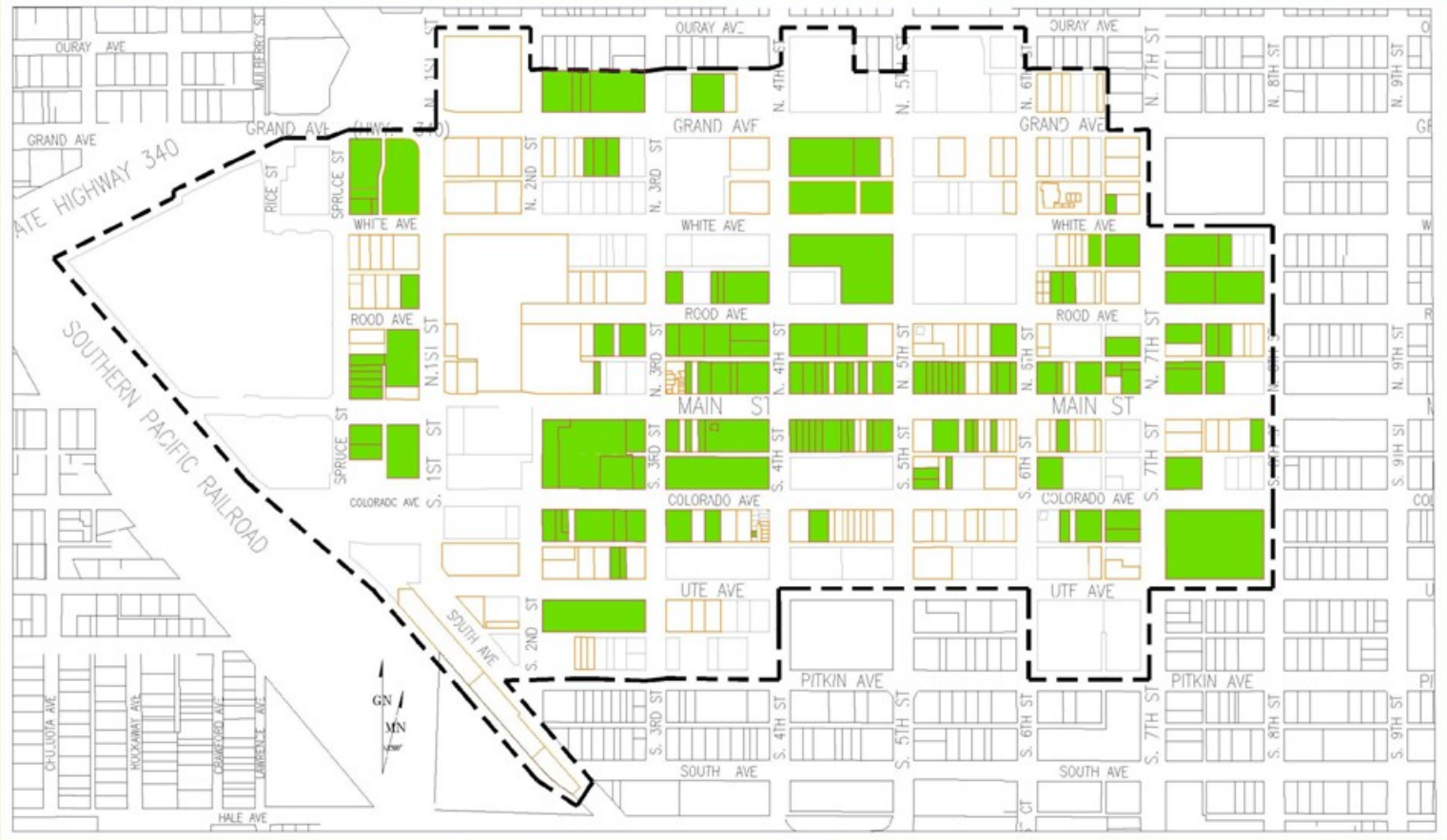
The proposal also calls for the Business Improvement District to expire in ten years unless renewed.

The City Clerk will publish a notice and mail by certified mail to all affected property owners a notice of the hearing. If approved at second reading the City Clerk will file the ordinance with the County Assessor.

The District proposers have suggested that after the election, the City Council, by ordinance, designate the Downtown Development Authority board of directors as the District board.

PROPOSED BUSINESS IMPROVEMENT DISTRICT

Grand Junction



Included in BID Signed Petition

Map prepared by: [Illegible]
Date: [Illegible]
Scale: [Illegible]

DOWNTOWN GRAND JUNCTION BID OPERATING PLAN AND BUDGET

I. SUMMARY

The Downtown Grand Junction Business Improvement District (BID) is designed to improve the economic vitality and overall commercial appeal of the Downtown area. The BID will provide programming and benefits to businesses and commercial properties located Downtown that will include marketing, promotions and special events. BID services will be in addition to the services in the Downtown area currently provided by the City of Grand Junction. BIDs help improve image, increase sales, occupancies and property values and attract new customers and businesses in commercial districts and downtowns throughout Colorado and the country. Here are the main characteristics of the BID:

Name: Downtown Grand Junction Business Improvement District

Proposed Boundaries: The proposed BID boundary generally encompasses the commercial property within the Downtown area bounded by US Highway 340 and Crosby Avenue on the west, 8th Street on the east, Grand Avenue on the north and Ute Avenue on the south. The proposed boundary encompasses the B-1 and B-2 zone. A map of the proposed BID boundary is attached.

BID Programs: Based upon public forums, written surveys and individual interviews with downtown property and business owners, the BID would perform the following functions:

Downtown Marketing and Promotions:

- Public relations to project a positive image
- Collaborative advertising
- Production and packaging of marketing materials including Downtown map, directory, web site
- Newsletter and other district communications
- Market research & Downtown stakeholder surveys

Special Events:

- Festivals and street fairs
- Themed, historical events
- Ongoing events programming

Budget: Total proposed budget for the first year of operation (2006) will be approximately \$150,000.

Cost: The principle source of financing for the BID - totaling approximately \$125,000 - will be based upon a special assessment on commercial property located within the BID boundary. Additionally, the BID will seek voluntary contributions of approximately \$25,000 from the City of Grand Junction and Mesa County.

Special

Assessments:

Special assessments will be based upon a combination of commercial land area and first floor commercial building square footage. By law, any property that is within the BID Boundary but is classified for assessment by the County Assessor as residential or agricultural is not subject to the revenue raising powers of the BID and so will not be assessed by the BID. In order to allocate the costs of the services to be furnished in a way that most closely reflects its benefits, there will be two special assessment rates applied:

- Properties fronting Main Street (from 1st to 7th Avenues), as the central retail spine of Downtown, will benefit most from BID programs and will pay a higher assessment rate than properties off Main Street.
- A lower rate of assessment shall be imposed on properties off Main Street.

The proposed assessment rate is as follows:

	Per sq.ft. of Lot	Per sq.ft. of main floor of building
Properties located on Main Street	\$.026	\$.076
Properties located off Main Street	\$.019	\$.057

- Term:** A term of ten (10) years is recommended for the Downtown Grand Junction BID, but the BID may be renewed for additional terms in the future.
- City Services:** A base level of services agreement between the BID and the City of Grand Junction will outline the City's current level of services in Downtown, as the City will maintain its existing services in Downtown. BID services will be *in addition to* any City services currently provided downtown.
- District Formation:** The formation of a BID in Colorado requires submission of petitions from owners of real and personal property representing more than 50% of total acreage and assessed value within the district, a public hearing and a City Council ordinance forming the BID.
- Financial Approval:** In order to allow for a BID assessment, a majority of qualified electors within the proposed district who actually vote must approve the assessment in an election to be held in November 2005.
- Governance:** The BID will be governed by the nine-member board of the Downtown Development Authority (DDA), whose board members shall continue to be appointed by the Grand Junction City Council in accordance with the DDA governing documents and City appointment policies. The DDA will request that appointments continue to represent different geographic areas of the BID, small and large businesses and a variety of uses such as office, retail, restaurants and services.
- Dissolution:** The BID may be dissolved if property owners representing more than 50% of total acreage and assessed value within the District submit petitions to dissolve it, or if the BID fails to submit an operating budget to City Council for two successive years.

II. WHY FORM A BID?

There are several reasons why now is the right time to form a Business Improvement District in Downtown Grand Junction:

- **Increase Sales, Occupancies and Property Values:** More than 1,000 BIDs have been formed throughout North America and are acknowledged as a critical ingredient in Downtown revitalization. BIDs are proven to work by funding improvements and services that enhance the overall vitality of a business district. Success is measured by higher occupancies, sales and property values. Nationally, the BID renewal rate is 99%.
- **Strengthen Downtown Grand Junction's Competitiveness in the Regional Marketplace:** The BID supports a results-oriented set of programs that will produce both short-term and long-term tangible improvements. These improvements and services will help accelerate efforts to attract and retain consumers, visitors, new businesses and investment to Downtown.
- **Create a Reliable Source of Funding for Downtown:** A three-year funding commitment to support Downtown marketing and special events from the City of Grand Junction sunsets at the end of 2005. A BID will provide a reliable, multi-year source of funding to ensure these programs can continue to showcase and benefit Downtown.
- **Leverage Positive Changes in the Downtown commercial core:** There are exciting changes in Grand Junction – with new businesses and investment creating an eclectic and exciting business mix, Downtown Grand Junction is experiencing a renaissance. The BID will help to ensure that the benefits of the new investment and energy will be spread throughout Downtown.
- **Broaden Private Sector Control and Accountability:** The Downtown Grand Junction BID will be governed by a board of district property and business owners. Annual BID work plans and budgets will be developed by the board, ensuring that the BID will be directly accountable to those who pay an assessment. New programs will be subject to private sector performance standards and controls.
- **Create a Unified Voice for Downtown Grand Junction:** A BID will help broaden the foundation for developing a viable and unified private sector voice for the Downtown business district. A BID will unify and enhance the efforts of the Downtown Association (DTA) and the Downtown Development Authority (DDA).

III. PROCESS TO CREATE THE BID OPERATING PLAN

The Plan for creating a BID for Downtown Grand Junction is the result of a community process in which more than 100 Grand Junction area property and business owners have participated between the fall of 2004 and the winter of 2005. The Downtown Grand Junction Partnership, an alliance of the Downtown Development Authority and the Downtown Association, retained the consulting firm of Progressive Urban Management Associates (P.U.M.A.) to determine the feasibility of forming a BID. Key steps of the process included:

- **BID Steering Committee:** To guide the consultant team and test the viability of the BID concept, a Steering Committee composed of district property owners and business owners was created. A roster of the Steering Committee is provided as an attachment to this document.
- **One-On-One Meetings with Key Property Owners:** A series of one-on-one meetings were held with business and property owners in the BID study area.
- **Stakeholder Focus Groups:** To involve Downtown property and business owners in the design and development of the plan, three stakeholder focus groups were held in January, 2005. The focus groups included a survey designed to assess service priorities and whether there was an appetite to support various BID improvements and activities.
- **Direct Mail Survey:** A direct mail survey was sent to property owners within the Downtown Grand Junction BID study area in January, 2005. Sixty-five (65) surveys were returned providing additional input for the design of the BID work plan.
- **Plan Review Workshops/Final Plan:** The draft BID work plan and budget were reviewed by the BID Steering Committee and then presented Downtown property and business owners in two workshops held in early March, 2005. Input from the workshops and Steering Committee led to the completion of the final plan.

Top community priorities that emerged from nearly 100 surveys completed by participants in one-on-one meetings and focus groups and respondents to the mail survey included:

- Marketing & Promotions
- Special events

IV. DOWNTOWN GRAND JUNCTION BID OPERATING PLAN

As determined by area property and business owners, the top priorities for improvements and activities within the Downtown Grand Junction BID study area include:

- Marketing and promotions to increase Downtown's image as a destination and increase the consumer draw into Downtown.
- Special Events including continuing and improving existing events and potentially adding others as appropriate and/or relevant.

Based upon these findings, the BID programs recommended in Downtown include consumer marketing, promotions and special events -- programs currently managed by the Downtown Association (DTA). If the BID is formed, it will manage these programs with creative input from the DTA. The following narrative provides recommendations for the first operating year of the BID. The Board may amend program activities in subsequent years within the general categories authorized by state law and in the approved annual operating plan and budget. Final programs and budgets will be subject to the annual review and approval of the BID Board of Directors.

BID PROGRAMS

It is recommended the BID programming build and expand upon the marketing initiatives and special events the DTA has established in recent years.

Marketing and Promotions: Initiatives are recommended to enhance the overall image and marketability of Downtown Grand Junction to attract a wide array of consumers and promote Downtown shops, restaurants, night clubs and other attractions. The BID Board of Directors will set annual priorities for marketing projects. Options include:

- ***Public relations*** to raise regional awareness of Downtown and its unique restaurants, shops, and attractions.
- ***Map and Directory*** to help consumers find their way around Downtown and to locate specific venues.
- ***Collaborative Marketing*** among the various merchants and vendors Downtown in order to leverage marketing funds and resources.
- ***Downtown website*** that maintains current information on Downtown businesses, special events and contact information for Downtown personnel and services

- **Market research** to better understand who is shopping in Downtown Grand Junction and what shops, services, restaurants and events are gaining the biggest consumer draw.
- **Communications** including the publication of a periodic newsletter and annual stakeholder surveys to determine the overall satisfaction with and effectiveness of BID programs.

Special Events: Special events and promotions that bring focus and attention to Downtown are encouraged to continue and perhaps expand. Existing successful Downtown special events include:

- Farmer's Market
- Art and Jazz Festival
- Parade of Lights

In order to keep special events fresh and meaningful, it is recommended the BID evaluate current special events and make adjustments as necessary. Recommendations include:

- Conduct a comprehensive review of current special events to determine which are the most successful and relevant.
- Determine if any special events need to be updated or eliminated.
- Solicit input from Downtown restaurants, retailers and other stakeholders for ideas and feedback regarding specific special events.
- Conduct a periodic audit of special events to make sure they meet intended goals such as income generation, seasonal celebration, Downtown awareness, etc..,

BID Operations: In order to manage and implement the preceding marketing and events programming, the BID Board of Directors may engage professional staff support in a variety of ways, including employing marketing and events professionals as full time staff members, part time staff or contracting marketing functions to private firms.

V. BID BUDGET

The proposed annual BID budget is approximately \$150,000, to be raised through a combination of financing sources including:

- Special assessments upon commercial property located within the boundaries of the BID totaling approximately \$125,000
- A voluntary or “fair share” contribution from the City and the County totaling \$25,000.

The Budget includes provisions for defraying the costs of collecting the special assessments and other expenses normally associated with special assessment processes. The proposed breakdown is as follows:

Bonds: The BID shall be authorized to issue bonds at the discretion of, and in such amounts as may be determined by, the BID Board of Directors, and subject further to the approval of a majority of BID electors at an election called for the purpose of authorizing such bonds.

Fees and Charges: Although the current budget and operating plan do not contemplate imposing rates and charges for services furnished or performed, the BID shall be authorized to impose and collect reasonable fees and charges for specific services as determined by the BID Board of Directors. There are no plans to impose any additional fees and charges beyond the annual BID assessment at this time.

Vendor’s Fees: Because sales-tax generating businesses will likely be the primary beneficiary of Downtown marketing efforts, the BID may elect to request business owners within its boundary to contribute all or part of their vendor’s fees to the BID.

VI. ASSESSMENT METHODOLOGY

Under Colorado statutes, business improvement districts can generate revenues through several methods, including charges for services rendered by the district, fees, taxes, special assessments, or a combination of any of these. In order to allocate the costs of the services to be furnished by the BID in a way that most closely reflects the benefits conferred upon the businesses and commercial properties in the BID, the BID has elected and shall be authorized to determine, impose and collect the following:

Special assessments based upon commercial land and first floor commercial building square footage.
An annual City and County contribution.

The ***special assessment methodology*** is intended to equitably address the intended benefits to Downtown based upon real property characteristics to achieve the following:

BID services will improve overall image and marketability of properties throughout the entire area of the BID, leading to increased occupancies and values. Land square footage is utilized as an assessment variable to distribute the anticipated benefit to property resulting from these services.

First floor building square footage is assessed at a higher rate than land. The first floor of real property is expected to benefit from image enhancement activities that increase occupancies and sales, particularly from retail related uses.

Second floor and higher building square footage is omitted from the special assessment because these spaces do not provide the same level of economic return as first floor spaces and are less likely to be occupied by retail related uses.

Commercial property fronting Main Street is assessed at a higher rate than commercial properties off Main Street. Properties and businesses on Main Street stand to gain more from the BID programs as Main Street is landscaped and streetscaped, receives City parks maintenance services, and is the retail core of Downtown. Marketing efforts will benefit Main Street more than other areas within the BID.

City/County Contribution: The BID will ask the City and County to make a “fair share” contribution whereby the City and County pay an amount approximately equal to that which would be assessed on City and County owned properties (excluding public parking lots).

The following assessment methodology is applied to a database of Downtown properties that has been assembled by the Downtown Development Authority utilizing data supplied by the Mesa County Assessor. Estimated assessment rates on real property for the first operating year of the BID are:

	Per sq.ft. of Land	Per sq.ft. of main floor of building
Properties located on Main Street	\$.026	\$.076
Properties located off of Main Street	\$.019	\$.057

Annual Adjustments: Upon its organization, the BID will conduct the public process required by state law to consider the desirability of and the need for providing the services and improvements and imposing the assessments, and determining the special benefits to be received by the properties to be

assessed. In order to provide adequate funding for the costs of providing its services and improvements in the future, the BID shall be authorized to increase the rates of assessment set forth above not more than five percent (5%) each year, on a cumulative basis. The assessment will be collected by the Mesa County Treasurer pursuant to an agreement to be entered into by between the BID and Treasurer's Office.

VII. BID GOVERNANCE AND PROGRAM MANAGEMENT

The BID is intended to provide the lasting foundation for an enduring and unified private sector voice in Downtown. The BID governance and program management structure will meet the following objectives:

Avoid duplication and fragmentation among public and private sector organizations and to promote and improve Downtown Grand Junction.
Leverage limited personnel and administrative resources and create cost-efficiencies for new service programs.
Strengthen Downtown Grand Junction's influence for advocating common issues and interests.

Simplify and Unify: Throughout the process to develop the BID operating plan, property and business owners have voiced that the BID should aim to help simplify and unify Downtown's existing organizations. These include the Downtown Development Authority (DDA), a quasi-governmental agency that can design, plan and develop "bricks and mortar" improvements, and the Downtown Association (DTA), a 501(c)6 non-profit membership organization that creates and carries out marketing and special event programming.

To meet the goal of "simplifying and unifying" Downtown's organizations, the BID will utilize a Colorado BID statute option that allows the DDA board to also serve as the BID board. The DTA will continue to provide creative input into the development and implementation of marketing and events, and with its non-profit structure, will provide a conduit for grants, sponsorships and membership dues.

BID Board of Directors: The Colorado BID statute states that if more than one-half of the property of the BID is also located within a Downtown Development Authority (DDA), the DDA Board can constitute ex-officio the board of directors of the BID. It is recommended the nine member Grand Junction DDA Board constitute the BID Board. DDA board members shall continue to be appointed by the Grand Junction City Council in accordance with the DDA governing documents and City appointment policies. The DDA will request that appointments continue to represent different geographic areas of the BID, small and large businesses and a variety of uses such as office, retail, restaurants and services.

Serving as the BID board of directors, the DDA board would have the following responsibilities related to the BID:

- Prepare and file the annual BID budget in accordance with state legal requirements and ensure compliance with other state laws.
- Provide direction and coordination in carrying out BID funded improvements and services.

On the DDA board, different business sectors should be represented, including office, retail, restaurants and services, small and large property and businesses owners, and all geographic areas served by the BID, including Main Street, north of Main Street and south of Main Street.

VIII. CITY SERVICES

A base level of services agreement between the BID and the City of Grand Junction will outline the City's current level of services in Downtown. BID services will be *in addition to* any City services currently provided downtown.

IX. TERM

The BID will sunset ten (10) years after it begins operations in 2006, unless extended beyond such term by petitions meeting the requirements of current (*i.e.*, 2005) state law for organization of a new business improvement district in the BID, approved by the City Council.

2005-2006 BID Budget

Revenue

BID Assessments	\$125,000
City/County Contribution	\$ 25,000
Other Revenues	\$ 5,000
Interest	\$ 500
Total	\$155,500

Expenditures

<i>Program Services:</i>	
Marketing, Promotions, Events	\$140,000
<i>Administrative:</i>	
Accounting, Assessment Collections, Legal Miscellaneous	\$10,000
Total	\$150,000
Ending Fund Balance	\$5,500

Proposed Business Improvement District

(District Includes Only Commercial Property)



PUBLISHED MARCH 17, 2005

Attachment

DOWNTOWN GRAND JUNCTION BID STEERING COMMITTEE ROSTER

Brunella Gualerzi
Doug Simons
Karen Vogel
Scott Howard
PJ McGovern
Karen Hildebrand
Harold Staf

ORDINANCE NO.

**AN ORDINANCE CREATING AND ESTABLISHING
THE DOWNTOWN GRAND JUNCTION BUSINESS IMPROVEMENT DISTRICT AND
APPROVING AN OPERATING PLAN AND BUDGET THEREFOR**

Recitals:

On July 20, 2005, the City Council of the City of Grand Junction was presented with petitions from the Downtown Grand Junction Business Improvement District organizing committee requesting formation of a business improvement district.

Upon review of the petitions and signatures thereon, it appears that the petitions meet the requirements of the *Business Improvement District Act*, Part 12 of Article 25 of Title 31, of the Colorado Revised Statutes.

The formation of the district will provide continuing, dedicated resources to promote business activity in the area by improving the economic vitality and overall commercial appeal of the Downtown area.

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

Section 1. Upon consideration of the petitions requesting the formation of the Downtown Grand Junction Business Improvement District, the Council finds:

(a) That the proposed district was initiated by petitions filed with the City Clerk, that the petitions were duly signed and presented in conformity with the Business Improvement District Act, Part 12 of Article 25 of Title 31 of the Colorado Revised Statutes and that the allegations of the petition are true;

(b) That the City Council has fixed a place and time for a hearing on the petition;

(c) That notice of such hearing has been duly published and mailed in accordance with the *Business Improvement District Act*;

(d) That an operating plan and budget for 2006, has been filed with the City Clerk of the City of Grand Junction;

(e) That the Downtown Grand Junction Business Improvement District is lawful and necessary, should be created and established and should include the area described and set forth herein.

Section 2. The Downtown Grand Junction Business Improvement District is hereby created and established for the purposes and with the powers set forth in the 2006 operating plan.

Section 3. The District is located within the boundaries of the City of Grand Junction and a general description of the boundaries of its area is: all commercial property within the downtown area bounded by US Highway 340 and Crosby Avenue on the west, 8th Street on the east, Grand Avenue on the north and Ute Avenue on the south. Specifically, the District will include the following parcels:

Parcel No.	Parcel No.	Parcel No.	Parcel No.	Parcel No.
2945-142-37-018	2945-143-14-018	2945-143-20-001	2945-143-28-010	2945-144-06-003
2945-142-38-014	2945-143-14-020	2945-143-20-002	2945-143-28-011	2945-144-06-004
2945-142-38-018	2945-143-14-021	2945-143-20-004	2945-143-28-012	2945-144-06-005
2945-142-38-020	2945-143-15-001	2945-143-20-005	2945-143-28-014	2945-144-07-002
2945-142-38-023	2945-143-15-004	2945-143-20-006	2945-143-28-015	2945-144-07-003
2945-142-39-010	2945-143-15-005	2945-143-20-008	2945-143-28-018	2945-144-07-003
2945-142-39-015	2945-143-15-010	2945-143-20-009	2945-143-28-019	2945-144-08-004
2945-142-42-006	2945-143-15-013	2945-143-20-010	2945-143-28-948	2945-144-08-025
2945-142-42-009	2945-143-15-021	2945-143-20-011	2945-143-29-001	2945-144-17-001
2945-142-42-010	2945-143-15-022	2945-143-20-012	2945-143-29-002	2945-144-17-002
2945-142-42-011	2945-143-15-023	2945-143-20-013	2945-143-29-004	2945-144-17-003
2945-143-01-007	2945-143-15-024	2945-143-20-014	2945-143-29-005	2945-144-17-005
2945-143-01-015	2945-143-15-025	2945-143-20-015	2945-143-29-006	2945-144-17-006
2945-143-01-016	2945-143-15-027	2945-143-20-021	2945-143-29-007	2945-144-17-007
2945-143-01-020	2945-143-16-006	2945-143-20-022	2945-143-29-008	2945-144-17-008
2945-143-01-021	2945-143-16-007	2945-143-20-025	2945-143-30-001	2945-144-17-009
2945-143-02-001	2945-143-16-008	2945-143-21-001	2945-143-30-002	2945-144-17-013
2945-143-02-004	2945-143-16-009	2945-143-21-002	2945-143-30-005	2945-144-17-014
2945-143-02-005	2945-143-16-010	2945-143-21-003	2945-143-30-007	2945-144-18-002
2945-143-02-006	2945-143-16-011	2945-143-21-004	2945-143-34-003	2945-144-18-003
2945-143-02-007	2945-143-16-012	2945-143-21-005	2945-143-34-004	2945-144-18-005
2945-143-03-009	2945-143-16-013	2945-143-21-006	2945-143-34-019	2945-144-18-006
2945-143-04-002	2945-143-16-014	2945-143-21-007	2945-143-35-012	2945-144-18-007
2945-143-04-003	2945-143-16-015	2945-143-21-008	2945-143-35-013	2945-144-20-001
2945-143-04-006	2945-143-16-016	2945-143-21-011	2945-143-35-014	2945-144-20-003
2945-143-05-006	2945-143-16-017	2945-143-21-014	2945-143-35-020	2945-144-20-004
2945-143-05-007	2945-143-16-018	2945-143-21-015	2945-143-36-001	2945-144-20-005
2945-143-05-014	2945-143-16-019	2945-143-21-016	2945-143-36-003	2945-144-20-006
2945-143-05-016	2945-143-16-021	2945-143-21-017	2945-143-47-001	2945-144-20-013
2945-143-06-001	2945-143-16-948	2945-143-22-001	2945-143-47-002	2945-144-20-014
2945-143-06-004	2945-143-17-001	2945-143-22-002	2945-143-48-001	2945-144-29-021
2945-143-06-006	2945-143-17-002	2945-143-22-003	2945-143-49-000	2945-144-30-001
2945-143-07-002	2945-143-17-003	2945-143-22-004	2945-143-49-001	2945-144-30-002
2945-143-07-003	2945-143-17-004	2945-143-22-005	2945-143-49-002	2945-144-30-008
2945-143-07-004	2945-143-17-005	2945-143-22-023	2945-143-49-003	2945-144-49-001
2945-143-07-007	2945-143-17-006	2945-143-22-024	2945-143-49-004	2945-144-49-002
2945-143-07-008	2945-143-17-007	2945-143-23-009	2945-143-49-005	2945-154-01-007
2945-143-07-009	2945-143-17-008	2945-143-23-016	2945-143-49-006	2945-154-01-010
2945-143-07-010	2945-143-17-010	2945-143-23-022	2945-143-49-008	2945-154-01-012
2945-143-07-011	2945-143-17-011	2945-143-23-023	2945-143-49-009	2945-154-01-013
2945-143-07-012	2945-143-17-012	2945-143-23-024	2945-143-49-011	2945-154-04-001
2945-143-07-013	2945-143-17-013	2945-143-25-004	2945-143-49-012	2945-154-04-002
2945-143-07-014	2945-143-17-014	2945-143-26-002	2945-143-49-013	2945-154-04-003
2945-143-07-015	2945-143-17-015	2945-143-26-003	2945-143-49-014	2945-154-04-004

2945-143-07-016	2945-143-17-016	2945-143-26-004	2945-143-50-000	2945-154-04-005
2945-143-07-018	2945-143-17-017	2945-143-26-005	2945-143-50-001	2945-154-04-006
2945-143-09-010	2945-143-17-018	2945-143-26-006	2945-143-50-002	2945-154-04-007
2945-143-10-005	2945-143-17-019	2945-143-26-007	2945-143-50-003	2945-154-04-008
2945-143-10-006	2945-143-17-020	2945-143-26-008	2945-143-50-004	2945-154-04-009
2945-143-10-007	2945-143-18-001	2945-143-26-009	2945-143-50-005	2945-154-04-010
2945-143-10-008	2945-143-18-002	2945-143-26-010	2945-143-50-006	2945-154-04-011
2945-143-11-009	2945-143-18-006	2945-143-26-011	2945-143-50-007	2945-154-05-010
2945-143-11-010	2945-143-18-007	2945-143-26-012	2945-143-52-000	2945-154-05-011
2945-143-11-011	2945-143-18-008	2945-143-26-013	2945-143-52-001	2945-154-05-012
2945-143-11-017	2945-143-18-012	2945-143-26-014	2945-143-52-002	2945-154-05-013
2945-143-12-016	2945-143-19-001	2945-143-26-948	2945-143-52-003	2945-154-05-014
2945-143-13-001	2945-143-19-002	2945-143-27-001	2945-143-52-004	2945-154-05-016
2945-143-13-004	2945-143-19-004	2945-143-27-003	2945-143-52-005	2945-154-05-017
2945-143-13-005	2945-143-19-005	2945-143-27-007	2945-143-52-006	2945-154-05-018
2945-143-14-004	2945-143-19-006	2945-143-27-008	2945-143-52-007	2945-154-07-013
2945-143-14-013	2945-143-19-011	2945-143-28-003	2945-144-06-001	2945-154-07-014
2945-143-14-017	2945-143-19-012	2945-143-28-006	2945-144-06-002	

The Downtown Grand Junction Business Improvement District shall consist only of taxable real property located within the service area which is not classified for property tax purposes as either residential or agricultural together with any taxable personal property located on such taxable real property. Any residential or agricultural property located within the boundaries of the service area is not subject to the District's revenue-raising powers until such time as the property changes classification for property tax purposes.

Section 4. The Downtown Grand Junction Business Improvement District shall be governed by the nine-member board of the Downtown Development Authority (DDA) as provided in the *Business Improvement District Act* and the District's operating plan except that the Grand Junction City Council shall govern the District until completion of the November 1, 2005 election at which time the City Council may by ordinance designate the DDA board of directors as the board of directors of the District as provided in 31-25-1209 (c) C.R.S. The terms of office of the board of directors shall be four years, running concurrently with the terms for the DDA board of directors.

Section 5. The 2006 operating plan and budget, as filed with the City Clerk of the City of Grand Junction, is hereby approved.

Section 6. The Downtown Grand Junction Business Improvement District shall expire on January 1, 2016 unless renewed.

Section 7. This ordinance shall be in full force and effect from and after its passage and publication as provided by the Charter.

Introduced on first reading this _____ day of _____, 2005.

Passed and adopted on second reading, after a duly noticed public hearing, this _____ day of _____, 2004.

President of the Council

ATTEST:

City Clerk

Attach 5

**Setting a Hearing – Vacating a Public Right-of-Way Located at 641 29 ½ Road
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
Subject	Vacation of Public Road Right-of-Way – Forrest Run Subdivision, 641 29 ½ Road						
Meeting Date	July 20, 2005						
Date Prepared	July 6, 2005				File #VR-2005-052		
Author	Pat Cecil		Development Services Supervisor				
Presenter Name	Pat Cecil		Development Services Supervisor				
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: The petitioner is requesting approval of a vacation of a 25 foot wide public road right-of-way located on the west side of Marchun Drain. The road right-of-way was dedicated in the County as part of the Holton’s Haciendas Subdivision. There is no improved road or utilities within the right-of-way.

Budget: There is no impact to the budget due to this being unimproved right-of-way.

Action Requested/Recommendation: That the City Council conduct the first reading of the vacation ordinance and set a public hearing date of August 3, 2005 for adoption of the ordinance, The Planning Commission at their July 12th meeting recommended that the Council approve the vacation conditioned upon the vacation ordinance being recorded concurrently with the plat for the Forrest Run Subdivision.

Background Information: See attached staff report.

- Attachments:** Staff Report
Vicinity Map
Aerial Photo
Growth Plan Map
Zoning Map
Ordinance

Exhibit "A"

BACKGROUND INFORMATION					
Location:		641 29 ½ Road			
Applicants:		James and Rosalee Holton - Owners Gary Roe - Agent			
Existing Land Use:		Residence			
Proposed Land Use:		Residential subdivision			
Surrounding Land Use:	North	Residential subdivision			
	South	Residential/agricultural			
	East	Residential			
	West	Residential			
Existing Zoning:		RMF-5			
Proposed Zoning:		Same			
Surrounding Zoning:	North	RMF-8 (City)			
	South	RSF-2 (County)			
	East	RSF-2 (County)			
	West	RMF-5 (City)			
Growth Plan Designation:		Residential Medium 4-8			
Zoning within density range?		X	Yes		No

PROJECT DESCRIPTION: The petitioners are requesting that the City vacate a 25 foot public road right-of-way located on the west side of the Marchun Drain, which dissects the property, north to south. The right-of-way was dedicated to the public on the plat for the Holton's Haciendas Subdivision

ANALYSIS:

1. Background: The right-of-way proposed to be vacated was created with the recording of the Holton's Haciendas subdivision plat in 1990, which dedicated all streets

and roads shown on the plat to the public. The right-of-way proposed to be vacated does not contain any roadway or any utilities. The City's Real Estate Manager estimates that the value of the proposed vacated area is approximately \$14,000.

The right-of-way area, once it is vacated, will become part of a detention basin "Tract" that will be created with the recordation of the plat for the Forrest Run Subdivision. The "Tract" area will be owned and maintained by the HOA for the subdivision.

2. Consistency with the Growth Plan: The public right-of-way proposed to be vacated is not identified on the Grand Valley Circulation Plan, therefore the vacation would be consistent the Growth Plan.

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

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

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

The right-of-way does not appear on the major street plan, other adopted plans and is not identified in the Growth Plan as a part of required infrastructure.

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

No parcel will become landlocked as a result of the vacation.

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

The proposed vacation will not affect access to any parcels and will not result in a devaluation of any adjacent properties.

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

There will be no adverse impacts on services as a result of the vacation.

- 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 vacation will not affect the provision of adequate public facilities or services.

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

The vacation has the potential to reduce the maintenance requirements of the City.

FINDINGS OF FACT/CONCLUSIONS:

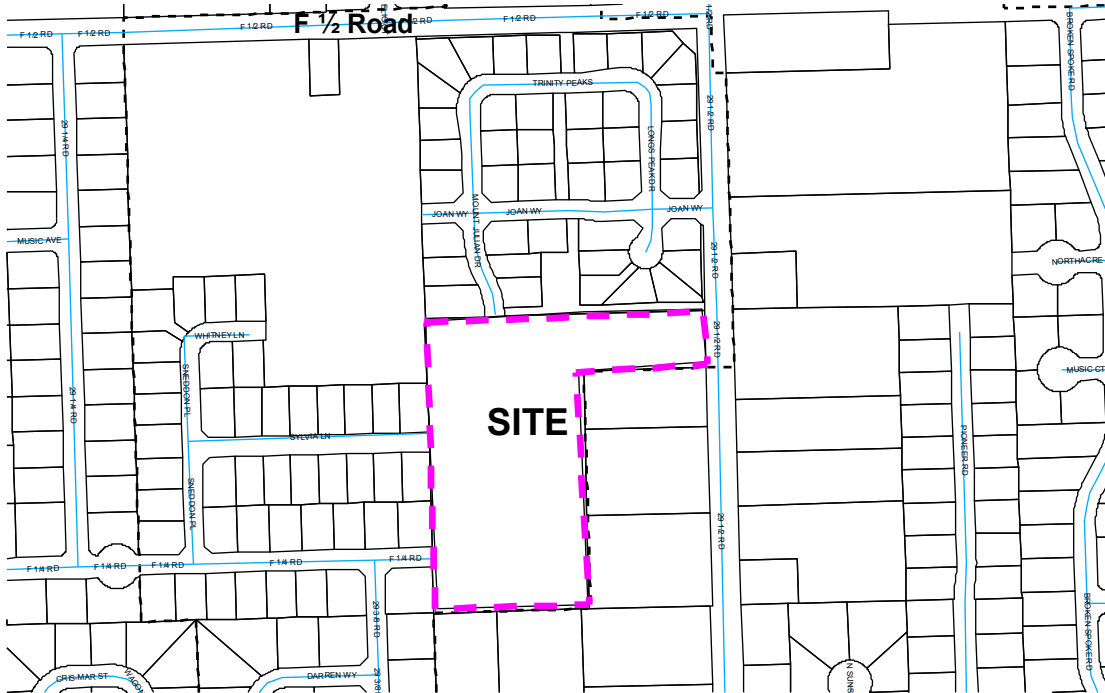
After reviewing the Forrest Run Subdivision public right-of-way vacation application, (VR-2005-052) for the vacation of a public right-of-way, the Planning Commission recommends that the City Council make the following findings of fact and conclusions:

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

PLANNING COMMISSION Recommendation: The Planning Commission forward a recommendation of approval of the vacation to the City Council, making the findings of fact and conclusions listed above in the staff report with the condition that the vacation ordinance be recorded concurrently with the final plat for the Forrest Run Subdivision.

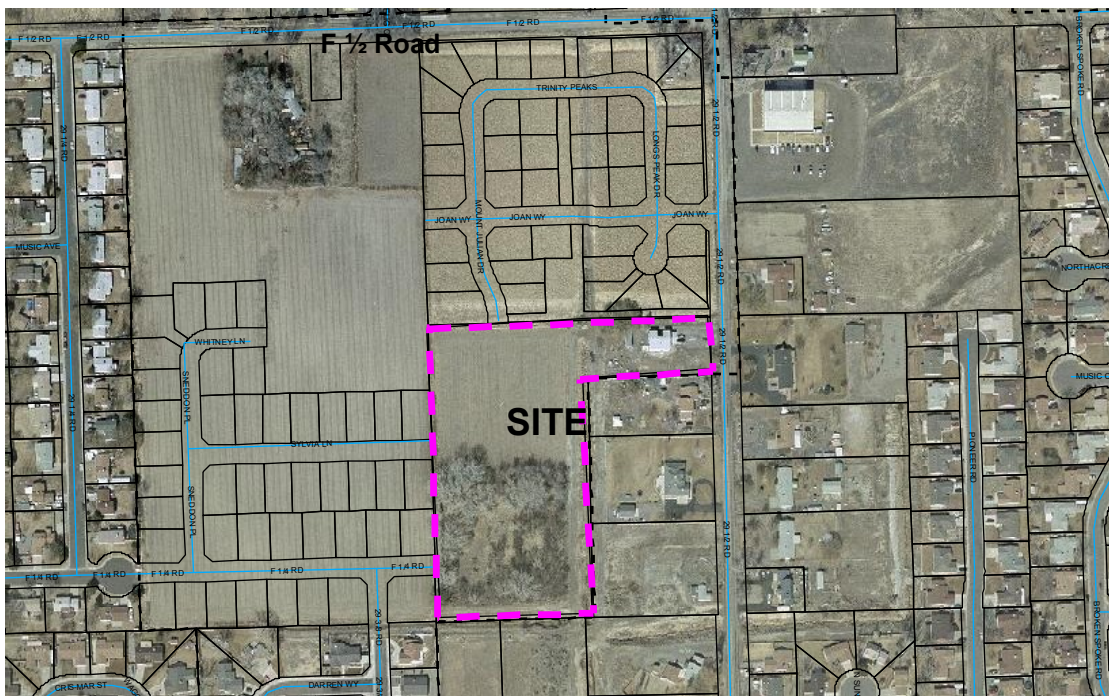
Site Location Map

Figure 1



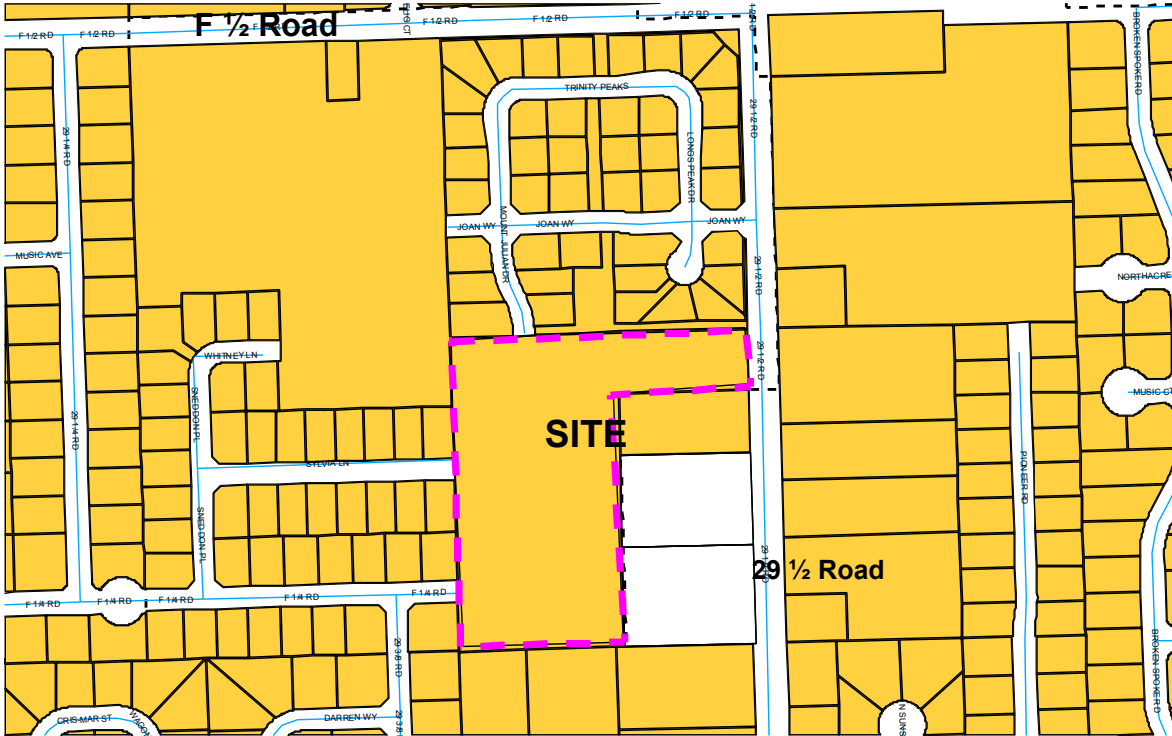
Aerial Photo Map

Figure 2



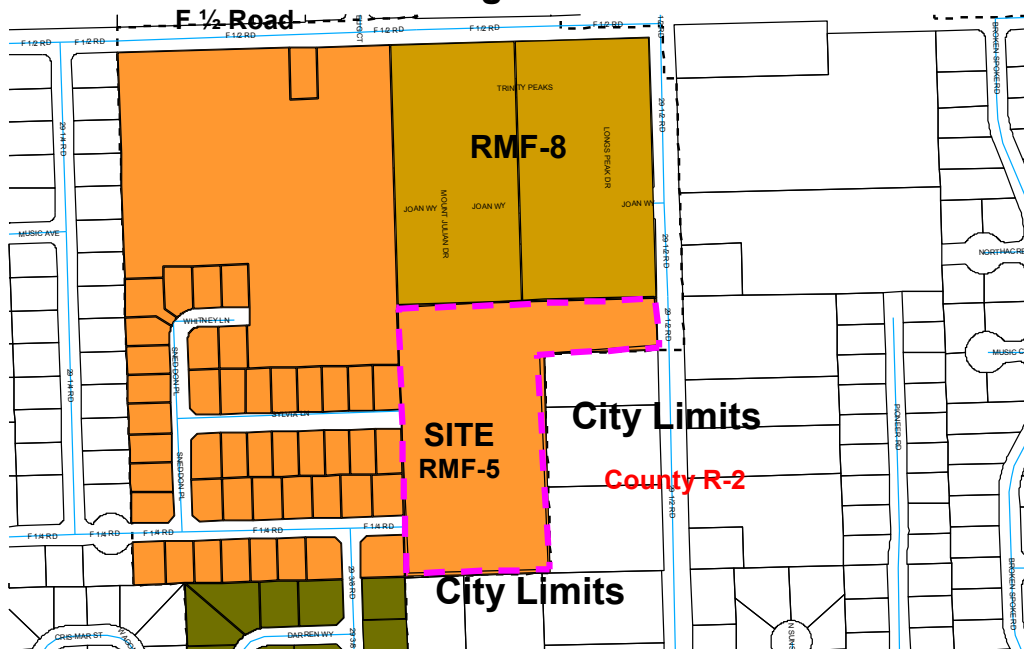
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE VACATING A PUBLIC ROAD RIGHT-OF-WAY LOCATED
AT 641 29 ½ ROAD**

Recitals:

A request to vacate the 25 foot public right-of-way, located on the west side of the Marchum Drain. Approval of the right-of-way vacation is conditioned upon the recordation of the vacation ordinance concurrently with the final plat for the Forrest Run Subdivision.

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

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

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

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

A strip of land situated in the SE ¼ NE ¼ SW ¼ Section 5, Township 1 South, Range 1 East of the Ute Meridian in Lot 1, Holton's Haciendas, as recorded in Plat Book 13 Page 485 in the records of the Office of the Mesa County Clerk and recorder, City of Grand Junction, County of Mesa, State of Colorado, being more particularly described as follows:

That strip of land designated as a 25-foot Easement, Operation and Maintenance Road on the west side of a 35-foot Drainage Easement running generally north and south as shown in said Lot 1, Holton's Haciendas, being more particularly described by metes and bounds as follows:

BEGINNING at a point on the north line of said Lot 1 whence the northeast corner of said Lot 1 bears S89°59'58"E, a distance of 309.30 feet with all other bearings

contained herein being relative thereto; thence, S00°10'17"W along the east boundary of said 25-foot Easement, Operation and Maintenance Road, a distance of 659.82 feet to the south line of said Lot 1; thence, 89°59'16"W along said south line, a distance of 25.00 feet to the west line of said 25-foot Easement, Operation and Maintenance Road; thence N00°10'17"E along said west line, a distance of 659.83 feet to the north line of said Lot 1; thence S89°59'58"E along said north line, a distance of 25.00 feet to the POINT OF BEGINNING; containing 16,496 square feet or 0.38 acres by these measures.

As depicted on Exhibit "A" attached to this ordinance.

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

PASSED and ADOPTED this _____ day of _____, 2005.

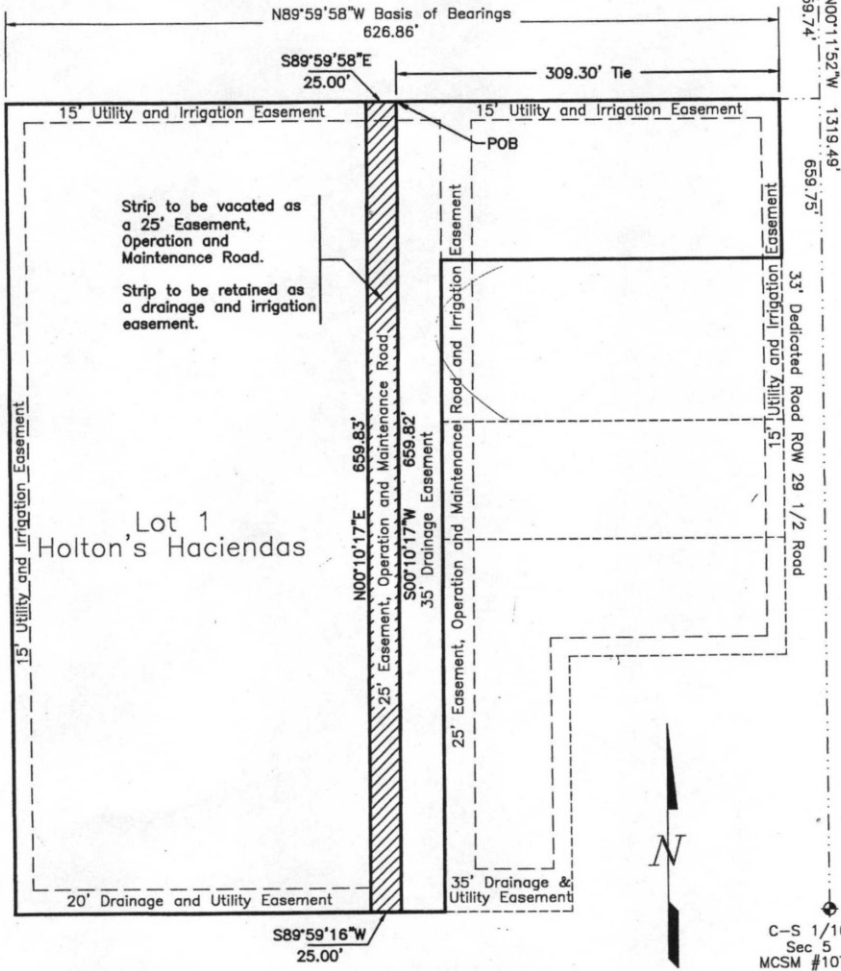
ATTEST:

President of City Council

City Clerk

C 1/4
Sec 5
MCSM #58

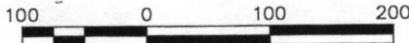
A Portion of SE 1/4 NE 1/4 SW 1/4 Sec. 5
Township 1 South, Range 1 East, Ute Meridian
in Lot 1, Holton's Haciendas, City of Grand Junction
County of Mesa, State of Colorado



C-S 1/16
Sec 5
MCSM #1077

SURVEYORS CERTIFICATE

I hereby certify that I was in responsible charge of the survey represented by this Exhibit and that it was prepared from a field survey completed by me or under my direct supervision.
Robert A. Larson PLS 31160



SCALE 1" = 100'

Found Section Cor

Basis of Bearing: NE Cor. Lot 1, Holton's Haciendas to NW Cor Lot 1, Holton's Haciendas bears N89°59'58"W.

EXHIBIT "A"

James L. & Rosalee Holton Parcel No. 2943-053-56-00

Operation and Maintenance Road Vacation
Drainage and Irrigation Easement Dedication

Attach 6
Setting a Hearing on Zoning the Pear Park School Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Zoning the Pear Park School Annexation, located at 2927 and 2927 ½ D ½ Road.						
Meeting Date	July 20, 2005						
Date Prepared	July 14, 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		X	Consent	Individual Consideration

Summary: Introduction of a proposed zoning ordinance to zone the Pear Park School Annexation CSR, located at 2927 and 2927 ½ D ½ Road.

Budget: N/A

Action Requested/Recommendation: Introduce a proposed zoning ordinance and set a public hearing for August 3, 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:	2927 and 2927 ½ D ½ Road		
Applicants:	Owner: City of Grand Junction – Dave Thornton		
Existing Land Use:	Single Family Residential / Agricultural		
Proposed Land Use:	Elementary School / Public Park		
Surrounding Land Use:	North	Single Family Residential / Agricultural	
	South	Single Family Residential / Agricultural	
	East	Single Family Residential / Agricultural	
	West	Single Family Residential / Agricultural	
Existing Zoning:	County PUD – undeveloped		
Proposed Zoning:	City CSR		
Surrounding Zoning:	North	County RSF-R, RSF-E; City RSF-4, I-1	
	South	County RSF-R	
	East	County RSF-R	
	West	County RSF-R	
Growth Plan Designation:	Current: Residential Medium 4-8 du/ac With GPA: Public		
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 Public. The existing County zoning is PUD. 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 request will not create any adverse impacts and is compatible with the neighborhood. Any issues that do arise with development of the site will be handled 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.

Alternatives: In addition to the zoning that the petitioner has requested, the following zone districts would also be consistent with the Growth Plan designation for the subject property.

- a. There are no alternative zone districts that implement the Public Future Land Use designation.

If the Planning Commission chooses to recommend one of the alternative zone designations, specific alternative findings must be made as to why the Planning Commission is recommending an alternative zone designation the City Council.

STAFF RECOMMENDATION

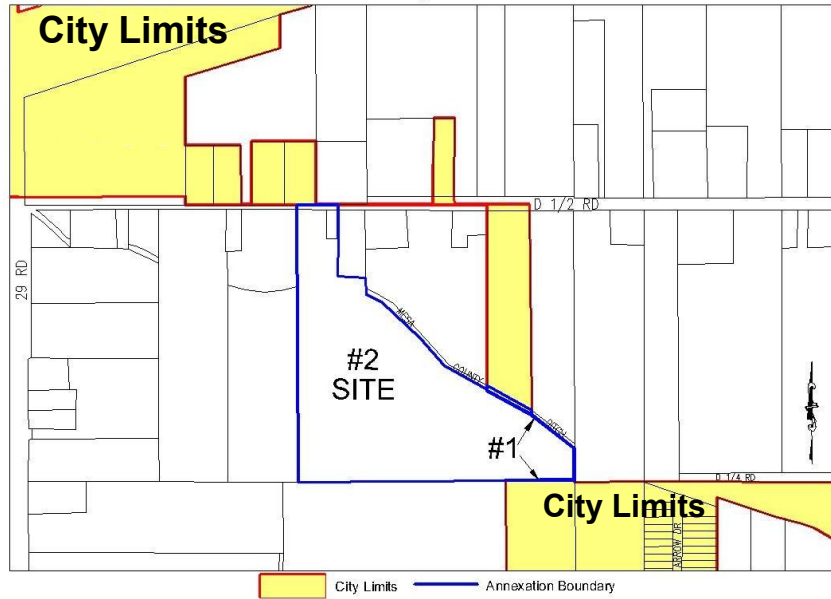
Staff recommends approval of the CSR zone district, with the finding that the proposed zone district is consistent with the Growth Plan and with Sections 2.6 and 2.14 of the Zoning and Development Code.

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

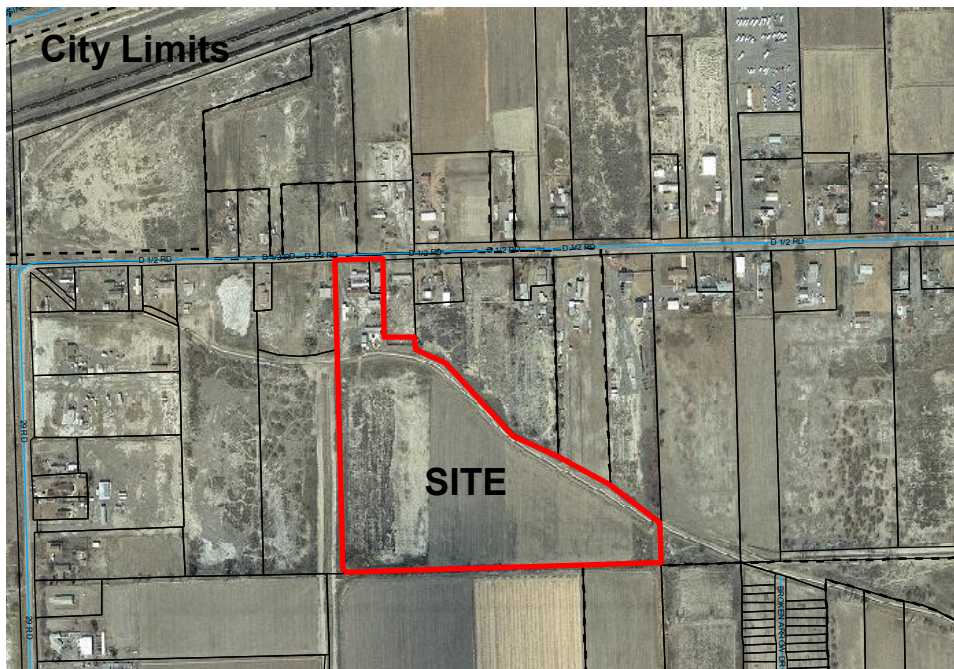
Figure 1

Pear Park School Annexations #1 & #2
Figure 5



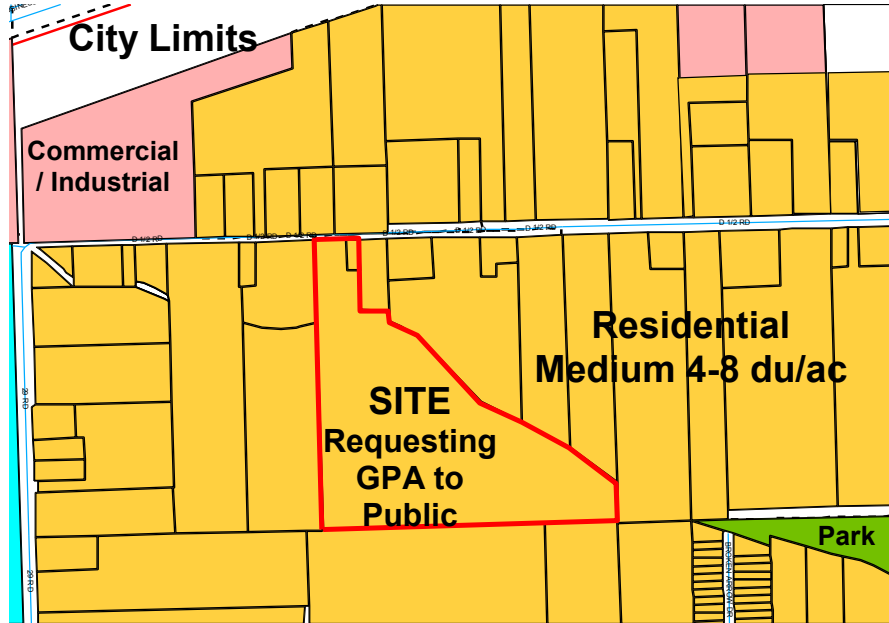
Aerial Photo Map

Figure 2



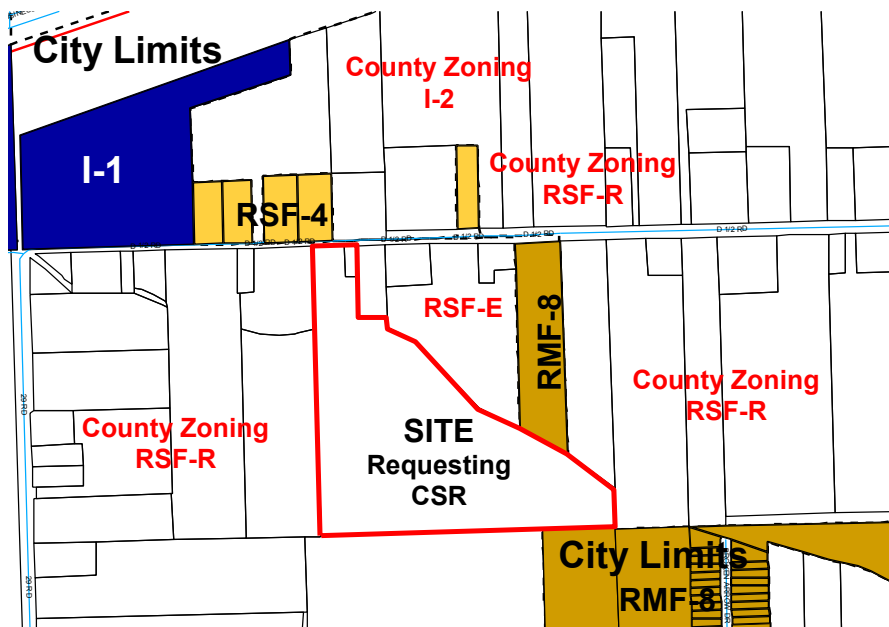
Future Land Use Map

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."

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE PEAR PARK SCHOOL ANNEXATION TO
CSR**

LOCATED AT 2927 AND 2927 ½ 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 Pear Park 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

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°02'58"E a distance of 5.88 feet to said centerline of the Grand Valley Canal; thence S58°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°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 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:

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°59'26"W with all bearings contained herein relative thereto; thence from said Point of Commencement 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 to the Southwest corner of Pear Park School Annexation No. 1, also being the Point of Beginning; thence continuing S89°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°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°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°09'17"E a distance of 357.98 feet; thence N89°58'18"E a distance of 130.00 feet; thence S00°09'17"E a distance of 74.96 feet more or less to the South line of the Grand Valley Canal; thence along said South line of the Grand Valley Canal the following four (4) courses: (1) S00°09'17"E a distance of 78.38 (2) S46°01'52"E a distance of 249.36 feet; (3) S42°08'07"E a distance of 169.97 feet; (4) S58°21'28"E a distance of 251.21 feet to the Northwest corner of said Pear Park School Annexation No. 1; thence S00°02'58"E along the West line of said Pear Park School Annexation No. 1 a distance of 5.88 feet; thence S58°21'28"E along the South line of said Pear Park School Annexation No. 1 a distance of 477.96 feet; thence S00°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°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°00'34"E a distance of 5.00 feet to the Point of Beginning.

Said parcel contains 20.19 acres (879,403 square feet) more or less as described.

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

Adopted on second reading this 3rd day of August, 2005.

Mayor

ATTEST:

City Clerk

Attach 7
Public Hearing – Zoning the Munkres-Boyd Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Zoning of the Munkres-Boyd Annexation located at 2866 A ¾ Road.					
Meeting Date	July 20, 2005					
Date Prepared	July 14, 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"/>	When	
Citizen Presentation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		<input type="checkbox"/>	Consent
					<input checked="" type="checkbox"/>	Individual Consideration

Summary: Hold a public hearing and consider final passage of the Zoning ordinance to zone the Munkres-Boyd Annexation RSF-4, located at 2866 A ¾ Road. The Munkres-Boyd Annexation consists of 1 parcel on 6.04 acres and the zoning being requested is RSF-4.

Budget: N/A

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

Background Information: See attached Staff Report/Background Information

Attachments:

1. Staff report/Background information
2. Exhibit A – Letters from surrounding property owners
3. Exhibit B – Planning Commission Minutes June 14, 2005
4. Exhibit C – Rehearing Request from Carol Ward
5. Annexation - Location Map / Aerial Photo
6. Growth Plan Map / Zoning Map
7. Zoning Ordinance

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:

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

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

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 neighborhood and will not create adverse impacts. The property owners do plan to subdivide the property into a single family development. The neighbors in the area have raised concerns about traffic, inadequate infrastructure, lack of park land in the area, high water table, compatibility, and density. Most of these issues are items that deal with the request to develop the property and will be addressed through the review process for that development. However, the concerns regarding density and compatibility do need to be addressed during the zoning process. Compatible does not necessarily mean the same as, but capable of “co-existing in harmony”. While the RSF-4 zone district which allows densities ranging from 2-4 dwelling units per acre, is not the same as the built density of the surrounding neighborhood which is approximately 2 dwelling units per acre with some lots smaller and some larger, a new subdivision can be designed to be compatible.

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.

Alternatives: In addition to the zoning that the petitioner has requested, the following zone districts would also be consistent with the Growth Plan designation for the subject property.

b. RSF-2 – Residential Single Family not to exceed 2 du/ac

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommended approval of the requested zone of annexation to the City Council at their June 14, 2005 Public Hearing (minutes attached), finding the zoning to the RSF-4 district to be consistent with the Growth Plan, the existing County Zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.

On June 24, 2005, a Request for a Rehearing (attached) before Planning Commission to reconsider the RSF-4 recommendation was turned in to the Community Development Department by Carol Ward of 2680 Casmir Drive.

At its July 12, 2005 meeting (minutes not available at the time the report was written), the Planning Commission considered the Request. The Planning Commissioners stated that they did not believe that they misunderstood anything that was presented to them at the June 14th hearing or that any new information had been presented and due to this, could not support the request for a rehearing. The Request was denied due to a lack of a motion from a member of the Commission that was in the majority of the vote cast on June 14th.

EXHIBIT A

Community Development Dept.

6-7-05

City of Granddct. Co.

250 N. 5th St.

RECEIVED

George & Helen Steele

JUN 09 2005

181 Rainbow Dr.

COMMUNITY DEVELOPMENT
DEPT.

Ref. MESA TERRACE

Our son tried to buy this property about 6 yrs. ago and was told this was part of Sharon Heights subdivision lot 1 and could not be devided, I don't know who gave the info but think it was a Mesa County Officer.

If this is next to or in Sharon Heights the lots should be the same 1/2 acre +.

We have a traffic problem now. the residence over at Sunset Div. use Rainbow Dr. as a outlet to Highway 50. If this is approved I would suggest streets come out next to Highway 50 and back to B road and not put more traffic on Rainbow Dr. As you know 29 homes are going in just west of Rainbow that will be coming out of 28 1/2 and B road.

Irrigation water should not be on the

same headgate as Sharon Heights coming out of the Orchard Mesa Canal. We have a ditch from the canal and the users on the lower end run short of water now.

I think our main concern would be traffic - 4 units per acre (should be 2) - water supply for irrigation.

thank you

George & Helen Steele

Community Development Department
City of Grand Junction
250 North 5th Street
Grand Junction, Colorado.81501

RECEIVED

MAY 09 2005

COMMUNITY DEVELOPMENT
DEPT.

Laura Mae Schmidt
171 Rainbow Dr.
Grand Junction, Colorado
May 05, 2005

Dear Grand Junction Community Development Department

As a resident of Sharon Heights Subdivision, I am concerned about the proposed annexation of the residential property at 2866 A $\frac{3}{4}$ Road, to be known as Mesa Terrace. If annexed this property would be zoned for either RS-2 or RS-4 units per acre.

The existing neighborhood that surrounds the proposed Mesa Terrace property on three sided is currently developed with one unit per one-half acre or larger lots. This creates a density that naturally limits the traffic flow on the street within the Sharon Heights subdivision. Currently a new 29 unit subdivision, Country Ridge Estates, is being built next-door on the west side of Sharon Heights. We expect this subdivision will have a negative impact on traffic flow and personal safety. If the proposed Mesa Terrace subdivision becomes a reality and is zoned RS-4, this will compound the traffic flow and jeopardize the safety of our children.

Recently we met with our Sharon Heights neighbors and we overwhelmingly agreed that the proposed Mesa Terrace subdivision should be zoned at only TWO units per acre, (RS-2). This will insure that the ambiance of our neighborhood is preserved and that we prevent a significant increase in traffic through the Sharon Heights neighborhood.

If you have ever tried to get onto Highway 50 from 28 $\frac{1}{2}$ Road at different times of the day, you would realize that having about 50 more cars from Mesa Terrace would be a big impact. Why couldn't B Road be extended further east? Rainbow Drive has a lot of traffic now. With Country Ridge Estates being developed, the extra traffic is going to be huge.

We ask for the entire Community Development personnel's support in this serious matter.

Sincerely,

Laura Mae Schmidt

June 3, 2005

Community Development Department
City of Grand Junction
250 N. 5th Street
Grand Junction, CO 81501

RECEIVED

JUN 13 2005

RECEIVED

JUN 10 2005

COMMUNITY DEVELOPMENT
DEPT.

COMMUNITY DEVELOPMENT
DEPT.

To Whom It May Concern:

As residents of Sharon Heights Subdivision, we are concerned about the proposed annexation of the residential property known as Mesa Terrace at 2866 A 3/4 Road. We realize the property is currently zoned County as RSF-4, and that the annexation process only serves to include this property within the City limits as an RSF-4.

Although, Sharon Heights properties are zoned RSF-4, in the development of this subdivision the builders valued land, privacy and space and proceeded to build the homes within the subdivision as one-unit per one-half acre or larger lots. Our concern is that by allowing the Mesa Terrace property to be annexed as RSF-4 the builder will take advantage of the zoning and maximize the building potential, thus adding 27 new houses to the neighborhood. We feel this will jeopardize the integrity of the neighborhood by placing an out-of-character subdivision in the middle of Sharon Heights. In addition, we are very concerned with how the traffic increase will impact the traffic flow, which will increase personal safety issues.

We are requesting the Community Development department re-evaluate the request for Mesa Terrace to be zoned City RSF-4 and consider making the property City RSF-2. This would ensure the ambiance and safety of our well-established neighborhood.

Thank you for considering this request. The signatures below represent the residents of Sharon Heights Subdivision and their concerns supported within this letter.

NAME	ADDRESS	PHONE #
Dana Stiborn Kevin Utt	168 Rainbow Dr	245-2068
Jamion Cristofson	173 Rainbow Dr	257-1719
Mr & Mrs Robert Tenkle		245-1085
Maxine Peterson	160 Rainbow Dr	242-2280
Conrad + Kim Cole (Casimir Hts)	2857 Sharon Pl.	245-4243
Sharon Baxter (Casimir Hgts)	2854 Sharon Pl	241-1223
Thomas Baxter	" " " "	" " " "

Sento Costellolo
Grand Junction Community Development Department
City of Grand Junction
250 North 5th Street
Grand Junction, Colorado 81501

Joe Petek
2868 Sharon Place
Grand Junction, Colorado 81503

May 4, 2005

Dear Community Development Department,

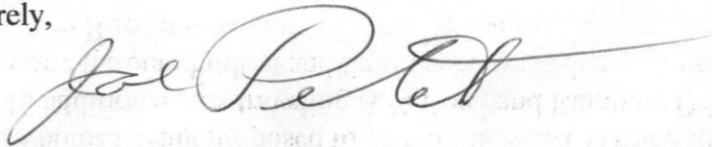
I am upset about the density of the proposed annexation of the Mesa Terrace subdivision, ANX-2005-089, Munkres-Boyd Annexation at 2866 A $\frac{3}{4}$ Road. In the "Notice of Development Application," it is requesting a rating of RSF-4, instead of a RSF-2 as all other Sharon Heights residents have.

With 23 homes being proposed to be built in Mesa Terrace subdivision, that will probably mean 46 additional cars traveling A $\frac{3}{4}$ Road and Rainbow Drive, which will become a safety issue for our children and families because there are no sidewalks for us to use on neither A $\frac{3}{4}$ Road nor Rainbow Drive. When irrigation water is being used, many times it flows down both sides of Rainbow Drive, so the children walk down the middle of the street to catch the school bus at the corner of Rainbow Drive and the Frontage Road. Another concern is the 29 homes being built in Country Ridge Estates, a new subdivision directly to the west of us. This probably means 58 more cars, which will also add to the 28 $\frac{1}{2}$ Road crossover traffic of Highway 50, which has already had many accidents.

I am opposed to the rating of RSF-4. I am sure there will be more children in these new subdivisions, thus adding more danger on Rainbow Drive and the Frontage Road. By limiting the number of homes, this will naturally limit the number of cars.

We ask for all of the Community Development Department's support in the rating of this subdivision to RSF-2 for the safety of our established neighborhood. Thank you for your support.

Sincerely,

A handwritten signature in cursive script that reads "Joe Petek". The signature is written in dark ink and is positioned above the printed name.

Joe Petek

Community Development Department
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501

RECEIVED
MAY 04 2005
COMMUNITY DEVELOPMENT
DEPT.

Dale and Denise Nelson
182 Rainbow Drive
Grand Junction, Co 81503
May 3, 2005

Dear Grand Junction Community Development Department,

We are writing this letter in regard to the proposed annexation and development of the residential property at 2866 A $\frac{3}{4}$ Road. As 20-year residents of Sharon Heights, we have very valid concerns about this development.

Our existing neighborhood that surrounds the proposed Mesa Terrace development stands currently with one unit per one half-acre lot or larger. We believe that in order to maintain the current density of Sharon Heights, the zoning for Mesa Terrace should reflect our density by only allowing the proposed annexation to be zoned RSF-2. We have many reasons to suggest this.

Traffic in our neighborhood has been a concern for many years now. The speed limit on Rainbow Drive is 20 m.p.h. and very often this limit is exceeded. We have worked with law enforcement officials many times to monitor our traffic flow. One HUGE problem with speeding on this street appears to be the steep hill on Rainbow Drive. Although this hill is only slightly past A $\frac{3}{4}$ Road, it will effect residents at Mesa Terrace because those residents will have to access Rainbow Drive right at the bottom of this hill. We realize that speeding in neighborhoods is a chronic problem throughout the city. But if the Development Department insists on routing traffic up Rainbow Drive, and zoning this annexation RSF-4, we would appreciate the consideration of installing several speed bumps toward the lower end of Rainbow Drive, especially because of the steep hill on this street. We, as neighbors, have inquired previously to the city and county on the installation of speed bumps to no avail. If the Development Department could possibly assist the neighborhood in this matter, it would help make the residents a little more receptive to this annexation.


Another concern about routing the traffic up Rainbow Drive is the Bus Stop at the corner of Rainbow Drive and the frontage road. Many children use this Bus Stop, and increased traffic on Rainbow Drive poses more safety issues. Children walk to and from the bus stop. Speed bumps would help slow traffic and help keep our children safe. Obviously

traffic is going to be routed up Rainbow Drive regardless of resident's input, so we ask you to PLEASE consider the installation of several speed bumps.

The intersection at 28 ½ Road and U.S. 50 has become congested and extremely hazardous. We attended the City Council meeting last year in regard to this issue and the current development of Country Ridge Estates, located west of Rainbow Drive. It is already almost impossible to get across the highway, during peak times and not, especially now with the development of Granite Springs subdivision, located north of Rainbow Drive. The City Council admitted that something would need to be done about this intersection. Our question is when? How many fatalities will it take? This intersection is currently host to Sharon Heights residents, Granite Springs residents, many B Road residents, soon to be Country Ridge Estates, and inevitably Mesa Terrace residents. The Development Department should consider what to do about this intersection now, and not later.

We were very disappointed when attending the last City Council meeting. It seemed as though the residents were heard, but not *listened* to. It became apparent that the Development Department proceeds with what they want to do, and without valuing the input of neighborhood communities. If we could stop the development of this last little parcel of land in our neighborhood, we would. But we know we can't, so we ask you to seriously and respectfully consider and *listen* to our concerns. Please work with our neighborhood community and zone this proposed annexation RSF-2. It would complement our neighborhood in a much better way, and relieve many of the traffic concerns for both parties.

Sincerely,



Dale and Denise Nelson

To: Community Development Department
City of Grand Junction
250 North Fifth Street
Grand Junction, CO 84501

From: Larry J. and Constance D. Murphy
2863 ½ A ¾ Road
Grand Junction, CO 81503
970/242-3335

RECEIVED
MAY 09 2005
COMMUNITY DEVELOPMENT
DEPT.

May 6, 2005

Re: Proposed Mesa Terrace Subdivision Annexation

Dear Planners:

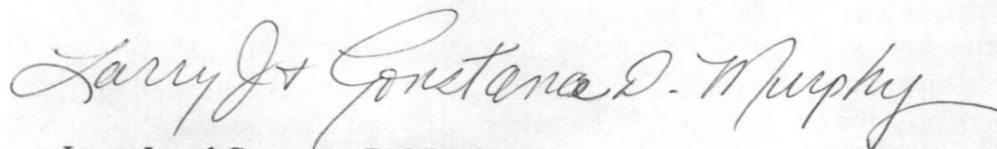
The Murphys have resided in Sharon Heights Subdivision for over 50 years. We are concerned about the proposed annexation of the property at 2866 A ¾ Road to be known as "Mesa Terrace." If annexed, this property would be zoned for either RSF-2 or RSF-4 units per acre.

The existing neighborhood that surrounds the proposed Mesa Terrace property on three sides (the fourth side being U.S. Highway 50) is currently developed with one unit per one-half acre or larger lots with some property owners having more than an acre with horses, cows, chickens, fruit trees and large gardens. This creates a density that naturally limits the traffic flow on the streets within the Sharon Heights Subdivision. Currently, a new 29 unit subdivision, "Country Ridge Estates," is being build next-door on the west side of Sharon heights. We expect this subdivision will have a negative impact on traffic flow and personal safety. If the proposed Mesa Terrace Subdivision becomes a reality and is zoned RSF-4, this will compound the traffic flow and jeopardize the safety of our children.

Recently we met with our Sharon Heights' neighbors and we overwhelmingly agreed that the proposed Mesa Terrace Subdivision should be zoned at only **TWO UNITS PER ACRE**(RSF-2). This will insure that the ambiance of our neighborhood is preserved and that we prevent a significant increase in traffic through the Sharon Heights neighborhood.

We ask for the entire Community Development personnel's support in this serious matter.

Sincerely,



Larry J. and Constance D. Murphy

Community Development Department
City of Grand Junction
250 North 5th Street
Grand Junction, Colorado 81501

Paula Holder & Pauline Gage
172 Rainbow Drive
Grand Junction, Colorado 81503

RECEIVED
MAY 09 2005
COMMUNITY DEVELOPMENT
DEPT.

Dear Grand Junction Community Development Department:

As a resident of Sharon Heights Subdivision, I am concerned about the proposed annexation of the residential property at 2866 A $\frac{3}{4}$ Road, to be known as Mesa Terrace. If annexed this property would be zoned for either RSF-2 or RSF-4 units per acre.

The existing neighborhood that surrounds the proposed Mesa Terrace property on three sides is currently developed with one unit per one-half acre of larger lots. This creates a density that naturally limits the traffic flow on the streets within the Sharon Heights subdivision. Currently a new 29 unit subdivision Country Ridge Estates, is being built next-door on the west side of Sharon Heights. We expect this subdivision will have a negative impact on traffic flow and personal safety. If the proposed Mesa Terrace subdivision becomes a reality and is zoned RSF-4, this will compound the traffic flow and jeopardize the safety of our children.

Recently we met with our Sharon Heights' neighbors and we overwhelmingly agreed that the proposed Mesa Terrace subdivision should be zoned at only TWO units per acre, RSF-2). This will insure that the ambiance of our neighborhood is preserved and that we prevent a significant increase in traffic through the Sharon Heights neighborhood.

If this subdivision is approved even at 2 units per acre it is our opinion that it would be much more feasible to use an extension of B Road (or the access road that is already there) for the entry instead of Rainbow Drive and A $\frac{3}{4}$ Road. This would mean much less congestion at 28 $\frac{1}{2}$ Road and Hwy. 50 as there could be more than one entry onto the highway. This could be accomplished by the CDOT turning that property over to Mesa County, which CDOT stated was a possibility.

We ask for the entire Community Development personnel's support in this serious matter.

Sincerely
Paula Holder
Pauline Gage
Connie Mattas

Paula Holder
Pauline Gage

May 4, 2005

Community Development Dept.
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501

Re: ANX-2005-089 Munkres-Boyd Annexation - 2866 A $\frac{3}{4}$ Road
Planner: Senta Costello

To City of Grand Junction Community Development Dept.:

We wish to express our views on the above-referenced annexation that is planned for our area. We have resided on Rainbow Drive in the Sharon Heights Subdivision for the past nine years. We feel that the planned twenty-seven home subdivision on 5.7 acres that will abut our home is much too dense for our neighborhood for the following reasons:

1. The existing lots in the Rainbow Drive area are at least one-half acre. The proposed lots would be half that size and would not complement our rural-urban atmosphere. There are no curbs or sidewalks on Rainbow Drive, and children walk to the school bus stop every day on the street. We also have many senior and other residents who walk daily for exercise. This is possible because of the lower density and traffic on our street and the careful driving of the residents.
2. Traffic is a major concern. We were informed by Mr. Jasper, representative for Free-Style, that the State of Colorado has refused to allow an entrance/exit to the new subdivision via Highway 50. This leaves no other option than to enter and exit on A $\frac{3}{4}$ Road. The additional traffic is not only dangerous to pedestrians but will contribute to traffic congestion, especially at "rush hour".

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MAY 09 2005

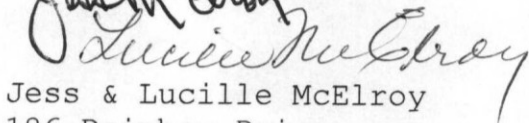
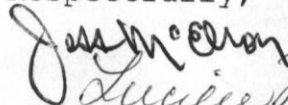
COMMUNITY DEVELOPMENT
DEPT.

3. Additionally, there is only one option for residents who wish to travel north from our neighborhood, and that is to make a left turn at 28 ½ Road. The vast majority of us must make this turn in order to go to work or shop; very little lies south of us (unless you want to buy a KIA or go to the landfill). This intersection will have to withstand the left-hand turn traffic not only from us and the proposed Mesa Terrace Subdivision, but also the new 29 unit Country Ridge Estates presently being built on the other side of Rainbow Drive, plus the homes from further up B ½ Road.

It is our sincerest hope that you will consider a change in the zoning from RSF-4 to RSF-2. We do understand that the Grand Valley is expanding and change is inevitable; however, please consider the impact on the residents and our neighborhood.

Thank you for your kind attention.

Respectfully,



Jess & Lucille McElroy
186 Rainbow Drive
Grand Junction, CO 81503

Community Development Department
City of Grand Junction
250 North 5th Street
Grand Junction, Colorado 81501

Matt & Connie Mattas
176 Rainbow Drive
Grand Junction, Colorado 81503

RECEIVED
MAY 09 2005
COMMUNITY DEVELOPMENT
DEPT.

Dear Grand Junction Community Development Department:

As a resident of Sharon Heights Subdivision, I am concerned about the proposed annexation of the residential property at 2866 A $\frac{3}{4}$ Road, to be known as Mesa Terrace. If annexed this property would be zoned for either RSF-2 or RSF-4 units per acre.

The existing neighborhood that surrounds the proposed Mesa Terrace property on three sides is currently developed with one unit per one-half acre of larger lots. This creates a density that naturally limits the traffic flow on the streets within the Sharon Heights subdivision. Currently a new 29 unit subdivision Country Ridge Estates, is being built next-door on the west side of Sharon Heights. We expect this subdivision will have a negative impact on traffic flow and personal safety. If the proposed Mesa Terrace subdivision becomes a reality and is zoned RSF-4, this will compound the traffic flow and jeopardize the safety of our children.

Recently we met with our Sharon Heights' neighbors and we overwhelmingly agreed that the proposed Mesa Terrace subdivision should be zoned at only TWO units per acre, RSF-2). This will insure that the ambiance of our neighborhood is preserved and that we prevent a significant increase in traffic through the Sharon Heights neighborhood.

If this subdivision is approved even at 2 units per acre it is our opinion that it would be much more feasible to use an extension of B Road (or the access road that is already there) for the entry instead of Rainbow Drive and A $\frac{3}{4}$ Road. This would mean much less congestion at 28 $\frac{1}{2}$ Road and Hwy. 50 as there could be more than one entry onto the highway. This could be accomplished by the CDOT turning that property over to Mesa County, which CDOT stated was a possibility.

We ask for the entire Community Development personnel's support in this serious matter.

Sincerely
Matt Mattas
Connie Mattas

Matt Mattas
Connie Mattas

SPRAWL: Growth causes varied

► Continued from page 1B

arms, forests and open spaces," the report reads.

The report attributes the West's unique growth to varied topography, a combination of public and private land and a population that is growing at three times the national average.

The Rocky Mountain region remains one of the country's fastest growing, attracting young and highly educated people, the report writes, and contradicts the image of Westerners as cowboys or farmers living in wide, open spaces. Only 1 percent of the people make a living from farming, fishing and logging, the report said.

"This begins to peel away some of those images. We're not a bunch of cowboys. But

it's hard to dispel that myth," Walter Hecox, an economics professor and the project's director, said during a conference on the report.

Most people live in growing suburbs where the median price of a home is \$134,500, compared with \$119,600 for the country.

Colorado's population growth of 3 percent for the past year was lower than the region's average rate of 4 percent. The state, though, led the region in several categories, including median family income, at \$55,883, and education, with 22 percent of the 25-plus age group having at least a bachelor's degree.

The Associated Press contributed to this report.

Sally Spaulding can be reached via e-mail at sspaulding@gjds.com.

Is this the kind of publicity we want? GJ ranks first in sprawl

By SALLY SPAULDING
The Daily Sentinel

Grand Junction ranks first among smaller cities for the most sprawl in the eight-state Rocky Mountain region, according to a new report by Colorado College.

The second annual "State of the Rockies Report Card," released Tuesday, rates 280 counties in Colorado, Idaho, Montana, Nevada, New Mexico, Utah, Arizona and Wyoming.

Researchers looked at environmental and community health and civic capacity and engagement, including charitable giving, education levels, newspaper concentration and religious involvement.

Denver and Santa Fe, N.M., received a grade of A and Boulder got an A-minus for their civic environments.

On the Western Slope, Hinsdale County received an A-minus, while Delta, Montrose and Mesa counties all scored a C-plus.

Grand Junction was ranked first among the 10 smaller metropolitan areas in the Rocky Mountain West with a population of less than 50,000 people for the "Rockies Sprawl Index" of the study.

Flagstaff, Ariz., ranked second in the sprawl category, and Santa Fe ranked third.

"Sprawl conjures up images of low-density residential housing, car-dependent cultures, freeway off-ramp office parks and big-box stores eroding our

See **SPRAWL**, page 2B ►

To Whom It May Concern:

As a resident of Sharon Heights Subdivision, I am concerned about the annexation of the residential property at 2866 A ¾ Road, to be known as Mesa Terrace. On June 14 the City Planning Commission chose to ignore all of the Sharon Heights neighbors concerns regarding zoning for two houses per acre instead of four in keeping it with the rest of the neighborhood. They also were not concerned about all of the traffic problems this would create. They simply "followed" Mr. Cole's lead that this was just "progress". Of course we realize any new building creates business for the real estate companies. Having been in business in Grand Junction for 40 years, we welcome progress and realize it is good for our business community. However, it needs to be done intelligently. It is very important to the existing area to have two houses per acre instead of four. And even more important to have the entrance on Dee Vee or even better to extend B Road so the traffic can funnel two directions instead of putting more burden on the 28 ½ Road intersection which is already over-stressed.

The existing neighborhood that surrounds the proposed Mesa Terrace property on three sides is currently developed with one unit per one-half acre or larger lots. This creates a density that naturally limits the traffic flow on the streets with the Sharon Heights subdivision. Currently a new 29 unit subdivision, Country Ridge Estates, is being built next door on the west side of Sharon Heights. We expect this subdivision will have a negative impact on traffic flow and personal safety. If the proposed Mesa Terrace subdivision becomes a reality and is zoned RSF-4 this will compound the traffic flow and jeopardize the safety of our children and our many senior citizens that live in this area.

If Mr. Munkres wants to build a subdivision in this area it should be up to him to establish an entrance in and out that is suitable to the rest of the neighborhood shouldn't it? When we moved here in 1964 A ¾ Road was just another Dee Vee Road. Gradually they improved it for "dust controll" reasons. It is not a wide enough road for a main thoroughfare. We will have cars coming practically in our front door. It would be very worthwhile for the decision makers in this matter to at least get in their car and drive through the neighborhood to look the situation over.

Another problem that needs to addressed is the water drainage problem in this area. Our neighbors to the south now have an elaborate pumping system installed and we have a sump pump working all summer. Having lived here for 41 years we remember when that field was being irrigated and everyone on the east side of Rainbow Drive had water in their basements. How will it effect us when all of these new residents are watering lawns?

We do believe there are a lot of issues here to be considered before going through with this project. It may well be in everyone's interest to have the City Planning Commission give this matter a second look!

We strongly urge all of the decision makers on this project to not ruin our neighborhood where so many of us have lived for so long. We do not mind new houses in our area at all, but do it correctly. We do not need anymore newspaper articles like the enclosed one giving Grand Junction a bad grade for "urban sprawl".

Thank You.

Sincerely,

Matt Mattas
Connie Mattas

Matt & Connie Mattas

CC: City of Gr. Jct. Planning Dept., City Council, City Planning Commission

GJ ranks first in sprawl

By SALLY SPAULDING
The Daily Sentinel

Grand Junction ranks first among smaller cities for the most sprawl in the eight-state Rocky Mountain region, according to a new report by Colorado College.

The second annual "State of the Rockies Report Card," released Tuesday, rates 280 counties in Colorado, Idaho, Montana, Nevada, New Mexico, Utah, Arizona and Wyoming.

Researchers looked at environmental and community health and civic capacity and engagement, including charitable giving, education levels, newspaper concentration and religious involvement.

Denver and Santa Fe, N.M., received a grade of A and Boulder got an A-minus for their civic environments.

Continued from page 1B

farms, forests and open spaces," the report reads.

The report attributes the West's unique growth to varied topography, a combination of public and private land and a population that is growing at three times the national average.

The Rocky Mountain region remains one of the country's fastest growing, attracting young and highly educated people, the report writes, and contradicts the image of Westerners as cowboys or farmers living in wide, open spaces. Only 1 percent of the people make a living from farming, fishing and logging, the report said.

"This begins to peel away some of those images. We're not a bunch of cowboys. But

On the Western Slope, Hinsdale County received an A-minus, while Delta, Montrose and Mesa counties all scored a C-plus.

Grand Junction was ranked first among the 10 smaller metropolitan areas in the Rocky Mountain West with a population of less than 50,000 people for the "Rockies Sprawl Index" of the study.

Flagstaff, Ariz., ranked second in the sprawl category, and Santa Fe ranked third.

"Sprawl conjures up images of low-density residential housing, car-dependent cultures, freeway off-ramp office parks and big-box stores eroding our

See SPRAWL, page 2B

it's hard to dispel that myth," Walter Hecox, an economics professor and the project's director, said during a conference on the report.

Most people live in growing suburbs where the median price of a home is \$134,500, compared with \$119,600 for the country.

Colorado's population growth of 3 percent for the past year was lower than the region's average rate of 4 percent. The state, though, led the region in several categories, including median family income, at \$55,883, and education, with 22 percent of the 25-plus age group having at least a bachelor's degree.

The Associated Press contributed to this report.

Sally Spaulding can be reached via e-mail at sspaulding@gjds.com.

Community Development Department
City of Grand Junction
250 N. 5th Street
Grand Junction, CO 81501

RECEIVED
MAY 09 2005
COMMUNITY DEVELOPMENT
DEPT.

May 4, 2005

Greetings, G.J. Community Development Dept.:

My wife and I live near (about ¼ mile) from the proposed "Mesa Terrace" subdivision, to be located near Rainbow Drive and the Sharon Heights Subdivision. We received an "informational" letter from the so-called developer - Ted Munkres/Freestyle Inc. They asked the neighbors for input regarding their proposed subdivision. The letter asked for "historical knowledge of the neighborhood ... to help with the overall design."

Accompanying is a copy of our response to them. In short, this neighborhood is semi-rural and relatively quiet. Their proposal is in stark contrast to the present area.

The people who live adjacent to the proposed subdivision might be hit with a "double whammy" - there is another high-density subdivision going in to the immediate west of Rainbow Drive, and the proposed one will have them surrounded.

We would like to request that the Mesa Terrace subdivision be zoned at much less density than proposed - even if you allowed two units per acre might not result in the drastic impact that the RSF-4 (we think) zoning definitely will.

And - not to mention the increased traffic in our area! It is getting bad enough as it is. Please listen to the present residents of the area and support us in not allowing such a high density.

Sincerely,



Jay Krabacher



Deborah Krabacher

230 Sunset Hills
G. J., CO 81503

J. & D. Krabacher / 230 Sunset Hills / Grand Junction, CO 81503

March 17, 2005

Ted Munkres / Freestyle Inc.:

RE: Mesa Terrace impact on adjoining neighborhood

Thank you for your letter of March 15 in which you alerted neighbors of the proposed 'Mesa Terrace' subdivision as to your plans. We were invited to give you input - our thoughts and ideas. The letter also solicited suggestions to improve your design concepts, and provide historical knowledge of the neighborhood which could help with the overall design.

In short - I suggest far fewer units than the proposed twenty-three. I might be able to tolerate as many as ten units there. And historical knowledge of the neighborhood? - this area has always been semi-rural and relatively quiet. Now how can your proposed high density reconcile with that?

I can't imagine anyone, except those with similar acreage who would consider "cutting and running" being enthusiastic about the proposed subdivision. Imagine that YOU live in a neighborhood where the average lot size is just under two acres. This is NOT the "poor" / densely-populated / high-density portion of Orchard Mesa! Twenty-three new units will adversely affect the character of this neighborhood. Quantity, not quality, is obviously the primary objective and goal of Freestyle, Inc.

It is better that I write to you rather than attend the 'neighborhood meeting' - because I would not be very receptive nor welcoming. It is sad that greed, coupled with Freestyle's emphasis on quantity over quality, is encroaching on our door.

Sincerely,

Jay Krabacher

Deborah Krabacher

Community Development Department
City of Grand Junction
250 North 5th St
Grand Junction, Co 81501

RECEIVED
MAY 24 2005
COMMUNITY DEVELOPMENT
DEPT.

Paul and Lois Kelleher
2866 Sharon Pl
Grand Junction, Co 81503

Dear Grand Junction community Development Department

We are residents at 2866 Sharon Pl. in Sharon Heights Subdivision. The proposed annexation at 2866 A 3/4 rd with zoning of 4 units per acre, would be an adverse effect for the whole area.

Rainbow Drive is a narrow road that serves as the access road for all of Sharon heights to Hwy 50. There are no sidewalks and narrow shoulders for many school children who must walk to the Hwy 50 frontage road to catch the bus.

Because of the limited access, all the traffic added to Rainbow Dr. from this proposed development would make it unsafe for kids riding their bikes, and for many seniors who choose to walk in Sharon Heights because of low traffic counts.

A 3/4 Rd is a narrow country lane, there are 4 houses now on the street. To widen the street will adversely effect homes at the corner of A 3/4 Rd and Rainbow Drive.

East of Rainbow Drive the character is rural , with orchards and acre plus lots, 4 lots per acre is totally out of place.

Other developments have been required to build frontage roads for their access, the right away exist to the north of this property. They should provide their own access, not impact a long time neighborhood with traffic from their development.

Thank you for your consideration

Lois Kelleher
Paul A Kelleher

185 Rainbow Drive
Grand Junction, CO 81503

May 4, 2005

Senta Costello
Grand Junction Community Development Department
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501

Subject: ANX-2005-089, Munkres-Boyd Annexation, 2866 A3/4 Rd.

Dear Planner Costello,

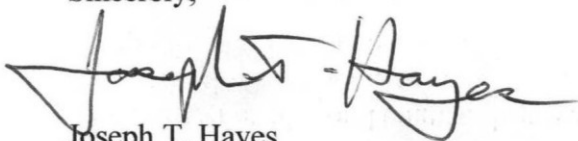
As a homeowner in the historical Sharon Heights neighborhood, I am deeply concerned about the above proposed annexation. Sharon Heights was dedicated almost 60 years ago with lot sizes ranging from ½ acre to 10 acres. This density limits the traffic flow on Rainbow Drive and within Sharon Heights, helping to maintain the peaceful nature of this wonderful old neighborhood and keeping the streets safe for our children.

The proposed Mesa Terrace subdivision, if annexed, would be zoned either RSF-2 or RSF-4. We are already faced with a subdivision to our immediate west, Country Ridge Estates, that we expect will have a negative impact on traffic flow and child safety in our neighborhood. The proposed Mesa Terrace subdivision would be located **within the original boundaries** of Sharon Heights and should therefore be zoned RSF-2, consistent with the rest of Sharon Heights. If it were to be zoned RSF-4, it would further compound the traffic flow problem, creating a hazardous situation for our children. It would also change forever the character and integrity of our historic neighborhood.

Recently, members of the Sharon Heights community met and unanimously agreed that the proposed Mesa Terrace subdivision should be zoned at TWO units per acre (RSF-2). This will insure the continuing integrity of our neighborhood and prevent significant traffic and public safety problems.

We ask for your consideration and support in this important matter.

Sincerely,



Joseph T. Hayes

RECEIVED

MAY 05 2005

**COMMUNITY DEVELOPMENT
DEPT.**

June 2, 2005

Grand Junction Community Development Department
City of Grand Junction
250 North 5th St. City Hall
Grand Junction, Colorado 81501

RECEIVED
JUN 07 2005
COMMUNITY DEVELOPMENT
DEPT.

Dear Planners and City Staff,

We received notice that a developer has designs for the property directly north of our home and adjacent property and would like our feelings heard about the matter. When I began seeking a home in the Grand Valley 15 years ago I knew I wanted a place with a rural feel and one that did not feel boxed in; as I had felt when younger and living in a 'planned' and tightly fitted sub-division. The property I located and purchased was done so only after many dozens upon dozens of hours searching every area of the Valley; I have lived here for 15 years now.

As a resident of the Sharon Heights Subdivision I am deeply concerned about the proposed annexation of the property at 2866 A 3/4 Rd., to be known as Mesa Terrace. If annexed this property would be zoned for either RSF-2 or RSF-4 units pre acre. This property has been used as an agriculture property for the past 15 years and the owner of the property when I moved here 15 years past told me he had requested an agricultural designation for the property. When did it become zoned for a residential sub-division? I would like a history of the zoning designations for this property. It seems to me as if there have been some curious zoning designations that are not entirely legal. Of note is that this owner believed his property had an agricultural designation and that it was not zoned as a residential sub-divisions.

If this area were divided up into a residential subdivision it would not match the existing Sharon Heights subdivision that surrounds it on three sides. The north boundary of the property is Highway 50 south, so you can see this proposal will placed in the middle of properties that it will not match. Each of the pieces of property that surrounds the proposed development is at least 1/2 acre and many are larger. Some as much as 4 acres. The owners of these homes didn't want to live in a tightly enclosed subdivision that is why they chose this location for their homes. The proposal will detract from these pieces of property and they will no longer have the open feeling they once had.

My question is this, Why is it appropriate for this developer to come in and destroy the existing subdivision? Let us be perfectly clear, he is not in this business for benevolent means, he is ONLY in this to make money. His act of making money for himself will destroy the atmosphere and feel of the existing area make the existing properties less desirable for people like the exiting residence, those wanting a home with a rural flavor as opposed to one of suburbia. Urban sprawl is one of the conditions of our cities to be protected against, lest we become a smaller cousin to the sprawl of the Front Range. Many thousands upon thousands of people living here do so because they do not wish to live in the sprawl of Denver, Colorado Springs, or Ft. Collins.

The current spacing of homes and residence creates a density that naturally limits the traffic volumes and flows within the Sharon Heights subdivision. Currently, a new 29-unit subdivision, Country Ridge Estates, is being built next-door on the west side of Sharon Heights. We expect this subdivision will have a negative impact on the traffic volume and personal safety in this area. Should the proposed Mesa Terrace subdivision become a reality, and is zoned RSF-4, this will compound the traffic flow and jeopardize the safety of our children. After visiting with a number of people from around the valley regarding traffic, living in or near new developments, we believe these fears are well founded. We understand some of these residents have complained about the traffic problems and have gone to the city to seek remedies. It should not be our practice of coming back at a later date and 'fixing' traffic problems with stopgap measures but rather planning with wisdom and foresight to prevent the problems in the first place. What level of risk would you accept for your children?

Recently we met with over 2 dozen of our Sharon Heights neighbors and we **OVERWHELMING** agree that the proposed Mesa Terrace subdivision should be zoned at only two units per acre, (RSF-2). This will insure that the ambiance of the neighborhood is somewhat preserved, and that we prevent a significant increase in traffic through the Sharon Heights neighborhood. We also believe that you need to consider the following:

- 1.) Highway traffic at the dangerous 28 /12 and 50 intersection will increase significantly due to the two developments. The Colo.Dept. of Highways has already recognized the problem that exist, too many vehicles at a very dangerous intersection.
- 2.) Existing geography of hills with in the Sharon Heights subdivision will create traffic safety problems when the volume of traffic increases.
- 3.) The width of A3/4 road at its juncture with Rainbow drive severely limits the width of an improved road to access the new Mesa Terrace subdivision. Both homes on the north and south of the intersection are built quite close to the existing roadway and it will be most difficult to expand the roadway at this critical juncture. We would like to stress the importance that the new subdivision's entrance is built on the North side of the development, rather than on the south.
- 4.) If traffic safety and violation within the proposed subdivision are the responsibility of the City police, and the roads into the subdivision are the responsibility of the county sheriff, how will we insure adequate safety on the roadways? Jurisdictional overlap may well create problems that could hinder the safety of persons living in this area. We are concerned that the expansion of homes and subdivisions within the valley are already taxing the law enforcement resources of the community.

On a more personal note, my family will be the most severely impacted this new development due to the proposed entrance/access to the development. With 24 units proposed we easily expect the traffic flows to increase easily 1000% on the road in front of our home, if not more. The movement of automobiles into and out of the development will be closest to our home and directly adjacent to our property. The small road to our home is not designed to handle the traffic increases and developing the roadway would take excessive amount of land and destroy existing old growth trees that shade the properties affected. I have questions about whom and when, and with which funding the road might be improved? The \$1,500.00 pre home assessment for road improvement near a new development will hardly pay for the adequate expansion of the road to meet the traffic needs created by the development.

The proposed development is slated to have the entrance drive ascend a fairly steep hill directly onto the existing roadway. In times of inclement weather and especially during winter driving conditions one could expect problems with automobiles racing up the hill and failing to stop. In addition, lights from the automobiles will be a constant problem with the coming and going of nighttime drivers as their lights shine into the living space of our family home. This just does not seem fair and is a tremendous intrusion into the safety and privacy of our family.

We appreciate your time and careful consideration of the points outlined in this letter. I would invite you all to come out to the site for a tour to see for yourself why we have concerns. Looking at roadways and plots for homes printed on a map cannot fully show the potential problems that may exist. I believe that a community planning agency, funded with public monies, has a responsibility to fairly see both sides of a planning conflict

Keri K. Elisho Laurie Elisho

2865 A^{3/4} Rd.

970-245-3938

Sento Costello
Grand Junction Community Development Department
City of Grand Junction
250 North 5th Street
Grand Junction, Colorado 81501

Jim B. Deering
2868 A ¾ Road
Grand Junction, Colorado 81503

May 4, 2005

Dear Planner Costello,

I am concerned about the density of the proposed annexation of the Mesa Terrace subdivision, ANX-2005-089, Munkres-Boyd Annexation at 2866 A ¾ Road. In the "Notice of Development Application," it is requesting a rating of RSF-4, instead of a RSF-2 as all other Sharon Heights residents have.

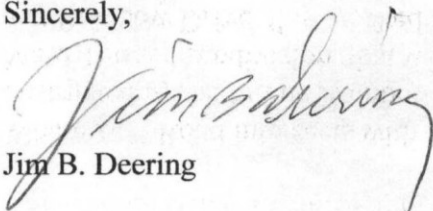
Where A ¾ Road intersects with Rainbow Drive, your view to the left, (or south), is obstructed by the hill on Rainbow Drive. With 23 homes being proposed to be built in Mesa Terrace subdivision, that will probably mean 46 additional cars traveling A ¾ Road and Rainbow Drive, this blocked view will become a safety issue. When irrigation water is being used, many times it flows down both sides of Rainbow Drive, so the children walk down the middle of the street to catch the school bus at the corner of Rainbow Drive and the Frontage Road.

Another concern is the 29 homes being built in the Country Ridge Estates, which probably means 58 more cars, that will also add to the 28 ½ Road crossover traffic of Highway 50, which has already had many accidents. SAFETY needs to be addressed.

I am not opposed to the Mesa Terrace subdivision, but I am opposed to the rating of RSF-4. I am sure there will be more children in these new subdivisions which will add more danger on Rainbow Drive and the Frontage Road.

We ask for the entire Community Development personnel's support in the rating of this subdivision to a RSF-2 for the safety of our established neighborhood. Thank you for your help.

Sincerely,



Jim B. Deering

Sento Costello
Grand Junction Community Development Department
City of Grand Junction
250 North 5th Street
Grand Junction, Colorado 81501

Roberta J Deering
2868 A $\frac{3}{4}$ Road
Grand Junction, Colorado 81503

May 4, 2005

Dear Planner Costello,

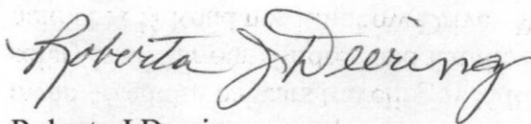
I am concerned about the density of the proposed annexation of the Mesa Terrace subdivision, ANX-2005-089, Munkres-Boyd Annexation at 2866 A $\frac{3}{4}$ Road. In the "Notice of Development Application," it is requesting a rating of RSF-4, instead of a RSF-2 as all other Sharon Heights residents have.

With 23 homes being proposed to be built in Mesa Terrace subdivision, that will probably mean 46 additional cars traveling A $\frac{3}{4}$ Road and Rainbow Drive, which will become a safety issue for our children and families because there are no sidewalks for us to use on neither A $\frac{3}{4}$ Road nor Rainbow Drive. When irrigation water is being used, many times it flows down both sides of Rainbow Drive, so the children walk down the middle of the street to catch the school bus at the corner of Rainbow Drive and the Frontage Road. Another concern is the 29 homes being built in Country Ridge Estates, which probably means 58 more cars, which will also add to the 28 $\frac{1}{2}$ Road crossover traffic of Highway 50, which has already had many accidents.

I am not opposed to the Mesa Terrace subdivision, but I am opposed to the rating of RSF-4. I am sure there will be more children in these new subdivisions which will add more danger on Rainbow Drive and the Frontage Road.

We ask for the entire Community Development personnel's support in the rating of this subdivision to a RSF-2 for the safety of our established neighborhood. Thank you for your help.

Sincerely,



Roberta J Deering

Allen & Susan Crim
184 Rainbow Drive
Grand Junction, CO 81503
242-8546

Senta Costello
Grand Junction Community Development Department
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501

RECEIVED
JUN 01 2005
COMMUNITY DEVELOPMENT
DEPT.

Subject: ANX-2005-089, Munkres-Boyd Annexation, 2866 A3/4 Rd.

June 1, 2005

We have resided at 184 Rainbow Drive since 1972. Our home is located in the Sharon Heights subdivision that was set out in the 1940s and has maintained lot sizes that are a minimum of one-half acre.

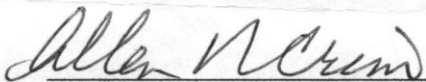
With annexation the zoning should be permanently set. The neighbors recently met with a developer who is proposing a subdivision, currently identified as the Mesa Terrace subdivision, and has suggested a zoning of either RSF-2 or RSF-4. Our main concern is that any change in the current density will have negative impact on the historical character of the neighborhood and have a major impact on traffic flow and safety on the country lane that is A ¾ Road and on Rainbow Drive.

It would be our suggestion and preference that, since the proposed Munkres-Boyd annexation is located within the original boundaries of the Sharon Heights subdivision, that a RSF-2 zoning should be maintained. This keeps this property and any future development consistent with the rest of the Sharon Heights subdivision.

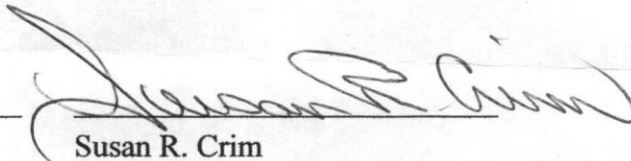
The members of the Sharon Heights community recently met and unanimously agreed that the zoning be maintained at TWO units per acre (RSF-2). This will insure the continuing integrity of our neighborhood and prevent significant traffic and public safety problems.

Thank you for your consideration and support in this important matter.

Sincerely,



Allen R. Crim



Susan R. Crim

June 7, 2005

Community Development Department
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501

RECEIVED

JUN 09 2005

COMMUNITY DEVELOPMENT
DEPT.

RE: Proposed Development of RSF-4 units per acre at 2866 A-3/4 Road

To Whom It May Concern:

We, Rick and Barbara Beaver, residents living at 178 Rainbow Drive would like to express our deepest concerns regarding the proposed development of housing units at 2866 A-3/4 Road. We believe that the increase in traffic this proposed density of development could cause will be an even bigger safety hazard than currently exists, especially for our children and grandchildren.

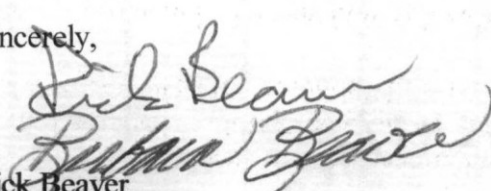
We live just below the hill on Rainbow Drive and have noticed over the years that the speed of traffic has increased. A few years ago a 20 m.p.h. speed limit sign was placed on Rainbow Drive due to the speeding taking place on this street. As of yet, the speeding has not stopped. Adding the proposed number of residence would only add to this problem as well as the potential for serious accidents.

Another problem is the way in which A-3/4 Road ties into Rainbow Drive. It is right in the middle of the hill, and with the speeding traffic that comes over that hill the chances for an accident occurring at this junction are greatly increased.

We ask that you, the Community Development Department, keep these problems and concerns in mind when making your decision on the new development. We also hope that you will, 1.) Agree to limit the number of residences in this development to one residence per 1/2 acre lot, consistent with the existing area residences. 2.) Please consider some other avenue for traffic to reach Hwy 6&50 rather than Rainbow Drive, as this street already has existing traffic problems.

As we, Rick and Barbara Beaver, will be out of town from June 12th to June 22nd and unable to attend the meeting on this proposal we would like to thank you for this opportunity to voice our concerns. We ask that you thoroughly consider these issues of concern when making your decision on this very important matter.

Sincerely,


Rick Beaver
Barbara Beaver

Sento Costellolo
Grand Junction Community Development Department
City of Grand Junction
250 North 5th Street
Grand Junction, Colorado 81501

Lori Banks
2846 ½ Casimir
Grand Junction, Colorado 81503

RECEIVED
MAY 10 2005
COMMUNITY DEVELOPMENT
DEPT.

May 4, 2005

Dear Community Development Department,

I am upset about the density of the proposed annexation of the Mesa Terrace subdivision, ANX-2005-089, Munkres-Boyd Annexation at 2866 A ¾ Road. In the "Notice of Development Application," it is requesting a rating of RSF-4, instead of a RSF-2 as all other Sharon Heights residents have.

With 23 homes being proposed to be built in Mesa Terrace subdivision, that will probably mean 46 additional cars traveling A ¾ Road and Rainbow Drive, which will become a safety issue for our children and families because there are no sidewalks for us to use on neither A ¾ Road nor Rainbow Drive. When irrigation water is being used, many times it flows down both sides of Rainbow Drive, so the children walk down the middle of the street to catch the school bus at the corner of Rainbow Drive and the Frontage Road. Another concern is the 29 homes being built in Country Ridge Estates, a new subdivision directly to the west of us. This probably means 58 more cars, which will also add to the 28 ½ Road crossover traffic of Highway 50, which has already had many accidents.

I am opposed to the rating of RSF-4. I am sure there will be more children in these new subdivisions, thus adding more danger on Rainbow Drive and the Frontage Road. By limiting the number of homes, this will naturally limit the number of cars.

We ask for all of the Community Development Department's support in the rating of this subdivision to RSF-2 for the safety of our established neighborhood. Thank you for your support.

Sincerely,



Lori Banks

Sento Costello
Grand Junction Community Development Department
City of Grand Junction
250 North 5th Street
Grand Junction, Colorado 81501

RECEIVED
MAY 10 2005
COMMUNITY DEVELOPMENT
DEPT.

Bruce Banks
2864 ½ Casimir
Grand Junction, Colorado 81503

May 4, 2005

Dear Planner Costello,

I am disturbed about the density of the proposed annexation of the Mesa Terrace subdivision, ANX-2005-089, Munkres-Boyd Annexation at 2866 A ¾ Road. In the "Notice of Development Application," it is requesting a rating of RSF-4, instead of a RSF-2 as all other Sharon Heights residents have.

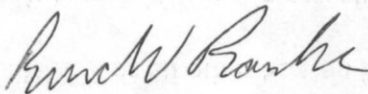
Where A ¾ Road intersects with Rainbow Drive, your view to the left, (or south), is obstructed by the hill on Rainbow Drive. With 23 homes being proposed to be built in Mesa Terrace subdivision, that will probably mean 46 additional cars traveling A ¾ Road and Rainbow Drive, this blocked view will become a safety issue. When irrigation water is being used, many times it flows down both sides of Rainbow Drive, so the children walk down the middle of the street to catch the school bus at the corner of Rainbow Drive and the Frontage Road.

Another concern of mine is the 29 homes being built in the Country Ridge Estates, which probably means 58 more cars, that will also add to the 28 ½ Road crossover traffic of Highway 50, which has already had many accidents. SAFETY needs to be addressed.

I am not opposed to the Mesa Terrace subdivision, but I am opposed to the rating of RSF-4. I am sure there will be more children in these new subdivisions which will add more danger on Rainbow Drive and the Frontage Road.

I am asking the entire Community Development Department for their support to change the rating of the Mesa Terrace subdivision to an RSF-2. Thank you for your help in this urgent matter.

Sincerely,



Bruce Banks

July 10, 2005

Doug and Shauna Wolf
2865 Sharon Place
Grand Junction, CO 81503

Dr. Paul A. Dibble, Planning Commission Chairman
c/o Community Development
250 North 5th Street
Grand Junction, CO 81503

RECEIVED

JUL 12 2005

COMMUNITY DEVELOPMENT
DEPT.

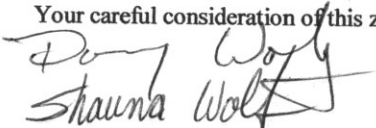
Re: Munkres-Boyd Annexation/ Zoning, A 3/4 Road. #ANX-2005-089

We are writing to register our protest to the proposed RSF4 zoning for the Munkres-Boyd Annexation. By zoning these 5.76 acres RSF4 you will change the tenor of the surrounding area. The infrastructure in this area is not adequate to safely handle the additional traffic this zoning would create.

Traffic along A 3/4 Road, Rainbow Drive and B Road would increase significantly with the addition of so many new houses. It will be necessary to install sidewalks and streetlights along these traffic routes in order to ensure the safety of pedestrians. Our children and many other children walk to the bus stop at the corner of B Road and Rainbow Drive, often in the darkness of a winter morning.

We hope you will drive through our neighborhood and visualize for yourself the hazards a pedestrian, often a child, will face just getting to and from the school bus. We are very concerned for their safety and encourage you to change the zoning for the 5.76 acre Munkres-Boyd Annexation to RSF2.

Your careful consideration of this zoning issue will be greatly appreciated.


Doug and Shauna Wolf

Dr. Paul A. Dibble, Planning Commission Chairman

From Paul & Lois Kelleher
2866 Sharon Pl. Gr. Jct. 81503

Subject: Munkres-Boyd Annexation/aoning #ANX-2005-089

RECEIVED

JUL 12 2005

COMMUNITY DEVELOPMENT
DEPT.

We live at 2866 Sharon Pl, in Sharon Heights Subdivision, just off Rainbow Dr.

The roads in our area, Rainbow Drive-Sharon Pl- Casmeir and A 3/4 are narrow , with no sidewalks and not much shoulders. When the 29 Rd intersection with Hwy 50 is completed, we will be impacted by traffic from Sunset Hills, whose Hwy 50 access is going to be cumbersome.

All the children in the area must walk down Rainbow Dr to the frontage road @ Hwy 50 to catch their school buses. The additional traffic from all these sources will set up a dangerous situation.

Extending the frontage road from Rainbow Dr to and entrance to the subdivision would help the impact on Rainbos Dr. to a minimum.

We do not feel Rsf4 zoning is in keeping with the rest of this long time neighbor hood, houses were built in the 50's & 60's, some of the orriginal owners are still here. Please help us maintain our quality of life.

Thank you

Paul and Lois Kelleher

July 7, 2005

Dear Planning Commissioners:

On July 12, 2005 you will be rehearing the argument as to why Sharon Heights subdivision residents and surrounding neighbors would like the Munkres-Boyd property at 2866 A $\frac{3}{4}$ Road to be zoned RSF-2 rather than RSF-4. To help you get a better understanding for our concerns and compatibility issues, I would like to encourage each of you to visit our neighborhood prior to the July 12th meeting.

Attached is additional information from the Growth Plan, Growth Plan Update Steering Committee Recommendations January 2003 and the Mesa County 2005 Citizen Attitude Survey March 2005. This information highlights neighborhood compatibility, retaining neighborhood characteristics and citizen's attitudes on the number of houses per acre.

Thank you for your time and commitment to the planning of Mesa County.

Dana Stilson
168 Rainbow Drive
Grand Junction, CO 81503
970-245-2068

Growth Plan

Future Land Use Plan Goals, Policies and Implementation

Chapter 5 – Updated May 2003

Page V.12:

E. Preferred Land Use Scenarios – Urban Area Features

2. Support/Enhance Existing Neighborhoods

- a. Planning should help maintain the quality of life in existing neighborhoods.
- b. All neighborhood plans should be incorporated.
- c. New roadways should be designed and located so they do not intrude on existing neighborhoods
- d. Compatibility standards should be in place for more intense uses in or adjacent to neighborhoods

Page V.15:

Future Land Use Categories Table

Urban:

Residential/Low Density = ½ to 2 acres per dwelling unit

Residential/Medium-low Density = 2-4 dwelling units per acre

Page V.16:

Policy 1.3: City and County decisions about the type and intensity of land uses will be consistent with the Future Land Use Map and Plan policies.

The City and County may limit site development to a lower intensity than shown on the Future Land Use Map if site specific conditions do not support planned intensities.

Page V.23:

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

Policy 5.1: The City and County will target target capital investments to serve developed areas of the community prior to investing in capital improvements to serve new development, except when there are un-met community needs that the new development will address.

Page V.28;

Goal 10: To retain valued characteristics of different neighborhoods within the community.

Policy 10.2: The City and County will consider the needs of the community at large and the needs of individual neighborhoods when making development decisions.

Policy 10.3: The City and County, recognizing the value of historic features to neighborhood character and the distinction between neighborhoods, will allow design variety that is consistent with the valued character of individual neighborhoods, while also considering the needs and values of the community as a whole.

Policy 10.4: The City and County will encourage development designs that enhance the sense of neighborhood.

Retrieved June 16, 2005, from City of Grand Junction

<http://www.gjcity.org/CityDeptWebPages/CommunityDevelopment/CommunityPlanning/PDF/GrowthPlanUpdate/FLUsePlanChpFiveFINALMAY03.pdf>

Growth Plan Update Steering Committee Recommended Changes to the Goals Policies and Action Items of the Growth Plan

January 2003

Policy 13.8: The City and County will encourage building and landscape designs which enhance the visual appeal of the individual projects and the community as a whole. Design guidelines should provide flexibility while promoting aesthetics, traffic safety and land use compatibility.

Retrieved June 16, 2005, from City of Grand Junction

<http://www.gjcity.org/CityDeptWebPages/CommunityDevelopment/CommunityPlanning/PDF/GrowthPlanUpdate/Policy.pdf>

Mesa County 2005 Citizen Attitude Survey
March 2005

Key Findings:

- Mesa County services about which survey respondents were most divided included land use planning (35.9% positive, 32.2% negative) and zoning enforcement (34.5% positive, 33.4% negative).
- Majorities of survey respondents either strongly agreed or agreed that Mesa County should purchase land to maintain open space (74.4%), should require strict adherence to land use plans (84.8%), and should decrease the number of houses allowed per acre in unincorporated Mesa County (70%). See table 5.3/Figure 5.3

Retrieved on June 16, 2005 from Mesa County

<http://www.mesacounty.us/mcweb/administration/MesaCitizenSurvey.pdf>

From: "Joseph Hayes" <jth815@earthlink.net>
To: <commdev@gjcity.org>
Date: 7/10/2005 1:28:31 PM
Subject: Munkres-Boyd Annexation/Zoning

Subject: Munkres-Boyd Annexation/Zoning, ANX-2005-089

To: Dr. Paul Dibble, Roland E. Cole, William E. Putnam, John Redifer, Bill Pitts,
Thomas Lowrey, Lynn Pavelka-Zarkesh, Reginald L. Wall, Patrick J. Carlow,
Robert E. Blanchard

From: Joseph T. Hayes

I recently read the Growth Plan and believe that it is a well thought out document that requires City and County officials to manage growth in a reasonable way. There are frequent references to , "compatibility", "quality of life in existing neighborhoods", "stable residential areas", "integrity of the community's neighborhoods", and "considering the needs of individual neighborhoods". One of the Principles listed was that "Planning should help maintain the quality of life in existing neighborhoods." Policy 12.3 specifies that "The City and County will protect stable residential neighborhoods from encroachment of incompatible residential and non-residential development."

For almost 60 years the Sharon Heights neighborhood has maintained an on-the-ground density of no more than 2 units per acre. Even when larger lots were subdivided, they were made into 1/2 acre lots. This is the standard density for not only our neighborhood, but the adjoining neighborhoods of Sharon Place, Casimir Heights, and Sunset Hills as well. The lot purchased by the Freestyle Corporation is, in fact, lot 22 of Sharon Heights, and is surrounded by lots that your Growth Plan would classify as Residential Low Density. Your planner, Senta Costello, has gone on the record to say that it would be more appropriate to limit this new development to no more than 2 units per acre because that would be consistent and compatible with our historic neighborhood density, and that you were not restricted in any way from zoning it RSF-2.

In spite of all of this, you decided to zone it as RSF-4, apparently just to placate the developer. We, in the neighborhood, are most unhappy about that decision and hope that you will reconsider zoning it RSF-2 instead. Based on everything I've read in the Growth Plan, RSF-2 would be the most appropriate zoning for this area in the middle of an old established neighborhood. We are also very concerned about the present plans to provide access from A 3/4 Road, thereby routing all traffic onto Rainbow Drive. This makes no sense at all. The most sensible access is from the north. If the present frontage road is extended a very short distance, the problem will be solved, and traffic can access from the north. Our neighborhood should not be disrupted and changed forever just because nobody can find the money to extend the frontage road. After all, the Growth Plan

specifies that "areas within the Grand Valley will be allowed to develop when there are adequate funds to provide public services and facilities such as roads and schools." Policies 7.1, 7.2, and 7.3 indicate that perhaps the developer needs to bear more of the cost of correcting this access problem.

Mr. Putnam has pointed out that developers can make a handsome profit by building good quality homes on 1/2 acre lots, and he cited a specific case. We agree with Mr. Putnam. No one is trying to stop growth, but we think it should be managed wisely. This is why the Growth Plan exists, so that growth is allowed to happen in a planned manner. If the Growth Plan is adhered to, then you really must change your recommendation to RSF-2, and specify that access must be from the north. To do otherwise would be a violation of the principles, goals, and policies specified in this document.

Please help preserve and protect our wonderful old neighborhood by complying with the Growth Plan and recommending RSF-2 and access from the north. Thank you for your consideration in this important matter.

Sincerely,

Joseph T. Hayes
185 Rainbow Drive
Grand Junction, CO 81503 970-263-7474

From: "PAULA HOLDER" <paula4health@msn.com>
To: <commdev@gjcity.org>
Date: 7/11/2005 10:34:51 PM
Subject: Zoning A-3/4 Rd attention Bob Blanchard-attention Dr. Paul Dibble

I would like to voice my concerns about the zoning for north side of A3/4 Rd. I will not be able to attend due to prior commitment but I feel the RSF2 (2units/acre) zoning is better for our neighborhood I am against the proposed RSF4 (4 units/acre) Thank You.

Paula Holder
www.juicecure.com
970-216-9819

"The richest people in the world look for and build networks; everyone else looks for work".-Robert T. Kiyosaki, Author, "Rich Dad. Poor Dad".

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J. Frederick Templeman,MD

From: "Allen and Sue Crim" <crimar@acsol.net>
To: <commdev@gjcity.org>
Date: 7/10/2005 11:40:32 PM
Subject: Munkres-Boyd zoning -

We have resided 184 Rainbow Drive since 1972 and would like to express some concerns regarding the proposed zoning on the zoning of the property located at 2866 A 3/4 Road.

Please modify the zoning to RSF2 on this property.

First the Sharon Heights subdivision currently has lots equal to or greater than 1/2 acre. This subdivision was built long before the "official" zoning was designated. By allowing a maximum of four units per acre on this property will essentially guarantee four per acre as there is no incentive for the developer to do otherwise. This is most definitely not in the character of the existing neighborhood and is contrary to the caveat in the Orchard Mesa growth plan that discourages zoning changes within existing subdivisions. The De facto zoning within Sharon Heights is two units per acre.

Access and traffic safety need to be strongly considered. By lessening the density to two units per acre would have much less impact for traffic on A 3/4 Road and Rainbow Drive.

A 3/4 Road is essentially a narrow country lane that is inadequate to handle the traffic flow safely. Additional traffic entering Rainbow Drive from A 3/4 Road creates a hazard because of the slope of Rainbow Drive. Traffic ultimately exiting onto Highway 50 must do so at 28 1/2 Road which is becoming more congested and dangerous every day.

We are not averse to development but believe that it should be done in a manner that is consistent with property within the existing Sharon Heights subdivision. Again, this is a minimum of 2 units per acre.

Thank you for your consideration....

Allen & Susan Crim

July 13, 2005

Dear Mayor Hill:

On July 12, 2005 a request to rehear the zoning recommendation of RSF-4 for the Munkres-Boyd property at 2866 A $\frac{3}{4}$ Road was denied by the Planning Commission. On July 20, the City Council will be presented with the RSF-4 recommendation for the property mentioned above and then asked to make an appropriate decision based upon the Planning Commission's recommendation, public and petitioner input. During this meeting, many residents living in the surrounding neighborhood will be asking you to deny this request based on references within the Growth Plan that support neighborhood compatibility.

Our concern is Munkres-Boyd property is surrounded on three-sides by Sharon Height subdivision properties that are at least one-half acre in size. The proposed subdivision is planning to divide six acres into 23 properties, while the well-established surrounding neighborhood has approximately 27 single-family homes on a total area of 16 acres. As a resident of Sharon Heights subdivision, I do not feel this kind of growth is compatible with the existing neighborhood or the Mesa County Growth Plan.

To help you get a better understanding for our concerns and compatibility issues, I would like to encourage each of you to visit our neighborhood prior to the July 20th meeting, review the Growth Plan from the view point of the neighborhood and see the Mesa County 2005 Citizen Attitude Survey March 2005, which highlights citizen's attitudes on the number of houses being built per acre.

Thank you for your time and commitment to the planning of Mesa County.

Dana Stilson
168 Rainbow Drive
Grand Junction, CO 81503
970-245-2068

RECEIVED
JUL 14 2005

14 July, 2005

Mr. Bruce Hill -- Mayor of Grand Junction
Office of the Mayor
Grand Junction, Colorado 81503

Dear Mr. Hill,

We met last week at the City Council meeting, I stood up to speak about the proposed annexation into the city of two lots that lie directly across the street and to the north of my home, and our family property. (Munkres-Boyd development - to be called "Mesa Terrace", physical address: 2866 A 3/4 Rd.) While I was mildly opposed to the annexation, due mainly because it seems to be an almost unstoppable process, (the revered 'Perisigo' agreement is referred to so often, by so many, and it carries so much force in these matters, one might erroneously think it was an act of congress or a decree by the Supreme Court), my main concern is the tremendous affect this sub-division will have on our family, our life-style so very modest may-it-be, and the small existing community that surrounds the proposed development, ON THREE SIDES. (The fourth side being the highway so it can't be developed with homes.)

It, (this development and its planning, zoning, etc.), has already usurped countless hours by myself, our family, and the time of dozens of our neighbors who OPPOSE the development as it was presented to us at a 'community' meeting earlier this year. It has already adversely affected the people who live here and not a spade full of dirt has been moved. Regardless of the time we spend, we hope that you will honor our efforts with a sense of fairness, please here us out and give due thought to the issues that we foresee. We have met on many occasions to heighten the awareness of our neighbors as to the extent and impact of this proposed sub-division and it is our belief that the development will create a **dramatically unfair burden on the existing home owners in the area** if it is allowed to continue unabated as the developer wishes.

Construction traffic alone will cause traffic problems and quite possibly create safety issues for the many children who live, play in, and walk to school through out this neighborhood. Rainbow Drive is the main roadway through the area and it is simply a smallish, two-lane road designed and built in the 1940s and early 1950s, with no sidewalks or bike paths. There are no plans to our knowledge to improve this road, no person or public entity has stepped up and said we will improve this road to make it safe for pedestrian traffic. Will you? Will the city council? Since you have now annexed the property into the city don't you have a duty to see the roadway into **your** development is made safe for the people already living in the area? Can you promise regular police patrols, especially during high use times such as when children walk to or return from the bus stop? (By the way, the bus pick-up location is on the corner of Rainbow, U.S. highway 50, and the highway frontage road, a tight intersection that is confusing to many drivers.) The children do have to be extra careful to avoid traffic at today's levels, increasing the traffic by only a factor of 2 will dramatically increase the possibility of pedestrian-automobile conflicts.

Of major concern is the stark and easily evident CHANGE that the new subdivision will make the existing neighborhood. Immediately surrounding the proposal are 27 homes on approximately 18 acres, most on 1/2-acre lots and some on lots **as large as almost two full acres**. The Munkres-Boyd proposal will place 23 homes on approximately 6 acres. This is a huge disparity that obviously is not in keeping with the surrounding, existing homes. The Orchard Mesa Neighborhood Plan, adopted jointly by both the City and Mesa County in March of 1995, designates our area as "South Orchard Mesa", an area that encompasses South of Highway 50 and East of 27 Road to the extension of the 33 Road line. Page 20 of the Plan outlines Implementation Strategies, short term and ongoing. Strategy #7 states: "Adopt land use and zoning strategies to preserve the rural character of Orchard Mesa outside the urbanizing area as identified in the Agricultural section of the Land Use and Zoning action plan." Regardless of the lines

drawn by a disaffected group of planners who might 'have your best interest at heart' the South Orchard Mesa area has been, and continues to have numerous rural agricultural use areas. I encourage you to come out and drive the neighborhood to witness for yourself this fact. Surely a 23 home subdivision on 6 acres is not in keeping with a "rural character."

The currently developing land just to the west of Rainbow Drive already breeched this goal of the O.M. Plan and the Munkres-Boyd development surely will to. The Redtail development east and south of 29 1/2 road also breeches this zoning goal. We feel that the land South of the Highway should maintain its rural character and the developers should seek land else where for their tightly packed suburban sprawl.

On page 26 of the plan, paragraph #4, it is written that zoning in the south area is primarily R-2, (residential 3.5 units per net acre). In fact, from 28 1/2 road and south to the Mesa County landfill the **ACTUAL spacing is 2 units or less per acre.** This is the spacing that EXISTS TODAY, we believe that the people who purchased land and homes in this area looked over the neighborhoods and CHOSE to live here due to this rural flavor. **(Never should the county, or others, zoned the areas that are in bounded by existing homes on large lots that exist as RSF-2 in reality, into a RSF-4 zoned area.)**

If you and others continue to allow tightly packed, suburban developments the rural flavor and character of the area will be lost, and so ultimately the VALUE of the homes to their owners and to potential buyers who likewise seek a home with a rural flavor, and the lands. It is not appropriate to allow a handful of developers to impact the ownership, values both real and esthic, and the character of the area to be diminished. (The argument the the development will add to the value of existing homes and lands is spoken by those with a vested, monetary interest in building and development, and in fact any increase in value could be attributed to the overall increase in the population of the entire valley due to its growth, and the general upward spiral and cost of real estate.) We who live here feel our values diminished, as the rural character of the area will be destroyed by numerous pocket developments.

The Orchard Mesa Plan; again adopted by your predecessors and others, states that new development WILL HAPPEN IN KEEPING WITH THE EXISTING HOMES AND WILL NOT interfere with existing homes and homeowners. I believe you and the other members of the City Council have a duty to those who have spent a lifetime purchasing a home here, and that you need to protect their interests too.

Listed here are specific concerns we have for this proposed development:

- 1.) It breeches the O.Mesa Development Plan by packing too many homes into too small an area.
- 2.) The roadways into the development are not adequate to support the needs of the new homeowners and the service providers they will expect.
- 3.) The County has not interest nor money to develop the existing roadways, so nothing will be done to improve the roads.
- 4.) Children do now and will later have to walk along the edges of the roadways, (Rainbow Drive and A 3/4 Rd.), with no sidewalks. When there is rain, snow, or snowmelt they are forces further out into the roadway.
- 5.) Existing geographic features tend to encourage excessive speeds of drivers, many who live slightly away from the area mentioned and so do not have the same vested interest as the close neighbors do as to traffic-pedestrian safety.
- 6.) The developer has no plan for moving the children of the development to and from the bus stop. This may well increase the amount of automobile traffic due to parents driving their children to and from the bus stop.
- 7.) The O.Mesa Development plan specifically states new development should not detract or deter the existing views from existing homes. I can foresee numerous rooftops right across the street from our home that will severely hamper our views to the north of the Bookcliffs. Destroying this view will lower the value of our home.

8.) The circular route into the subdivision will hamper fire and police assistance in the time of emergency. (Over the years we've watch many a fire truck struggle in search of the non-existent "Dee Vee" route from the highway to the top of the existing developments.)

9.) We will experience a terrific increase in noise pollution, and noise and light invasion into our homes at night. A BETTER solution for the access to the roadway needs to be discussed and designed. (Use the one-foot city right-of-way you accessed and used for the 1/6 continuance connection along the frontage road right-of-way north of the sub-division.)

(I remain appalled that the land donated to the city by the Burkey family, specifically for a park, has never been developed as such, and you used IT to develop the questionable city contiguousness into the proposed lots to be developed.)

10.) It is a thinly veiled form of segregation for force so many tightly packed homes into the O.Mesa area and South areas and areas to the East. I drove around the Redlands tonight and did not see much new growth so tightly packed.

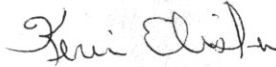
I also believe that to annex property into the city while not keeping up with the development of infrastructure at the same pace is unethical. If you want the land, the homes and the tax dollars that accompany them, then you are bound as a leader of the city to provide the citizens here adequate services. PARKS, (I find no city owned baseball diamonds, limited soccer, basketball, tennis areas here.) woefully inadequate BIKE PATHS, or pedestrian passages through the community, and especially across the highway. LIGHTING is very limited and inadequate; many critical intersections have had little or no improvement over the past 10 years.

There should be a police sub-station up here and also a post office.

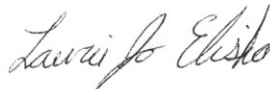
As you wait for funds to come available to meet such needs the developers and speculators are buying up every piece of open space they can. They are way ahead of the city. You will be too late and unable to purchase said properties.

I wish dearly for you and the others on the city council to take the lead, take a stand, and support existing landowners and not just the developers. They, the developers, don't choose the live in the tightly packed sub-divisions they build and, should one be built near them, they have the means to move too less restrictive areas. Not so for most of the people here in this area of Orchard Mesa.

Respectfully submitted by:



Kevin and Laurie Jo Elisha



2865 A 3/4 Rd. Grand Junction, Colorado 81503
245-3938

EXHIBIT B

GRAND JUNCTION PLANNING COMMISSION JUNE 14, 2005 MINUTES 7:00 p.m. to 8:45 p.m.

The regularly scheduled Planning Commission hearing was called to order at 7:00 p.m. by Chairman Paul Dibble. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Dr. Paul Dibble (Chairman), Roland Cole, Lynn Pavelka-Zarkesh, William Putnam, Bill Pitts, Tom Lowrey and John Redifer.

In attendance, representing the City's Community Development Department, were Pat Cecil (Development Services Supervisor), Lori Bowers (Senior Planner), Lisa Cox (Senior Planner), Senta Costello (Associate Planner) and Ronnie Edwards (Associate Planner).

Also present were Jamie Kreiling (Assistant City Attorney) and Rick Dorris (Development Engineer).

Terri Troutner was present to record the minutes.

There were approximately 29 interested citizens present during the course of the hearing.

I. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

II. APPROVAL OF MINUTES

Available for consideration were the minutes from the May 10, 2005 public hearing.

MOTION: (Commissioner Lowrey) "I move we approve the May 10th minutes."

Commissioner Cole seconded the motion. A vote was called and the motion passed by a vote of 6-0, with Commissioner Pitts abstaining.

III. CONSENT AGENDA

Available for consideration were items:

1. ANX-2005-102 (Zone of Annexation--Career Center Annexation)
2. ANX-2005-076 (Zone of Annexation--Bookcliff Veterinary Hospital)
3. CUP-2005-069 (Conditional Use Permit--City Water Plant Cell Tower)
4. VR-2005-097 (Vacation of Right-of-Way--Toles Franklin Avenue Vacation)
5. VE-2005-077 (Vacation of Easement--Forrest Glen Subdivision)
6. PP-2004-219 (Preliminary Plan--The Glens at Canyon View)

7. CUP-2005-063 (Conditional Use Permit--Walgreen's on North Avenue)

Chairman Dibble briefly explained the Consent Agenda and invited the public, planning commissioners, and staff to speak up if they wanted one or more of the items pulled for additional discussion. Staff requested that items ANX-2005-076 and VR-2005-097 be pulled from the Consent Agenda, and that items ANX-2005-102 and PP-2004-219 be continued to the June 28, 2005 public hearing. Staff also requested that item VR-2005-067 (Vacation of Right-of-Way and Landscape Variance for Riverside School) be pulled from the Full Hearing Agenda and placed on the Consent Agenda. No objections were received from the audience or planning commissioners on any of the requested changes, nor were there any objections raised by staff, planning commissioners, or the audience on any of the remaining items.

MOTION: (Commissioner Putnam) "Mr. Chairman, I move that we continue item 1, ANX-2005-102, and item 6, PP-2004-219, to the 28th of June's meeting."

Commissioner Cole seconded the motion. A vote was called and the motion passed unanimously by a vote of 7-0.

MOTION: (Commissioner Cole) "Mr. Chairman, I would move approval for the Consent Agenda, including item 3, 5, 7, and 9 [CUP-2005-069, VE-2005-077, CUP-2005-063, and VR-2005-067]."

Commissioner Redifer seconded the motion. A vote was called and the motion passed unanimously by a vote of 7-0.

IV. FULL HEARING

ANX-2005-089 ZONE OF ANNEXATION--MUNKRES-BOYD ANNEXATION

A request for approval to zone 5.76 acres from a County RSF-4 (Residential Single-Family, 4 units/acre) zone district to a City RSF-4 (Residential Single-Family, 4 units/acre) zone district.

Petitioner: Ted Munkres, FreeStyle Design & Building

Location: 2866 A 3/4 Road

STAFF'S PRESENTATION

Senta Costello gave a PowerPoint presentation, which included the following slides: 1) site location map; 2) aerial photo map; 3) Future Land Use Map; and 4) an Existing City and County Zoning Map. The total amount of land annexed by the City, including right-of-way, was 6.04 acres, of which, the petitioner owned approximately 5.76 acres. The site's location was noted as were surrounding uses and zoning. A single-family home was currently situated on the property and would remain, and the property had at one time been used for agricultural purposes. Since the Persigo Agreement provided for City-annexed parcels to be zoned to their closest County equivalent, the City's RSF-4 zone

would be consistent with the Persigo Agreement, the Growth Plan, and the City's Zoning and Development Code. As such, staff recommended approval of the request.

QUESTIONS

Chairman Dibble asked staff to point out the contiguous City-owned property(ies) that linked the subject parcels. Ms. Costello said that contiguity had been achieved via the Highway 50 frontage road, from the parcel within City limits located at the intersection of 28 1/2 Road/Highway 50 to Part 1 of the serial annexation. Contiguity for Part 2 of the serial annexation had been achieved via the frontage road from Part 1 of the serial annexation.

Chairman Dibble asked for confirmation from staff that surrounding zonings were RSF-4, which was provided.

PETITIONER'S PRESENTATION

Bob Jasper, representing the petitioner, expressed support for staff's recommendation of approval. The petitioner had been aware of the property's underlying County zoning when he'd purchased the property. Mr. Jasper noted that agricultural operations had not been conducted on the property for quite some time. A neighborhood meeting had been held. The biggest concern expressed by residents attending that meeting had been traffic impacts to Rainbow Drive and the lack of a highway crossing at the intersection of Rainbow Drive/Highway 50. While there was a highway crossing located at the intersection of Dee Vee Road/Highway 50, he hoped that the City and County could work together to resolve that area's overall transportation issues.

PUBLIC COMMENTS

FOR:

Bertie Deering (2868 A 3/4 Road, Grand Junction) said that while not necessarily opposed to the petitioner's project, she felt that there were some significant issues that required mitigation. She felt that the 4 units/acre density allowed by an RSF-4 zone district was too high and incompatible with surrounding neighborhood densities. She also felt that traffic issues should be addressed prior to approval of any zone of annexation. Traffic from the petitioner's parcels would likely travel along A 3/4 Road to Rainbow Drive and exit at the Rainbow Drive/Highway 50 intersection. She noted the location of a steep hill and retaining wall along Rainbow Drive that effectively limited sight distance, creating a dangerous situation. Also, there were no sidewalks for pedestrians along A 3/4 Road. During irrigation season, children were forced to walk further out into the streets to avoid water flows. Additional traffic along Rainbow Drive and A 3/4 Road would increase safety concerns.

AGAINST:

Jess McElroy (186 Rainbow Drive, Grand Junction) stated that the RSF-4 zone district permitted too high a density for the area and would be incompatible with the surrounding neighborhood. He felt that approval of the RSF-4 zone district would negatively affect the area's quality of life and urged consideration of an RSF-2 zone district instead.

Joseph Hayes (185 Rainbow Drive, Grand Junction) said that Sharon Heights was a delightful place to live, with most of it having been developed in the 1950s. Neighbors were friendly, and the area was safe enough that their kids could play in the streets. Most of the area's lots were at least a half-acre in size, with some lots as large as 10 acres in size. Sharon Heights' zoning had been RSF-2 since the 1940s. Since the petitioner's parcels had once been a part of the Sharon Heights Subdivision, they too should be zoned RSF-2. He felt that the neighborhood had historical significance given its age, and he pointed out that a trailhead to the Old Spanish Trail was located nearby. He added his concerns regarding traffic and safety issues to those expressed by Ms. Deering, reiterating the lack of sidewalks along both Rainbow Drive and A 3/4 Road. While there were signs posting speeds of no more than 20 mph, people routinely exceeded that speed along both roads. Approval of an RSF-4 zone district would negatively impact the character of the area, and he urged consideration of an RSF-2 zone instead. Mr. Hayes said that when he'd approached staff about the appropriateness of RSF-2 zoning for the two subject parcels, even Ms. Costello seemed to agree that a lesser density would be more compatible with the surrounding area.

Kevin Elisha (2865 A 3/4 Road, Grand Junction) said that he owned two lots directly adjacent to the subject parcels. He, too, was most concerned about the traffic impacts that would be associated with an RSF-4 zone district. The area's roads had been developed to County standards. At what point would streets be brought up to City standards? He felt that 28 1/2 Road was already overburdened with traffic, and the area's streets and intersections were substandard. Mr. Elisha felt that the City should address the area's overall transportation issues before it was completely built out. He said that CDOT owned the frontage road along Highway 50, but because it didn't have the interest or funds to develop it properly, CDOT would entertain the possibility of donating it to the City and/or County for development. If that were accomplished, he felt that the subject parcels could derive access via the frontage road with no impact to either A 3/4 Road or Rainbow Drive. A 3/4 Road, he felt, was just too narrow to accommodate the additional traffic expected from the petitioner's development. Approval of an RSF-4 zone district for the subject parcels would jeopardize the safety of the people currently living in the area.

Bud Franz (145 Landsdown Road, Grand Junction) said that CDOT representatives had told him that traffic from the subject parcels and from other area development(s) would likely be routed to the west along A 3/4 Road to Rainbow Drive. That, he said, would affect traffic patterns for the entire area. Additional traffic from the petitioner's development would only exacerbate traffic issues already experienced by area residents. The density allowed by the RSF-4 zone district would be incompatible with surrounding densities. Approval of that zone district, and development of the subject property to a density of 4 units/acre would be an intrusion into the area's way of life.

Carol Ward (2860 Casimir Drive, Grand Junction) wondered if annexation of the property by the City had, in effect, "put the cart before the horse." She understood that

there would be no traffic signal light installed at the intersection of Highway 50 and 29 Road, and she couldn't help but wonder what additional traffic concerns that might pose. She wondered if approval of the zone of annexation meant that the developer had a green light to move forward with development of the property. She felt that the property's annexation should be postponed until the area's traffic problems could be addressed.

Allen Crim (184 Rainbow Drive, Grand Junction) said that both he and his wife supported a lower density for the subject parcels. The area's existing infrastructure was ill equipped to handle additional traffic from high-density development. The safety concerns expressed by his neighbors were very real. The City needed to control growth so that safety for its residents could be ensured.

Dana Stilson (168 Rainbow Drive, Grand Junction) asked for clarification on the contiguity statements made by staff, which was provided by Ms. Costello.

When asked by Mr. Franz if annexation of the subject parcels represented "flagpole annexation," Chairman Dibble responded affirmatively, adding that such was permitted under the stipulations of the Persigo Agreement, provided that the annexation met the contiguity criteria outlined by staff.

PETITIONER'S REBUTTAL

Bob Jasper said that he had no desire to debate with the neighbors. He agreed that theirs was a nice neighborhood and they had every right to be proud of it. But this was not the 1940s, and the price of land was such that higher density developments were necessary in order to recoup development costs and still make a profit. The area was growing, and the extension of 29 Road into Orchard Mesa would bring even more growth. He understood that traffic concerns were probably more often expressed with infill development. Traffic counts along Rainbow Road did not suggest that the road was at or even near to its carrying capacity. He reiterated his hope that the City, County, and CDOT would work together to mitigate the transportation issues facing the area.

Mr. Jasper said that the Persigo Agreement required annexation of the property and the subsequent application of a zone district. Mr. Jasper said that the RSF-4 zone district met criteria outlined in the Persigo Agreement, the Orchard Mesa Neighborhood Plan, and the City's Growth Plan. It was also the exact equivalent to the County's zoning. He added that the developer was renowned for constructing quality affordable homes and any proposed development would incorporate quality standards.

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Commissioner Lowrey asked if the developer would be opposed to development of a frontage road along the north side of the property. Mr. Jasper understood that CDOT owned a lot of right-of-way in the area but that it had no interest in constructing additional frontage roads. He added that the developer had undertaken a lot of research prior to purchasing the property. He'd complied with the City's regulations and had every right to expect that the RSF-4 zone district would be supported by the City upon its

annexation of the property. The developer would do his best to mitigate outstanding concerns during the development review stage but he also had a right to make a profit on his investment.

Chairman Dibble asked staff to again explain the contiguity requirements involved in annexation, which was provided. Bob Blanchard reiterated that contiguity was achieved via the frontage road along Highway 50. Ms. Costello said that the current annexation would not affect other properties in the area until such time as they might be enclaved, which would likely be many years down the road.

Commissioner Putnam referenced Mr. Hayes' remark regarding the Sharon Heights Subdivision being zoned RSF-2. Since the staff report indicated that the County zoning was RSF-4, which was correct? Ms. Costello said that the City had obtained the property's current zoning from the County. It was unclear what the zoning for Sharon Heights had been back in the 1940s, but the area had been RSF-4 since at least the year 2000.

Commissioner Redifer asked for staff's response regarding the comment made to Mr. Hayes about the RSF-2 zone being more appropriate. Ms. Costello said that while, in her opinion, the less dense RSF-2 zone might be more appropriate, the only issue to be considered was whether the current request met City regulations and adopted policies and guidelines. In the current situation, both the RSF-2 and RSF-4 zone districts could be supported by the City's Growth Plan and Development Code. The RSF-4 zone district just happened to be the closest County equivalent.

Commissioner Redifer asked how staff had assessed traffic and safety impacts for the proposed RSF-4 zone. Ms. Costello said that if the property were built out to the maximum density allowed by the RSF-4 zone, engineering staff had concluded that traffic and safety issues could be satisfactorily mitigated.

Rick Dorris came forward and referenced the aerial photo map. He reminded planning commissioners that since no development plan had been submitted, it was difficult to know what the developer's proposed density will be. With regard to traffic, the new transportation capacity payment (TCP) ordinance required developers to meet minimum access requirements to their parcels. For a residential development, that translated into a 20-foot asphalt mat. Curb, gutter, and sidewalk would not be required. Generally, the more narrow the road, the slower the traffic. If vehicles were speeding along area roads, citizens could report the problem to the County Sheriff's Department. He said that traffic counts near the Rainbow Drive/Highway 50 intersection were only 271 average daily trips (ADT), well below the established carrying capacity for residential streets. Even if the subject parcels developed out to a maximum density of 4 units/acre, the number of ADTs from the development still would not exceed the street's carrying capacity. While citizens may not like additional traffic along their streets, streets were constructed to handle specific traffic volumes. Mr. Dorris expected that a traffic signal light would eventually be installed at the Highway 50/29 Road intersection.

Chairman Dibble asked if staff foresaw the need for any traffic calming in conjunction with development of the petitioner's property. Mr. Dorris said that the installation of traffic calming devices often put the City between a rock and a hard place. He cited an example where speed bumps had been requested by citizens as a means of slowing traffic; however, because they had proven to be a hindrance to emergency vehicle access, removal of the speed bumps was later requested.

Chairman Dibble asked if there would be any street improvements required along the subject parcels' A 3/4 Road frontage. Mr. Dorris said that as long as the street met the minimum 20-foot mat width, no additional improvements would be required.

Commissioner Lowrey asked if the subject property would ever derive access from 29 Road. Mr. Dorris answered that such a connection would be unlikely.

DISCUSSION

Commissioner Putnam sympathized with the sentiments expressed by the area's residents.

While he felt it important to maintain the integrity of the existing neighborhood, approval of the RSF-4 zone district did not automatically mean that the property would develop to the maximum 4 units/acre. Likely, the density would be somewhere in between the 2-4 unit/acre density range. The petitioner should consider himself "put on notice" that compatibility with the surrounding area would be a key criterion in any development plan review.

Commissioner Pitts concurred, adding that a development density of 4 units/acre would be too high and incompatible with the surrounding neighborhood. Only the zone of annexation, not the development plan, was before the Planning Commission for consideration. While unsure where the County's RSF-4 zone came from, it's what the property was currently zoned, and the City's RSF-4 zone was its closest equivalent. He urged the developer to consider the concerns expressed by neighborhood residents and work to ensure compatibility and preservation of the neighborhood's integrity.

Chairman Dibble said that when the City annexed a property, it was legally bound to assign a zone of annexation. The Planning Commission's responsibility in that process was fairly restricted to assigning the closest County equivalent. The final decision rested with the City Council.

Commissioner Cole also sympathized with resident concerns. He noted that some of the letters received from residents accused the developer of wanting to make money on the property. It was not wrong for an investor to try and make a profit off of his investment, he said, and the developer needed the property's RSF-4 zone to remain in order to make a return on that investment. He expressed confidence in the developer's integrity and felt that he could support the request.

Commissioner Pavelka-Zarkesh concurred.

Commissioner Putnam added that planning commissioners should not be considering finances; the focus should be on compatibility with the existing neighborhood.

Commissioner Lowrey expressed continued concern over traffic being routed along A 3/4 Road to Rainbow Drive. That, he felt, would be the developer's biggest development approval hurdle. While he could support the request for RSF-4 zoning, it was with some reservation. He wished there were other traffic alternatives available.

Chairman Dibble said that growth was occurring throughout the Valley at a rapid pace. The City's zone of annexation was based on the County's zone equivalent, and although it was unclear just when the County's RSF-4 zone had been applied, it had been in place for at least five years. He appreciated and empathized with citizen concerns but reiterated that the purview of the Planning Commission was fairly restricted. He expressed support for the request.

Commissioner Putnam reminded planning commissioners that they could opt for an RSF-2 zone district.

Commissioner Cole felt the request should be supported as submitted.

MOTION: (Commissioner Cole) "Mr. Chairman, on Zone of Annexation ANX-2005-089, I move that the Planning Commission forward the zone of annexation to City Council with the recommendation of the RSF-4 (Residential Single-Family, 4 du/acre) district for the Munkres-Boyd Annexation, with the facts and conclusions listed in the staff report."

Commissioner Redifer seconded the motion. A vote was called and the motion passed by a vote of 6-1, with Commissioner Putnam opposing.

With no further business to discuss, the public hearing was adjourned at 8:45 p.m.

EXHIBIT C

REQUEST FOR REHEARING OF ANX-2005-089 ZONE OF ANNEXATION – MUNKRES-BOYD ANNEXATION

Due to the amount of information, this request for rehearing contains four pages of pertinent facts and sixteen attached pages for your ease of reference. I will appreciate your careful reading of this information.

- At the June 14th, 2005 hearing due to my concern for many “impact” issues (i.e. effects of 29 Rd/Hwy 50 traffic light, 28.5 Rd./Hwy 50 intersection) I asked if the annexation process could be postponed until further study of the “entire” area can be completed. Dr. Dibble deferred this question to the “Attorney” and stated they would get back to me before the evening was out. My question was not addressed and could have influenced some of the Planning Commission members.
- No traffic “study” of the impact of new development on the intersection of 28.5 Road and Highway 50 has been done because this proposed development and the County Ridge Development at 176 28.5 Road, currently under construction and 1 block away from Munkres-Boyd’s, individually will not/do not contain the required number of homes to warrant a study. If you combined the maximum number of units that “could” be built in these two subdivisions with RSF4 zoning in place, a traffic “study” showing the impact on the Hwy 50/28.5 Rd intersection would be required by the County. Further, I realize a traffic “count” was done on Rainbow Drive but these subdivisions won’t be the only new properties impacting Rainbow Drive and the Hwy 50/28.5 Rd. Please note that at the southern most end of Rainbow Drive there are approximately 250 acres available for development within the Urban Growth and Development boundaries should property owners so desire. (See attached copy of map.) Through neighborhood communications I understand inquiries are already being made concerning two of these properties. At time of writing this request I have been unable to confirm the exact reference #'s for them but will be happy to do so at your request and have enclosed a copy of the map showing these plats and label #'s. I am very concerned about being proactive in planning not only for current development but taking into consideration the

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COMMUNITY DEVELOPMENT
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inevitability of future annexation/development in this area and the impact of annexation/development east of Rainbow Drive and south of Hwy 50. When considering annexation for small developments this is not addressed.

- Underground water has become a concern now that development has begun on the south side of Hwy 50. In talking with my neighbors, Connie and Matt Mattas at 176 Rainbow Drive advised me that they already have to keep a sump pump running 24 hours a day in their basement due to underground water seepage. To support this concern please note that the on-going construction of the Red Tail Ridge subdivision (east of Rainbow Drive and also south of Hwy 50) has caused the water table to shift and a few of the surrounding, existing homes have experienced either flooding or destruction of their basements. This is only the beginning of new development on this side of the highway. I would ask the Planning Commission to investigate this problem and consider the probability of this occurring in other areas of development, especially Rainbow Drive before any further RSF4 annexation is recommended by the Planning Commission to City Council.
- Insufficient irrigation water. We are currently experiencing periods where irrigation water is not sufficient to water yards on Rainbow and Casimir Drive or agricultural fields adjacent to the Red Tail Ridge development east of Rainbow Dr. and south of Hwy 50. The properties being developed east of Rainbow Drive have water rights but are currently not using the irrigation water. When new developments come on board and begin drawing from the canals our water supply will be depleted further. Orchard Mesa Irrigation states they will not add water to the canals. Landscaping contributes to our quality of life. Yes, we can downsize or zeroscape but with the crunch we already feel at times, there won't be much water to do anything with
- Flooding problems when the Munkres-Boyd land was irrigated. The land has not been used or irrigated for a few years. When it was being irrigated, flooding was reported in the properties all Rainbow Drive, bordering the west side of the land. Concerns have been raised about flooding when irrigating multiple homes.

- I heard most of the Planning Commission members defer to the Growth Plan and the County zoning already in place as being the basis for their final decision to recommend RSF4 for the Munkres-Boyd Annexation. The following information is directly from the Growth Plan and the Orchard Mesa Neighborhood Plan and may need to be addressed. (I have attached a copy of the originals to support the following.)
- Page V.5 “Areas within the Grand Valley **will be allowed to develop when there is adequate funds to provide public services and facilities such as roads and school.**” Regarding our concern for traffic, Dee Vee Road, a gravel road, could be available as an alternate access but would have to be improved. With an asphalt road costing approximately 2 million dollars per mile, improvement of Dee Vee Rd. does not seem realistic.
- Page V.5 “Ensuring Land Use Compatibility”..... “This plan supports a heterogeneous mix of land uses, **but calls for the establishment of appropriate standards to ensure neighborhood compatibility.**”
- Page V.16 (Goals and Policies) Policy 1.5the proposed development will be **compatible** with the adjacent development. (Specific community benefits may include: compatible infill, ...)
- Goal 11, Policy 11.1 “The City and County will promote **compatibility** between adjacent land uses.....”
- Page v.29, Goal 11, Policy 11.3 “.....and achieves community goals for land use **compatibility**,”
- Referring to the specific Orchard Mesa Neighborhood Plan (attached) Page 17, #6. “Preserve and enhance the **quality of life** on Orchard Mesa.” #8. “Maintain a **rural atmosphere** outside the urbanizing area of Orchard Mesa.”
- Land Use/Zoning Action Plan Page 23, “PUD’s should encourage flexible standards as long as **compatibility** with surrounding land uses are ensured and public benefits are derived from the project.”

- Page 24, #1 (Re: underground water) All new development on the Colorado and Gunnison River blufflines should be required to assess potential impacts in terms of geologic hazards,
- Zoning Page 26 Goals/Objectives #1. **ZONING SHOULD BE COMPATIBLE WITH EXISTING DEVELOPMENT DENSITIES ON ORCHARD MESA.**

I respectfully submit this information respecting the fact that growth is inevitable. I have experienced growth first hand having lived in Orlando, Florida for 30 years, starting B.D. (before Disney!). I know what can happen, the good and the bad. In trying to establish an RSF2 lower density zone of annexation now, hopefully a precedence for zoning of unique areas south of Hwy 50 will be set. I am asking the Planning Commission to look at the "big picture". Investigate the present and future traffic, environmental and irrigation water concerns. I am asking for responsible growth with major considerations being given to established neighborhoods when new development will be right in the middle of them. Most of the development south of Hwy 50 impacts established neighborhoods. According to the information I gleaned from the Growth Plan, you, as the Planning Commission, do have the ability to recommend the RSF 2 zone of annexation. The Growth Plan does not bind you to an RSF 4 zoning and recommends many times, consideration be given to "compatibility" with surrounding neighborhoods. The County RSF4 zoning that is in place is considered a "blanket" zoning and the Growth Plan urges individual consideration be given to neighborhood compatibility.

Please give consideration to a rehearing so that my June 14th questions may be answered and heard by all the Commission members.

Respectfully submitted,



Carol B. Ward
2860 Casimir Drive
Grand Junction, CO 81503
255-0659
257-1103(w)

along A 3/4 Road to Rainbow Drive. That, he said, would affect traffic patterns for the entire area. Additional traffic from the petitioner's development would only exacerbate traffic issues already experienced by area residents. The density allowed by the RSF-4 zone district would be incompatible with surrounding densities. Approval of that zone district, and development of the subject property to a density of 4 units/acre would be an intrusion into the area's way of life.

Carol Ward (2860 Casimir Drive, Grand Junction) wondered if annexation of the property by the City had, in effect, "put the cart before the horse." She understood that there would be no traffic signal light installed at the intersection of Highway 50 and 29 Road, and she couldn't help but wonder what additional traffic concerns that might pose. She wondered if approval of the zone of annexation meant that the developer had a green light to move forward with development of the property. She felt that the property's annexation should be postponed until the area's traffic problems could be addressed.

Allen Crim (184 Rainbow Drive, Grand Junction) said that both he and his wife supported a lower density for the subject parcels. The area's existing infrastructure was ill equipped to handle additional traffic from high-density development. The safety concerns expressed by his neighbors were very real. The City needed to control growth so that safety for its residents could be ensured.

Dana Stilson (168 Rainbow Drive, Grand Junction) asked for clarification on the contiguity statements made by staff, which was provided by Ms. Costello.

When asked by Mr. Franz if annexation of the subject parcels represented "flagpole annexation," Chairman Dibble responded affirmatively, adding that such was permitted under the stipulations of the Persigo Agreement, provided that the annexation met the contiguity criteria outlined by staff.

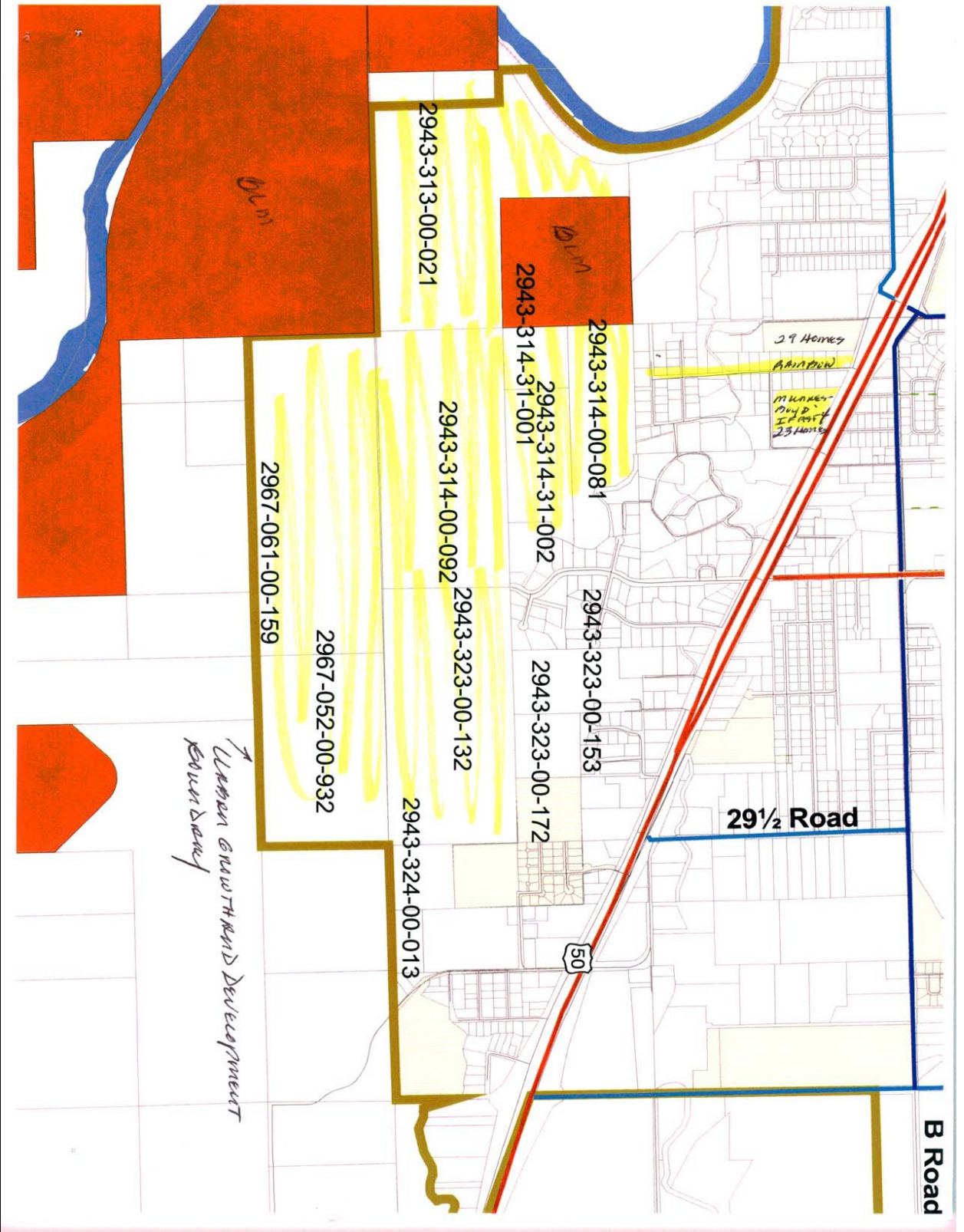
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C. Key Issues

Historical boom and bust growth cycles have shaped growth attitudes and growth patterns within Grand Junction and Mesa County. During boom periods, utilities and roadways have been extended to serve much of the planning area without regard to the long-term costs. During the economic busts, relaxed development standards fostered substandard development and citizen resentment towards certain types of development.

As an increasing proportion of the County's urban residents live in unincorporated areas, the costs of inefficient development patterns has become more evident. The sprawling development pattern has created fiscal burdens and is consuming large tracts of the agricultural and open space land that attracted so many of its residents.

The goals, policies and strategies in this plan respond to the following issues facing the community.

City / County Coordination. Early in the planning process the residents of the City and County realized the importance of working together. Residents recognized that jointly, the City and the County could better address issues such as; environmental preservation, growth patterns and public facilities and services. This Growth Plan coordinates future land uses and zoning so that compatible uses are adjoining to each other. Land uses along the Cities boundaries will be continued into the County in a logical pattern. The plan will also ensure improved service provisions. **Areas within the Grand Valley will be allowed to develop when there is adequate funds to provide public services and facilities such as roads and school.** Finally, the plan will simplify the review process for future developments since the same standards will be adopted through out the County.

Municipal Coordination. The growth and annexation experienced in Grand Junction, Fruita, and Palisade has resulted in the cities nearly abutting each other. Currently, an undeveloped buffer exists between these entities. The residents want to address how these communities should develop this area. This plan recognizes the need for the buffer to be developed as a transition area, with specific design guidelines.

Exhibit V.1 (Joint Planning Area Map, Pages 3-4)

Ensuring Land Use Compatibility. Residents are concerned that commercial encroachment or poorly developed multi-family projects will degrade the quality of life in their neighborhoods. Residents recognize the value of developing residential units of various types and price ranges throughout the community and the value of having quick access to businesses. However, they want to be certain that new development will not erode their property values or create excess traffic or noise. This plan supports a heterogeneous mix of land uses, but **calls for the establishment of appropriate standards to ensure neighborhood compatibility.**

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

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

Policy 1.4: The City and County may allow residential dwelling types (*e.g.*, patio homes, duplex, multi-family and other dwelling types) other than those specifically listed for each residential category through the use of planned development regulations that ensure compatibility with adjacent development. Gross density within a project should not exceed planned densities except as provided in Policy 1.5. Clustering of dwellings on a portion of a site should be encouraged so that the remainder of the site is reserved for usable open space or agricultural land.

Policy 1.5: The City and County may allow maximum residential densities to exceed those specified in *Exhibit V.2 (Future Land Use Categories, Page 15)* by up to twenty (20) percent through the use of planned development or clustering regulations that result in specific community benefits, if adequate public facilities can be provided and the proposed development will be compatible with adjacent development. (Specific community benefits may include: compatible infill, affordable housing, community parks, trails or open space.)

Policy 1.6: The City and County may permit the development of limited neighborhood service and retail uses within an area planned for residential land use categories.

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

Policy 1.8: The City and County will use zoning and special area policies (adopted as part of this plan) to describe the preferred types of non-residential development in different parts of the community.

Policy 1.9: The City and County will direct the location of heavy commercial and industrial uses with outdoor storage and operations in parts of the community that are screened from view from arterial streets. Where these uses are adjacent to arterial streets, they should be designed to minimize views of outdoor storage loading and operations areas.

Exhibit V.3: Future Land Use Map (Pages 17-18)

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

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

Policy 11.2: The City and County will limit commercial encroachment into stable residential neighborhoods. In areas designated for residential development the City and County may consider inclusion of small scale neighborhood commercial development that provides retail and service opportunities in a manner compatible with surrounding neighborhoods in terms of scale and impact.

Policy 11.3: The City and County may permit the development of multi- family units in all residential categories, provided such development is approved as part of a planned development that is consistent with gross density limits (see Policy 1.5 regarding density bonuses) and achieves community goals for land use compatibility, housing affordability and open space preservation.

Goal 12: To enhance the ability of neighborhood centers to compatibly serve the neighborhoods in which they are located.

Policy 12.1: The City and County will encourage the retention of small- scale neighborhood commercial centers that provide retail and service opportunities in a manner that is compatible with surrounding neighborhoods.

Policy 12.2: The City and County will limit the development of large scale retail and service centers to locations with direct access to arterial roads within commercial nodes shown in the Future Land Use Map.

Policy 12.3: The City and County will protect stable residential neighborhoods from encroachment of incompatible residential and non- residential development.

Community Appearance and Design

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

Policy 13.1: The City and County will establish heightened aesthetic standards and guidelines for the gateway areas and high visibility corridors mapped in *Exhibit V.6 (Key Corridors and Gateways Map, Pages 31-32)*.

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

Policy 13.3: The City and County will foster improved community aesthetics through improved development regulations addressing landscaping, screening of outdoor storage and operations, building orientation, building design, signage, parking lot design and other design considerations.

Policy 13.4: The community's streets and walkways will be planned, built, and maintained as attractive public spaces.

Policy 13.5: Community entryways will be enhanced and accentuated at key entry points to the city including interstate interchange areas, and other major arterial streets leading into the City.

Policy 13.6: Outdoor lighting should be minimized and designed to reduce glare and light spillage, preserving "dark sky" views of the night sky, without compromising safety.

Policy 13.7: Views of Grand Mesa, Colorado National Monument and the Bookcliffs will be preserved from public spaces, such as Canyon View Park and Matchett Park, as well as along major corridors, as identified through specific corridor planning.

Policy 13.8: The City and County will encourage building and landscape designs which enhance the visual appeal of individual projects and the community as a whole. Design guidelines should provide flexibility while promoting aesthetics, traffic safety and land use compatibility.

Policy 13.9: Architectural standards and guidelines will be adopted that encourage well-designed, interesting and distinctive architecture that reinforce and reflect the community's desire for high quality development.

Policy 13.10: The City and County will develop Code provisions that enhance landscape requirements, yet are appropriate to the climate and available plant species of the Grand Valley.

Policy 13.11: The City and County will develop Code provisions that minimize the visual impact of telecommunication towers and facilities.

Policy 13.12: Visual clutter along corridors will be minimized through the application of sign regulations and corridor design standards and guidelines.

Exhibit V.6 (Key Corridors and Gateways Map, Pages 31-32)

ORCHARD MESA NEIGHBORHOOD PLAN

For the West, Central & South
O.M. Neighborhoods

REVISED AND UPDATED JOINTLY
BY MESA COUNTY AND GRAND JUNCTION
JULY 13 and September 16, 2000
RESPECTIVELY



ADOPTED JOINTLY BY THE CITY OF GRAND JUNCTION PLANNING
COMMISSION AND MESA COUNTY PLANNING COMMISSION ON
MARCH 14, 1995



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5. For Development within Unincorporated Orchard Mesa: Maintain potentially important view corridors of Grand Mesa, Bookcliffs, and Plateau, and maintain the open space character of the Grand Mesa Slopes.
6. **Preserve and enhance the quality of life on** Orchard Mesa.
7. Encourage attractive, well maintained, cohesive properties and neighborhoods and develop incentives for neighborhood cleanup.
8. **Maintain a rural atmosphere outside the urbanizing area of** Orchard Mesa.

IMPLEMENTATION STRATEGIES

SHORT TERM (1995-1997) AND ONGOING

1. The Grand Valley Beautification Council should establish a beautification program; study the following topics; and report its recommendations to the City and the Grand Junction Area Chamber of Commerce:
 - a) Abandoned and vacant buildings.
 - b) Landscaping along the Highway 50 corridor right-of-way and access roads.
 - c) Design guidelines addressing building facades, signage, private landscaping, parking lots, access control, etc.
 - d) The number and location of street lights in the area.
 - e) A mechanism to organize and publicize an Orchard Mesa Community Pride program.
2. Adopt recommended performance standards or other implementation methods for the above topics.
3. The Grand Valley Beautification Council should work with the Colorado Department of Transportation, citizens groups, the City of Grand Junction, and Mesa County on establishing and ensuring a complete and ongoing adopt-a-highway program on Orchard Mesa.
4. For Development within Unincorporated Orchard Mesa: All new development proposals should identify important views potentially impacted by the development and address measures to maximize the protection of important views from each building site and minimize impacts each development will have on views from surrounding lands.

Land Use/Zoning Action Plan

FINDINGS

A Land Use Survey of the study area was conducted during the summer of 1992 for the City and County. Six land use categories were identified: agriculture, residential, business, commercial, industrial, and public/quasi-public. Of these six land uses, agriculture was dominant, making up approximately 60% of all land use on Orchard Mesa, followed by approximately 20% of the area being residential.

Residential uses include single family, two family, multiple family, and mobile homes. In 1990, the area had 4,334 total housing units. A majority of the recent residential construction in the Orchard Mesa area has been centered around the Village Nine subdivision and the replatting of a number of small Village Nine lots into larger lots. The areas near 29.5 and A.5 Roads and 27 and B Roads have also seen several homes constructed over the past three years. Three mobile home parks are located along Highway 50. With the 1991 approval of the Chipeta Golf Course Planned Unit Development (40 lots), between 29 and 29.5 Roads and B and B.5 Roads, there is an increased growth potential for the surrounding area, including the Loma Linda subdivision.

The urbanizing area of Orchard Mesa is located **west of 30 Road** and includes the entire portion of Orchard Mesa within the City of Grand Junction. This is an area of many older homes, well established neighborhoods and several vacant tracts of land. The area has existing water and sewer infrastructure necessary for urban density development.

Public and Quasi-public uses consisting of schools, parks, open spaces, and churches, make up approximately 15% of the total land use. Public facilities on Orchard Mesa include Intermountain Veteran's Memorial Park; Columbus Elementary; Lincoln Elementary; Mesa View Elementary; Orchard Mesa Middle School; a Grand Junction Fire Station #4 at 27 Road & B 1/2 Road, and the Central Orchard Mesa Volunteer Fire Station at B 1/2 and 32 1/2 Roads, the County Road shop at 32 and C 1/2 Roads, City water treatment plant and cemeteries on the Gunnison bluffs, and the CSU Agricultural Research Station on B 1/2 and 31 3/4 Roads.

Business, Commercial and Industrial uses make up the remaining approximately 5% of the land use on Orchard Mesa. Major employers within the Orchard Mesa neighborhood include the Department of Energy, City Market, Dixson Electronics and BFI. Commercial uses generally occur along U.S. Highway 50. Most of these are neighborhood retail businesses. Orchard Mesa Plaza between Linden and 27 Road north of U.S. Highway 50 is a neighborhood shopping center with a large discount store, a hardware store, a mini-bank, and numerous small retail and service businesses. A supermarket, City Market, is located on B 1/2 Road just north of Highway 50 at 27 3/4 Road. A smaller grocery store, Orchard Mesa Market, is at 29 Road and Highway 50. The

potential for additional commercial development exists east of City Market. Industrial uses are limited to five gravel pits, a salvage yard on Highway 50 at the landfill entrance, and the landfill operation. Fruit and vegetable stands are scattered throughout the eastern third of the study area.

Mineral resources are indicated in a general sense on the Orchard Mesa Mineral Resources Map and are predominantly upland gravel deposits on both the Colorado River and Gunnison River bluffs as well as floodplain deposits along both rivers. The current, five gravel pits in the area are all outside of the City limits. Some coal deposits exist along the Gunnison River near the Department of Energy facility. These resources are all identified in the County's Mineral Extraction Policy (adopted by the Planning Commission and County Commissioners in 1985) and mapped in the *Mineral Resources Survey of Mesa County* (1978). (See Mineral Resources Map)

Pursuant to State law, the Mesa County Mineral Extraction Policies protect undeveloped, commercially valuable mineral resources from other types of development and require new extraction operations in residential areas to mitigate impacts on existing developments. As Orchard Mesa grows, the potential for land use conflicts increase between gravel operations and other development. The current Mesa County Agricultural Policies (Policy # 17 of the *Mesa County Land Use and Development Policies*) which encourages the retention of large tracts of prime and unique agricultural lands are often in conflict with the Mineral Extraction Policies. Mineral extraction is an allowed use in the County's Industrial zone and requires a Conditional Use Permit in the Agricultural Forestry Transitional zone.

Agricultural uses include on-farm residences, orchards, row crops, pasture, and a dairy. The topography and soils of this area lend themselves well to irrigation and are considered among the best soils in the Grand Valley for crop production. Nearly all the irrigable lands below the Orchard Mesa Irrigation Canals are or have been cultivated for a variety of crops, most notably peaches, apples, cherries, grapes, other fruits, and vegetables. Nearly all undeveloped land in Orchard Mesa is considered prime irrigated farmland and other areas are considered unique by the U.S. Soil Conservation Service. A dairy operates near the top of the Fifth Street Bridge within the City limits.

Land development in the area has been typified by "leapfrogging" into agricultural areas. This type of development leaves large amounts of vacant land mixed with residential. This development pattern can drive out agricultural uses and diminish the rural flavor of an area. An important result of leapfrog development is increased costs of utilities and urban services in the future as evidenced by the failed sewer lagoons of the Valle Vista Subdivision along 32 Road. The issues of how urban services, such as sewage collection and parks development and maintenance, are to be provided to the area as it grows is unanswered.

The Orchard Mesa Sanitation District has extended a sewer line from Mesa View Elementary School on B Road to the east to 31 Road then southeast to

Valle Vista Subdivision.

Zoning in the west neighborhood allows much higher residential development than current land use trends indicate will occur. A large area in the City west of 27 Road and north of Highway 50 is zoned RMF-16 (residential multifamily, 16 units per acre) and is currently developing at low (0-4 units per acre) to medium (4-8 units per acre) densities. An area north of Unaweep and east of Orchard Mesa Middle School was recently downzoned in the City from RSF-8 to RSF-5 in response to a neighborhood petition.

County zoning east of 29 Road is primarily AFT (Agricultural Forestry Transitional). The AFT zone allows one dwelling unit per 5 acres, single family residential uses, and agricultural uses. The AFT zone does not currently have a minimum lot size; however, sewer service is a determinate of minimum lot size, e.g. the minimum lot size for a house with an individual sewage disposal system is 1/2 acre, soil conditions permitting. Smaller lots are permitted if central sewage collection and treatment is provided. The Mesa County Agricultural Policies (Policy #17 of the *Mesa County Land Use and Development Policies*) and Chapter 4 (Standards for Development Permits) of the *Mesa County Development Code* encourage the retention of large tracts of prime and unique agricultural lands and recommend clustering of houses to minimize loss of these lands.

The Village 9 and Lynwood areas are zoned for 4 to 8 residential units per acre. Zoning is in place for a planned mobile home park on the north side of C Road just east of the City limits. The entire west neighborhood outside of the City limits is also within the County Persigo Planned Development Overlay Zone (the urbanizing area) which allows development proposals to be reviewed in a one-step process as an incentive for in-fill development.

Zoning in the south neighborhood is primarily R-2 (residential 3.5 units per net acre) and is within the County's Persigo Planned Development Overlay Zone (the urbanizing area). The Intermountain Veterans Memorial Park land is zoned Planned Unit Development for a variety of uses. The landfill and the Gunnison bluffs in the southern part of the neighborhood are zoned Agricultural Forestry Transitional (AFT).

Zoning in the central neighborhood is primarily AFT. About 10 acres at the northwest corner of 32 and C Roads and the RV sales business at Highway 50 and 29 3/4 Road are zoned Planned Commercial.

Some planned unit developments (PUD) have been approved over the years which do not seem to meet the intent and purpose of the planned development concept. **PUDs should encourage flexible standards as long as compatibility with surrounding land uses are ensured and public benefits are derived from the project.**

ISSUES/GOALS/STRATEGIES

General

ISSUES

1. The need for building setbacks for new developments along the Colorado and Gunnison Rivers to protect unstable slopes and minimize visual impacts of development.
2. Leapfrog development trends have created in-fill development opportunities which have not been taken advantage of in the urbanizing areas of Orchard Mesa .

GOALS/OBJECTIVES

1. Establish appropriate bluffline setbacks and/or height limits for all new development to protect the Gunnison and Colorado blufflines along the Colorado and Gunnison Rivers from development impacts and encroachment.
2. Encourage infill development in urbanizing areas.

IMPLEMENTATION STRATEGIES

SHORT TERM (1995-1997) AND ONGOING

1. All new development on the Colorado and Gunnison River blufflines should be required to assess potential impacts in terms of geologic hazards, as well as aesthetics and establish appropriate height limitations and setbacks.
2. Develop and adopt incentive programs to encourage infill development such as development impact fees which consider location in determining amount of fee or offer density bonuses.
3. All future City and County Land Use Plans which affect Orchard Mesa should consider structure height limitations.

Agriculture

ISSUES

1. Incompatible uses encroaching on existing agricultural operations and permanent loss of agricultural lands, open space, and natural areas to development.
2. Future of CSU Ag Research Station as development occurs around it.

GOALS/OBJECTIVES

1. Encourage residential development which preserves open space, sensitive natural areas, agricultural lands, and the rural character.

2. Encourage residential development on land that is unsuitable for agriculture and require sufficient buffering adjacent to prime agricultural land.
3. Preserve productive agricultural farmland designated prime and/or unique per the Soil Conservation Service.
4. Ensure the CSU Agricultural Research Center is allowed to operate and provide its valuable role to the fruit industry.
5. Minimize conflicts between residential and agricultural uses.
6. Support local agricultural operations.

IMPLEMENTATION STRATEGIES

SHORT TERM (1995-1997) AND ONGOING

1. The County should encourage and provide developers, farmers, and landowners information on the use of conservation easements as a means of preserving agricultural lands.
2. Revise Development Codes to require a minimum buffer of 100 feet between new residential structures and agricultural uses outside of the urbanizing area.
3. New development should provide a buffer area on the perimeter of the CSU Ag Research Station.
4. The County should adopt an open space development overlay zone for that area identified on the Future Land Use Map as Open Space (OS) Overlay in the Central Orchard Mesa Neighborhood east of 30 Road and between 29 1/2 and 30 Roads north of B 1/2 Road. The overlay zone may be utilized at the option of the land owner/developer to subdivide metes and bounds tracts of land over 10 acres in size. The overlay zone should be adopted by Mesa County concurrently with the adoption of this Orchard Mesa Plan. See "Zoning" section of this Action Plan for details.

Zoning

ISSUES

1. Portions of residential areas within the City are overzoned.
2. Some urbanizing portions of the County are underzoned (AFT) for efficient and cost effective provision of sewer service.
3. Incompatible uses and densities are in close proximity.

4. Visual impacts of the current development and outdoor storage along Highway 50.
5. Impacts of industrial development on other land uses.
6. The potential sprawl of business/commercial development along Hwy 50.
7. Impacts of improper use of Planned Unit Development zoning.
8. Inconsistencies between City and County Highway Commercial zones.

GOALS/OBJECTIVES

1. Zoning should be compatible with existing development densities on Orchard Mesa.
2. Zoning standards should require buffering between differing uses to ensure new commercial/business development is compatible with residential and other adjacent uses.
3. Establish development and outdoor storage standards for Highway 50.
4. The density of future development should be lower than allowed by current zoning in much of the area within the City.
5. Minimize incompatible uses.
6. No additional industrial zones on Orchard Mesa.
7. Business/commercial development should occur in appropriate areas where compatibility with other uses is ensured.
8. Future use of planned development zoning should comply with the Colorado Planned Unit Developments Statute.
9. Consistent requirements between City and County Highway Commercial zones.

IMPLEMENTATION STRATEGIES

SHORT TERM (1995-1997) AND ONGOING

1. The City should rezone some residential areas to better reflect current land use trends as identified on the Future Land Use Map especially those areas currently zoned Residential Multifamily - 16 units per acre (RMF-16).
2. The City should create a duplex residential zone and apply it to the area shown as a maximum of eight dwelling units per gross acre on the Future Land Use Map.

3. The area in the County along the Gunnison River south of the Water Treatment Plant should be rezoned from Industrial to AFT or Conservation/Open Space which would require a Conditional Use Permit for gravel extraction.
4. Establish and adopt an overlay zone with design guidelines and performance standards for the Highway 50 corridor to ensure new commercial/business development is compatible with residential and other adjacent uses (SEE COMMUNITY IMAGE/CHARACTER ACTION PLAN).
5. The County should revise the definition of the HS (Highway Services) zoning district to be consistent with the City's HO (Highway Oriented) zone.
6. The City and County should rezone to HO and HS all those areas identified on the Future Land Use map as Highway Commercial.
7. Rezones on Orchard Mesa should be allowed only in accordance with the Future Land Use Map in this document. In areas indicated as single family/multi-family, 8 units per acre, densities greater than 8 units per acre may be appropriate. Any rezoning to a density greater than 8 units per acre should occur through a planned development zone only. Such rezones must demonstrate the adequacy of existing public services necessary for the development (see General Services Action Plan); provide adequate open space; meet planned development design standards; and demonstrate compatibility with adjacent uses and the neighborhood.
8. The area east of 32 Road, south of the Orchard Mesa Irrigation Canal No. 1 and north of Highway 50 should retain AFT zoning; however, the land uses identified as industrial in nature, with the exception of mineral extraction, should not be permitted as conditional uses or allowed uses, e.g. salvage yards, solid waste disposal sites, power plants, and heavy equipment storage.
9. The Mesa County Landfill should retain its current AFT zoning which requires a conditional use permit for its operation and annual reviews of the permit.
10. Commercial land uses at the northwest corner of 32 Road and C Road (Grandview Commercial Park) should be limited to agricultural and neighborhood services as uses are approved in the Planned Commercial zone.
11. No additional areas on Orchard Mesa should be zoned Industrial.
12. All future use of planned development zoning should meet the purpose and intent of both Colorado statutes and local zoning codes for Planned Unit Developments.

Annexation Action Plan

FINDINGS

Nearly 14 percent of the Orchard Mesa planning area is within the Grand Junction City limits (1.67 square miles). The City limits include the Colorado River on the North, B 1/2 Road on the South, Southern Pacific RR tracks/Grand Junction Water Treatment Plant on the West and Mountain View Street/Highland Drive on the East.

Portions of Orchard Mesa have been a part of the city limits of Grand Junction since 1966 when the first annexation occurred. Two major annexations occurred later in 1972 and 1973. The largest annexation, Reservoir Hill, brought in 106.7 acres. Numerous smaller annexations have taken place with the most recent being the Western Hills annexation effective February 7, 1993. Annexation to Grand Junction offers the provision of urban services.

In the public meetings held on the Orchard Mesa plan a recurring comment was expressed that the City has not fulfilled all of its commitments associated with previous annexations. Specific commitments were not identified. The Orchard Mesa Citizen's Review Committee felt the City's annexation policies were unclear to the general public.

After discussion of these issues the City and County Planning Commissions agreed that the City should educate citizens and **take into consideration the wishes of the majority of property owners during the annexation process**. It was also agreed that this issue is more than a neighborhood plan issue and should be considered in the comprehensive plans and policies of the City and County.

B. Vision for the Urban Area

Community Vision Statement

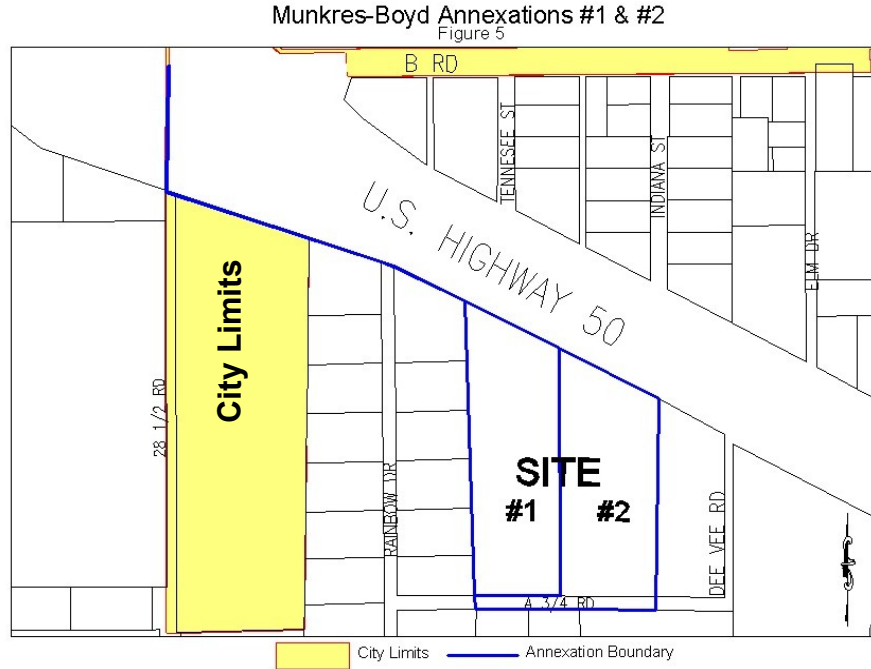
The City of Grand Junction is a partner with Mesa County, other service providers, the private sector and community groups -- all working in cooperation to maintain the high quality of life that is valued by people in our community.

The community's pride in its cultural and natural resources is apparent in the clear views of the Colorado National Monument, Book Cliffs and Grand Mesa, in the character of the downtown and residential neighborhood, in the valley-wide trail and open space system, in the distinctive community gateways and the appearance of its major street corridors.

These attributes are the basis for a comprehensive plan that supports a stable and diverse economy and a harmonious community.

Site Location Map

Figure 1



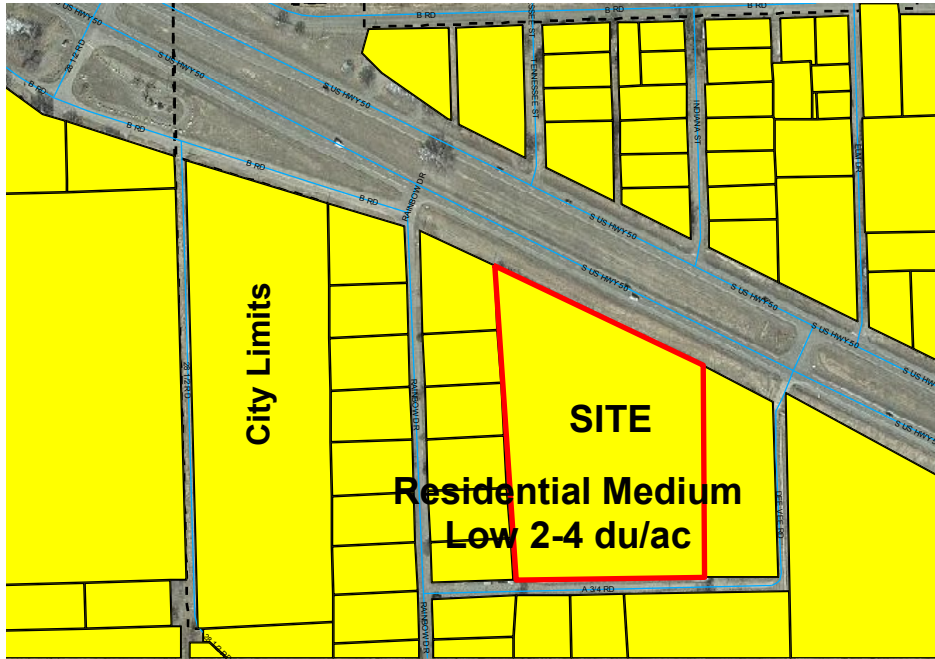
Aerial Photo Map

Figure 2



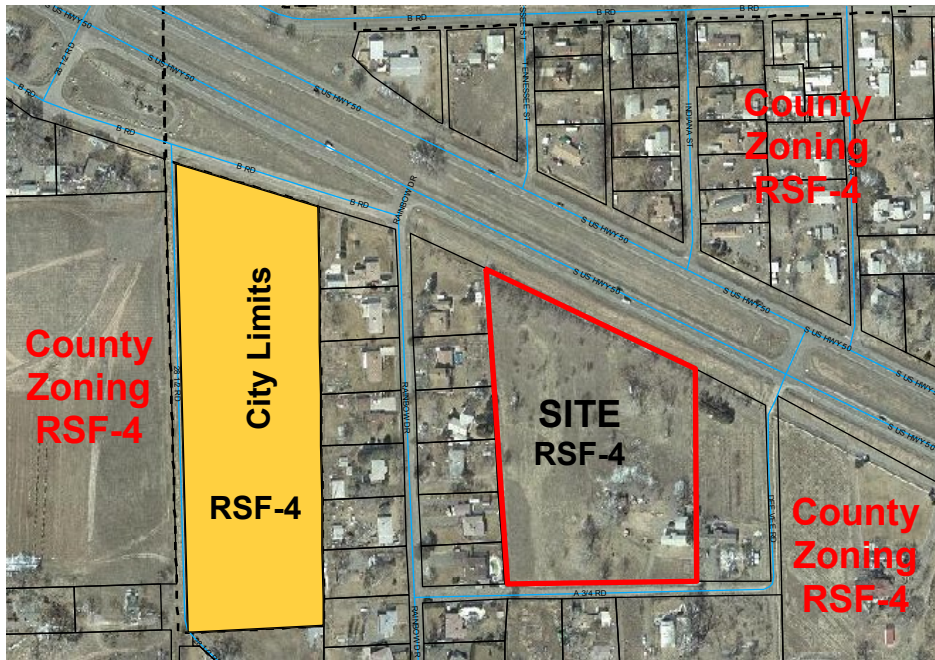
Future Land Use Map

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."

ORDINANCE NO. 3802

**AN ORDINANCE ZONING THE MUNKRES-BOYD ANNEXATION TO
RSF-2
LOCATED AT 2866 A ¾ ROAD**

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Munkres-Boyd Annexation to the RSF-2 zone district for the following reasons:

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

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-2 zone district be established.

The Planning Commission and City Council find that the RSF-2 zoning is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following property shall be zoned RSF-2 with a density not to exceed 2 units per acre.

MUNKRES-BOYD ANNEXATION

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. And also, 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.

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

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

ATTEST:

Mayor

City Clerk

**Attach 8
Public Hearing – Zoning the Twenty Three Park Plaza Annexation
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
Subject	Zoning the Twenty Three Park Plaza Annexation, located at the NW corner of 23 Road and I-70					
Meeting Date	July 20, 2005					
Date Prepared	July 11, 2005				File #GPA-2005-045	
Author	Kathy Portner		Planning Manager			
Presenter Name	Bob Blanchard		Director of Community Development			
Report results back to Council	X	No		Yes	When	
Citizen Presentation	X	Yes		No	Name	
	Workshop	X	Formal Agenda			Consent X Individual Consideration

Summary: Hold a public hearing and consider final passage of the ordinance to zone the 35.52 acre Twenty Three Park Plaza Annexation I-O (Industrial/Office Park).

Budget: N/A

Action Requested/Recommendation: Hold a public hearing to consider final passage of the zoning ordinance.

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. Correspondence
6. Planning Commission Minutes
7. Ordinance

AGENDA TOPIC: GPA-2005-045 Zoning the Twenty Three Park Plaza Annexation, located at the NW corner of 23 Road and I-70

ACTION REQUESTED: Hold a public hearing to consider final passage of the zoning ordinance.

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?	x	Yes	No

PROJECT DESCRIPTION: Hold a public hearing and consider final passage of the 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:

3. The recommended I-O zoning is consistent with the purpose and intent of the Plan.
4. 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.

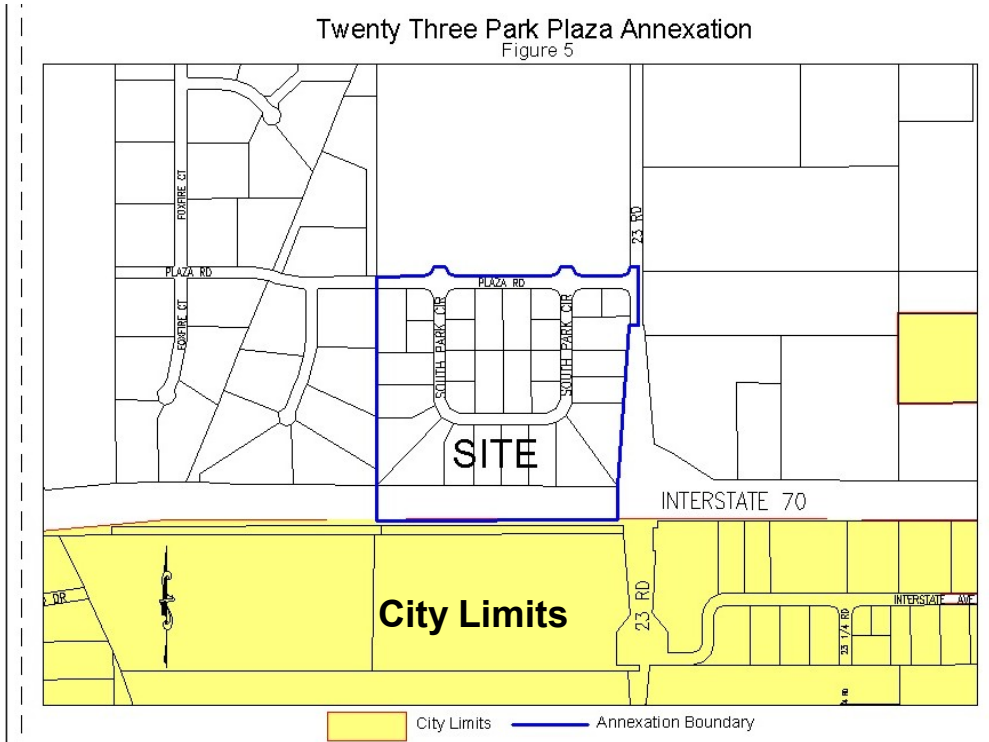
If the City Council considers the I-1 zoning, it would take an affirmative vote of 5 Council members (super-majority) to overturn the Planning Commission recommendation of denial. If the Council considers the I-O zoning, approval requires a simple majority.

Attachments:

1. Staff report/Background information
2. Vicinity Map/Aerial Photo
3. Future Land Use Map/Zoning Map
4. Applicant's Request
5. Correspondence
6. Planning Commission Minutes
7. Ordinance

Site Location Map

Figure 1



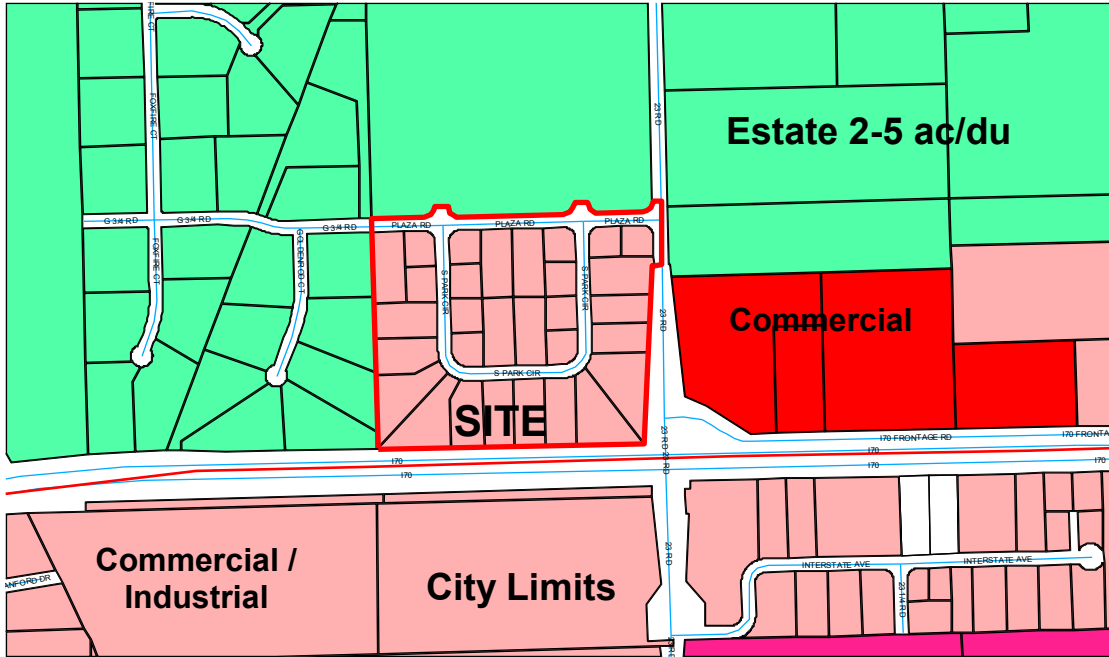
Aerial Photo Map

Figure 2



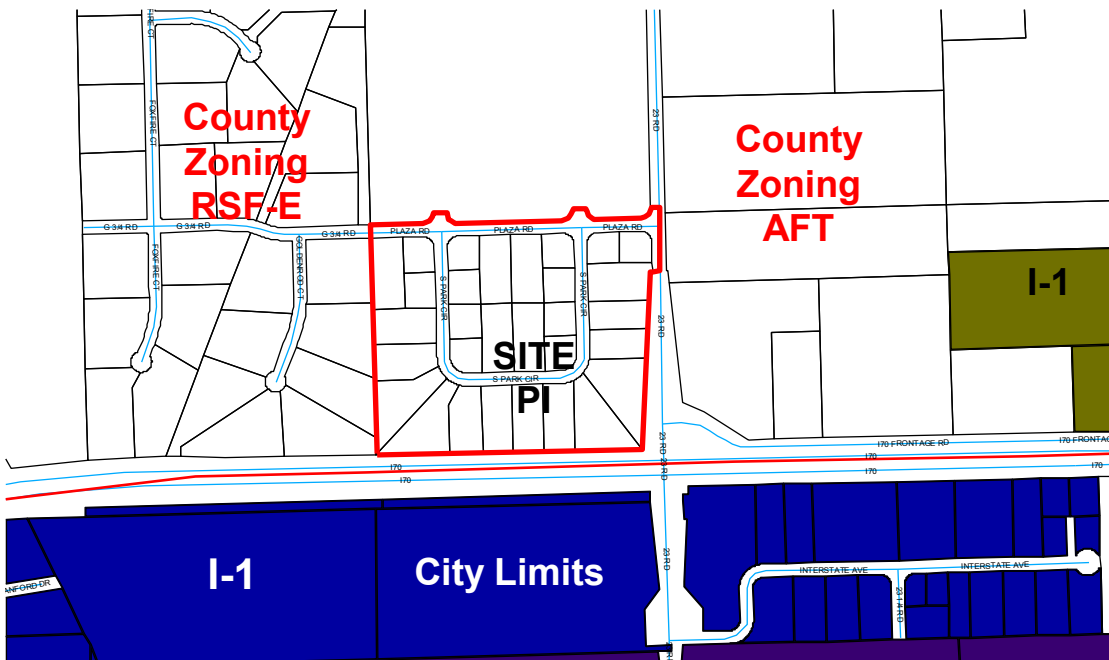
Future Land Use Map

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

>>> "Jack Wernet" <stovebolt1@bresnan.net> 7/5/2005 8:46:24 PM >>>

Dear Mr. Hill

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 Book Cliff Ranches Homeowners Association
756 Goldenrod Court
Grand Junction, CO 81505
255-0831

GRAND JUNCTION PLANNING COMMISSION
JUNE 28, 2005 MINUTES
7:00 p.m. to 9:25 p.m.

The regularly scheduled Planning Commission hearing was called to order at 7:00 p.m. by Chairman Paul Dibble. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Dr. Paul Dibble (Chairman), Patrick Carlow, Lynn Pavelka-Zarkesh, William Putnam, Bill Pitts, Tom Lowrey, and John Redifer. Roland Cole was absent.

In attendance, representing the City's Community Development Department, were Bob Blanchard (Community Development Director), Kathy Portner (Planning Manager), Pat Cecil (Development Services Supervisor), Lori Bowers (Senior Planner), Senta Costello (Associate Planner) and Ronnie Edwards (Associate Planner).

Also present were Jamie Kreiling (Assistant City Attorney) and Rick Dorris (Development Engineer).

Terri Troutner was present to record the minutes.

There were approximately 26 interested citizens present during the course of the hearing.

I. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

II. APPROVAL OF MINUTES

Available for consideration were the minutes from the May 24, 2005 City/County Joint Planning Commission public hearing.

MOTION: (Commissioner Pitts) "I move we accept the minutes from May 24, 2005 as printed."

Commissioner Lowrey seconded the motion. A vote was called and the motion passed by a vote of 5-0, with Chairman Dibble and Commissioner Redifer abstaining.

III. CONSENT AGENDA

Available for consideration were items

- A. ANX-2005-102 (Zone of Annexation--Career Center Annexation)
- B. GPA-2005-125 (Growth Plan Amendment--Pear Park School Annexation)

- C. ANX-2005-108 (Zone of Annexation--Koch/Fischer Annexation)
- D. ANX-2005-112 (Zone of Annexation--Schultz Annexation)
- E. PP-2005-008 (Preliminary Plan--Camelot Gardens II)
- F. VR-2005-052 (Vacation of Right-of-Way, Forrest Run Row Vacation)
- G. GPA-2005-045 (Zone of Annexation--23 Park Plaza Annexation)
- H. PP-2005-219 (Preliminary Plan--The Glens at Canyon View)

Chairman Dibble briefly explained the Consent Agenda and invited the public, planning commissioners, and staff to speak up if they wanted one or more of the items pulled for additional discussion. Staff requested that item VR-2005-052 be pulled from the Consent Agenda and continued to the July 12, 2005 public hearing. At citizen request, item GPA-2005-045 was also pulled from the Consent Agenda and placed on the Full Hearing Agenda. No objections were received from the audience or planning commissioners on any of the remaining items.

MOTION: (Commissioner Pitts) "Mr. Chairman, I move that we move item 6 on the Consent Agenda [VR-2005-052], to be continued to the 12th of July."

Commissioner Redifer seconded the motion. A vote was called and the motion passed unanimously by a vote of 7-0.

MOTION: (Commissioner Pitts) "Mr. Chairman, I move we approve the Consent Agenda, with item 6 [VR-2005-052] continued to July 12th, and item 7 [GPA-2005-045] to be removed for full hearing."

Commissioner Lowrey seconded the motion. A vote was called and the motion passed unanimously by a vote of 7-0.

IV. FULL HEARING

GPA-2005-045 ZONE OF ANNEXATION-23 PARK PLAZA ANNEXATION

A request for approval to zone 30 acres from a County PI (Planned Industrial) to a City I-1 (Light Industrial) zone district or appropriate zone district consistent with the Growth Plan.

Petitioner: Karen Marquette

Location: 789 23 Road

PETITIONER'S PRESENTATION

The petitioner was not present in the audience at this point and did not arrive until the public comments portion of the public hearing. As such, the petitioner's presentation is contained in the Public Comments portion of the minutes.

STAFF'S PRESENTATION

Kathy Portner gave a PowerPoint presentation containing the following slides: 1) site location map; 2) aerial photo map; 3) Future Land Use Map; and 4) an Existing City and County Zoning Map. She said that the property had retained a Planned Industrial zone in the County since the 1980s. The petitioner's representatives had originally requested a Growth Plan Amendment to change the property's land use designation from Commercial/Industrial to Residential. During the review process, and after discussions with staff, that request had been withdrawn. Ms. Portner noted the site's location and surrounding zoning and uses. Surrounding zonings included County AFT (Agricultural) to the north, I-1 (Light Industrial) to the south, County PC (Planned Commercial) to the east, and County RSF-E (Residential Estate) to the west. Under the terms of the Persigo Agreement, the City was bound to apply a zone to recently annexed property that was either the closest County equivalent or one that was consistent with Growth Plan guidelines. The currently proposed I-1 zone represented the closest County zone equivalent and was also supported by the Growth Plan. Ms. Porter said that other zoning options available, in addition to the I-1 zone, included C-2 (Heavy Commercial) and I-O (Industrial Office); however, the City's Zoning and Development Code prohibited rezoning to C-2 directly adjacent to residential uses, so practically speaking, the only other option available was the I-O zone.

Given that the requested I-1 zone met both Code criteria and Growth Plan recommendations, staff recommended approval.

PUBLIC COMMENTS

FOR:

There were no comments for the request.

AGAINST:

Jack Wernet (756 Goldenrod Court, Grand Junction), vice-president of the Bookcliff Ranches Subdivision Homeowners Association and homeowner in that subdivision, noted that on February 28, 2005 he'd received notification that the property was being annexed and that a Growth Plan Amendment requesting Residential Low (4 units/acre) zoning had been submitted for consideration. On June 1, there had been a meeting to consider the property's annexation; however, there had been no mention of changing the applied zone district from residential to industrial at that time. Approval of the annexation seemed to acknowledge that the property would be zoned Residential Low. Only after approval of the annexation had there been a letter submitted by the petitioner's representatives to withdraw the Growth Plan Amendment request. While a Planned Industrial zone may have been appropriate in 1982, it was no longer the case. Looking at the Future Land Use Map, he noted that there were no industrial uses located north of Interstate 70; rather, the area north of the interstate consisted primarily of agricultural and residential uses.

Mr. Wernet contended that Code criteria had not been met since the proposed zone was not compatible with the surrounding neighborhood and that approval of the zone district would result in significant impacts to the area in terms of industrial truck traffic, screening, and public safety. Elaborating briefly on the issue of traffic impacts, Mr. Werner said that if the existing Plaza Road were made available to the site, it would encourage traffic to travel down the currently under-

improved Foxfire Court through their subdivision. Since there would be no community benefit derived from the application of an Industrial zone to the property, he contended that that Code criterion had also not been met.

Mr. Wernet wondered what drastic changes had occurred between February 28 and June 6 to merit the proposed change in zoning. Placing industrial uses directly adjacent to residential uses didn't make sense.

Sean Norris (778 23 Road, Grand Junction) agreed that the initial notification proposed a residential zone and use. Only after further contact at a later date did he discover that the original Growth Plan Amendment (GPA) had been pulled. Upon hearing that the GPA had been pulled, there had been no further notification to area residents to even suggest that an annexation was still under consideration. So he felt that insufficient and inaccurate notification had been given to the public. He reiterated that the entire surrounding area north of the interstate was residential, with the area predominately zoned RSF-E. Already he'd seen truck traffic travel down H Road and turn onto Foxfire Court to get to Plaza Road. While there were barricades placed along Plaza Road to discourage through traffic, it appeared to him that traffic had not been dissuaded. Industrial traffic would pose significant impacts to their neighborhood. Also, he felt that industrial uses, with their associated outdoor storage and security lighting, would also impact adjacent residential uses. He noted that the nearest night lighting was currently situated along the interstate. He also feared for the safety of his children and other pedestrians and cited a recent accident involving a UPS driver and a woman at the 23/H Roads intersection. Mr. Norris urged planning commissioners to consider the lesser impacts of an I-O zone and apply that zone to the property if no other residential zoning choices were available. He felt that the application of an I-O zone would reduce the amount of truck traffic and eliminate the need for outdoor storage and security lighting.

Alex Mirrow (2514 Oleusten Court, Grand Junction), representing the petitioner, offered the petitioner's presentation at this time. He said that the property had been originally designated as an energy plaza in the early 1980s during the oil shale boom. The subject parcel had been platted as such, and he understood that the northern 40 acres had also been slated for similar platting. Several streets, pan gutters, and fire hydrants had already been installed, and two accesses to the site available. Sewer was available but wasn't as yet connected to the site. While acknowledging the adjacent residential use, he noted the Commercial zoning located to the east of 23 Road. Directly across the street from that was United Rentals. Businesses, he said, were always looking for the easiest accesses. For the subject parcel, that would be via 24 Road, with traffic traveling down the frontage road to the property.

At the time the Bookcliff Ranches Subdivision was platted, the petitioner's parcel had already been platted for industrial uses for more than 20 years. So anyone purchasing a lot in that subdivision should have been aware that at some point the subject parcel would be developed according to its industrial zoning. The biggest problem in developing the property had been in providing sewer access; however, several options were presently available, with one being to extend sewer along the southern border of Bookcliff Ranches Subdivision. That particular option

would benefit the subdivision since it was his understanding that septic systems in the subdivision were already beginning to fail. Mr. Mirrow felt that there was a real need for industrially zoned property in the area, especially given the rise in property values and the need for more oil and gas development. The currently requested zoning would permit oil and gas developers to situate their businesses there; however, he'd spoken with representatives of the medical community who had also expressed interest in the site. He was certainly open to addressing neighborhood concerns but reiterated that residential property owners had purchased their properties knowing that they were situated next to industrial property.

Mr. Mirrow introduced Sam Suplizio (no address given), who also represented the petitioner. Mr. Suplizio spoke on the ever-increasing values of property in the area and agreed that the community needed more industrially zoned properties; there was less demand for I-O zoned properties. Industrial uses, he felt, could be adequately screened to lessen impacts to the adjacent residential subdivision. The businesses that would locate on the subject parcel would benefit the community by providing good paying jobs, jobs that typically paid \$65K-\$100K annually. Mr. Suplizio felt that the Growth Plan seemed to have neglected providing for sufficient industrial properties.

Sean Norris again came forward to offer additional testimony, contending that the petitioner's presentation should have been given prior to the public comments portion of the public hearing. He said that he currently worked in the oil and gas industry. He said that several of his big name clients had tried to lease and rent some of the undeveloped land south of I-70 but none of the area's real estate agents seemed interested in talking with them. Oil and gas developers needed places where they could put their offices; their industrial yards were actually located at the job sites. There were approximately 100 undeveloped acres south of I-70, all zoned I-1. He was "hard pressed" to see how industrial zoning was warranted for the current site or for the northern 40 acre parcel. He thought it likely that the petitioner would try expanding industrial zoning to include the northern 40 acres previously mentioned by Mr. Mirrow. With regard to Mr. Suplizio's claim that jobs would be in the pay ranges mentioned, he could personally attest that he and others in the industry did not make even the lower end of that pay range. Mr. Mirrow mentioned there being two accesses into the site. While he hadn't elaborated, one of those accesses ran directly through the Bookcliff Ranches Subdivision. He felt it unconscionable to run that much industrial traffic through a residential subdivision. With regard to extending sewer to the site, Mr. Norris said that the option to extend it from the west had thusfar been stymied because a large landowner at 22 Road would not allow the extension to cross his property. If it were brought in from the east, it would have to be brought in using a lift station from 23 1/4 Road. The third option would be to bore under I-70 and extend sewer in from the south. All available options for extending sewer to the site seemed to him to be cost prohibitive.

Mr. Norris added that he had received a number of calls from realtors and developers interested in acquiring his land for residential development. That told him that there was a significant need for residentially zoned land in the area. That need did not exist for industrially zoned land as evidenced by the large quantity of undeveloped industrial property which lay to the south of I-70.

PETITIONER'S REBUTTAL

Mr. Mirrow agreed that he didn't want to see traffic routed through Bookcliff Ranches Subdivision. If agreeable to the City, he would be happy to close off that access point. The barriers referenced previously consisted of strings of barbed wire that the owner of the property installed to discourage through traffic because it was tearing up the road base. He expected that 24 Road would serve as the primary access into the site; however, another easy access point could be south via 23 Road over the freeway to the business loop. Mr. Mirrow acknowledged that there was no way at this point to know what businesses would locate on the site or what the wages of employees would be. It did seem that there was a lot of money associated with the oil and gas business. He maintained that local realtors would support Mr. Suplezio's position regarding the need for more industrially zoned property in the area. The actual owner of the subject property had owned it for more than 12 years and had been unable to sell it before land in the Grand Valley began to skyrocket. She should be allowed to develop it to its highest and best use and make a profit on her investment.

QUESTIONS

Chairman Dibble asked staff if there was any correspondence pertaining to the change in request from residential to industrial that planning commissioners had not yet seen, to which Ms. Portner replied negatively. When asked to elaborate briefly on why the request had changed, Ms. Portner said that the original request had been for a GPA to change the site's land use designation from industrial to residential. Following staff's comments to the petitioner, that request had been withdrawn. The site's annexation into the City had been approved solely by City Council. The application of a zone following the property's annexation was within the purview of the Planning Commission; however, a final decision would be rendered by City Council. The GPA request had been withdrawn, she said, prior to the application for a zone of annexation.

Commissioner Putnam asked for additional clarification on the timeline from the point that the GPA was requested to when it had been withdrawn. Ms. Portner said that the original application had been submitted on February 28 and withdrawn approximately three weeks prior to tonight's public hearing.

Commissioner Redifer asked if the site had already been prepared for a residential subdivision. Ms. Porter said that in the early 1980s it had been previously prepared for a commercial/industrial subdivision. Some of the infrastructure had been installed at that time. Following approval of a zone district, the petitioner would then provide staff with construction drawings that would have to demonstrate compliance with the Code's criteria for that particular zone district. That included providing evidence that the previously installed infrastructure was still functional.

Chairman Dibble asked if Plaza Road would be utilized as an access to the site. Ms. Portner said that it was currently platted as a right-of-way. Staff would be reviewing options for connections. With regard to screening and buffering, she said that if zoned I-1, the petitioner would be required to construct a 6-foot-tall masonry wall in addition to providing a 25-foot landscape strip.

If zoned I-O, the masonry wall would still be required, but the petitioner would only be obligated to provide an 8-foot landscape strip, to occur as each individual lot developed.

Commissioner Lowrey asked when the Growth Plan had been adopted, to which Ms. Portner answered 1996. She reiterated that the parcel had been zoned Planned Industrial since the early 1980s, a zone that had been acknowledged by the Growth Plan. When asked when had the Bookcliff Ranches Subdivision been constructed, Ms. Portner replied that it had built out approximately three years ago. The Growth Plan recognized the area as being appropriate for Residential Estate zoning (2-5 acres/unit), and the Bookcliff Ranches property had been rezoned to RSF-E prior to its development. With regard to the northern 40 acre parcel, Ms. Portner said that while that parcel had also been zoned Planned Industrial in the County, the Growth Plan did not support that land use and instead recommended Residential Estate.

Commissioner Carlow asked for the major differences between the I-1 and I-O zone districts. Ms. Portner said that the type of uses which could locate there were very similar; however, in the I-O zone, many of those uses would require a Conditional Use Permit.

When Commissioner Putnam asked if planning commissioners only had the options of either approving a zone closest to its County equivalent or one in accordance with the Growth Plan, Ms. Portner responded affirmatively. Ms. Kreiling added that it was the Persigo Agreement that brought the property into the City via the annexation process. The Bookcliff Ranches Subdivision was not located within the 201 boundary and consequently had not had to be annexed prior to its development.

Commissioner Pitts wondered if sewer service to the site would be provided by the Appleton Sewer District. Ms. Kreiling thought that sewer service would be provided by the Appleton Sewer District but asked that the question be deferred to engineering staff.

Mr. Dorris said that the most viable alternative for bringing sewer to the site was to bore under I-70 since sewer existed at Logos Court across the interstate. If the property at Logos Court developed first, the developer would be required to provide an easement to accommodate sewerline extension across I-70. If they didn't develop first, it would be the sole responsibility of the petitioner to obtain sewer by whatever means possible and at the sole expense of the petitioner. He reminded planning commissioners that the only question before them was the application of a zone. If after that approval no sewer connection could be obtained, the petitioner would have no viable project. Review of potential options would be undertaken during the site plan review stage. Water lines were in place but it was unclear if water delivery was pressurized. And while other infrastructure was seemingly in place, it appeared to have greatly deteriorated. Thus, there were a number of engineering challenges present.

Chairman Dibble asked if the entire Plaza Road right-of-way was within city limits, to which Mr. Dorris replied affirmatively. The parcel's plat would have dedicated the road as right-of-way. He remarked that it was not often that the City considered an industrial use so close to a residential area. In terms of interconnectivity, it made sense to connect Plaza Road to the adjacent

subdivision; however, he conjectured that the road would not likely be built to handle truck traffic, and signs could be installed at various points to slow ingress/egress. Another way to discourage truck traffic would be to construct a mini roundabout with a center landscape feature at the intersection point between the two parcels on Plaza Road. Truck traffic typically found roundabouts difficult to navigate.

Commissioner Lowrey thought that using signage to prevent and/or to direct larger truck traffic might also prove effective.

DISCUSSION

Commissioner Pitts said that he was very familiar with the area. With regard to rezone criterion 3 regarding compatibility with the surrounding area, he determined that an I-1 zone would not be compatible. While roads may have been constructed on the site in 1982, they had since deteriorated significantly to the point that weeds were growing through the pavement. At the time the energy plaza was planned, Grand Junction was facing an oil shale boom. Those circumstances had since changed and the area had since developed with more residential uses. There were large lots throughout the area. If it came down to a decision of whether to apply an I-1 or I-O zone, he would be in favor of the I-O zone.

Ms. Pavelka-Zarkesh noted that there would be greater buffering requirements inherent to the I-1 zone.

MOTION: (Commissioner Pitts) "Mr. Chairman, on item GPA-2005-045, the request to rezone 23 Park Plaza to I-O, I move that we forward a recommendation of approval to the City Council."

Commissioner Carlow seconded the motion. A vote was called and the motion failed by a vote of 3-4, with Chairman Dibble and Commissioners Putnam, Pavelka-Zarkesh, and Lowrey opposing.

Commissioner Lowrey asked for additional clarification on the differences between the I-O and I-1 zone districts, both in terms of uses, buffering, and any other major distinctions. Ms. Portner responded in greater detail. Discussions included a further elaboration on the Conditional Use Permit review process and the use of setbacks to meet buffering and landscape requirements. Commissioner Lowrey asked if he could make a motion to reconsider the previous motion, which legal counsel said would be perfectly acceptable.

MOTION: (Commissioner Lowrey) "I make a motion to reconsider, then [to reconsider the I-O zone]."

Commissioner Pitts seconded the motion. A vote was called and the motion passed by a vote of 5-2, with Chairman Dibble and Commissioner Pavelka-Zarkesh opposing.

A brief recess was called at 8:28. The public hearing reconvened at 8:34 p.m.

Following the recess, discussions ensued over the previous motions and whether legal criteria had been met. Ms. Portner asked legal counsel if, since there was no express motion on the I-1, whether a super majority vote by City Council would be required to approve the requested I-1 zoning. Ms. Kreiling said that a motion addressing the I-1 zone should be made as well as the actual motion to consider the I-O zone.

MOTION: (Commissioner Lowrey) "Mr. Chairman, on item GPA-2005-045, a request to zone the 23 Park Plaza Annexation I-1, I move we forward a recommendation of approval."

Commissioner Pitts seconded the motion. A vote was called and the motion failed by a vote of 3-4, with Commissioners Pitts, Redifer, Lowrey and Carlow opposing.

MOTION: (Commissioner Pitts) "Mr. Chairman, on item GPA-2005-045, I move we recommend approval for [zone of] annexation of I-O be forwarded to City Council."

Commissioner Lowrey seconded the motion. A vote was called and the motion passed by a vote of 4-3 with all but Chairman Dibble and Commissioners Putnam and Pavelka-Zarkesh opposing.

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

Said parcel contains 35.52 acres more or less as described.

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

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

Mayor

ATTEST:

City Clerk

Attach 9
Public Hearing – Zoning the Career Center Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Zoning of the Career Center Annexation located at 2935 North Avenue.					
Meeting Date	July 20, 2005					
Date Prepared	July 14, 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"/>	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Workshop	Formal Agenda
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Consent	Individual Consideration

Summary: Hold a public hearing and consider final passage of the Zoning ordinance to zone the Career Center Annexation CSR, located at 2935 North Avenue. The Career Center consists of 1 parcel on 7.91 acres. The zoning being requested is CSR.

Budget: N/A

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

Background Information: See attached Staff Report/Background Information

Attachments:

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 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:

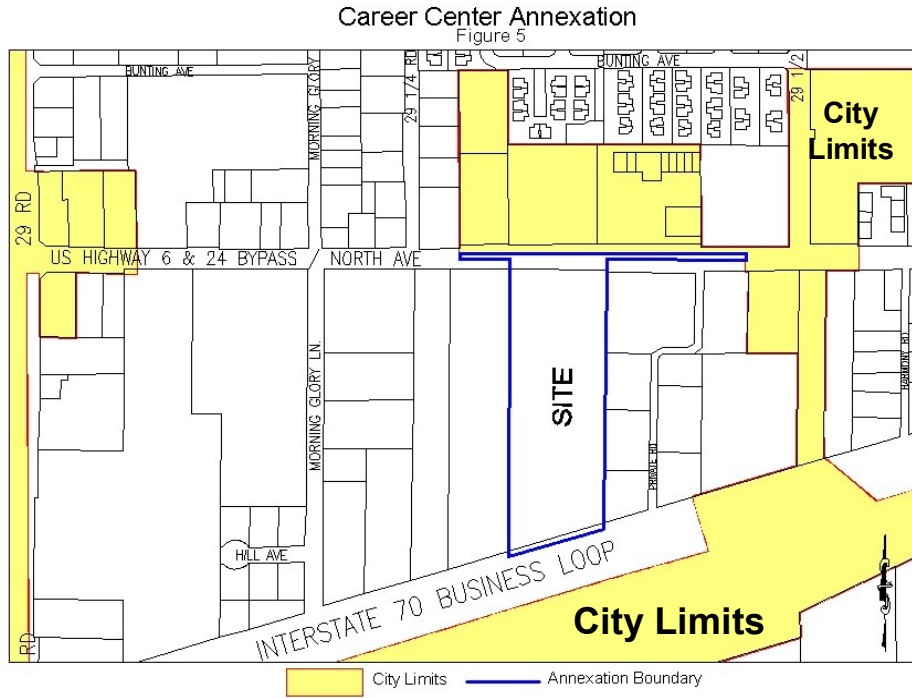
The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the CSR district to be consistent with the Growth Plan, the existing County Zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.

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



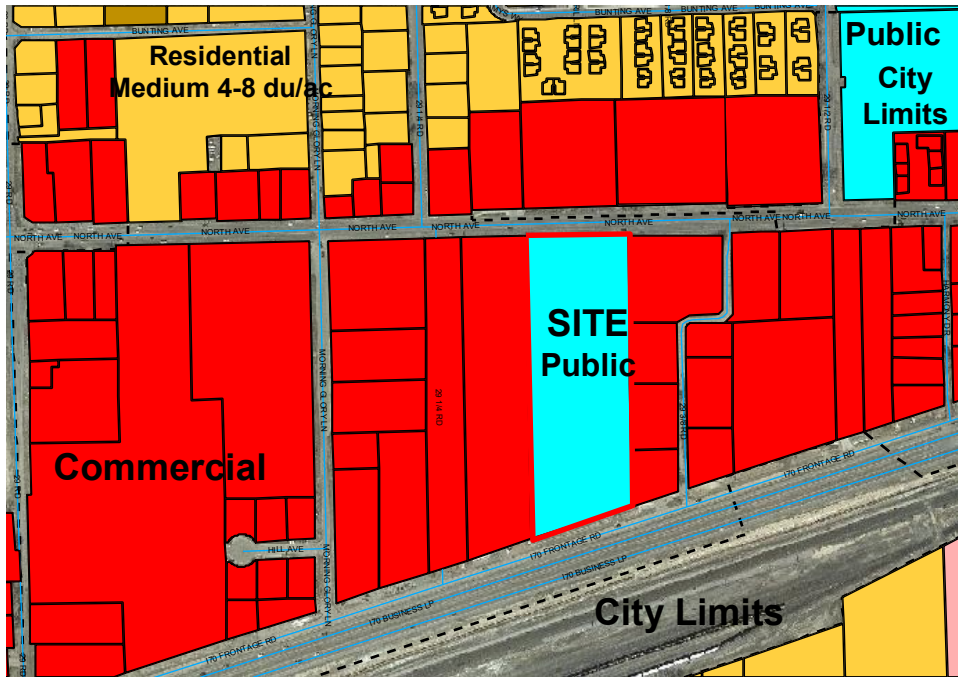
Aerial Photo Map

Figure 2



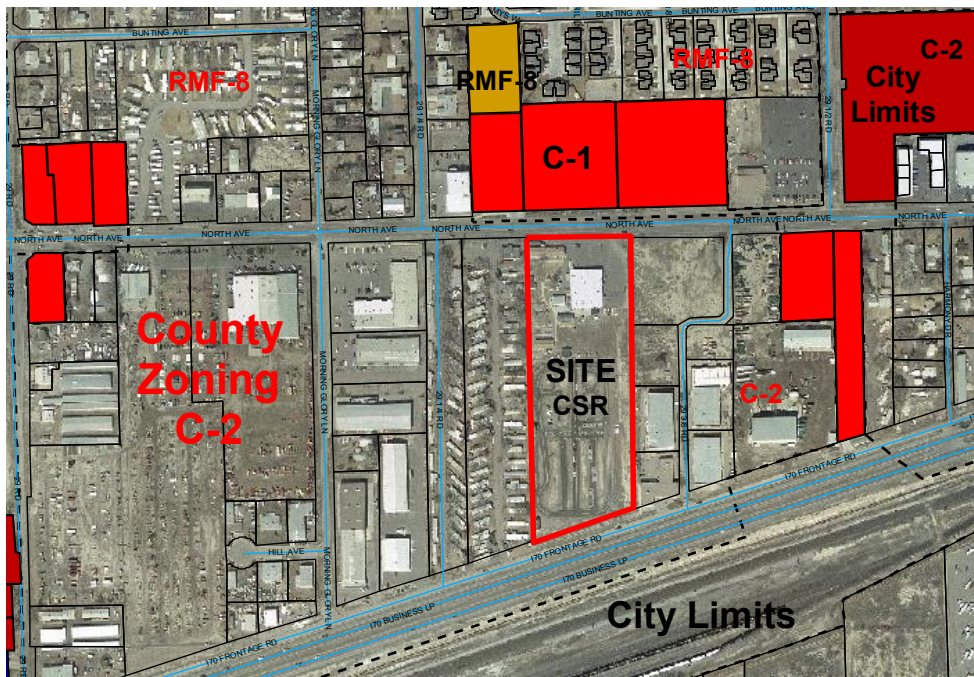
Future Land Use Map

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."

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 10
Public Hearing – Pear Park School Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	A hearing for the Pear Park School Annexation located at 2927 and 2927 ½ D ½ Road					
Meeting Date	July 20, 2005					
Date Prepared	July 14, 2005				File #GPA-2005-125	
Author	Senta L. Costello		Associate Planner			
Presenter Name	Senta L. Costello		Associate Planner			
Report results back to Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	When	
Citizen Presentation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		<input type="checkbox"/>	Consent
					<input checked="" type="checkbox"/>	Individual Consideration

Summary: Resolution for acceptance of petition to annex and to hold a public hearing and consider final passage of the annexation ordinance for the Pear Park School Annexation, located at 2927 and 2927 ½ D ½ Road. The 20.42 acre Pear Park School Annexation consists of 2 parcels and is a 2 part serial annexation.

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:		2927 and 2927 ½ D ½ Road			
Applicants:		Owner: City of Grand Junction – Dave Thornton			
Existing Land Use:		Single Family Residential / Agricultural			
Proposed Land Use:		Elementary School / Public Park			
Surrounding Land Use:	North	Single Family Residential / Agricultural			
	South	Single Family Residential / Agricultural			
	East	Single Family Residential / Agricultural			
	West	Single Family Residential / Agricultural			
Existing Zoning:		County PUD – undeveloped			
Proposed Zoning:		City CSR			
Surrounding Zoning:	North	County RSF-R, RSF-E; City RSF-4, I-1			
	South	County RSF-R			
	East	County RSF-R			
	West	County RSF-R			
Growth Plan Designation:		Current: Residential Medium 4-8 du/ac With GPA: Public			
Zoning within density range?		X	Yes		No

Staff Analysis:

ANNEXATION:

This annexation area consists of 20.42 acres of land and is comprised of 2 parcels. The property owners have requested annexation into the City as the result of a request to construct a elementary school and public park 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 Pear Park School 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 15, 2005	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
June 28, 2005	Planning Commission considers Growth Plan Amendment
July 6, 2005	City Council considers Growth Plan Amendment
July 12, 2005	Planning Commission considers Zone of Annexation
July 20, 2005	Introduction Of A Proposed Ordinance on Zoning, Acceptance of Petition and Public Hearing on Annexation by City Council
August 3, 2005	Public Hearing on Zoning by City Council
August 21, 2005	Effective date of Annexation

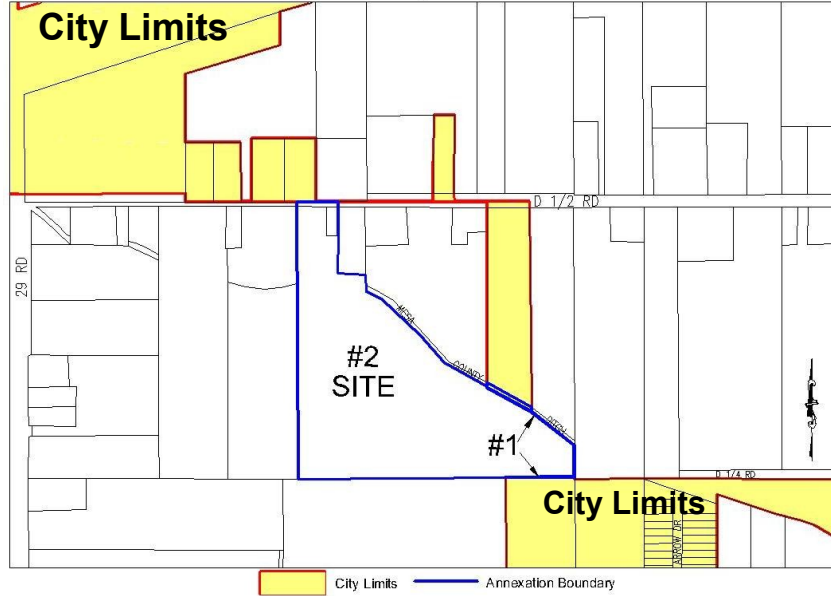
PEAR PARK SCHOOL ANNEXATION SUMMARY

File Number:	ANX-2005-125	
Location:	2927 and 2927 ½ D ½ Road	
Tax ID Number:	2943-173-00-189/190	
Parcels:	2	
Estimated Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0 (Dwelling to be removed)	
Acres land annexed:	20.42 ac	
Developable Acres Remaining:	20 ac	
Right-of-way in Annexation:	5609 sq ft of D ½ Road right-of -way	
Previous County Zoning:	PUD – undeveloped	
Proposed City Zoning:	CSR	
Current Land Use:	Single Family Residential / Agricultural	
Future Land Use:	Elementary School / Public Park	
Values:	Assessed:	= \$20,880
	Actual:	= \$238,600
Address Ranges:	2926-2948 D ¼ Rd (even only); 426-448 29 ¼ Rd (even only); 2927-2927 ½ D ½ Road (odd only)	
Special Districts:	Water:	Ute Water
	Sewer:	Central Grand Valley Sanitation
	Fire:	Grand Junction Rural Fire District
	Irrigation/ Drainage:	Grand Valley Irrigation / Grand Jct Drainage
	School:	Mesa Co School Dist #51
	Pest:	N/A

Site Location Map

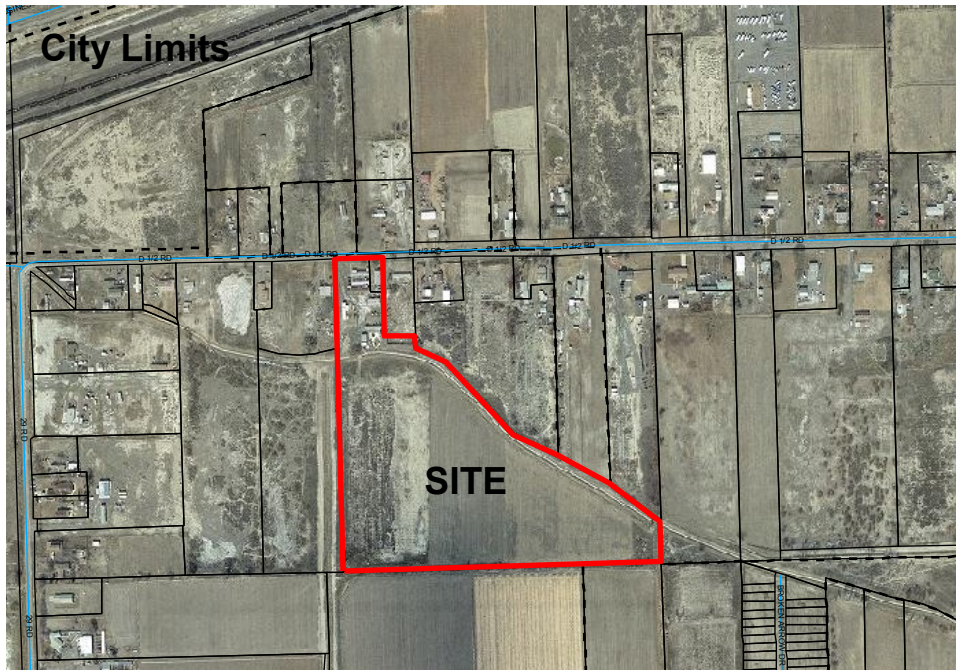
Figure 1

Pear Park School Annexations #1 & #2
Figure 5



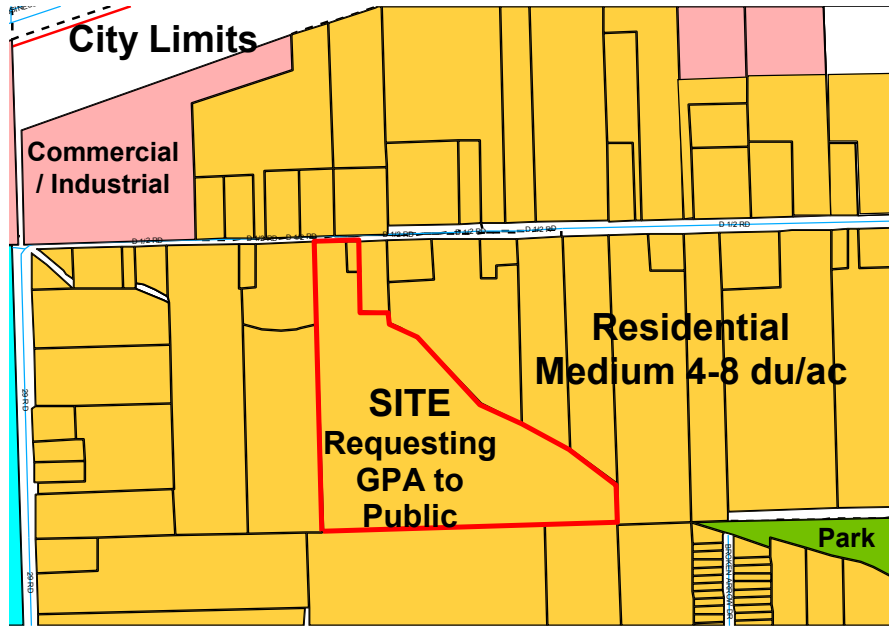
Aerial Photo Map

Figure 2



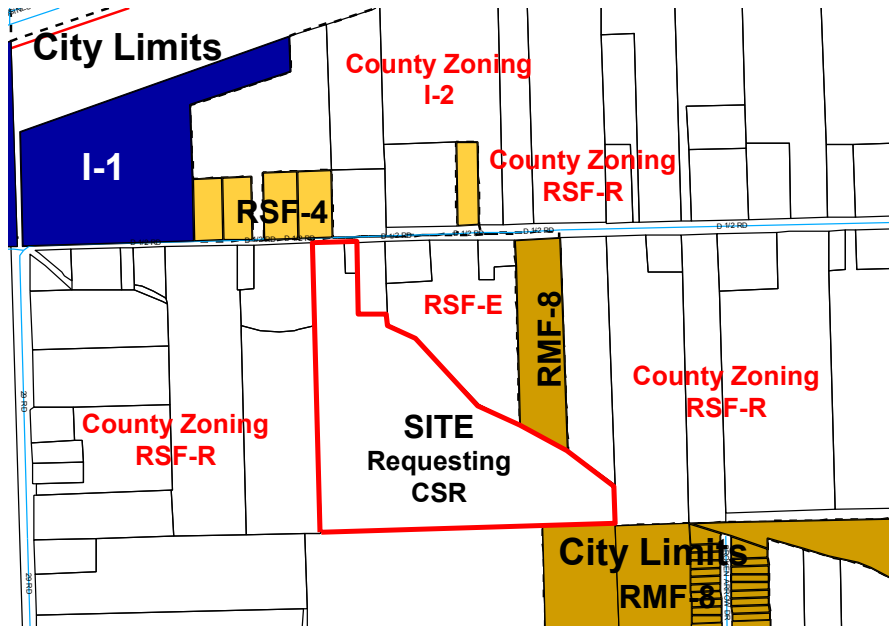
Future Land Use Map

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."

RESOLUTION NO. ____

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

PEAR PARK SCHOOL ANNEXATIONS #1 & #2

LOCATED AT 2927 AND 2927 ½ D ½ ROAD

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 15th 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:

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°02'58"E a distance of 5.88 feet to said centerline of the Grand Valley Canal; thence S58°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°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 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:

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°59'26"W with all bearings contained herein relative thereto; thence from said Point of Commencement 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 to the Southwest corner of Pear Park School Annexation No. 1, also being the Point of Beginning; thence continuing S89°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°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°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°09'17"E a distance of 357.98 feet; thence N89°58'18"E a distance of 130.00 feet; thence S00°09'17"E a distance of 74.96 feet more or less to the South line of the Grand Valley Canal; thence along said South line of the Grand Valley Canal the following four (4) courses: (1) S00°09'17"E a distance of 78.38 (2) S46°01'52"E a distance of 249.36 feet; (3) S42°08'07"E a distance of 169.97 feet; (4) S58°21'28"E a distance of 251.21 feet to the Northwest corner of said Pear Park School Annexation No. 1; thence S00°02'58"E along the West line of said Pear Park School Annexation No. 1 a distance of 5.88 feet; thence S58°21'28"E along the South line of said Pear Park School Annexation No. 1 a distance of 477.96 feet; thence S00°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°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°00'34"E a distance of 5.00 feet to the Point of Beginning.

WHEREAS, a hearing on the petition was duly held after proper notice on the 20th 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 20th 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**

PEAR PARK SCHOOL ANNEXATION #1

APPROXIMATELY 0.11 ACRES

LOCATED AT 2927 D 1/2 ROAD

WHEREAS, on the 15th 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 20th 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:

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°02'58"E a distance of 5.88 feet to said centerline of the Grand Valley Canal; thence S58°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°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.

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

INTRODUCED on first reading on the 15th day of June, 2005 and ordered published.

ADOPTED this 20th 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**

PEAR PARK SCHOOL ANNEXATION #2

APPROXIMATELY 20.19 ACRES

LOCATED AT 2927 AND 2927 ½ D ½ ROAD

WHEREAS, on the 15th 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 20th 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:

Pear Park School Annexation No. 2

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:

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°59'26"W with all bearings contained herein relative thereto; thence from said Point of Commencement 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 to the Southwest corner of Pear Park School Annexation No. 1, also being the Point of Beginning; thence continuing S89°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°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°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°09'17"E a distance of 357.98 feet; thence N89°58'18"E a distance of 130.00 feet; thence S00°09'17"E a distance of 74.96 feet more or less to the South line of the Grand Valley Canal; thence along said South line of the Grand Valley Canal the following four (4) courses: (1) S00°09'17"E a distance of 78.38 (2) S46°01'52"E a distance of 249.36 feet; (3) S42°08'07"E a distance of 169.97 feet; (4) S58°21'28"E a distance of 251.21 feet to the Northwest corner of said Pear Park School Annexation No. 1; thence S00°02'58"E along the West line of said Pear Park School Annexation No. 1 a distance of 5.88 feet; thence S58°21'28"E along the South line of said Pear Park School Annexation No. 1 a distance of 477.96 feet; thence S00°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°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°00'34"E a distance of 5.00 feet to the Point of Beginning.

Said parcel contains 20.19 acres (879,403 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 15th day of June, 2005 and ordered published.

ADOPTED this 20th day of July, 2005.

Attest:

President of the Council

City Clerk

Attach 11
Public Hearing – Koch/Fisher Annexation and Zoning
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Annexation and zoning of the Koch/Fisher Annexation located at 2041 and 2043 Conestoga Drive					
Meeting Date	July 20, 2005					
Date Prepared	July 1, 2005				File #ANX-2005-108	
Author	Ronnie Edwards		Associate Planner			
Presenter Name	Ronnie Edwards		Associate Planner			
Report results back to Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	When	
Citizen Presentation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		Consent	<input checked="" type="checkbox"/> Individual Consideration

Summary: Acceptance of a petition to annex and consider the annexation and zoning for the Koch/Fisher Annexation. The Koch/Fisher Annexation is located at 2041 and 2043 Conestoga Drive and consists of two parcels on .744 acres. The zoning being requested is RSF-4 (Residential Single Family with a density not to exceed 4 du/ac).

Budget: N/A

Action Requested/Recommendation: 1) approve resolution accepting a petition for annexation, 2) conduct a public hearing to consider final passage of annexation and zoning ordinances. The Planning Commission at their June 28, 2005 hearing recommended approval of an RSF-4 zoning.

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:		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:

ANNEXATION:

This annexation area consists of .744 acres of land and is comprised of two parcels. The property owners have requested annexation into the City as the result of a replat involving their subject properties located in The Homestead Subdivision developed in Mesa County and includes a third lot located in Independence Heights Subdivision that was developed in the City in October of 2002. Under the 1998 Persigo Agreement all subdivisions require annexation and processing in the City.

It is staff's professional 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 Koch/Fisher 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 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. 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 rezoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6 as follows:

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

Response: The requested zoning is to place the property into an appropriate City zoning designation due to the annexation request. Therefore, this 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 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 request 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 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 RSF-4 (Residential Single Family with a density not to exceed 4 du/ac) 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.

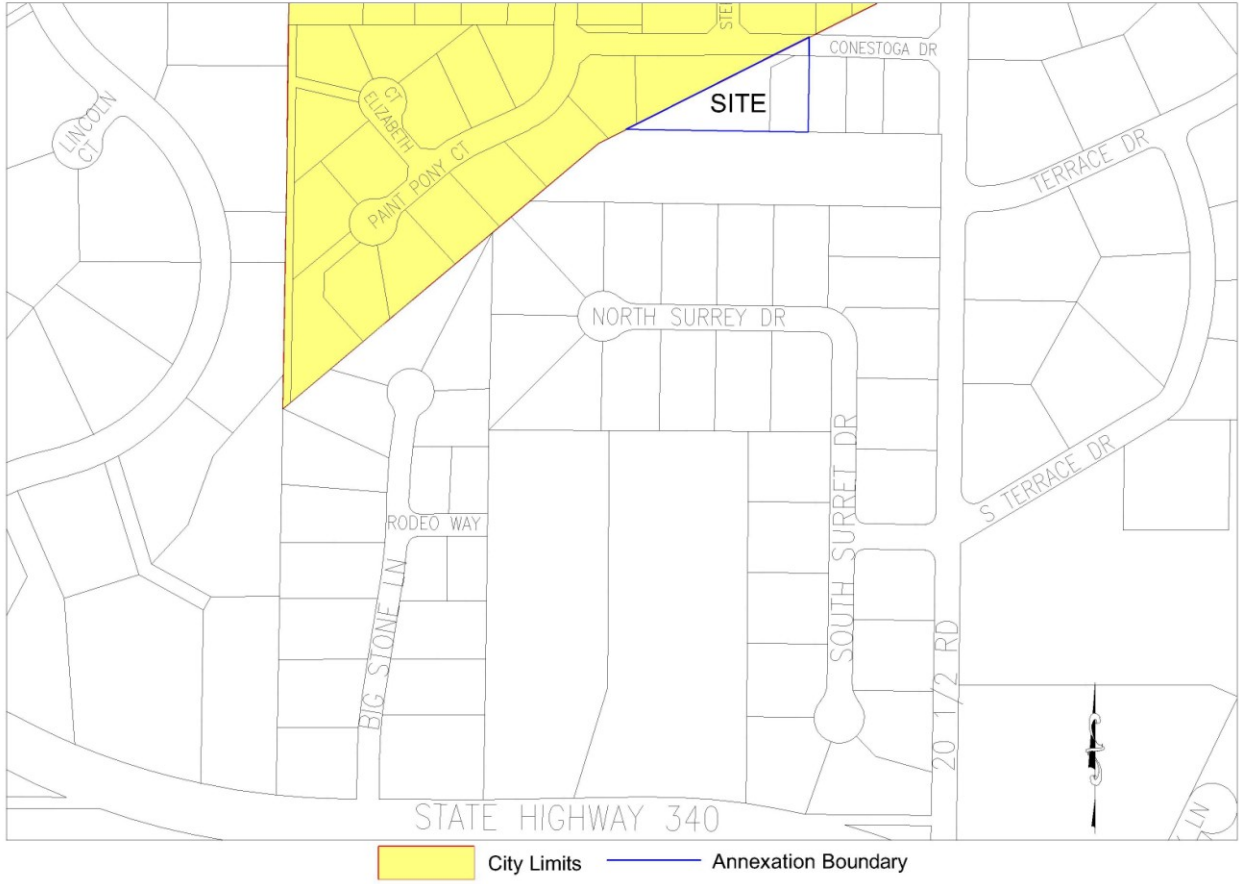
The following annexation and zoning schedule is being proposed.

<u>ANNEXATION SCHEDULE</u>	
June 15, 2005	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
June 28, 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
July 20, 2005	Zoning by City Council
August 21, 2005	Effective date of Annexation and Zoning

KOCH/FISHER ANNEXATION SUMMARY

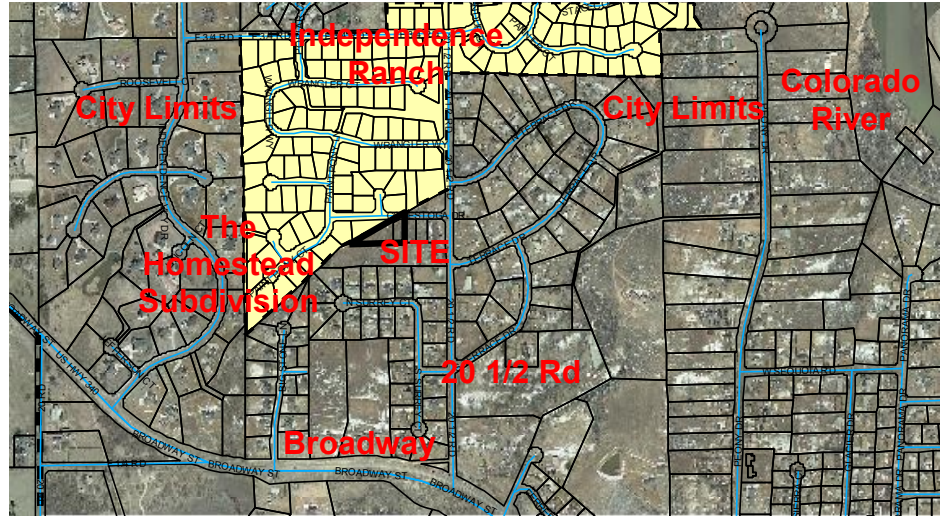
File Number:	ANX-2005-108
Location:	2041 and 2043 Conestoga Drive
Tax ID Number:	2947-152-38-004 & 2947-152-38-005
Parcels:	2
Estimated Population:	4 – 8
# of Parcels (owner occupied):	2
# of Dwelling Units:	2
Acres land annexed:	.79
Developable Acres Remaining:	.744
Right-of-way in Annexation:	.046 acre of Conestoga Drive
Previous County Zoning:	RSF-4
Proposed City Zoning:	RSF-4
Current Land Use:	Residential Single Family
Future Land Use:	Residential Single Family
Values:	Assessed: \$51,600
	Actual: \$648,340
Address Ranges:	2941 and 2943 Conestoga Drive
Special Districts:	Water: Ute Water District
	Sewer: City of Grand Junction
	Fire: Grand Junction Redlands Fire District
	Irrigation/Drainage: Redlands Water and Power
	School: District 51
	Pest: Grand River Mosquito District

Koch/Fisher Annexation
Figure 5



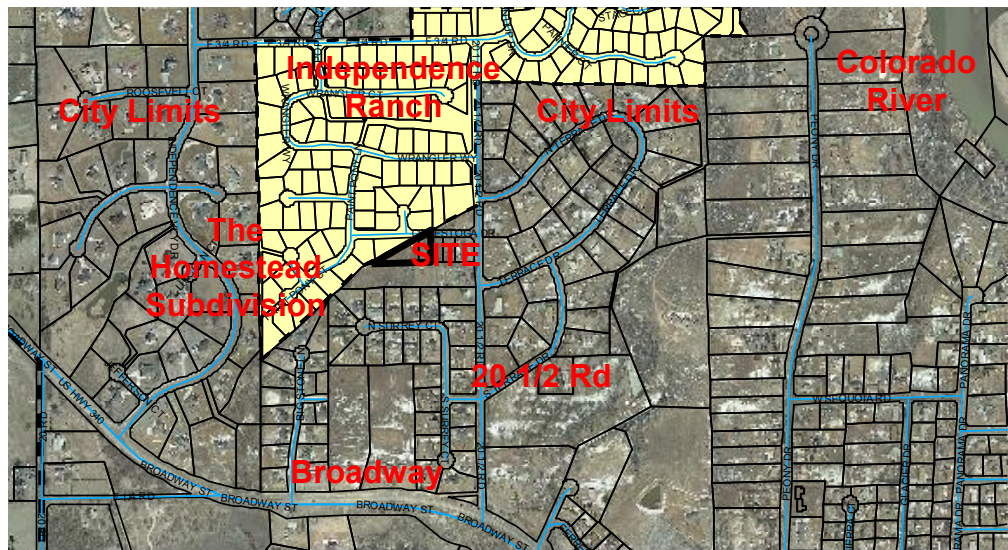
Site Location Map

Figure 1



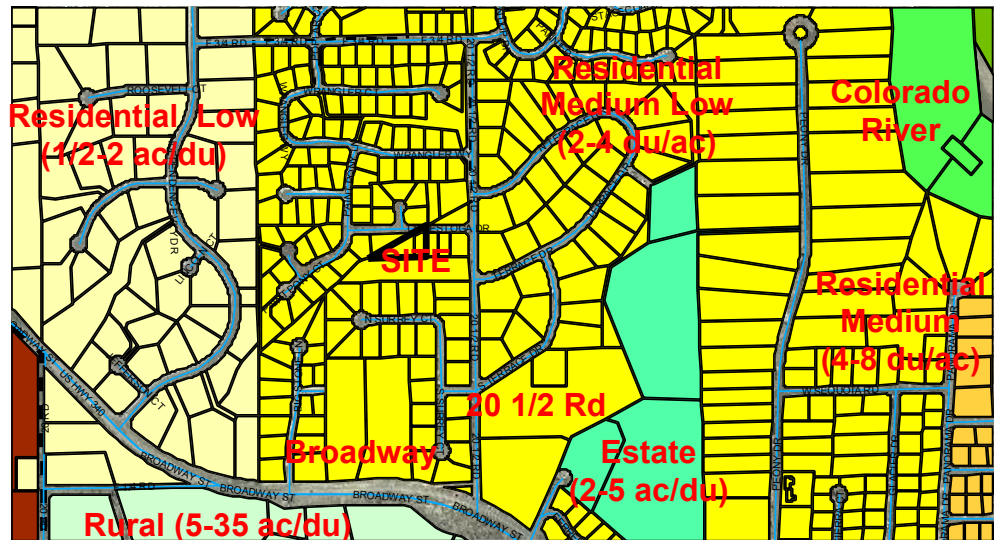
Aerial Photo Map

Figure 2



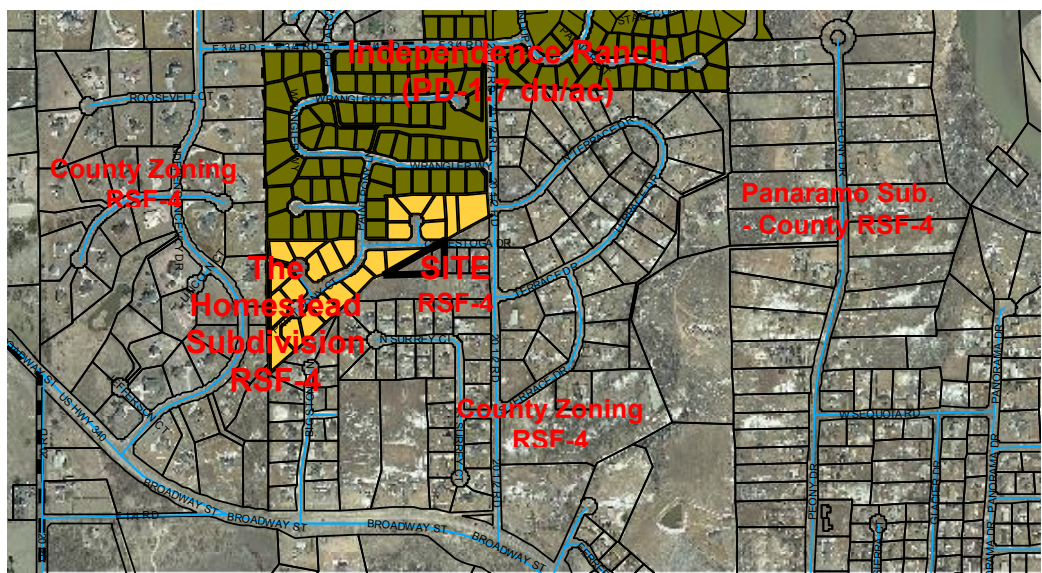
Future Land Use Map

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."

RESOLUTION NO. ____

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

KOCH/FISHER ANNEXATION

**LOCATED AT 2041 AND 2043 CONESTOGA DRIVE AND INCLUDING
A PORTION OF CONESTOGA DRIVE**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 15th 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:

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.

WHEREAS, a hearing on the petition was duly held after proper notice on the 20th 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 20th 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**

KOCH/FISHER ANNEXATION

APPROXIMATELY .79 ACRES

**LOCATED AT 2041 AND 2043 CONESTOGA DRIVE AND
INCLUDING A PORTION OF CONESTOGA DRIVE**

WHEREAS, on the 15th 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 20th 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:

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.

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

INTRODUCED on first reading on the 15th day of June, 2005 and ordered published.

ADOPTED this 20th day of July, 2005.

Attest:

President of the Council

City Clerk

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 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.

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

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

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

ATTEST:

President of the Council

City Clerk

Attach 12
Public Hearing – Schultz Annexation and Zoning
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Annexation and zoning of the Schultz Annexation located at 513 29 1/4 Road					
Meeting Date	July 20, 2005					
Date Prepared	July 5, 2005				File #ANX-2005-112	
Author	Ronnie Edwards		Associate Planner			
Presenter Name	Ronnie Edwards		Associate Planner			
Report results back to Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	When	
Citizen Presentation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		<input type="checkbox"/>	Consent
					<input checked="" type="checkbox"/>	Individual Consideration

Summary: Acceptance of a petition to annex and consider the annexation and zoning for the Schultz Annexation. The Schultz Annexation is located at 513 29 1/4 Road and consists of one parcel on .73 acres and 1133.51 feet of North Avenue and 29 1/4 Road right-of-way. The zoning being requested is RMF-8 (Residential Multi-Family with a density not to exceed 8 du/ac).

Budget: N/A

Action Requested/Recommendation: 1) approve resolution accepting a petition for annexation, 2) conduct a public hearing to consider final passage of annexation and zoning ordinances. The Planning Commission at their June 28, 2005 hearing recommended approval to the RMF-8 zoning.

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:		513 29 1/4 Road	
Applicants:		Scott Schultz	
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 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:

ANNEXATION:

This annexation area consists of .73 acres of land and is comprised of one parcel and a portion of North Avenue and 29 1/4 Road right-of-way. The property owner has requested annexation into the City as the result of a proposed simple subdivision. Under the 1998 Persigo Agreement all subdivisions require annexation and processing in the City.

It is staff's professional 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 Schultz 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 (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. 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 rezoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6 as follows:

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

Response: The requested zoning is to place the property into an appropriate City zoning designation due to the annexation request. Therefore, this 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 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 request 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 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 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 (Residential Multi-Family with a density not to exceed 8 du/ac) 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.

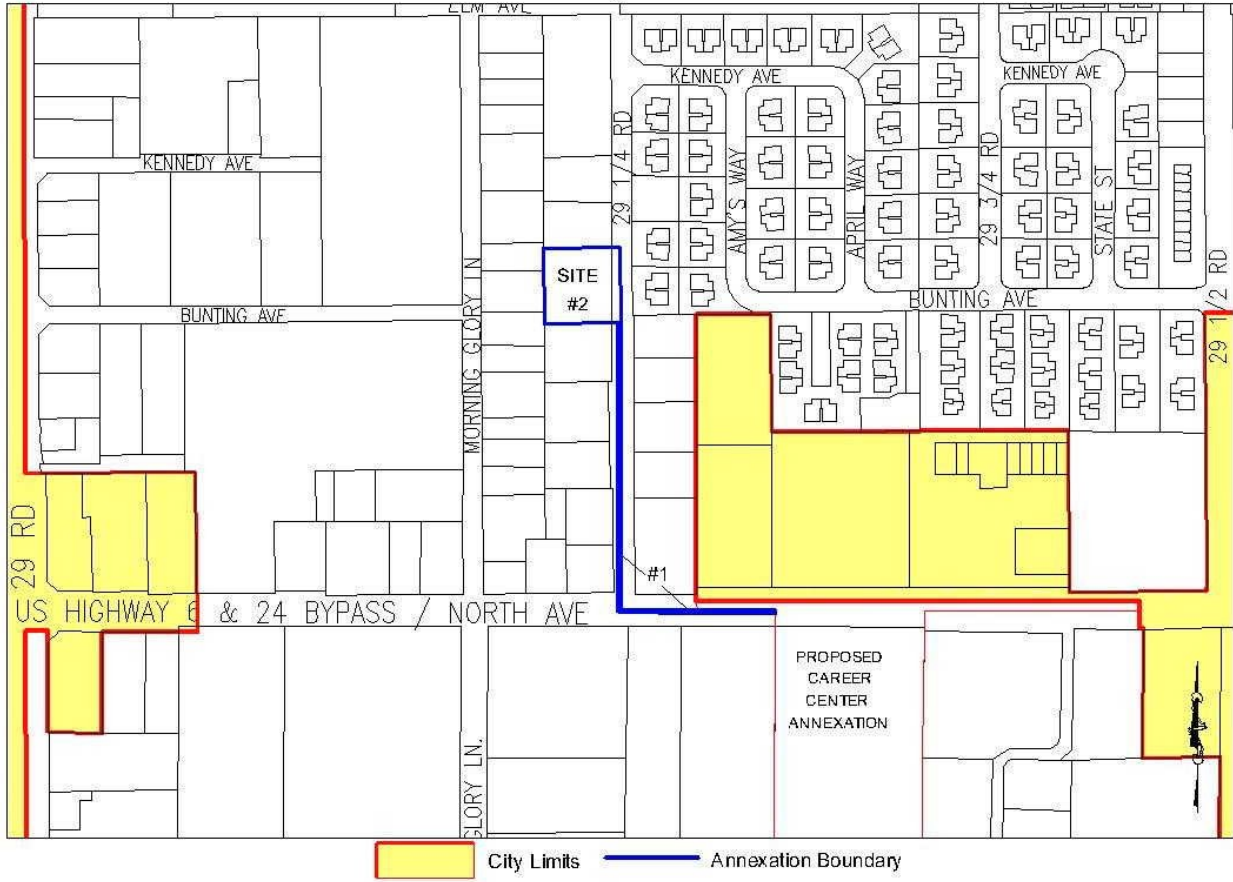
The following annexation and zoning schedule is being proposed.

<u>ANNEXATION SCHEDULE</u>	
June 15, 2005	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
June 28, 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
July 20, 2005	Zoning by City Council
August 21, 2005	Effective date of Annexation and Zoning

SCHULTZ ANNEXATION SUMMARY

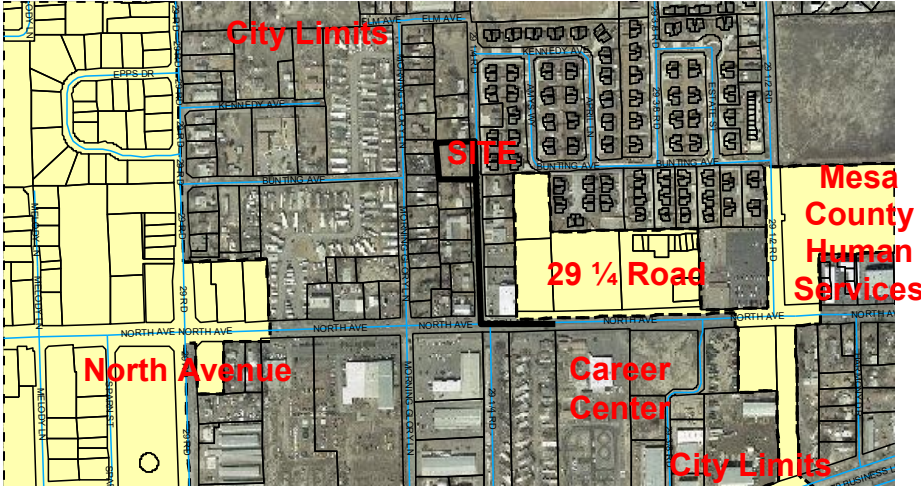
File Number:	ANX-2005-112
Location:	513 29 1/4 Road
Tax ID Number:	2943-083-00-056
Parcels:	1
Estimated Population:	2
# of Parcels (owner occupied):	1
# of Dwelling Units:	1
Acres land annexed:	.73
Developable Acres Remaining:	.572
Right-of-way in Annexation:	.158 acres of North Aveue & 29 1/4 Road
Previous County Zoning:	RMF-8
Proposed City Zoning:	RMF-8
Current Land Use:	Residential Single Family
Future Land Use:	Residential Single Family
Values:	Assessed: \$14,490
	Actual: \$181,950
Address Ranges:	513 29 1/4 Road
Special Districts:	Water: Ute Water District
	Sewer: Fruitvale Sanitation District
	Fire: Grand Junction Rural Fire Department
	Irrigation/Drainage: Grand Junction Drainage District
	School: District 51
	Pest: N/A

Schultz Annexations #1 & #2
Figure 5



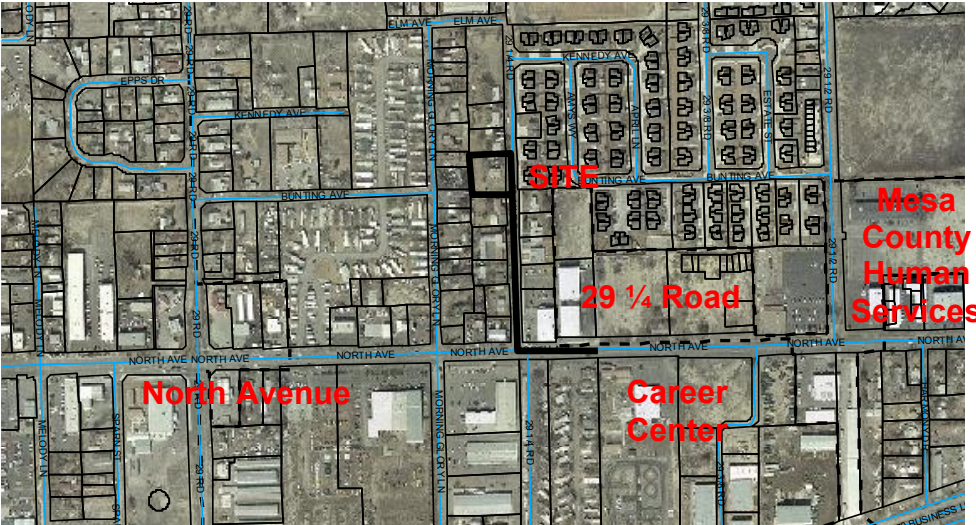
Site Location Map

Figure 1



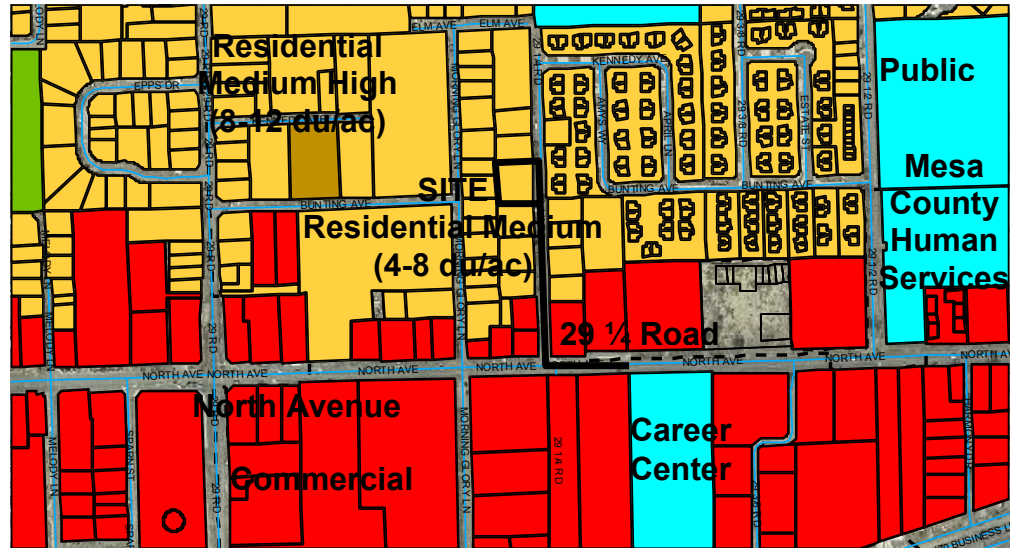
Aerial Photo Map

Figure 2



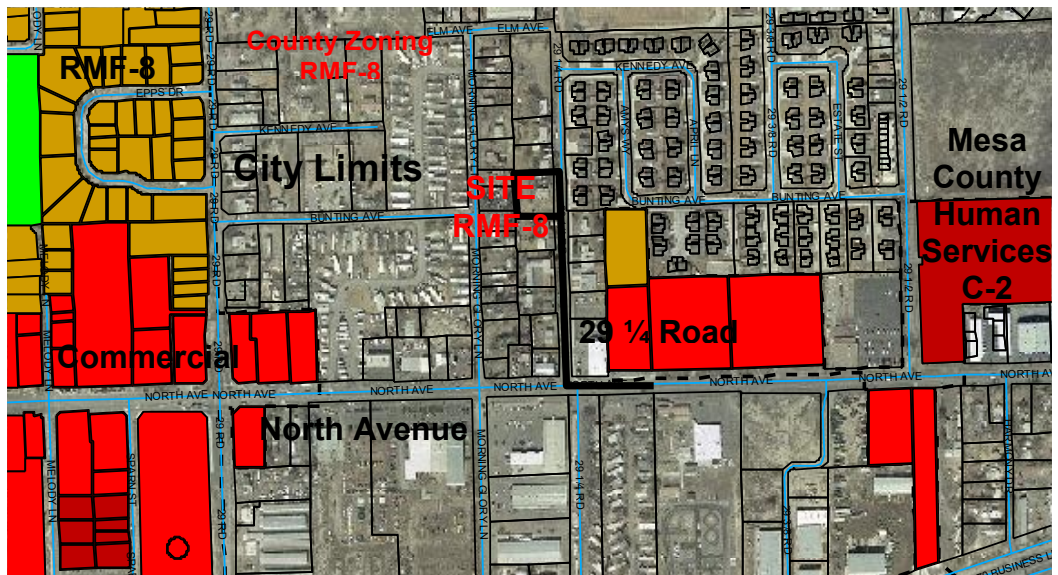
Future Land Use Map

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."

RESOLUTION NO. ____

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

SCHULTZ ANNEXATION

**LOCATED AT 513 29 1/4 ROAD AND INCLUDING A PORTION
OF NORTH AVENUE AND 29 1/4 ROAD RIGHTS-OF-WAY**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 15th 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:

SCHULTZ ANNEXATION NO. 1

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:

Beginning 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 Beginning N00°03'56"W along the East line of the SW 1/4 SW 1/4 of said Section 8 a distance of 160.00 feet; thence S89°56'04"W a distance of 2.00 feet; thence S00°03'56"E 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; thence S00°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; thence S89°57'27"E 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 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 2.00 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. 3801, 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 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 330.53 feet to the Point of Beginning.

Said parcel contains 0.02 acres (985 sq. ft.) more or less as described.

SCHULTZ ANNEXATION NO. 2

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 $N00^{\circ}03'56''W$ with all bearings contained herein relative thereto; thence from said Point of Commencement $N89^{\circ}57'27''W$ 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 $N00^{\circ}03'56''W$ 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. 3809, City of Grand Junction; thence $N89^{\circ}56'04''E$ 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 $N00^{\circ}03'56''W$ along the East line of the SW 1/4 SW 1/4 of said Section 8 a distance of 643.00 feet; thence $S89^{\circ}56'04''W$ a distance of 170.00 feet; thence $S00^{\circ}03'56''E$ a distance of 164.00 feet; thence $N89^{\circ}56'04''E$ a distance of 166.00 feet; thence $S00^{\circ}03'56''E$ 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 $S00^{\circ}11'03''E$ 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 $S89^{\circ}57'27''E$ 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 $S89^{\circ}57'29''E$ 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. 3801, City of Grand Junction; thence $N00^{\circ}02'31''E$ 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 $N89^{\circ}57'29''W$ 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 $N89^{\circ}57'27''W$ 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 $N00^{\circ}11'03''E$ 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.

WHEREAS, a hearing on the petition was duly held after proper notice on the 20th 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 20th 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**

SCHULTZ ANNEXATION NO. 1

APPROXIMATELY .02 ACRES

OF NORTH AVENUE AND 29 1/4 ROAD RIGHTS-OF-WAY

WHEREAS, on the 15th 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 20th 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:

Schultz Annexation No. 1

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:

Beginning 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 Beginning N00°03'56"W along the East line of the SW 1/4 SW 1/4 of said Section 8 a distance of 160.00 feet; thence S89°56'04"W a distance of 2.00 feet; thence S00°03'56"E 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; thence S00°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; thence S89°57'27"E 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 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 2.00 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, 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 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 330.53 feet to the Point of Beginning.

Said parcel contains 0.02 acres (985 sq. ft.) more or less as described.

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

INTRODUCED on first reading on the 15th day of June, 2005 and ordered published.

ADOPTED this 20th 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**

SCHULTZ ANNEXATION NO. 2

APPROXIMATELY .71 ACRES

**LOCATED AT 513 29 1/4 ROAD AND INCLUDING A PORTION OF NORTH AVENUE
AND 29 1/4 ROAD RIGHTS-OF-WAY**

WHEREAS, on the 15th 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 20th 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:

Schultz Annexation No. 2

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, 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, 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.

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

INTRODUCED on first reading on the 15th day of June, 2005 and ordered published.

ADOPTED this 20th of July, 2005.

Attest:

President of the Council

City Clerk

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 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 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, 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, 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.

Housing type, density and bulk standards shall be for the RMF-8 zone district.

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

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

ATTEST:

President of the Council

City Clerk

Attach 13

**Public Hearing – Amending the Existing PD for The Glens at Canyon View
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
Subject	Consider final passage of a proposed ordinance amending the existing PD for The Glens at Canyon View Planned Development					
Meeting Date	July 20, 2005					
Date Prepared	July 14, 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			Consent X 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.

Budget: N/A

Action Requested/Recommendation: Hold a public hearing and consider final passage 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-foot tall or privacy walls designed to match the surrounding architecture. Refuse enclosures shall be completely screened from view with a six foot screen fencing or other architecturally designed enclosure.

4. This project will 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 to 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:

5. The requested Planned Development amendment and the Preliminary Development Plan are consistent with the Growth Plan.
6. The review criteria in Section 2.12.C.2 of the Zoning and Development Code have all been met. (Planned Development)
7. The review criteria in Section 2.8.B of the Zoning and Development Code have all been met. (Subdivisions)
8. 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)
9. The criterion of Section 6.7.E.5 (Private Streets) may be authorized by the City Council.

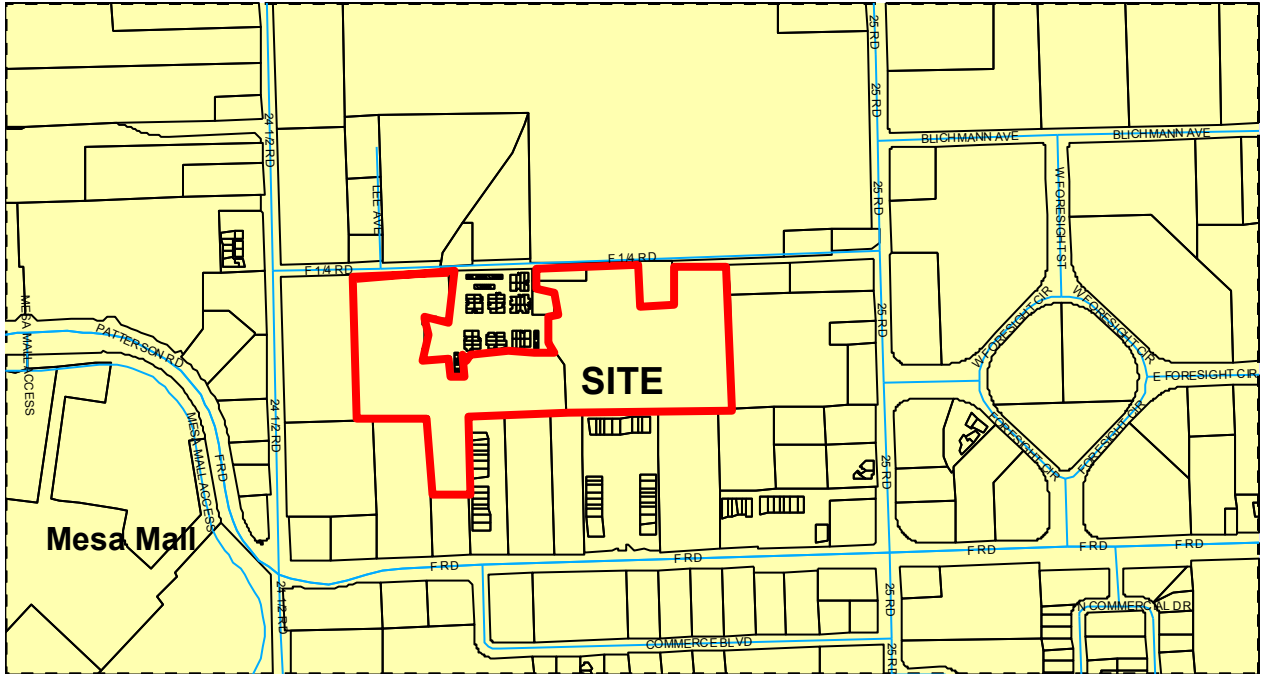
PLANNING COMMISSION RECOMMENDATION:

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. 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

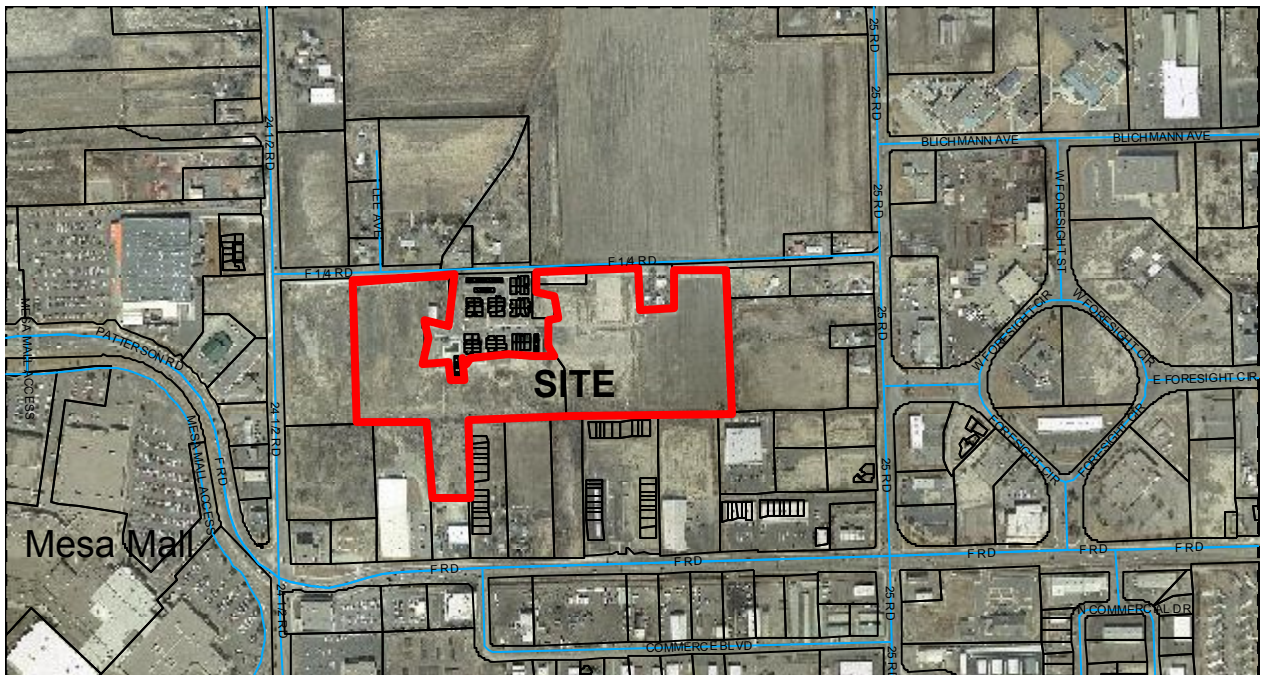
City Limits

2459 F ¼ Road



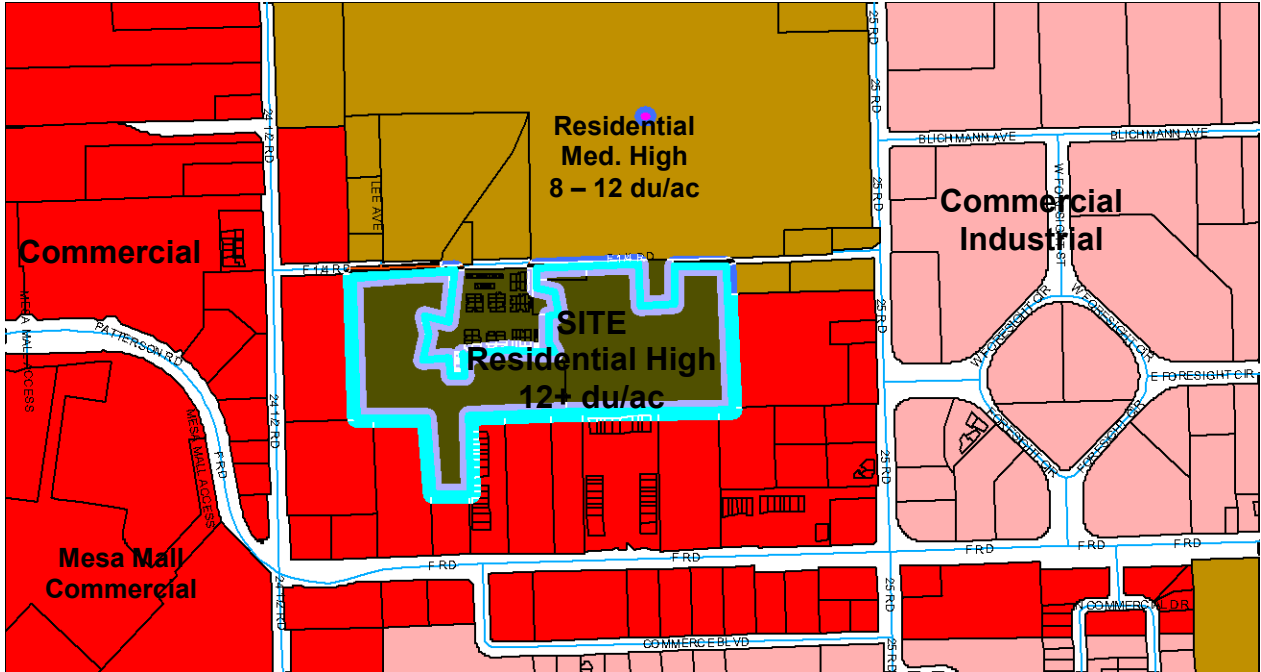
Aerial Photo Map

2459 F ¼ Road



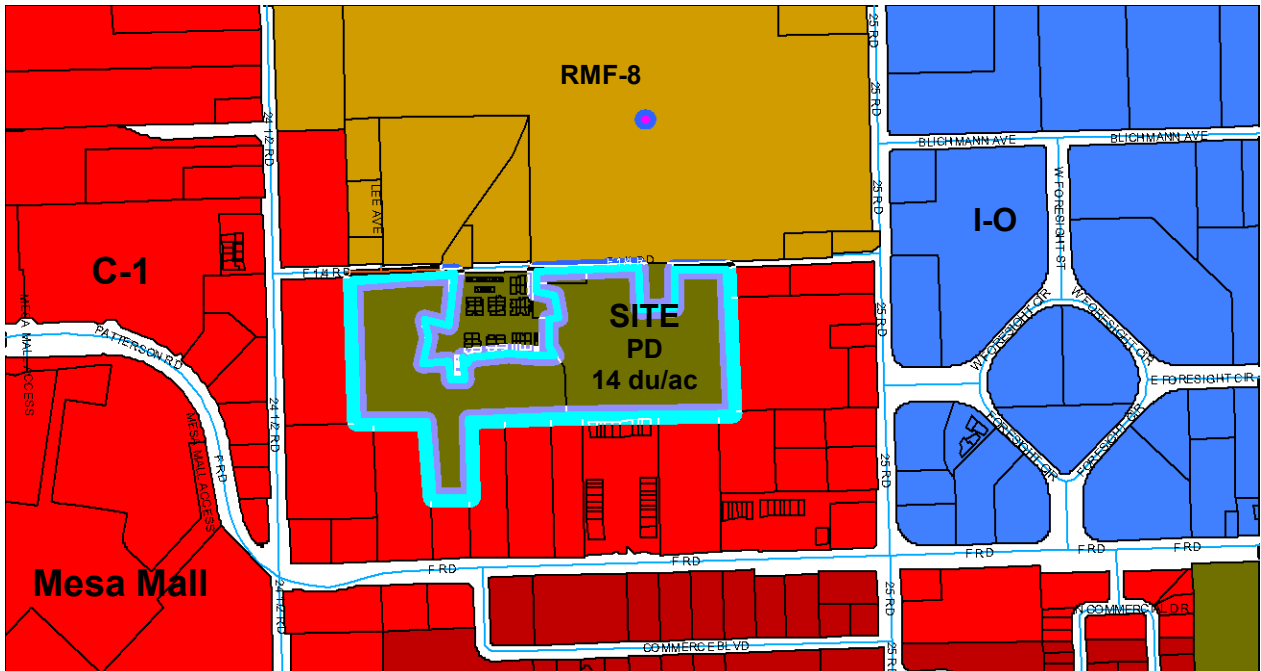
Future Land Use Map

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/near 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

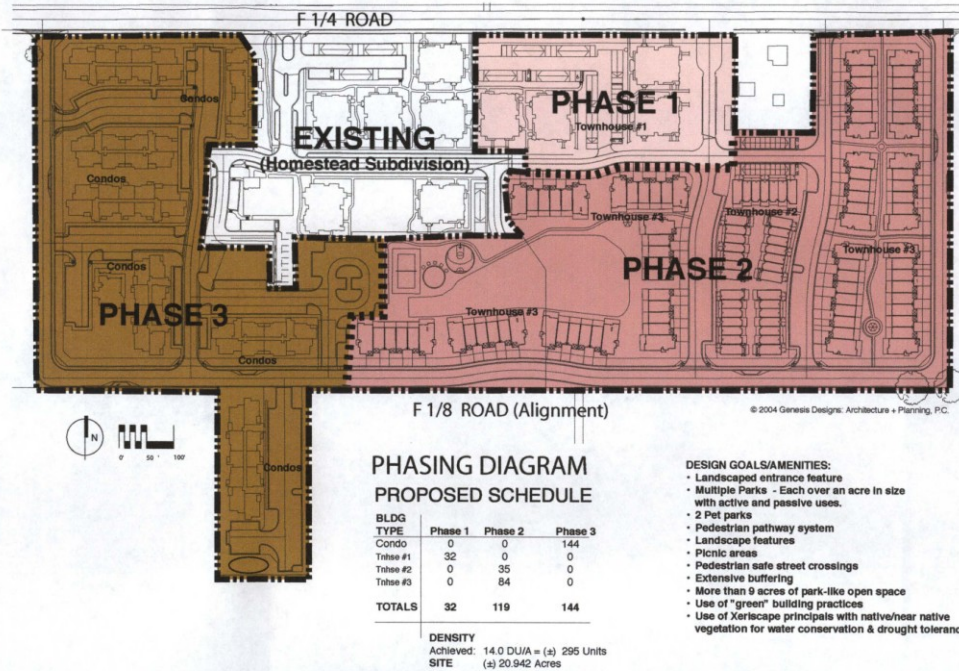


DIAGRAM #5

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 14

Amendment #1 of the Engineering Services Contract with Carter & Burgess for 29 Road and I-70B Interchange Approval Process

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Amendment #1 of Engineering Services Contract with Carter & Burgess for 29 Rd and I -70 B Interchange Approval Process					
Meeting Date	July 20, 2005					
Date Prepared	July 14, 2005				File #	
Author	Jim Shanks Trent Prall		Riverside Parkway Program Mngr Riverside Parkway Project Manager			
Presenter Name	Mark Relph		Public Works & Utilities Director			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary: This amendment is for the preparation of an environmental assessment for the 1601 interchange approval process for the connection of 29 Rd to I-70B. Pending changes to the 1601 process made it difficult to originally estimate the full scope of the project without some preliminary work and meetings with CDOT.

Budget: There are sufficient funds in the 2004-2005 29 Rd and I-70B Viaduct budget to complete this engineering services contract.

2004 Preliminary Engineering Budget		\$	300,000
2005 Engineering Budget		\$	500,000
Total 2004-2005 Budget		\$	1,000,000
Engineering services contract approved 1/5/05		\$	754,920
This Amendment #1		\$	235,392
Balance remaining		\$	9,688
Total Project Budget (F42200 / 1/2 County)			
Preliminary Engineering / 1601 Process	2005	\$	800,000
Other Preliminary Engineering	2006	\$	1,400,000
Right of Way Easements	2007	\$	3,200,000
Construction	2008-2009	\$	11,800,000
Totals		\$	17,200,000

This amendment:
 \$235,392
Previously authorized:
 \$754,920

Total Carter Burgess Contract:
 \$990,312

Action Requested/Recommendation: Authorize the City Manager to approve a contract amendment in the amount of \$235,392.

Attachments: 1) Summary of Work

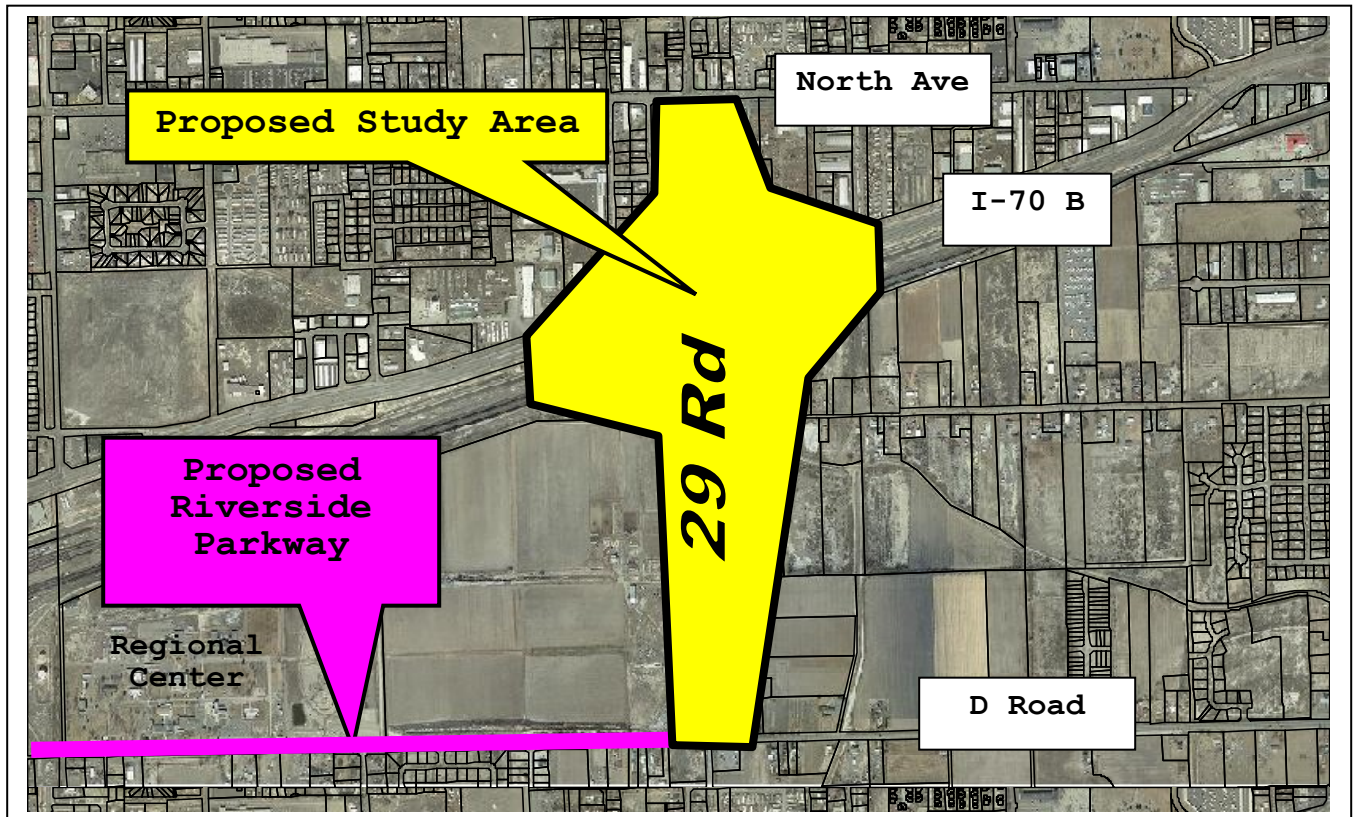
Background Information:

The City Council approved the original contract with the engineering firm of Carter & Burgess to begin the CDOT 1601 interchange approval process for the 29 Road connection at I-70 B in January 2005.

At that time it was unclear whether or not a full 1601 analysis would be required due to pending changes in the Colorado Department of Transportation's (CDOT) Interchange Approval process (Policy Directive 1601). Therefore City Council was asked to only authorize that portion of work that would need to be completed whether a full 1601 was required or something less. The Carter & Burgess proposal to complete the entire 1601 work effort was \$990,312. All of the Environmental Assessment work tasks were removed and only a portion (\$754,920) of the work was authorized.

Since that time, through numerous meetings with CDOT, it was determined that a full 1601 including an Environmental Assessment would be required. This additional work for the EA in the original cost proposal of \$235,392 needs to be authorized in order to complete this project.

Vicinity Map



29 Road and I-70B 1601 Interchange Approval Process Modified 1601 Summary of Work

Phase I represents the level of effort that will be required whether or not a full 1601 analysis is required.

As with the Riverside Parkway Carter & Burgess have again agreed not to markup any of the sub-consultant costs. They have also agreed to use 2004 rates although the work will be completed in 2005.

The scope of the modified 1601 was approved by City Council in January 2005. This amendment to the contract authorizes the difference in between the Full 1601 and the Modified 1601 shown in the table below:

Task	Description	Full 1601	Modified 1601	
Task One	Project Management and Coordination	\$ 107,888	\$ 107,888	
Task Two	Data Colleciton and Analysis	\$ 73,936	\$ 73,936	
Task Three	Transportation Analysis	\$ 64,272	\$ 57,020	*
Task Four	Alternative Development and Screening	\$ 93,694	\$ 93,694	
Task Five	Preliminary Engineering (30%)	\$ 174,940	\$ 156,862	*
Task Six	Environmental Assessment Preparation	\$ 169,498	\$ -	*
Task Seven	System and Project Level Feasibility	\$ 81,344	\$ 75,856	*
Task Eight	Public Information and Involvement Program	\$ 115,180	\$ 102,564	*
	Direct Expenses	\$ 54,005	\$ 40,685	*
	Subconsultants	\$ 55,555	\$ 46,415	*
		\$ 990,312	\$ 754,920	

*These work elements needed further evaluation to determine the exact scope and level of effort required by CDOT for interchange approval. Since January 2005, it has been determined that a full 1601 and accompanying Environmental Assessment would be required.

Attach 15

Purchase of Property at 758 Struthers Avenue

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Purchase of Property at 758 Struthers Ave for the Riverside Parkway Project					
Meeting Date	July 20, 2005					
Date Prepared	July 14, 2005				File #	
Author	Jim Shanks Trent Prall		Riverside Pkwy Program Manager Riverside Pkwy Project Manager			
Presenter Name	Mark Relph		Public Works and Utilities Director			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda			Consent X Individual Consideration

Summary: The City has entered into a contract to purchase the property at 758 Struthers Avenue from Rose M. Reed. 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	\$60,000
Estimated Moving Costs (owner)	\$0
Tenant supplement	\$21,168
Estimated Moving Costs (tenant)	\$3,000
Closing Costs	\$1,200
Environmental Inspections	\$3,500
Asbestos Removal	\$5,000
Demolition and Misc environmental cleanup	\$3,500
Total Costs Related to This Request	\$97,368
2005 Remaining Right-of-Way Funds	\$2,425,959
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: \$10,139,989)	\$19,000,000
Total Estimated Project Costs	\$91,495,000
Remaining Funds / Contingency	\$0
*Includes Crouch (\$257,500) approved by Council 7/6/05	

Action Requested/Recommendation: Adopt a Resolution authorizing the purchase of property at 758 Struthers Ave from Rose M. Reed.

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 house to be purchased is located east of 7th Street along Struthers Ave. The subject property contains 0.138 acres of C-2 zoned land and a 506 square foot owner occupied home. The house was constructed in 1920. The house is currently tenant occupied.

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

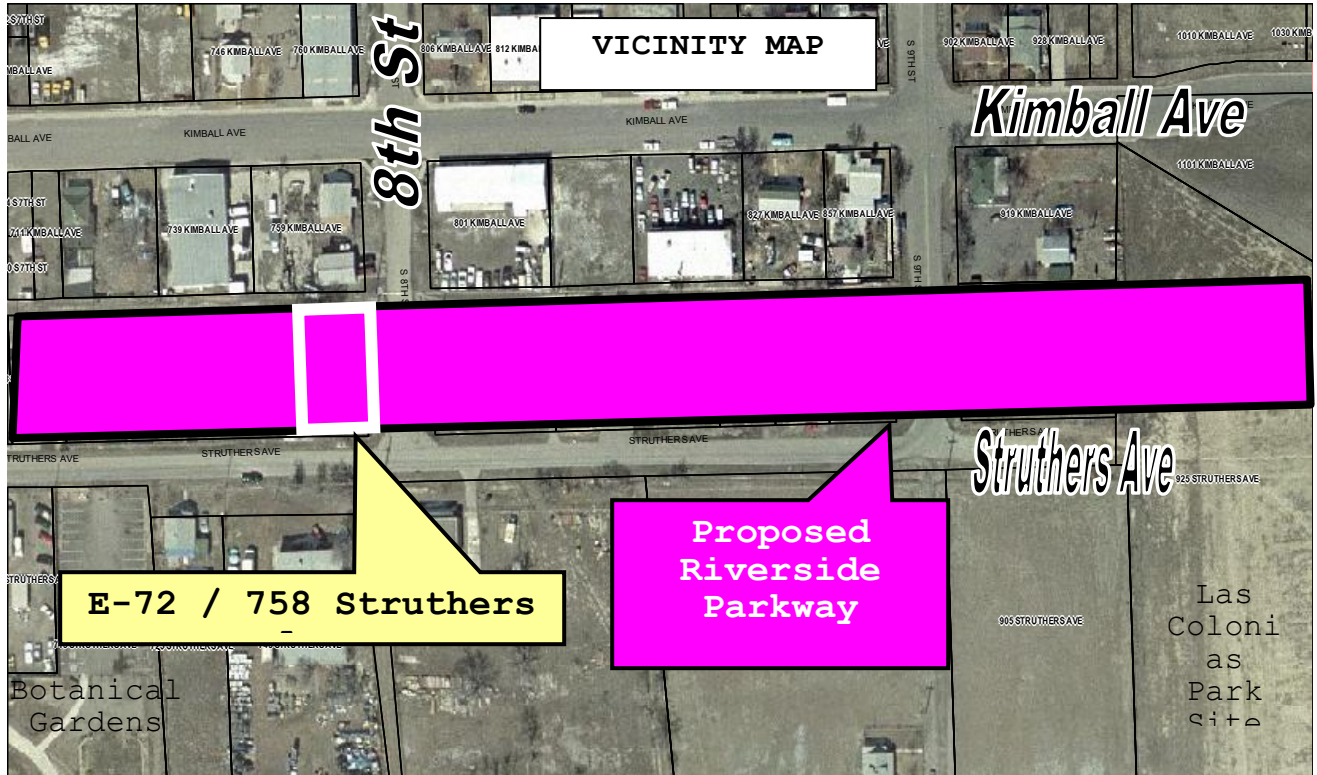
As standard practice the City of Grand Junction completes an appraisal of the real estate to be acquired prior to acquisition. The property owner is encouraged, but not required, to also obtain an appraisal. City staff, as well as the City's real estate consultant HC Peck and Associates, Inc., reviewed the independently prepared appraisal that valued the property at

\$35,000. The owner received an appraisal that estimated the value at \$73,700. An administrative settlement was reached at \$60,000. HC Peck staff reviewed the two independently prepared appraisals and has recommended the City accept the owner's administrative settlement offer of \$60,000 rather than enlist the services of a review appraiser at additional cost. Staff believes the review appraiser would be closer to the proposed settlement amount rather than the \$35,000.

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

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.



RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY
AT 758 STRUTHERS AVENUE FROM ROSE M. REED

Recitals.

A. The City of Grand Junction has entered into a contract with Rose M. Reed, 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 758 Struthers Avenue and the Mesa County Assessor parcel number is 2945-231-17-022, designated as Project Parcel No. E-68.

B. The purchase contract provides that on or before July 20, 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 758 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 \$60,000. All actions heretofore taken by the officers, employees and agents of the City relating to the purchase of said property which are consistent with the provisions of the negotiated Contract to Buy and Sell Real Estate and this Resolution are hereby ratified, approved and confirmed.

2. Said \$60,000 is authorized to be paid at closing, in exchange for conveyance of the fee simple title to the described property.

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

PASSED and ADOPTED this _____ day of _____, 2005.

Attest:

President of the Council

City Clerk

Attach 16

Purchase of Property at 725 Struthers Avenue

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Purchase of Property at 725 Struthers Ave					
Meeting Date	July 20, 2005					
Date Prepared	July 14, 2005				File #	
Author	Peggy Holguin		Real Estate Manager			
Presenter Name	Mark Relph		Public Works and Utilities Director			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary: The City has entered into a contract to purchase the property at 725 Struthers Avenue from Martha Arcieri & Lorraine Williams. The City's obligation to purchase this property is contingent upon Council's ratification of the purchase contract.

Budget: This property is proposed to be funded by the City Council contingency. There is presently a balance of \$230,467 in that account.

Action Requested/Recommendation: Adopt a Resolution authorizing the purchase of property at 725 Struthers Ave from Martha Arcieri & Lorraine Williams.

Attachments:

1. Proposed Resolution.

Background Information:

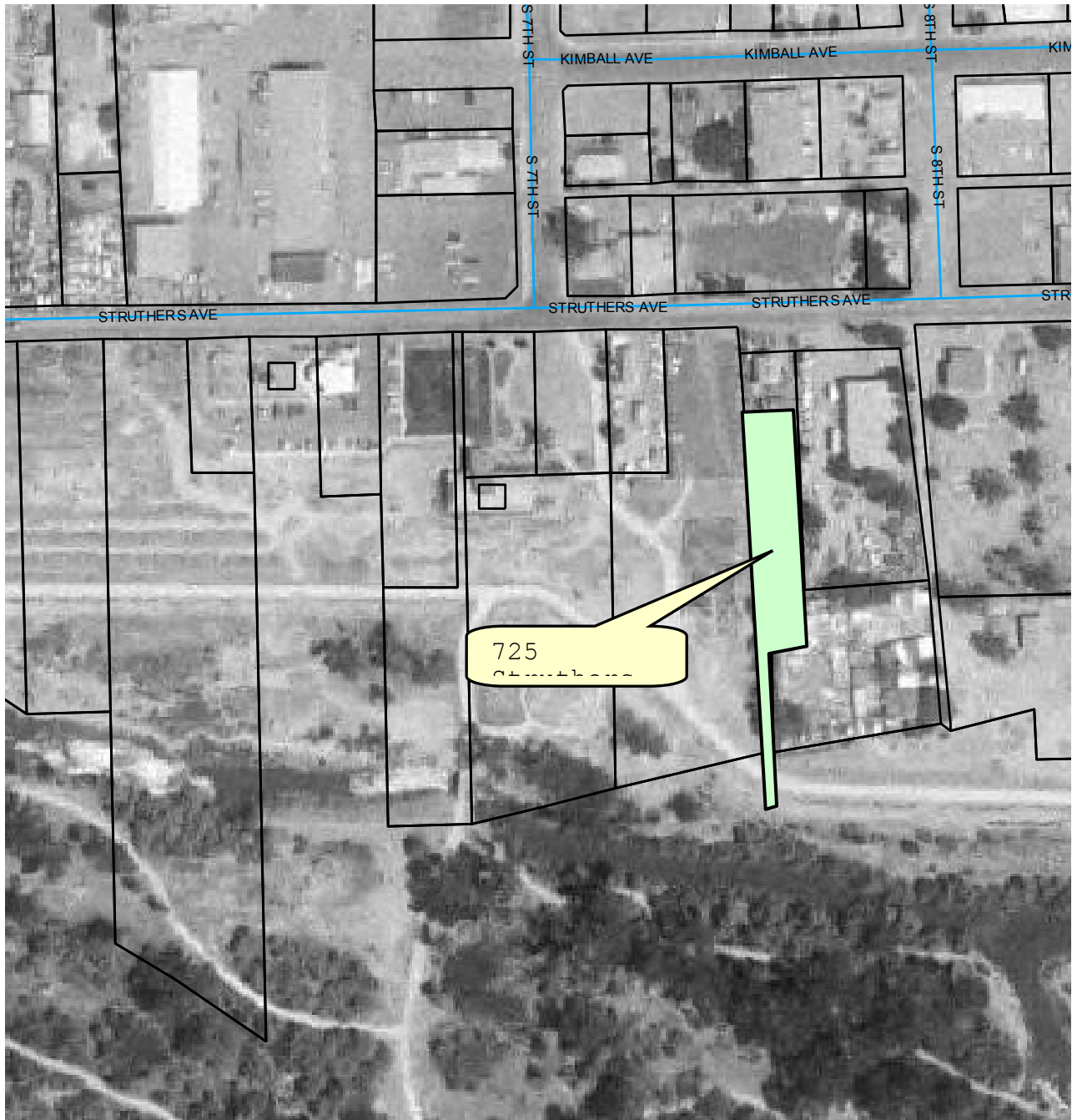
This house is on the open market for \$72,000. It is located east of 7th Street along Struthers Ave. The subject property contains 0.455 acres of C-2 zoned land and a 700 square foot owner occupied home. The house was constructed in 1925.

The property is located just east of existing City property which is presently being used for a parking lot for the riverfront trail and adjacent to existing City property which is being leased to the Botanical Gardens.

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

There were no appraisals completed for this purchase as the property was for sale on the open market. Staff reviewed the property and determined that the \$72,000 was within reasonable range of other values the City is paying for property in the immediate area.

Closing is set for to occur on or before July 31, 2005.



725 Struthers Avenue
Grand Junction, CO 81501
Martha Arcieri & Lorraine Williams
Mesa County Tax Schedule Number: 2945-234-11-001

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY
AT 725 STRUTHERS AVENUE FROM MARTHA ARCIERI AND LORRAINE
WILLIAMS

Recitals.

A. The City of Grand Junction has entered into a contract with Martha Arcieri & Lorraine Williams, for the purchase by the City of certain real property. The street address of the property is 725 Struthers Avenue and the Mesa County Assessor parcel number is 2945-231-234-11-001.

B. The purchase contract provides that on or before July 20, 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 725 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 \$72,000. All actions heretofore taken by the officers, employees and agents of the City relating to the purchase of said property which are consistent with the provisions of the negotiated Contract to Buy and Sell Real Estate and this Resolution are hereby ratified, approved and confirmed.

2. Said \$72,000 is authorized to be paid at closing, in exchange for conveyance of the fee simple title to the described property.

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

PASSED and ADOPTED this _____ day of _____,
2005.

Attest:

President of the Council

City Clerk

Attach 17

**Sister City Request – San Pedro Perulupan
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
Subject	Sister City Request					
Meeting Date	20 July 2005					
Date Prepared	14 July 2005				File #	
Author	David Varley			Assistant City Manager		
Presenter Name	David Varley			Assistant City Manager		
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes		No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary: This is a request for the City of Grand Junction to enter into a “Sister City” relationship with the village of El Espino, San Pedro Perulupan, El Salvador, Central America.

Budget: The proponents indicate there will be no financial commitment for the City of Grand Junction to spend funds on this.

Action Requested/Recommendation: If Council agrees with this request then it would be appropriate to make a motion approving a “Sister City” relationship between the City of Grand Junction, Colorado and the village of El Espino, San Pedro Perulupan, El Salvador, Central America. The motion may also include the fact that this relationship is through an organization known as the Foundation for Cultural Exchange.

Attachments: Two letters requesting that the City support and endorse this relationship.

Background Information: The request for support of this relationship was made several months ago by Anna Marie Stout, the President of the Foundation for Cultural Exchange. During subsequent discussions staff asked this group for additional information regarding the Sister City program. We requested information such as an application form from the sponsoring foundation or organization, a description of the organization, its history of sponsoring Sister City relationships, the procedure for establishing a Sister City relationship and the specific responsibilities included in such a relationship or endorsement. We also requested a description of the activities or



projects this organization would pursue under the City's endorsement. The two page letter is the response we received from our requests for the above information.

14 April 2005

City Council of Grand Junction
250 N 5th Street
Grand Junction, CO 81501

Dear Council Members,

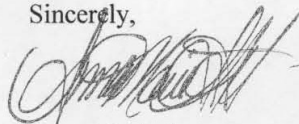
As you may recall, two of our members came before you on January 3 of this year to continue the process of creating a Sister City Relationship between Grand Junction and El Espino, a village in the municipality of San Pedro Perulupán in El Salvador.

This letter serves as a follow up to that meeting and as a request to be placed on the Council's agenda at your earliest convenience. We are anticipating using no more than 20 minutes of the Council's time.

Enclosed is our proposal to finalize this relationship, which should clear up any missing details for the Council.

Please feel free to direct any questions or concerns to me. Thank you for your consideration.

Sincerely,



Anna Marie Stout

President, Foundation for Cultural Exchange
970-433-2897
air_annal9@yahoo.com

Ec: Proposal Document

April 6, 2005

Re: Sister City relationship between Grand Junction, Colorado and El Espino, a municipality of the city of San Pedro Perulapán in the department of Cuscutlán, El Salvador.

In June 2004, a group of Mesa State students proposed to the City Council of Grand Junction that they consider a Sister City relationship with a small community in El Salvador. Since then, we have incorporated a non-profit organization, the Foundation for Cultural Exchange (FCE), to act as a liaison between the communities.

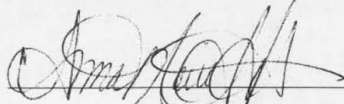
The initiative for the Sister City Program is attributed to Dwight Eisenhower. His statement is quoted as follows: "The Sister City Program is an important resource to the negotiations of governments in letting people themselves give expression to their common desire for friendship, goodwill and cooperation for a better world for all." The initial objectives of these programs focused on the development of durable networks of communications between cities of the world for the principal purpose of reducing the likelihood of misunderstandings and conflict among nations. In this sense, the program acts to enhance foreign relations at the local level. These agreements are formalized when two communities from different nations join together to develop a "friendly and meaningful" relationship. The central element is the exchange of people, ideas, culture, education and technology. Perhaps more importantly, Sister City relationships are associated with an increased amount of personal exchanges between citizens of each community.

A Sister City relationship will benefit both El Espino and Grand Junction. The cultural insights and language opportunities to be gained will be beneficial to schools, businesses, and other entities within both communities. There is the possibility for Grand Junction schools to become involved with the schools in El Salvador, whether that take the form of pen pals, educational/travel opportunities for high school students, or correspondence between educators. The Chamber of Commerce and Business Incubators could begin to establish economic development strategies to aid El Espino and neighboring communities. The Immaculate Heart of Mary Parish of Grand Junction has already established a Sister Parish relationship with a church in El Espino. The establishment of a Sister City relationship opens numerous doors for the citizens of Grand Junction to become aware of international economic conditions and how they affect poor countries. We hope this awareness will form responsible citizens and partnerships, which will foment economic and social development and fair trade.

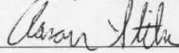
The FCE expects nothing more than an agreement that the City of Grand Junction supports a relationship with El Espino. The expectations of El Espino are that the Salvadoran community and its members take a more active role in designing and supporting development projects.

As its name indicates, the FCE was established to facilitate interaction between members of global communities. Our goals are to perpetuate exchange between El Espino and Grand Junction, to inform members of our community about the history and culture of El Salvador, and to assist with specific development projects in El Espino and neighboring communities. The Citizens' Round Table of El Espino designs and prioritizes the projects that are most important and beneficial to the community, which the FCE then discusses and votes on within the Board of Directors, made up of members from the first delegation to El Espino and selected community members. This Board makes all decisions regarding the Foundation and the Sister City relationship through a democratic voting process. Our first major project within the community was helping the village reconstruct their main road. Our next project is to help create a community computer lab. Other future ideas for projects include, but are not limited to, potable water systems, wastewater treatment systems, solid waste management, furthered road improvement, and citizen awareness programs. As a foundation, we have participated in the Alternative Christmas Fair. Jamie Richardson has recently returned from his second trip to the community and Anna Stout has just returned from her third.

We would love the support of the Council and the community and are excited for the future of this relationship. We believe that the backing of the Grand Junction City Council for our project will open doors to exchanges and growth both in Grand Junction and El Espino, San Pedro Perulupán and build life-long bonds of friendship and solidarity. We are energized to transform El Espino and Grand Junction into informed, compassionate, internationally aware cities.



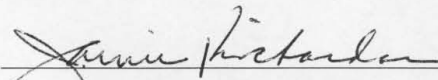
Anna Stout, President FCE



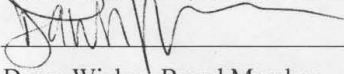
Aaron Stites, Secretary/Treasurer FCE



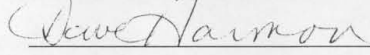
Dr. Tom Acker, Board Member



Jamie Richardson, Board Member



Dawn Wieker, Board Member



Dave Harmon, Board Member

Attach 18

**Ambulance Service Provider Request for Proposals
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
Subject	Ambulance Service Provider RFP					
Meeting Date	July 20, 2005					
Date Prepared	June 30, 2005				File #	
Author	Rick Beaty			Fire Chief		
Presenter Name	John Shaver			City Attorney		
Report results back to Council		No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda			Consent X Individual Consideration

Summary: On December 6, 2004 the Mesa County Board of County Commissioners (BOCC) adopted a resolution concerning the delivery of emergency medical services. The resolution became effective on January 1, 2005. The primary goal of the resolution is to formalize regulation of the primary components (ambulances and personnel) in the delivery of emergency medical services to Mesa County. The resolution provides that the City of Grand Junction may determine who and how will provide patient transport within the Grand Junction Ambulance Service Area.

Budget: There will be an impact to the budget; the net impact cannot be determined until the final system design is determined.

Action Requested/Recommendation: City Council discussion of and authorization to release the RFP and continue with the Ambulance Service Provider selection process as defined in the RFP.

Attachments: Grand Junction Ambulance Service Provider Request for Proposals (RFP) July 11, 2005.

Background Information:

The City has a long history of involvement with and commitment to the providing high-quality emergency medical services. In order to provide those services, a variety of service-delivery models have been applied. Variations have been mostly reactive as a result of growth, evolving citizen service-level expectations and changes in laws and regulations. In recent years, there has been recognition of the need to modify the system so that it has a County-wide focus. Professional evaluation of various systems, including the City's, has been performed. The results of three independent service studies have confirmed that system changes need to be made. Those studies are:

- Long & Associates (1992)

- ECRC (1999)
- ESCi (2002)

All three studies provided recommendations to improve system effectiveness and efficiency, although each had a slightly different approach to system design.

The recent ESCi study recommended that the County adopt a resolution for overall control of the county-wide EMS system. The ESCi recommendations were adopted and resulted in the current county resolution.

In many respects the resolution is very similar to the current City EMS Ordinance. Therefore, most of the operational requirements are already being addressed by the Grand Junction Fire Department. The primary change that must be addressed (and which will be by the issuance of the RFP) is the development of a process to select an ambulance service provider(s). Article VII.3 of the EMS Resolution states that

“The City of Grand Junction may, at its option, develop a process to recommend one or more providers to serve the Grand Junction ASA.”

The Resolution set a target date of May 31, 2005, however, an extension to November 30, 2005 was allowed.

The City Council authorized an interim agreement with American Medical Response (AMR) for the continued provision of ambulance services while a selection process is being developed. The interim agreement between the City and AMR was ratified by the BOCC on May 9, 2005. Mesa County staff is aware that the City is in the process of developing a selection process and that we are targeting November 30, 2005 for completion of the process.

The City Council also authorized the City Manager to contract with ESCi, Inc. to help develop a selection process for the Grand Junction Ambulance Service Area. On May 16, 2005, Kyle Gorman of ESCi met with the City Council and discussed:

- Options and ramifications of the RFP process, criteria and decisions;
- The determination of goals and objectives for the ambulance selection process;
- Policy development and direction regarding weighting of price, quality and other factors involved in the development of a selection process.

Following that meeting, ESCi and City staff developed the attached Request for Proposals (RFP.) The RFP is scheduled for release on August 5, 2005.

On July 20, Fire Chief Rick Beaty and City Attorney John Shaver will discuss the process and answer questions.

REQUEST FOR PROPOSALS

FOR

**EMERGENCY AND NON EMERGENCY AMBULANCE AND
ADVANCED LIFE SUPPORT SERVICES
FOR THE GRAND JUNCTION AMBULANCE SERVICE AREA
MESA COUNTY, COLORADO**

CITY OF GRAND JUNCTION CITY COUNCIL

Bruce Hill, Mayor

Jim Doody

Gregg Palmer

Bonnie Beckstein

Jim Spehar

Teresa Coons

Doug Thomason

Kelly Arnold, City Manager

John Shaver, City Attorney

CITY REQUEST FOR PROPOSALS DEADLINE

DATE: October 7, 2005

PLACE: Grand Junction Purchasing Department

TIME: 4:00 PM

RFP ADVERTISED August 5, 2005
LAST DATE TO SUBMIT QUESTIONS FOR CONFERENCE August 19, 2005
PRE-PROPOSAL CONFERENCE August 26, 2005
LAST DATE TO PROTEST SPECIFICATIONS September 16, 2005
RFP SUBMITTALS October 7, 2005
NOTICE OF INTENT TO AWARD CONTRACT November 2, 2005
LAST DATE TO PROTEST AWARD FOURTEEN DAYS FROM
NOTICE OF INTENT TO AWARD
SERVICE START-UP DATE JULY 1, 2006

DRAFT 4, 7/11/2005

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SECTION 1

REQUEST FOR PROPOSAL

DRAFT 4, 7/11/2005

REQUEST FOR PROPOSALS

Notice is hereby given that the City of Grand Junction will receive sealed proposals according to the attached specifications until 4:00 p.m., October 7, 2005 for:

EMERGENCY AND NON-EMERGENCY AMBULANCE AND ADVANCED LIFE SUPPORT SERVICES FOR THE GRAND JUNCTION AMBULANCE SERVICE AREA.

Proposals received after that time will be returned unopened to the proposer.

The City of Grand Junction announces an invitation to submit proposals for exclusive emergency and non-emergency ambulance services for the ambulance service area (ASA) described herein. Upon approval by the City Council, the successful proposer will be granted an exclusive right to provide ambulance service for five years beginning July 1, 2006. The Council may grant up to two, 2-year extensions based on successful performance during the initial contract term. The exclusive agreement under which these services are to be procured will be a term agreement, with the contractor responsible for the collection of patient revenues from appropriate sources other than the City. A **mandatory** pre-proposal conference has been scheduled for August 26, 2005, at the **City Hall Hearing Room, 250 N. 5th Street, Grand Junction, Colorado** from 9 a.m. until noon. Written questions and requests for clarifications to be addressed at the conference must be received at the office of the Purchasing Manager, no later than 3:00 p.m. August 19, 2005 to be considered by the City.

Proposal packets will be available at City of Grand Junction Purchasing Department, 2549 River Road, Grand Junction, CO 81501, (970) 244-1533. Sealed proposals are to be sent to the Purchasing Manager at the Grand Junction address. Proposals will be opened in the Purchasing Department.

The project **is not** a public work contract subject to Colorado Statute or the Davis-Bacon Act (40 U.S.C. 276a).

The Grand Junction City Council reserves the right to reject any and all proposals upon the finding that it is in the public interest to do so, and/or waive any and all informalities or irregularities in the proposal(s).

DATED this ___ day of _____ 2005

John Shaver, City Attorney

SECTION 2

INSTRUCTIONS AND CONDITIONS

DRAFT 4, 7/11/2005

INSTRUCTIONS AND CONDITIONS

2.1. GENERAL

Proposers must carefully conform to these "Instructions and Conditions" so that their proposals will be regular, complete, responsive and responsible.

2.2. PROPOSALS

All proposals shall be legibly written in ink or typed and comply in all regards with the requirements of this solicitation and as applicable the requirements of the City Purchasing Manual.

All proposals must be signed in ink in the blank spaces provided. If the proposal is made by a firm or partnership, the name and address of the firm or partnership shall be shown together with the names and addresses of the members. If the proposal is made by a corporation, it must be signed in the name of the corporation by an official who is authorized to bind the corporation with attestation of the signature.

2.3. ETHICAL STANDARDS

The City of Grand Junction mandates certain ethical requirements for participants in any procurement. Those statements are generally stated as follows:

A. No proposer, offeror, contractor or subcontractor shall confer upon any public employee having official responsibility for a procurement transaction any payment, loan subscription, advance, deposit of money, services, present or promised;

B. All proposers, offerors, contractors or subcontractors shall complete a disclosure of interest form to inform of any personal interest of any public official with respect to any city procurement;

C. Failure to make the required disclosure may result in disqualification, disbarment, suspension from bidding and rescission of contracts;

D. No contractor or subcontractor shall give, demand or receive from any suppliers, subcontractors or competitors any bribe or kickback or anything of value in return for participation in a procurement transaction or agreeing not to compete in a transaction; and

E. Architects or engineers employed by the City may not furnish building materials, supplies or equipment for any structure on which they are providing professional services. The City also does not accept bids or proposals from consultants or proposers who have solely and directly prepared specifications for a specific requirement, regardless of whether the consultant/proposer was paid for the specification.

F. It is a breach of ethical standards for any person to offer, give or agree to give any employee or public official a gratuity or offer of employment or employment in connection with any decision or recommendation concerning a possible or actual purchase by and/or on behalf of the City.

G. It shall be unethical for any payment, gratuity or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor or any person associated therewith, as an inducement for the award of a subcontract and solicitation thereof.

2.4. SUBMISSION OF PROPOSALS:

Proposals must be submitted in a sealed package. The outside of the sealed proposal must bear the name and address of the proposer, the name of the project for which the proposal is submitted and the time and date of the proposal opening. If the proposal is submitted by mail, the proposal must be enclosed in a package addressed to the City of Grand Junction Purchasing Department, 2549 River Road, Grand Junction, CO 81501, (970) 244-1533

2.5. RECEIPT AND OPENING OF PROPOSALS:

Proposals shall be submitted prior to the time specified in the advertisement for proposals. Proposals received after the time so designated will be considered late proposals and will be returned unopened to the proposer.

A register of proposals shall be prepared and shall be open for public inspection after contract award. Once the opening time and date arrive, the names of the offerors submitting proposals are read publicly.

2.6. WITHDRAWAL OF PROPOSALS:

Proposals may be withdrawn by written request received from the offeror prior to the time of bid opening. Negligence on the part of the proposer in preparing the proposal confers no right for the withdrawal of the proposal after it has been opened. The proposal will be irrevocable until such time as the City Council:

1. Specifically rejects the proposal, or
2. Awards a contract and said contract is properly executed.

Contractors' proposals must be valid for at least 120 days from the opening date.

2.7. MODIFICATIONS:

Any proposer may modify its proposal by registered communication at any time prior to the scheduled closing time for receipt of proposals, provided such communication is received prior to the closing time.

2.8. ACCEPTANCE OR REJECTION OF PROPOSALS:

In awarding the contract, the City Council will accept the proposal(s) that will best serve the interests of the City of Grand Junction and Mesa County and others that may incidentally derive benefit. The City reserves the right to award the contract to the proposer whose proposal shall be best for the public good. The City Council reserves the right to accept or reject any or all proposals. Any proposal that is incomplete, obscure or irregular may be rejected. Only one proposal will be accepted from any one firm, agency, or association. Where multiple options are requested in the proposal response, response to each/any option constitutes a single proposal. Any evidence of collusion between proposers may constitute a cause for rejection of any proposals so affected.

2.9. ADDENDA AND INTERPRETATIONS:

No oral interpretations shall be made to any proposer as to the meaning of any of the contract documents or be effective to modify any of the provisions of the contract documents. All requests for an interpretation after the pre-proposal conference shall be made in writing and addressed to the Purchasing Manager and, to be given consideration, must be received no later than September 16, 2005. Any and all such interpretations will be sent electronically and mailed to all prospective proposers (at the respective address furnished for such purposes) not later than seven (7) days prior to the date fixed for the opening of proposals.

Failure of any proposer to receive any such addendum or interpretation shall not relieve such proposer from any obligation under this proposal as submitted. All addenda so issued shall become as much a part of the contract documents as if stated originally.

2.10. NONDISCRIMINATION:

The successful proposer agrees that, in performing the work called for by this proposal and in securing and supplying materials, the contractor will not discriminate against any person on the basis of race, color, religious creed, political ideas, sex, age, marital status, physical or mental handicap, national origin or ancestry unless the reasonable demands of employment are such that they cannot be met by a person with a particular physical or mental handicap.

2.11. FAILURE TO SUBMIT OFFER:

If no offer is to be submitted, do not return the RFP. Failure of the recipient to offer, or to notify the issuing office that future solicitations are desired, will not result in removal of the name of such recipient from the mailing list for the type of supplies or services covered by the solicitation.

2.12. PREPARATION OF OFFERS:

Proposers are expected to carefully examine and comply with the specifications, schedules and all instructions.

Each proposer shall furnish the information required by the solicitation. Proposers shall sign the solicitation and print or type their name on other submitted exhibits and each continuation sheet thereof on which an entry is made. Erasures or other changes must be initialed by the person signing the offer. Proposals signed by an agent are to be accompanied by evidence of his/her authority unless such evidence has been previously furnished.

Proposers shall state a definite time for delivery of supplies or for performance of services. Time, if stated as a number of days, will include Saturdays, Sundays and holidays.

2.13. SPECIFICATIONS LIMITING COMPETITION:

Proposers may comment on any specification or requirement contained within this RFP, which they feel limits competition in the selection of a proposer to perform the services proposed. Protests shall detail the reasons and any proposed changes to the specifications. Such comments shall be made in writing and addressed to:

**Grand Junction Purchasing Department
Attention: Purchasing Manager
Specification Protest: Ambulance Services
2549 River Road
Grand Junction, CO 81501**

Comments shall be submitted to the City of Grand Junction no later than September 16, 2005. No comments will be accepted after that time. Any substitutions for items specified will not be accepted without prior written approval of the Purchasing Manager.

2.14. EXCEPTIONS:

Responding proposers taking exception to any requirement of this RFP Document shall indicate such exception(s) on a separate page of their proposal it shall be assumed that any proposers failing to indicate any exceptions shall be interpreted so that the responding proposer intends to fully comply with all requirement(s) as written and subsequent agreement terms as stated. Explanation must be made to each item for which exception is taken, giving in detail the extent of the exception, and the reason(s) for which it is taken, in order for consideration to be given to the proposer.

2.15. CITY FURNISHED PROPERTY:

No material, labor or facilities will be furnished by the City unless otherwise clearly stated or provided for in the Request for Proposals.

2.16. PROTEST OF AWARD:

The notice of intent to award shall constitute a final decision of the City's intention to award the contract if no written protest of the award is filed with the City's Purchasing Manager within fourteen (14) calendar days of the notice of intent to award. If a protest is timely filed, the notice of award will become a final decision of the City's intent to award only upon issuance of a written decision denying the protest and affirming the award. The award and any written decision denying protest shall be sent to every proposer.

Any proposer who is adversely affected or aggrieved by the City's award of the contract to another proposer may protest the award. The protest shall specify in writing the grounds upon which the protest is brought. In order to be an adversely affected or aggrieved proposer with a right to submit a written protest, a proposer must be "next in line" for award, i.e. the protester must claim that all higher rated proposers are ineligible for award because they are non-responsive and/or non-responsible. The City will not entertain protests submitted after the time period established in this rule.

2.17. PROPOSAL DEPOSIT REQUIRED

All proposals must be accompanied by a proposal deposit (not a bid bond) in the amount of \$10,000 in the form of a certified cashier's check or corporate check made payable to the City of Grand Junction. The proposal deposit will be returned to any unsuccessful proposer(s) within 30 business days after the award of the contract unless, upon investigation of credential and proposal submissions it is determined that the proposer has misrepresented itself or provided false or inaccurate information in the credentials and/or proposal. The successful proposer's deposit will be returned upon contract signing. No interest will be paid on proposal deposits.

SECTION 3
PROPOSAL CONTENTS AND RESPONSE

DRAFT 4, 7/11/2005

PROPOSAL CONTENTS AND RESPONSE

3.1 GENERAL:

The proposal must contain the required elements as stated in Section 3.2. Detailed Submittal Requirements.

3.1.1 Proposals shall be submitted by 4:00 p.m. local time, October 7, 2005, to Ron Watkins, Purchasing Manager, City of Grand Junction Purchasing Department, 2549 River Road, Grand Junction, CO 81501

3.1.2 One (1) signed original and eight (8) copies of the proposal shall be submitted. The original shall be marked as such.

3.1.3 The City of Grand Junction may solicit additional information and/or clarification from proposers, should the City in its sole and exclusive judgment deem such information necessary.

3.1.4 This Request for Proposals (RFP) and all supplemental information in response to this RFP will be a binding part of the contract entered into by the selected proposer and the City.

3.1.5 Any proposer-supplied material(s), documents and records considered confidential, to the extent allowed under Colorado Open Records Act, must be so marked by the proposer with a specific statutory exemption asserted in writing.

3.1.6 The City reserves the right to reject any and all proposals, and to accept the proposal deemed most by the City in its sole and exclusive judgment to be advantageous to the City.

3.1.7 All costs associated with participation in this procurement process shall be borne by the proposer(s). The City is not responsible for any cost incurred by any proposer as a result of participation in this process.

3.1.8 The proposer shall submit signed and notarized "investigative authorization forms" for the credentials of all owners, officers and key personnel.

Publicly held proposer(s) shall submit a written and notarized Investigative Release form for each of the managers and key personnel that will be involved in the fulfillment of the contract. Copies of the required release forms are provided as Appendix 1: Investigative Releases.

3.1.9 Each proposer shall use its own expertise and professional judgment in deciding upon the method(s) proposed to achieve and maintain the performance required under the contract. "Method(s)" in this context means compensation programs, shift schedules, personnel policies, supervisory structures, ambulance deployment techniques and other matters which, taken together, comprise each proposer's strategies and tactics for accomplishing the task. The City recognizes that different proposers may employ different method(s) each with the possibility of success. By allowing each proposer to select, and propose its own production methods, the City hopes to promote innovation, efficiency and superior levels of performance.

3.1.10 The City specifically makes no representations or warranties regarding the number of requests for ambulance service, ambulance transports, quantities or length (distance) of transports or the frequency of special events coverage that may be associated with this procurement. Any and all call data within the Mesa County EMS system is provided to illustrate the historical level of demand only. Inclusion of the data does not guarantee future business volume/volume of calls at the stated level(s).

3.1.11 All inquiries must be made to the City of Grand Junction Purchasing Manager at the following address:

Ron Watkins
City of Grand Junction Purchasing Department,
2549 River Road, Grand Junction, CO 81501
(970) 244-1533

Requests for clarification of the RFP specifications must be made in writing. Replies to questions, and/or clarification if any, will be sent in written form to every potential proposer who has properly registered with the City. Any information obtained by proposers from any source other than written communication from the City should be considered unofficial and therefore possibly in error.

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3.2 DETAILED SUBMITTAL REQUIREMENTS AND PROPOSAL CONTENTS

In order to ensure consistent evaluation of proposals, all proposals must be submitted in the following format. Order and numbering conventions should be consistent within the required Table of Contents. The proposals will be scored in comparison with other proposers' offerings for each section as specified in SECTION 7, Evaluation and Selection Criteria.

- I. Letter of Transmittal
- II. Introduction
 - A. Description of proposed organization
- III. Credentials
 - A. Recent experience
 - B. Demonstration of sound financial position
 - C. Documentation of regulatory compliance and litigation
- IV. Clinical Performance
 - A. Clinical credentials of field personnel
 - B. Commitment to system-wide quality improvement processes
 - C. Preceptor qualifications/status
 - D. Internal staff support for medical director and fire department first responders.
- V. Community Service and Education
- VI. Control Center Operations
 - A. Integration of/with Grand Junction Regional Communications Center.
 - B. Methods for fine tuning deployment plans
 - C. Proposed Support of EMD Training for GJRCC
- VII. Human Resources
 - A. Leadership, supervision and key personnel
 - B. Commitment to incident command structure.
 - C. Health and safety programs
 - D. Recruitment and Retention Strategies
- VIII. First Responder Program Support
 - A. First responder equipment and supply replenishment

- B. Training support for first responder program
 - C. Support to enhance first responder partnership
- IX. Fleet and Equipment Issues
- A. Number and age of proposed vehicles and safety features
 - B. Ambulance maintenance practices
 - C. Equipment maintenance practice
- X. Performance Security
- XI. Billing and Accounts Receivable Program
- XII. Price

Proposers shall address each category. Each proposal will be compared to other proposals. Any proposer whose submittal fails in the sole and exclusive judgment of the City to respond to the foregoing categories shall be deemed non-responsive. The proposer, at its option, may offer higher levels of performance for any component addressed in this RFP. The Submission and Scoring Section of this RFP shall apply to each/every aspect of the proposal(s).

3.3 PAGE LIMIT ON PROPOSALS

Proposal(s) shall be no more than 100 pages (50 front and back), including table of contents, letter of transmittal, and all proposal components except required investigative authorizations and budget forms. Text must be no smaller than 12 point font, page margins shall be no less than 1 inch, and line spacing shall be no less than single spacing. No more than 10 pages of single-sided appendix material may be included. No video, audio, CD, DVD or other media will be accepted.

3.4 EQUAL OPPORTUNITY

The successful proposer must be and attest in writing to being an Equal Opportunity Employer and have a policy of nondiscrimination in employment because of race, age, color, sex, religion, national origin, mental or physical handicap, political affiliation, or marital status.

PROPOSAL RESPONSE

Proposer: _____

Address: _____

Date: _____

Phone number: _____

The undersigned, through the submittal of this Proposal Response, declares that he/she has examined the RFP documents and read the instruction(s) and condition(s), and hereby proposes to supply materials and services for **EMERGENCY AND NON-EMERGENCY AMBULANCE SERVICES FOR THE GRAND JUNCTION AMBUALNCE SERVICE AREA** as specified, in accordance with the proposal documents herein.

The Proposer, by his signature below, which is authorized and does bind the proposer hereby represents as follows:

- (a) That no City Councilor, officer, agent or employee of the City of Grand Junction is personally interested, directly or indirectly, in this contract or the compensation to be paid hereunder, and that no representation, statement or statements, oral or in writing, of the City, its Council, officers, agents, or employees had induced him to enter into this contract and the papers made a part hereof by its terms;
- (b) That this proposal is made without connection personal and/or financial with or to any person, firm or corporation making a bid/submitting a proposal for the same work, and that proposal is in all respects, fair and without collusion or fraud.
- (c) The proposer agrees to accept as full payment for the services specified herein, the amount as shown in his/her/its proposal.
- (d) Proposers shall use recyclable paper products to the maximum extent feasible in the performance of the contract work.

The names of the principals/persons holding/owning 10 percent or more of the entity submitting this proposal, or of the partnership, or of all persons interested in this proposal as principals are as follows:

_____	_____
Name	Title
_____	_____
Name	Title
_____	_____
Name	Title
<u>(If Sole Proprietor or Partnership)</u>	

In witness hereto, the undersigned has set his (its) hand this ____ day of _____, 2005.

Name of Firm

Signature of Proposer
(If Corporation)

In witness whereof the undersigned corporation has caused this instrument to be executed by its duly authorized officers this ____ day of _____, 2005.

Name of Corporation

By

Title

SECTION 4

GENERAL INFORMATION

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GENERAL INFORMATION

4.1 INTRODUCTION

The City of Grand Junction, Colorado, announces an invitation for qualified proposers to submit proposals for the provision of exclusive emergency and non-emergency ambulance services for the Grand Junction Ambulance Service Area. The successful proposer will be granted an exclusive contract subject to Grand Junction City Council approval for a period of five (5) years, beginning July 1, 2006 and will have the opportunity to earn up to two, 2-year extensions based on performance. The contractor is responsible for the billing and collection of patient services from appropriate payors.

A mandatory pre-proposal conference has been scheduled for August 26, 2005, at 250 N 5th Street, Grand Junction, Colorado, from 9 a.m. until noon. Proposers are required to attend; proposers that do not attend the proposal conference may not submit. Written questions and requests for clarifications to be addressed at the conference must be received at the office of the Purchasing Manager, no later than 3:00 p.m., August 19, 2005 to be considered by the City. Answers to written questions will be distributed to all registered proposers.

4.2 Schedule of Events

The following schedule is the City's best estimate of the timeline for this solicitation. The schedule is subject to change upon notice.

Advertise and Issue RFP	August 5, 2005
Pre- Proposal Conference	August 26, 2005
Credentials and Proposals Due	October 7, 2005
Proposal Evaluation	October 7 to 14, 2005
Oral Presentations	October 14, 2005
Proposal Evaluation & Scoring	October 14, 2005
Notice of Intent to Award	By November 1, 2005
14 Period to Protest Award	November 2, to November 15, 2005
Credentials Verification and Negotiation	November 2 to 30, 2005
Selection approved by County	December 8, 2005
Contract Finalized by	December 30, 2005 (est.)
Estimated Service Start-Up	July 1, 2006

Any adjustment or change in the schedule, after the release of this RFP, will be provided in writing and sent to all persons who have registered with the City

Purchasing Manager. The City will not be responsible for making notifications to any company, person or entity other than those properly registered with the Purchasing Department through the registration (in the RFP) process provided.

4.3 Proposer Registration

Proposers shall register by submitting a letter, on company letterhead, requesting registration and identifying the name and address, phone number, facsimile number and email address of the company's contact for matters related to this procurement. Each proposer may register only one contact. The City will not be responsible for making notifications to proposers other than those which are properly registered with the Purchasing Department.

4.4 Overview of System Design

EMS providers in Mesa County include paid and volunteer fire agencies, two local hospitals, a for-profit ambulance service, the local medical community, an emergency dispatch center, and city and county officials. Calls for service are received at a single 9-1-1 communications center from which the appropriate responders, including 19 law enforcement and Fire/EMS agencies, are dispatched. Medical care, training and certification standards are determined by a single medical authority. Transport takes place from a number of paid or volunteer fire agencies or from a local for-profit ambulance company.

The county is largely rural with one urban center—Grand Junction, the largest city in the county. The county is comprised of about 120,000 residents and a land mass of more than 3,300 square miles. More than a third (about 42,000) of the county's population live within the City of Grand Junction and another 17,000 residents live within nearby Clifton. The two communities therefore make up about half of the county's population making the Grand Junction urban area central to the development of an EMS system structure.

Mesa County has adopted a resolution regulating ambulance service in the county. As part of that resolution, the County has established "ambulance service areas" ("ASA") that are served by a number of ambulance providers. Mesa County has partnered with the City of Grand Junction to allow the City to establish a provider selection process for the Grand Junction ASA that includes the City of Grand Junction, the Grand Junction Rural Fire Protection District and Glade Park Rural Fire Protection District. Completion of the City of Grand Junction provider selection process will ensure the availability of ambulances "wall-to-wall" throughout the county. The County has placed limits on the maximum amount that may be charged for ambulance service.

After the City completes its selection process, the proposed provider must be issued a license by the County. It is possible that the County could reject the City's selection.

The City Fire Department serves the City and the Grand Junction Rural Fire Protection District. The current population served is approximately 68,000. The Fire

Department reports responding to more than 6,200 EMS calls in 2004 using advanced life support first response resources. The ambulance provider selected will be expected to serve all of the areas served by the City, as well as providing primary ALS response to the Glade Park Fire District and backup responses in several of the rural areas. The most recent data from the current ambulance provider shows approximately 5,400 ALS emergency responses in 2002. No data is available for non-emergency responses. The current provider uses four ambulances to serve the ASA.

The system is proposed to be an emergency and non-emergency exclusive agreement for service. Under the exclusive agreement, the City intends to contract for all recumbent ambulance transportation with a single exclusive provider of ambulance services for the Grand Junction ASA. Contract rights are conveyed through an exclusive high performance contract.

The exclusive agreement is designed to align the interests of the City, the County and the contractor with those of the medical community and healthcare providers. Through this procurement, the City intends to offer an exclusive contract in return for high performance, clinically excellent, professional, EMS services. The City expects that the selected provider will provide high levels of support to the first responders in the City. The division of functional responsibilities in this EMS system is designed to achieve the best possible combination of public interest and industry expertise.

4.4.1 Medical Director Responsibilities.

The EMS Medical Director (EMSMD) is established by the County's EMS resolution and oversees all pre-hospital medical care in Mesa County. The County's EMSMD is given broad authority to regulate clinical aspects of the emergency medical system that affect patient care of ambulance patients. The Medical Director is employed by the County and reports to the Director of Emergency Management. The Medical Director has the following responsibilities

- To recommend to the County medically appropriate response time standards.
 - To serve as the physician supervisor to all ambulance services and first responders.
- To establish standards for patient care.
- To develop and revise protocols for ambulance services and first responders.
- Oversee and approve the development of EMS protocols for the communications center.

- To conduct medical audits and coordinate a Countywide Quality Improvement Program.
- To monitor response time performance.
- To develop standards and procedures for the investigation and resolution of disputes regarding medical care and response time performance.

4.4.2 Contractor's Responsibilities

The Contractor is responsible to furnish and manage EMS, field operations and accounts receivable services including but not limited to:

- Employ and manage contractor's field personnel;
- Comply with incident command structure decisions and other provisions of incident command system standards on the scene of emergencies;
- Provide and maintain vehicles and equipment necessary to provide the specified services;
- Provide training to Contractor's employees, dispatch EMD personnel and first responders;
- Develop, manage, and support both internal and system-wide quality improvement. Participate and cooperate with the Medical Director in medical audits and investigations, with timely responses and completion of assigned tasks;
- Provide support services necessary to operate the system;
- Submit approved clinical and billing related data and contract compliance reports as required;
- Meeting contractual response time and other performance requirements in compliance with all applicable law;
- Provide patient billing and collections service;
- Provide indemnification, insurance and other security provided in this document and the final contract;

The system design places the responsibility for operational performance, and all of the factors of production necessary to cost-effectively achieve that performance, under the contractor's control.

4.5 Service Area Summary, Demographics and Background

4.5.1 Service Area

The County is responsible for ensuring that ambulance services are available within the entire County. Under the terms of the Resolution, this obligation is discharged through the assignment of multiple ambulance service areas (ASAs) and through an agreement to authorize the City to oversee the provider selection process for the Grand Junction ASA. The County Resolution is attached as Appendix 2 to this RFP.

4.5.2 Demographics

Demographic data is provided in Appendix 3.

4.5.3 Historic Service Volumes

EMS response and patient transport data for 2002 is available to registered proposers. The City has no reliable data regarding the non-emergency market in the City. A listing of the response data is available to registered proposers.

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SECTION 5
SCOPE OF WORK

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SCOPE OF WORK

5.1 General Contractor Relationship

Through this procurement, the City intends to hire a single contractor to provide all of the services specified within this RFP. Should a proposer intend to utilize one or more subcontractors to provide any of the contractor's primary responsibilities, including, but not limited to, ambulance response, medical transportation, staffing, training, accounts receivable management, collection activity, fleet or equipment maintenance, or any services, the proposer must include detailed information about the subcontractor and its relationship to the proposer to allow the City to evaluate the quality and effectiveness of the subcontractor's proposed role. Copies of all proposed subcontracts should also be included. The inability or failure of any subcontractor to perform any duty or deliver contracted results will not excuse the primary contractor from any responsibility under the contract with the City.

5.2 Scope of Service

Under the provisions of the Resolution the City of Grand Junction may contract with a single exclusive provider of ground ambulance services within the Grand Junction ASA. The contractor will provide all ground ambulance service for the population of the Grand Junction ASA. Should any other provider assigned to serve any other ASA or area of the County fail or otherwise abandon or discontinue ground ambulance service within its assigned ASA, the County's Grand Junction ASA provider may be asked to take over responsibility for other ASAs. The City will permit and encourage the contractor to use resources for non-emergency services that are also used to provide emergency care.

Helicopter and air ambulance services are provided by St. Mary's CareFlight, and will not be the responsibility of the contractor.

All emergency ground ambulance services will be provided at the Advanced Life Support (ALS) level as approved by the Mesa County EMSMD. The city may consider other staffing options if the bidder declares an exception to the bidding requirements and can demonstrate that ALS resources are available from other sources. Additionally, the contractor may provide standby coverage for special events and will be expected to provide reasonable mutual aid services.

5.3 Compliance with County Ambulance Service Resolution Required.

Ambulance service in Mesa County is regulated by Mesa County. That regulation is the overriding authority for ensuring ambulance coverage throughout the county, including the Grand Junction ambulance service area. The City is authorized to regulate ambulance services and to conduct a provider selection process within the Grand Junction ASA. The exclusive contract therefore may include provisions that exceed the minimum requirements of the county and state.

At a minimum, the contractor must provide all services in compliance with the MESA COUNTY, COLORADO AMBULANCE AND EMERGENCY MEDICAL SERVICES RESOLUTION. A copy of the Resolution is attached as Appendix 2. A summary of those requirements includes:

- Compliance with county ambulance service licensing, ambulance permitting and standby permitting requirements.
- Compliance with county ambulance staffing and personnel requirements.
- Compliance with county ambulance equipment requirements.
- Compliance with county insurance requirements.
- Compliance with the ambulance boundary requirements. As described in the current County Ambulance Resolution the Grand Junction ASA is defined as, "That area included within the boundaries of the City of Grand Junction, the Grand Junction Rural Fire Protection District, and the Glade Park Volunteer Fire Department as well as those areas more particularly described on the ASA map..."
- The contractor must, at a minimum, comply with all other rules established by the County as established by the Resolution.

5.4 Response Time Performance

In this performance-based contract, the City does not limit the contractor's flexibility in providing and improving EMS services. Performance that meets or exceeds the response time requirements of the RFP is the result of the contractor's expertise and methods, and therefore is solely the contractor's responsibility. An error or failure in one portion of the contractor's operation does not excuse performance in other areas of operation.

5.4.1 Response Time Requirements

The contractor shall operate the ambulance service system so as to achieve compliance, as defined by the proposer and the contract, in each response zone every month. Compliance is achieved when 90 percent or more of responses in each priority meet the specified response time requirements. For example, to be in compliance for emergency (Priority-1) responses in the urban zone, the contractor must place an ambulance on the scene of each emergency within eight minutes and zero seconds (8:00) on not less than 90 percent of all emergency responses.

The Contractor will be required to meet the response time requirements for Priority 1 and 2 calls in each zone in the City's ASA.

Maximum Response Times

Priority	Urban	Rural	Frontier
1	8:00	20:00	60:00
2	12:00	25:00	60:00

Response priorities are defined according to a priority dispatch protocol approved by the EMSMD. The protocols currently in use at Grand Junction Regional Communication Center (GJRCC) are available for inspection at the GJRCC. For the purpose of response time calculations, responses are prioritized according to the following table:

Priority	Definition
1	Life Threatening Emergencies
2	Non-Life Threatening Emergencies

For each call in every category not meeting the specified response time criteria, the contractor shall submit a written report in a format approved by the City and EMSMD documenting the cause of the late response and the contractor's efforts to eliminate recurrence of late response(s).

5.4.2 Response Time Measurement

The response time measurement methodology employed can significantly influence operational requirements of the EMS system. The following method will be used throughout the contract to measure response times.

a. Response Time Clock

For purposes of measuring response intervals, the official “clock” will be the time displayed by the CAD system in use at GJRCC.

b. Time Intervals for Priority 1, and 2

Response intervals will be measured from the time the call is dispatched by GJRCC until the contractor’s or an authorized paramedic-staffed first-response apparatus arrives at the incident location and stops the response time clock by notifying the GJRCC that it is on scene as defined herein. The city prefers mobile data or smart terminal technology to transmit response status data, however, voice transmission is allowed.

For all types of requests for ambulance service, the response clock shall be stopped when the ambulance or other authorized vehicle comes to a complete stop at the scene of the event. Arrival on the scene of a first responder unit shall not stop the response time clock unless the first responder is authorized to do so by the County Medical Director, the Mesa County EMS Director, and the City of Grand Junction Fire Chief.

Arrival on scene means the moment an ambulance crew notifies GJRCC that it is fully stopped at the location where the ambulance shall be parked while the crew exits to approach the patient. In situations where the ambulance has responded to a location other than the scene (e.g. staging areas for hazardous scenes), arrival “on scene” shall be the time the ambulance arrives at the designated staging location. The Medical Director may require the contractor to log time “at patient” for medical research purposes. “At patient” time intervals shall not be considered part of the contractually stipulated response time.

If the ambulance fails to report “on scene,” the time of the next communication with the ambulance will be used as the “on scene” time; however, the contractor may appeal such instances when it can document the actual arrival time through other means, such as first responders or AVL position reporting.

5.4.3 Upgrades, Downgrades and Reassignments

a. Upgrades

If an assignment is upgraded, prior to the arrival on scene of the first ambulance, the contractor's compliance with contract standards and liquidated damages will be based on the response requirements of the priority of the initial dispatch.

b. Downgrades

Downgrades may be initiated by medically trained first responders as authorized by the Medical Director. If an assignment is downgraded prior to arrival on scene of the first ambulance, the contractor's compliance with contract standards and penalties will be calculated based on the lower priority response time requirement,

c. Reassignment Enroute

If an ambulance is reassigned enroute prior to arrival on scene (e.g. to respond to a higher priority request), the contractor's compliance and liquidated damages will be calculated based on the response time requirement applicable to the assigned priority of the initial response.

d. Cancelled Enroute

If an ambulance is cancelled by an authorized agency, after an assignment has been made but prior to the arrival of the first ambulance and no ambulance is required at the dispatch location, the response time clock will stop at the moment of cancellation. If the elapsed response time at the moment of cancellation exceeds the response time requirement for the assigned priority of the call, the unit will be determined to be "late."

e. Response Times Outside of Grand Junction Ambulance Service Area

The Contractor will not be held accountable for emergency response time compliance for any response dispatched to a location outside of its defined service area. Responses to requests for service outside of the service area will not be counted in the total number of responses used to determine compliance.

f. Each Incident A Single Response

Each incident will be counted as a single response regardless of the number of units that respond. The dispatch time of the 1st ambulance dispatched and the on-scene time of the first arriving Contractor's ambulance will be used to compute the response time for the incident.

g. Response Time Exceptions and Exemption Requests

The contractor shall maintain mechanisms for reserve production capacity to increase production should temporary system overload occur; however, it is understood that from time to time unusual factors beyond the contractor's reasonable control may affect achievement of the specified response time requirement. These unusual factors are limited to unusually severe weather conditions, officially declared disasters, impassable roads, inaccurate addresses and dispatch errors.

Equipment failures, traffic congestion, ambulance failures and inability to staff units and other similar causes will not be grounds for granting an exception to compliance with the response time requirements.

If the contractor believes that any response or group of responses should be excluded from the compliance calculations due to "unusual factors beyond the contractor's reasonable control," the contractor may provide detailed documentation and request that those runs be excluded from response time calculations and late penalties. Any such request must be made to the City with a copy to the EMSMD, in writing within five (5) business days after the end of each month

5.4.4 Deviations From Response Time, Performance or Other Standards

The successful proposer understands and agrees as shown by submitting a response to this RFP that the failure to comply with any time, performance or other requirements in this RFP and/or the final contract will result in damage to the City and that it will be impracticable to determine the actual amount of damage whether in the event of delay, nonperformance, failure to meet standards, or any other deviation. Therefore, the proposer and City agree to the liquidated damages specified in the RFP and the final contract. It is expressly understood and agreed that the liquidated damages amounts are not to be considered a penalty, but shall be deemed, taken and treated as reasonable liquidated damages. It is also expressly understood and agreed that the City's remedies in the event of the successful proposer's breach or any noncompliance, are not limited to this RFP or the final contract liquidated

damages provisions. All liquidated damage amounts will be withdrawn from the security deposit of cash or letter of credit. Chronic failure, as determined by the City, to comply with the response time requirements shall constitute breach of contract.

5.4.5 Non-performance Liquidated Damages

Liquidated damages will be assessed according to the following scale when response time compliance for Priority 1 or 2 responses falls below 90 percent for any zone in a given month:

Compliance	Month 1	Month 2	Month 3 or thereafter
89%	\$1,000	\$2,000	\$4,000
88%	2,000	4,000	8,000
87%	3,000	6,000	12,000
86%	4,000	8,000	16,000
85% or less	5,000	10,000	20,000

Failure to meet Priority 1 or 2 response time requirements for at least 90 percent of responses each month for three consecutive months or for four months in any contract year will be additionally defined as a major breach and may result in breach of the contract and forfeiture of performance security.

Failure to meet response time requirements for Priority 1, 2 or 3, response requirements in each zone for at least 90 percent of responses each month for three consecutive months or for four months in any contract year, will additionally be defined as a major breach and may result in suspension, revocation or cancellation of the contract and forfeiture of performance security.

5.4.6 Non-compliance with Other Standards - Liquidated Damages

The intent of the reporting requirements is to foster communication regarding situation(s) in which liquidated damages could be assessed. Liquidated damages

may be waived if reporting requirements are met and the situation(s) does not represent a recurring pattern of poor performance.

In addition to all other liquidated damages herein, the following may apply:

1. \$250 – Failure to submit any monthly report required herein by either the seventh day of the month following the month for which the report pertains, or if the seventh day occurs on a Saturday or Sunday, the first Monday after the seventh day; and \$250 per day until the report is received.
2. \$250 per incident – Failure to timely submit responses to inquiries or tasks assigned by the Medical Director.
3. Up to \$500 per ambulance per incident – Failure to have equipment or supplies on board any ambulance as required by the Medical Director.
4. \$500 per incident – Reporting “unit arrived on scene” before the unit actually arrives at the specific address or location.
5. \$250 per incident – Failure to immediately report any failure to meet standards required herein which may place the health and well-being of the citizens of the City or Grand Junction ASA in jeopardy, or any significant clinical, contract or staffing event, including but not limited to:
 - Any ambulance being involved in a motor vehicle collision with damage or injury.
 - Chronic staffing shortages that cannot be relieved with routine levels of overtime hours.
 - Chronic failure to comply with incident command requirements.

5.4.7 Reporting Requirements

The contractor will provide, by the seventh day of each calendar month, reports detailing its performance during the preceding month as it relates to each of the performance requirements stipulated herein. For each day that the contractor fails to provide the reports, the City shall assess liquidated damages of \$250.

5.4.8 Equipment Furnished/Infrastructure Available

To provide an integrated response and improve cost effectiveness of the system the City will provide for the contractor’s use, access to the radio system owned by the City. The Contractor will be required to pay for its proportionate use of the

system at the then prevailing rate. A description of radio infrastructure and required equipment is provided as Appendix 4 to this RFP.

The GJRCC currently operates a Computer Aided Dispatch (CAD) System, which is owned and maintained by the City. The Contractor will fund any modifications, additions or custom programming to the existing CAD that may be required to meet the requirements of this RFP.

The City desires proposals that include Automated Vehicle Location (AVL) systems that are integrated with the contractor's or City's CAD system. Proposers should detail their experience and approach to utilizing an AVL system(s), and the relative advantages and disadvantages if any to the City and Contractor of employing such a system. If a proposal does not include AVL the proposer must understand that it may be required as a condition of a contract or contract renewal.

5.4.9 Contractor Provided Equipment

The City does not provide ambulances, clinical equipment or supplies to the contractor. Each proposer must specify in its proposal what vehicles and equipment it proposes.

5.4.10 Ambulance Fleet

Proposers must provide a detailed plan for the management of the ambulance fleet, support vehicles and equipment. At a minimum, this plan should provide detailed specifications that describe the vehicles and equipment to be used. Each proposer should clearly explain the advantages of its particular proposed fleet and plan for the maintenance and replacement of vehicles.

The City requires that ambulances meet the following minimum standards:

- Minimum fleet size of 125% of proposed peak deployment.
- No ambulance to have cumulative mileage of more than 200,000 miles.
- All ambulances to meet Federal Specification KKK-1822C and subsequent revisions, and be certified by the manufacturer to meet the specifications in effect at the date of manufacture.
- All ambulances must be specified and constructed to transport two (2) recumbent patients, and three (3) additional adults without exceeding the

Original Equipment Manufacturer's specified Maximum Gross Vehicle Weight while fully equipped and fueled.

- All ambulances must display approved markings and the ambulance unit number, in at least 4-inch letters, on all four sides of the vehicle in compliance with City identification standards.

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5.4.11 Fleet Safety

Proposers must describe vehicle specifications and modifications designed to enhance the patient's, first responder's and proposer's employees safety. At a minimum, the proposer's approach to the following should be addressed:

- Driver education and vehicle operations.
- Systems designed to improve safety, such as: "Low Forces" and other driving, training and monitoring systems.
- Patient and attendant restraint and injury prevention systems, including specific modifications designed to reduce injuries resulting from accidents.
- The Proposer's approach to providing appropriate child restraint systems for pediatric patients.
- Vehicle monitoring and record keeping systems
- Fleet maintenance procedures designed to promote and enhance safety.

5.4.12 Supplies for Basic and Advanced Life Support Services

The contractor will provide all supplies necessary and/or required to provide basic and advanced life support ambulance services. At a minimum, the contractor must provide the equipment and supplies required by the County EMS Resolution. Supply proposals that exceed the minimums required by the Resolution must first be approved by the City of Grand Junction Fire Chief and the EMSMD. Subject to that approval, the list may be modified from time to time to reflect changing practices within the EMS system.

5.4.13 Performance vs. Level of Effort

This RFP assumes a performance contract rather than a level of effort contract. In accepting a Proposer's offer the City neither accepts nor rejects the Proposer's level of effort estimates, rather the City accepts the Proposer's financially guaranteed commitment to employ whatever level of effort is necessary to achieve the clinical response time and other performance results required by the terms of the contract.

The proposals must include descriptions of initial ambulance coverage plans and deployment models estimated by the Proposer to be sufficient or even in excess

of what may be necessary to meet the performance standards required herein. Acceptance by the City of the Proposer's contract shall not be construed as acceptance of the Proposer's proposed level of effort.

5.4.14 Integration of First Responders

Currently, advanced life support first response is available throughout the City's first response area. The City is interested in better utilizing advanced first response personnel and equipment to the extent that it will improve clinical patient care, overall system efficiency and the cost effectiveness of the EMS system.

The City desires a system of advanced life support first response that would, if implemented, extend the response time requirements of the contractor in exchange for a commitment by the Fire Department to meet paramedic response time requirements. The City is interested in further developing this proposal.

The Grand Junction Fire Department has the responsibility for overall scene safety and EMS management within the City and Grand Junction Rural Fire Protection District. The contractor is included in standard operating procedures within the command system and has command responsibilities prior to the arrival of the fire agency. Once the fire agency arrives on scene, the command responsibility will be transferred to the ranking fire officer. Authority and responsibility for patient care will initially be the responsibility of the senior paramedic, regardless of rank or agency, on the first arriving first response or ambulance vehicle. The ranking fire officer will make a determination for patient care authority and responsibility based on the specific conditions on the scene at the time of the decision. Medical control issues will be resolved through consultation with fire agency personnel, and if necessary, with on-line medical control and the EMSMD.

The contractor will be required to fully and actively participate in the Incident Command System (ICS) and Personnel Accountability System (PAS) as adopted by the City Fire Chief.

5.4.15 First Responder Equipment and Supply Replenishment

Contractor's support of the first responder program shall include the following:

The contractor shall develop mechanisms to exchange re-usable orthopedic appliances and re-stock or reimburse disposable and ALS medical supplies used by first responders when first responder personnel have provided treatment.

Equipment and supplies will be exchanged on a one-for-one basis or reimbursed for actual usage. Whenever possible equipment exchange should be accomplished on scene. If patient care or circumstances at the scene prevent an on scene exchange the contractor will arrange to accomplish it as soon as reasonably possible.

Proposers are encouraged to detail their proposed support to the first responder program including access to proposer's group purchasing programs, management and delivery of material and funding for, or direct replacement of first responder equipment, including but not limited to AEDs, monitors, defibrillators, back boards, splints, respiratory equipment, pharmaceuticals and similar items.

The City is interested in developing standards for equipment in a system that will facilitate transfer of equipment between agencies. The proposers should specify in their proposals the mechanisms to improve equipment standardization.

5.4.16 Support of First Responder In-Service Training

The proposer will detail its offer to support in-service training for first responders, which will benefit the EMS system as a whole. This training should, at a minimum facilitate on-scene interactions with contractor's personnel by offering joint EMS training and provide access to the contractor's educational programs needed for the continued certification of first responders including but not limited to ACLS, BTLs or PHTLS and PALS/PEP/PPPC courses. The Proposer shall provide a detailed description of its proposed support and funding for first responder training.

5.5 Data and Reporting Requirements

The long-term success of an EMS system is predicated upon its ability to both measure and improve performance. Therefore, the City will require its contractor to provide detailed operations, clinical and administrative data in a manner that facilitates its retrospective analysis.

5.5.1 Data Reporting Capabilities

The contractor's electronic data system must be capable of producing the following reports to be utilized in measuring response time compliance:

- a. Emergency life threatening and non-life threatening response times by response zone.

- b. Unscheduled non-emergency and scheduled non-emergency response times by jurisdiction.
- c. "Out of chute" intervals.
- d. On-scene intervals.
- e. Hospital drop intervals by crew members.
- f. Emergency and non-emergency responses by hour and day of week.
- g. Canceled run reports.
- h. Demand analysis reports.
- i. Problem hour assessment.

5.5.2 Data Capture

The contractor's electronic data system must be capable of capturing and reporting common data elements used within the EMS system.

5.5.3 Records

The contractor shall operate and manage the data collection system in accordance with the EMSMD and Fire Chief's standards. The data collection system shall include, but not be limited to, the following generally described sources. It is understood that the contractor shall make these records available upon request of the Fire Chief.

- a. A uniform patient care form.
- b. An inter-hospital patient care form.
- c. Equipment maintenance and inventory control schedules.
- d. Deployment planning reports.
- e. Continuing education and certification records documenting training and compliance with training requirements.

A patient care form is required to be completed for all patients for whom care is rendered at the scene, regardless of whether the patient is transported. Patient care records should clearly identify those instances when two or more patients are transported in the same ambulance so that proper billing can be done.

Contractor shall propose a system that will provide all patient care records in an electronic format. It is the City's desire to develop a single patient record and CQI data system for use by the EMSMD, first responders and the Contractor.

Each proposer will provide detailed information regarding the method proposed to accomplish this goal, including technical specifications, edit and audit capabilities, provisions for security and the advantages of the proposer's approach to electronic patient records.

The City requires patient care forms to be delivered to the Fire Chief or the Medical Director on demand. The City may assess liquidated damages of \$250 for every patient care form that is not accurately completed and turned over to the Fire Chief or Medical Director within the specified time.

5.5.4 Monthly Reports Required

Contractor shall provide, by the seventh day of each calendar month, reports detailing its performance during the preceding month as related to the clinical, operational and financial performance stipulated herein. The format of such reports shall be subject to the approval of the City Fire Chief, however, the Fire Chief will seek to ensure that reports required to meet City compliance requirements will also meet County requirements.

5.5.5 Financial Statements

Annual financial statements for the contractor's operation under the City contract shall be provided to the City within 90 days of the end of each calendar year. The financial statements shall be in a format specified by city, and shall be certified by a certified public accountant that has direct responsibility for financial aspects of the contractor's operations under the City contract. The City may make these financial statements available to other parties as deemed appropriate.

Contractor shall also comply with such other miscellaneous reporting requirements as may be specified by the City.

5.6 Internal Risk Management/Loss Control Program Required

The City believes that education and aggressive prevention of conditions in which accidents occur is the best mechanism to avoid injuries to patients and responders. Therefore, the City requires the contractor to develop and implement an aggressive loss control program including, at a minimum, physical pre-screening of potential employees (including drug testing), initial and on-going driver training/monitoring of driving performance, safety restraints for patients and caregivers, infectious/communicable disease training, lifting technique training, hazard reduction training, as well as involvement of employees in planning and executing its safety program.

5.7 Stand-By and Special Events Coverage

Upon request by law enforcement or fire department dispatchers, the contractor shall furnish courtesy stand-by coverage at emergency incidents involving potential danger.

Community activities or service providers may request stand-by coverage from the contractor. The contractor is encouraged to provide such non-dedicated standby coverage to events if possible. If the contractor is requested to provide such services with a dedicated ambulance, then the contractor may charge an amount equal to the approved County rate for standby services. Contractor may also make a paramedic available for pre-scheduled stand-by and special events coverage at an hourly rate.

5.8 Community Education Requirements

The City desires that its contractor take significant steps to improve access to the 9-1-1 system and participate in community education programs emphasizing preventative health care. These programs are to be made available to schools and community groups. It is the City's expectation that the contractor will plan such programs with the Fire Department and other public safety and EMS-related groups, such as the American Heart Association, the American Red Cross and law enforcement agencies.

5.9 Mutual Aid

The contractor shall, at a minimum, provide mutual aid as required by the Resolution. Additionally, the provider may enter into mutual aid agreements with other agencies which will utilize the other provider's units to occasionally respond to calls within the Grand Junction ASA, provided that the level of service is substantially equal to that provided by the contractor and the agreement is approved by the Medical Director and the City. The contractor may enter into a mutual aid agreement with the City Fire Department. Mutual aid may be utilized to augment, but not replace, the services that the City requires from the contractor. In every case, the contractor will be held accountable for the performance, including response times, of any mutual aid provider used in the Grand Junction ASA.

The contractor shall keep records of mutual and regional aid received and given. Each month, the contractor will submit to the Fire Chief a report detailing all mutual and regional aid responses given and received in the same format as other responses but also including the name of the county, city or other governing entity and EMS provider which provided or received aid. Should the number of responses

received from any governing entity or provider exceed the number rendered by the contractor to that governing entity or provider by more than twenty (20 percent) percent, the contractor will provide a plan, to be approved by the Fire Chief, to reduce contractor's dependence on mutual aid.

5.10 Disaster Assistance and Response

The contractor shall be actively involved in planning for and responding to any declared disaster in the County. Both a mass casualty incident plan and an emergency disaster plan following incident command system guidelines have been developed.

1. In the event a disaster is declared within Mesa County or a neighboring county, normal operations shall be suspended and the contractor shall respond in accordance with the County's disaster plan. The contractor shall use best efforts to maintain primary emergency services and may suspend non-emergency service as required. During the period of declared disaster, the City will not impose performance requirements and penalties for response times.
2. The direct marginal costs resulting from the performance of disaster services that are non-recoverable from normal payers shall be submitted to the appropriate agencies for cost recovery. Such marginal costs shall not include cost for maintaining normal levels of service during the disaster, but shall be limited to the reasonable and verifiable direct marginal cost of these additional services. Mesa County and the City of Grand Junction may provide reasonable assistance to the contractor in recovering these costs; however, neither the City nor the County shall be contractually liable for payments to contractor.

5.11 Deployment Planning and Initial Plan

During the first two quarters of operation, the contractor shall adhere to or exceed the initial coverage plan submitted in its proposal. It is anticipated that the contractor's initial coverage plan may require more or less unit hours than may be necessary after the contractor has gained additional experience. Proposers must provide sufficiently detailed information in their submissions, including unit hours per day and shift schedules to allow evaluation of the thoroughness of the plan.

Subsequent coverage plan modifications, including any changes in post locations, priorities, and around-the-clock coverage levels, may be made at the contractor's sole discretion. The contractor shall immediately notify GJRCC

each and every time that the contractor reaches “level zero” (*i.e.* no ambulances available).

5.12 Clinical and Employee Provisions

5.12.1 Medical Oversight

The County furnishes medical control services, including the services of a Medical Director, for the contractor and all participating first response agencies in accordance with the Resolution. The County may recover a fee from the contractor for providing EMSMD services. The Medical Director shall receive no compensation or remuneration directly from the contractor unless the contractor desires EMSMD services beyond those available to all other providers and both the City and County agree to the proposed scope of work and fee structure.

5.12.2 Medical Protocols

Contractor shall comply with EMS System medical protocols and policies and other requirements of the system standard of care as established by the EMSMD. Current medical protocols including trauma transport protocols are found in the System Clinical Protocols in Appendix 5.

5.12.3 Direct Interaction with Medical Control

The proposal will describe how it will ensure that the relationship between field personnel and physicians works to improve field medical care. In addition, the EMSMD requires a process of quality assurance in which a single liaison for quality issues manages quality issues.

5.12.4 Medical Review/Audits

The goal of the medical audit process is to improve patient care by providing feedback on the system and individual performance. If the audit process is to be beneficial then it routinely must produce improvement in procedures, on-board equipment, and medical practices. It is the contractor’s responsibility to implement feedback.

The Medical Director may require that any of the contractor’s employees attend a medical audit when necessary as determined solely by the EMSMD.

The contractor shall ensure that quality-related procedures and processes, which are already in place in the contractor’s organization, are not altered without the express permission of the EMSMD.

5.12.5 Duties of the Medical Director

The duties of the Medical Director are described in the County EMS Resolution.

5.12.6 Minimum Clinical Levels and Staffing Requirements

All ambulances rendering emergency medical services shall be staffed and equipped to render paramedic care. Initially, the minimum requirement for the second staff member shall be an EMT-B. Proposers are encouraged to submit proposals that exceed the minimum staffing requirements, provided that such proposals include a description of how the proposed staffing model will improve patient care and/or system cost effectiveness.

5.12.7 Demonstrable Progressive Clinical Quality Improvement Required

The ambulance contractor shall develop and implement a comprehensive quality improvement process (QI) for the EMS system. That process should provide for integration of all responders and caregivers for each patient care situation. Ideally, the QI process should include all patient contacts and interventions, including: bystander action, AED or other first responders, including law enforcement, 9-1-1 call-taking and EMD, fire first responders, ambulance personnel, online medical advisors, off-line medical advisors and receiving facilities. Quality improvement processes shall be utilized to improve outcome oriented patient care and facilitate continuing education.

The contractor shall provide in-house or sub-contracted in-service training programs designed to meet employee certification requirements that will be offered at no cost to employees. While the specific compensation strategy utilized by each proposer to attract and retain quality employees is left to the expertise of the proposer, ideally employees should be compensated for time spent in required training. Such compensation, whether in the form of hourly pay, training bonuses, differential pay or other form should be specifically identified in the proposal.

5.13 Treatment of Incumbent Work Force

A number of dedicated, highly trained personnel are currently working in the City's EMS system. To ensure that all employees have a reasonable expectation of employment in the contractor's operation, the proposers are encouraged to recruit employees currently working in the system to assure a smooth transition and to encourage personnel longevity within the system. The City desires to see incumbent employees given consideration if they meet the proposer's employment standards. The proposer shall describe how it will treat incumbent workers.

5.14 Character Competence and Professionalism of Personnel

The City expects and requires professional and courteous conduct and appearance at all times from the contractor.

All persons employed by the contractor in the performance of work shall be competent and hold appropriate licenses and permits in their respective professions and shall be required to pass a criminal record check and background investigation. The contractor shall provide documentation to the City of compliance with this provision.

5.15 Key Personnel

The City will, in part, base the award of the contract upon the qualifications of the organization, and upon the qualifications of key personnel presented in the proposal. The contractor will be expected to furnish the personnel identified in the proposal throughout the term of the contract. The contractor is expected to furnish the same personnel or replacement personnel with equal or superior qualifications. It is the specific intent of this provision to prevent “bait and switch” bidding practices. It is the City’s desire to have strong local control of the operation.

5.16 OSHA and Other Regulatory Requirements

It is the City’s expectation that the contractor will adopt procedures that meet or exceed all rules for occupational safety and health, HIPAA, bloodborne pathogen exposure and other regulatory requirements.

5.17 Discrimination Not Allowed

During the performance of this contract, Proposer agrees that it shall comply with all applicable provisions of federal, state and local laws and regulations that prohibit discrimination. Specifically, the proposer warrants that it shall:

Not discriminate against any employee or applicant for employment because of race, color, creed, religion, sex, national origin, handicapped status or disability. The contractor shall take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, creed, religion, sex, national origin, handicapped status or disability. This shall include, but not limited to the following: employment; upgrading; demotion; transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship;

Comply with Executive Order 11246, as amended, if applicable, and the rules, regulations and orders of the Secretary of Labor;

Be responsible for determining the applicability of and compliance with any federal or state regulation enacted pursuant to: Executive Orders; federal legislation or amendments to legislation; and state legislation or amendments to legislation.

5.18 Contractor Recruitment and Retention Strategies

The contractor shall propose proven strategies to recruit and retain employees that meet the goal of minimizing employee turnover.

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Scoring Criteria Scoring Criteria, Required Table of Contents

<u>Item</u>	Points	TOTAL
I. Letter of Transmittal	0	
II. Introduction		
i. Description of Proposed Organization	0	
III. Credentials		
i. Analogous Experience	40	
ii. Sound Financial Strength	40	
iii. Documentation of Regulatory Compliance	20	
		100
IV. Clinical Performance		
i. Clinical Credentials of Field Personnel	50	
ii. Quality Improvement Processes	50	
iii. Preceptor Qualifications/Status	25	
iv. Internal Staff Support for EMSMD and First Responders	40	
		165
V. Community Service and Education		75
VI. Control Center Operations		
i. Commitment to GJRCC	50	
ii. Methods for Fine Tuning Deployment Plans	25	
iii. Proposed Support of EMD Training for GJRCC	25	
		100
VII. Human Resources		
i. Leadership, Supervision and Key Personnel	35	
ii. Commitment to Incident Command Structure	30	
iii. Health and Safety Programs	35	
iv. Recruitment and Retention Strategies	35	
		135
VIII. First Responder Program Support		
i. First Responder Equipment and Supply Replenishment	50	
ii. Training Support for First Responder Program	50	
iii. Creative Proposals to Enhance First Responder Partnership	75	

			175
IX. Fleet and Equipment			
i. Proposed Vehicles and Safety Features	50		
ii. Ambulance Maintenance Practices	30		
iii. Equipment Maintenance Practice	20	100	
X. Accounts Receivable Management	50	50	
Total Quality Points			900
Credential Points			100
XI. Pricing			100
Total Points			1100

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SECTION 6

QUALIFICATIONS REQUIREMENTS

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QUALIFICATION REQUIREMENTS

6 Minimum Qualifications & Documentation of Credentials

6.1 Overview

This section describes the minimum qualifications that a proposer must meet to be eligible for contract award. The successful proposer will be required to deliver a high level of performance within Grand Junction. This process will require the proposer to submit a single proposal containing both the proposer's credentialing statement and its detailed service proposal.

Credentials statements will be evaluated to determine whether a proposer is qualified to provide emergency and non-emergency ambulance service in the city and the relative strength of each proposer in the areas of analogous experience, financial depth and stability, and documentation of regulatory compliance. Proposers are cautioned that incomplete or unresponsive credentials or proposals will not be considered.

The City of Grand Junction will verify the credentials and qualifications of each proposer. If the City finds any misrepresentation of qualifications or is unable to verify a proposer's credentials, the proposer will be not be selected. Credentials scoring will be accomplished by assigning the maximum number of points in each category to the proposer documenting the strongest qualifications. Other proposers will receive fewer points based on the City's evaluation of the relative qualifications of each proposer. Submissions failing to demonstrate minimum qualifications in any category will receive a "0" score for that category.

The following table illustrates the credentials categories and their corresponding potential points:

Category	Maximum Points
Analogous Experience	40
Financial Strength	40
Regulatory Compliance	20
Maximum Credentials Points	100

6.2 Standard Method for Qualifications

Each proposer must provide detailed information and supporting materials to enable the City to fully evaluate its qualifications. Proposers serving multiple sites may use information from any site to establish qualifications. Information presented must reflect the experience of the operational site responsible for performance under this proposal.

Should a group of entities submit a proposal as a joint venture, or should any proposal refer to a subcontractor to fulfill obligations specified in this RFP, any information presented which does not reflect the experience of the operational unit submitting the proposal shall be so noted.

6.2.1 Analogous Experience

Each proposer shall provide the following:

a. Documentation clearly demonstrating that the proposer has experience operating or managing an emergency ambulance service in a community with a population of at least 60,000 persons. Information should include a list of communities in which the service is operated as well as name(s), address(es) and phone number(s) of the Medical Director(s), contract officer(s) and designated public official(s) with oversight responsibility. Documentation of fracture response time performance, the number of responses and transports in each of the last two years must be included.

or,

b. Documentation of existing internal EMS management systems and personnel that can facilitate its transition to operating an ambulance service. This information should include, but not be limited to, descriptions of operational methods:

1. Deployment methods;
2. Communications center management;
3. Field supervision;
4. Training and management of clinical personnel;
5. Retention of personnel;
6. Quality improvement process management;
7. Interactions with first responders;
8. Management of a supply chain management system for EMS supplies and equipment;
9. HIPAA Compliance; and
10. Accounts receivable management.

Proposer shall provide information and documentation of existing management bench strength, to demonstrate the organization's ability to manage such a program. The information provided should be in the form of names and resumes of existing management and supervisory personnel who will be directly responsible and accountable for providing services under this RFP.

6.2.2 Demonstration of Sound Financial Position

Proposer shall provide evidence that clearly documents the financial history of the organization. All financial information should be reported for the operational unit responsible for the proposal. If the organization is a multi-site operator or subsidiary operation, it may report consolidated financial information provided that a letter guaranteeing the proposer's performance with the full faith and credit of the parent organization is included with the financial data and is signed by an official with the authority to bind the parent organization. Each proposer will also provide and document the following:

- a. Access to sufficient capital to provide for implementation and start-up of the contract.
- b. Financial reserves or net worth sufficient to sustain the operation in case the proposer has incorrectly estimated expenses or profits from the operation.
- c. Any issue or potential issue that may have a material bearing on the financial condition, solvency or credit worthiness of the organization. These should include any material contingent liabilities or uninsured potential losses.
- d. Copies of audited financial statements for the last two years. If no audited financial statements are available, the company must provide other convincing evidence of financial capability and stability such as financial statements and personal or institutional guarantees of the company's obligations and performance. The burden of proof of financial stability is upon the proposer.
- e. Evidence of the ability to secure insurance coverage in the form of certificates of insurance or a letter from an appropriate insurance company documenting that coverage will be provided.
- f. A Medicare & Medicaid and third party payor billing and documentation compliance program. The City will compare documentation of compliance programs to the Final OIG Compliance Program Guidance for Ambulance Suppliers(Federal Register / Volume 68, No. 56 / Thursday, March 24, 2003.
- g. A plan for compliance with the Health Insurance Portability and Accountability Act (HIPAA).

6.2.3 Documentation of Regulatory Compliance and Litigation

- a. The proposer shall detail any and all regulatory investigations, findings, actions, complaints and their respective resolutions. Proposer will specifically include details about any and all emergency (9-1-1) contract terminations within the last two years. Additionally, the proposer will detail the circumstances and resolution of any contract disputes or notices of non-compliance.

- b. The proposer will provide a detailed list of all litigation in which the proposer is involved or has been involved during the last ten years. Litigation means claims made by or against it at any stage of the proceeding(s) including mediation, arbitration, or administrative action(s).

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SECTION 7

EVALUATION AND SELECTION CRITERIA

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7.1 Clinical Performance

125 points

The Proposer shall provide high levels of clinical performance. That performance shall include high levels of clinical credentials of field personnel and field preceptors, a continuous quality improvement (CQI) plan meeting the standards of the quality improvement movement in the health-care industry, and internal staff support for the EMSMD and first responders.

The personnel who make up every ALS ambulance crew shall meet the State of Colorado and Mesa County requirements for licensure and certification. One EMT-P and one EMT-B are the minimum requirement for each ALS ambulance. Written staff hiring and ongoing performance standards shall include physical and cognitive skills necessary for the successful ambulance performance on this Contract without excess reliance on outside agencies. The personnel who make up every BLS ambulance crew shall meet the State of Colorado and Mesa County requirements for certification. Two EMT-Bs are the minimum requirement for each BLS ambulance. Written staff hiring and ongoing performance standards shall include physical and cognitive skills.

Proposers should describe their proposed credentials of field personnel, including EMT certification levels, PHTLS, PALS, ACLS, instructor certifications and any other credentials that the Proposer believes will improve the performance of the EMS system.

The Proposer should include a plan that describes its internal QI mechanism such as: medical director, CQI manager, prospective training and education efforts, concurrent and retrospective review, personnel development, problem identification, needs assessment, education/compliance remediation, problem resolution, and the documentation and tracking of implementation strategies and outcomes.

The program should describe:

- (a) a management philosophy and approach focused on achieving an environment of continuous improvement and innovation;
- (b) continuous learning and development of staff and management;
- (c) commitment to participate in and contribute to the City and County CQI processes
- (d) a commitment to cooperate with system research.

The Proposer shall commit to interface with other EMS agencies, receiving hospitals, first responders, GJRCC, and the medical community. The Proposer shall describe its proposed internal staff support for the County EMSMD and First Responders within and without the ASA.

7.2 Community Service and Education 50 points

Proposer shall specify the programs established to support public health. Those programs must be integrated with programs of the first response agencies, the county emergency management department, the county public health department, and other first response and ambulance providers. Programs such as public CPR, public access to defibrillation, accident prevention, childhood and senior safety programs, drowning prevention programs, appropriate use of 9-1-1 services, and other programs are specifically desired. The Proposer shall specify how it proposes to provide and to integrate community service programs with other agencies and providers.

7.3 Control Center Operations 75 points

Proposer shall stipulate the amount of annual support the Proposer will provide GJRCC and its commitment to each of the items listed below:

- Employing GJRCC as the regional dispatch center. Included in the support commitment is the recognition of the need to contribute to and share frequencies with GJRCC Dispatch;
- Contributions toward ongoing operational expenses, as well as maintenance and replacement costs of GJRCC capital investments in repeaters, CAD systems, base stations and other equipment; and
- Proposed support of EMD and other training for dispatchers and other employees of GJRCC Cost of and contributions toward adding ancillary communication options such as satellite phones and cell phones.

Proposer shall provide its initial coverage plan including its methods, processes, and justification for the initial deployment plan. It shall include methods proposed to upgrade its deployment plan including data used to update the plan.

Proposer shall include job descriptions and resumes of the on-site and off-site management team, operations managers, in-service training manager, maintenance manager, and manager of administrative services (e.g., data processing, billing and collections) involved in the provision of services to this exclusive operating area. If applicable, Proposers shall specify which key personnel listed above will be stationed in the City vs. off-site, including proposed positions, locations and rotation of such staff. Proposer shall propose names and qualifications of field supervisory staff anticipated as part of this Proposal.

Proposer shall demonstrate how it will ensure that all ambulance and supervisory staff are trained and prepared to assume their respective roles and responsibilities under the City's Standard Operating Guidelines as well as the County Disaster Plan. At all incident scenes, Contractor's personnel shall perform as part of the Incident Command System (ICS) structure. The ICS shall be in compliance with NIMS. Proposers should describe their organization's mechanism for ensuring that all personnel are trained and prepared to assume responsibilities in accordance with ICS.

The City desires to ensure the safest work environment possible for ambulance personnel. Proposer shall describe its methods and programs to ensure the health and safety of its employees. The Proposer shall schedule so as to provide EMTs at least eight hours of rest between regularly scheduled shifts. Regularly scheduled shift shall be defined as not greater than any 48-hour period, unless approved by the city. Regularly scheduled shifts beyond 48 hours shall require specific justification in the Proposal on issues such as workload, staff-fatigue and costs.

The City encourages Proposers to demonstrate how their wages, benefits, shift schedules and expected productivity will attract and retain experienced personnel, especially existing employed Paramedics, and EMTs in Mesa County. The Contractor shall devise a wage and benefit package to encourage personnel to remain with the system to reduce the turnover rate and to meet all applicable state and federal laws (e.g. Fair Labor Standards Act). No shifts greater than 48 hour are permitted. The Contractor must have a policy and monitoring system in place to prohibit staff from working greater than 48 shifts when combining Contractor shifts with shifts from second employment. Proposers should describe how their wage package provides for ongoing training to meet State of Colorado, Mesa County, and EMSMD requirements for ongoing and in-service training. The number of hours per year of paid training should be described.

Employee costs and benefits including employer taxes, employee retirement, medical insurance, workman's compensation, and other proposed employee costs should be described in addition to wages of prehospital personnel. Proposer must submit turnover rates for the past three years for all categories of personnel and define how it is calculated. Proposer must submit the salary levels (current and proposed) for entry, middle and top levels for all personnel and define how it is calculated.

A preference to consideration of currently employed EMTs, EMT-Ps in Mesa County shall be given by proposers. Proposals shall provide specific plans to this effort in their Proposal. Proposer is urged to make and document its best efforts to afford job opportunities to members of the incumbent work force who meet personnel qualifications and who are interested in employment in the new ambulance system. As this subject is an important aspect of the analysis of Proposals, plans for a smooth transition of the work force must be detailed. Minimum: A written plan for integration of incumbents, including existing recruitment and selection requirements.

7.5 First Responder Program Support 175 points

In this section, Proposer shall detail its intentions regarding involvement in and support of the first-responder programs. Commitments to disposable item re-supply and any additional financial contributions should be explained here. The provider must develop a plan for the prompt return of first responders and support staff should they be used in transporting the patient to the hospital. Proposers should not assume that a firefighter will always be available to ride into the hospital to assist with critical patients, e.g. cardiac arrest patients or to assist with lifting heavy patients.

A commitment and process for establishing a methodology for assessing first-responder training needs and training schedules must also be described. These requirements would only go into effect if requested by first responders and approved by the first response agency. Proposer shall describe a methodology for integrating its services with first-responder agencies including fire departments and 9-1-1/PSAPs. Specific plans must be submitted with prioritized objectives. These commitments must include specific procedures for scene control and problem resolution. Commitments for ongoing liaison with these agencies must also be stated. Minimum: Proposer shall specify plans for integrating with the first responder agencies as defined as a minimum here and in Section II of this RFP. Contractor shall restock or pay for restocking first-responder medical supplies (including

Advanced Life Support supplies) used in response to emergency medical calls, subject to applicable Federal and State laws.

7.6 Fleet and Equipment Issues 80 points

In this section, Proposer shall describe, in detail and with brand names, vehicles and the major equipment items to be furnished, and the scheduled replacement policies related to each class of equipment. In addition, Proposer shall stipulate the minimum fleet size proposed for the ambulance service area.

Vehicles. Proposers shall describe the primary and back-up ambulance vehicles including the make, model, year, and mileage of each vehicle. Proposers must include a detailed plan for the maintenance and replacement of vehicles. Proposers shall include a detailed description of the safety features included in the vehicle equipment and maintenance program.

Medical Equipment. Proposers shall describe the make, model, and year of any medical equipment with a minimum purchase price of \$2,000. Such a list must include defibrillators, gurneys, and the plan for maintenance and replacement plans of all such equipment Minimum: Proposers shall specify and initially furnish a minimum number of fully equipped units, and shall propose a policy of maintaining a fleet size not less than one fully stocked back-up unit. Proposers shall describe the make, model, year, and mileage of the ambulance vehicles to be included in Proposer's proposed fleet.

7.7 Accounts Receivable Management 50 points

In this section, Proposer shall describe its proposed data processing, billing, collection, and accounts receivable management system.

7.7.1 Minimum:

1. System shall generate and electronically bill Medicare and Medicaid statements.
2. System shall be HIPAA-compliant at the time of Contract execution.
3. System shall handle third-party payers, private-pay patients, special contracts, and other special arrangements.

4. System must be capable of responding to patient and third-party payer inquiries regarding submission of insurance claims, dates and types of payments made, itemized charges, and other inquiries.
5. System must provide daily, monthly, and annual reports that furnish clear audit trails, including details of payments and adjustments experience.
6. System shall provide for reconciling on a regular basis between "run" and other production data and patient data. An audit trail shall exist linking reported transports and calls to billed transports and calls, with exceptions noted.
7. System shall support monitoring of employee accuracy and completeness in gathering required information.
8. System shall facilitate updates of account type, addresses, and other pertinent patient and third party payer data.
9. System shall include procedures and policies regarding use of collection agents, policy regarding write-off of accounts receivable, policies for hardship cases and write-offs. These policies should provide a detailed explanation of the circumstances under which self-pay patients will be charged a reduced rate or written off, paying special attention to families that are at 100% or 200% of the poverty level. Financial-need guidelines should be designed to be uniformly applied and are best when based upon additional factors such as: a patient's income, assets and expenses relative to the cost of living; a patient's family size; and the scope and extent of a patient's medical bills.
10. System shall exclude on-scene collection. On-scene collections are prohibited.
11. Billing and collection data shall track to dispatch data by use of a record identifier.

7.8

Pricing

100 points

In this section, all costs and all revenue sources must be clearly listed and assumptions documented. Since cost and revenue projections will be compared among all Proposers, the City requires that information be provided in the format

and with the level of completeness and detail specified herein. The City requires all Proposers to present detailed costs by budget category to demonstrate clearly the costs and costing assumptions (by line item) to determine charge and charge assumptions. Actual costs must be provided by line item and then broken down on a per-call basis so that the City may clearly determine the cost impact per call on all costing assumptions. Costs and proposed charges for alternative performance-standards and any other alternative plans shall be specified separately.

All revenue sources must be fully described. The City assumes that patient care fees will be a major component of the proposer's financial stability and flexibility. All patient fee revenue projections must be based on the assumptions provided herein, and must be consistent with volume-related cost projections. Proposers must identify all other revenue sources supporting their proposed budget, and must explain how these revenue sources will change as a result of this commitment.

The Proposal must describe and document all costs and cost estimates necessary to provide services required to serve the Grand Junction ASA, separating out costs and charges for alternatives. Proposers must describe the revenue amount assumed for calculating Proposer's budget, all revenue sources (direct and in kind), and document any sponsoring organization's commitment to service financing (if any) and the legal authority to continue this commitment throughout the term of the Contract.

Important: Proposers shall submit a spreadsheet that shows the stepping down of all costs to the proposed charges.

In addition to the budget, a complete set of financial statements for the current and proposed operation shall be provided for all Proposals. These statements shall be used to verify the pricing assumptions of the proposers and to verify that the proposer has the financial ability to provide services for up to six months until insurance and other revenues stabilize. Financial audits conducted by a licensed CPA will receive the most credibility, while financial statements that are "reviewed" will be deemed less credible. Least credible will be financial statements that are neither audited or reviewed. Three (most recent) consecutive years of financial statements shall be provided. All financial documents should include at least the following:

7.8.1 Current financial status:

(a) Balance sheets;

(b) Profit and loss statements, statements of revenues and expenditures;

- (c) Statement of changes in financial position;
- (d) Last completed year cash-flow analysis (shown monthly), for existing ambulance operations only;
- (e) Aged accounts receivable for ambulance revenues, and for other revenues expected to support ambulance services (if available);
- (f) Listing of any loans to officers (business, personal or both, etc.);
- (g) Any lines of credit over \$25,000, with maturity, interest, annual payments identifying source and contact address;
- (h) Briefly describe accounting, billing and payroll systems; and
- (i) Describe any tax liabilities other than current payroll obligations

All Proposers should be aware that the documents requested will serve to confirm the soundness of their current financial position. The City's intent is to award the exclusive agreement only to an organization demonstrating the financial capability to operate successfully. Failure to provide the items listed above will automatically cast doubt on the financial expertise and soundness of Proposers.

Proposer shall clearly demonstrate the source of capital to meet the initial investment and ongoing capital needs of the operations for each Proposal. It is the Proposer's responsibility to conclusively document the source, the availability of the capital and the firm commitment of the source or sponsoring agency, as appropriate.

During the term of the Agreement, the Contractor will be allowed opportunities for rate adjustments. The Contractor may propose rate changes to the City no more frequently than annually after the second complete year of service unless the Contractor can demonstrate to the satisfaction of the City that, due to extraordinary changes in reimbursement or the cost structure of the Contractor's operations which were beyond the control of the Contractor and which could not reasonable have been known prior to the submittal of the response to the RFP, an undue financial hardship would be placed on the Contractor in the absence of an immediate rate consideration. In such a circumstance, the Contractor may request a hearing before the City Council following a review by the City Manager. In no case may the rate exceed that described in the rules promulgated by Mesa County.

The Proposer may submit any other financial information that the Proposer considers relevant. All financial information contained in the Proposal shall not be considered confidential and proprietary unless specified by the Proposer. Proposers

should submit all required financial information that they consider confidential in a separate, sealed manila envelope clearly marked with the RFP Section number(s) that the Proposer is responding to, and clearly mark the envelope "Confidential."

7.8.2 Performance Security Method

Proposer shall describe in detail its intended method of satisfying the performance security requirements as identified in Section 8.4 of the RFP.

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7.9 General Submission Information

7.9.1 Procurement Time Frames

The schedule for the City of Grand Junction Ambulance Service procurement is outlined in the Schedule found on [page 2](#).

7.9.2 Cost of Participation

All costs associated with participation in this procurement process shall be borne by the proposer. The City reserves the right to reject any or all proposals.

7.9.3 City will Investigate Credential and Proposal Submissions

The proposer shall submit executed notarized “investigative authorization forms” for the company(s) whose credentials are submitted for review and for all owners, officers and key personnel. Publicly held companies need only submit the company release and those for the managers and key personnel who would be involved in the fulfillment of the contract or in the preparation of the proposal.

Copies of the required release forms are provided as Appendix 1: Investigative Releases.

7.9.4 Proposers must Comply with County Ambulance Service Resolution.

Each proposer must, at a minimum, comply with all requirements of the Mesa County Ambulance Resolution, including licensing and permitting standards, minimum response time requirements, personnel qualifications, maximum ambulance fees allowed, medical director requirements, and all other standards.

The Mesa County Ambulance Service Resolution is provided as Appendix 2.

7.9.5 Professional Judgment Required

Each proposer is specifically advised to use its own expertise and professional judgment in deciding upon the methods to be employed to achieve and maintain the performance required under the contract. “Methods” in this context means deployment plans, employee management strategies, supervisory structures, and other internal matters which together comprise a proposer’s strategies for accomplishing the task. The City recognizes that different proposers may employ different methods with equal success.

7.9.6 Estimated Business Volumes

The City makes no representations regarding the number of requests for ambulance service, ambulance transports, or frequency of special events coverage that may be associated with this procurement. All historical data within

the City of Grand Junction is provided to illustrate the historical level of performance rather than guarantee future business volume.

7.10 Evaluation of Proposals

The City shall appoint a selection committee to evaluate proposals. The City's EMS consultant and the City Attorney will assist the committee by providing technical support but will not serve as members of the Selection Committee.

Investigations of proposers' submissions and services may be conducted as deemed necessary by the City. Such investigations may include a site visit.

Proposals will be evaluated according to the following methodology:

- **Compliance with the RFP**

Proposals determined to be non-compliant with the RFP will be eliminated. Compliance means that a proposal meets the minimum credentialing criteria, that the proposal was received prior to the deadline for submission, the proposal deposit in the amount and form specified was received, the mandatory table of contents was followed, ordering and numbering conventions are consistent with the required table of contents, programs and offerings described in the proposal meet the prescribed minimum standards, and format stipulated in the RFP.

- **Review of Credentials**

Credentials statements will be evaluated and scored, then each proposal will be evaluated and scored. Points accumulated as a result of the credentials review will be included in the final scoring of the proposals.

Credentials scoring will be accomplished by assigning the maximum number of points in each category to the proposer documenting the strongest qualifications.

Other proposers will receive proportionately fewer points based on the Selection Committee's evaluation of the relative qualifications of each proposer. Submissions failing to demonstrate minimum qualifications in any category will receive a "0" score for that category.

Points awarded as a result of credentials review will be added to the proposal points. In the event that two or more proposals receive close scores, the more experienced or qualified firm will receive an advantage for demonstrating superior credentials.

- **Review of Proposals to Provide Ambulance Service**

Each qualified proposal will be reviewed and scored by the Selection Committee. Each proposer will have an opportunity to make a 30-minute verbal presentation to the Selection Committee, followed by a 30-minute question and answer period. Presentations will be conducted at a place and time to be determined by the City. The order of the presentations will be randomly determined. All presentations will be videotaped. Any commitments, answers and clarifications made during the presentation or in answer to questions from the Selection Committee will become part of the proposal and may be required within any contract that may result from this process.

- Award of Points for Proposals to Provide Ambulance Service

Scoring will be based on a point system with points allocated to each category in the required outline format of the proposal. Each proposal will be separately and independently scored by each Selection Committee member as follows:

- ❖ *Compare.* Each committee member will individually compare submissions related to a single category.
- ❖ *Identify the strongest submission and assign maximum points.* After comparing the proposals, each committee member will identify the strongest submission in each category. Each committee member will award the maximum number of points to the strongest submission in that category.
- ❖ *Award relative points to other submissions.* Each individual committee member will then award points to the other proposals in that category. Points will be awarded consistent with the relative strengths of the competing proposals on that category only.
- ❖ *Repeat the process for all criteria.* Each individual committee member will then repeat the steps above for all categories shown on the scoring sheets.
- ❖ *Tabulate scores.* The EMS consultant and City legal staff members will tabulate the points.

- Calculate the Average Points for the Quality Point Categories

The total number of quality points for proposals to provide ambulance service will be divided by the number of Selection Committee members to obtain the arithmetic average score for each proposer.

- Award Points for Pricing for Ambulance Transport Services.

Scores for Pricing will be evaluated by the City staff, and will be presented to the Selection Committee. The proposer judged to have the lowest price will be awarded the maximum points. Higher priced bids will be scored based on the percent that their bid exceeds the lowest priced bid. That percent will be deducted from the maximum points available.

- Overall Compilation of Points for Ambulance Transport Services.

The average number of quality points for proposals to provide ALS transport will be added to the pricing points. The proposal with the highest number of points will be recommended to the City Council as the best proposal.

- Verification of Credentials of Highest Scoring Proposer.

- Selection

The results of the Selection Committee process and recommendation will be submitted to the City Council for approval and authorization to negotiate a contract with the prevailing proposer.

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SECTION 8

GENERAL CONDITIONS

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GENERAL CONDITIONS

8.1 Financial and Administrative Provisions

8.1.1 Terms and Renewal Provisions

The term of the contract ultimately executed by the successful proposer will be for a period of five (5) years beginning July 1, 2006. The contractor may earn up to two (2) extensions of two years each. Extensions must be applied for and approved at least one year prior to the end of the current contract term.

8.1.2 Criteria for Evaluating Extension Request

The contract will contain specific criteria that will be used to evaluate any request for contract extension. At a minimum, these will include:

- Contractor has met or exceeded the response time reliability requirements of the contract for each and every month. and,
- The Medical Director certifies that the contractor has met and exceeded all clinical provisions of the contract during the year being evaluated.

8.2 Pricing and Rates

Proposers are required to submit pricing and budget information on the forms enclosed in Appendix 6: Financial Statements and Budget. Proposers are required to submit annual charges for each year of the proposed contract. The charges proposed should include estimates of pass through charges for medical control and oversight fees for system management and oversight. These pass-through charges will be established annually by Mesa County. Other charges will be based on actual costs in the respective budgets and approved by the City. The proposed maximum charge will include the base rate for each type of ambulance service and will represent each of the categories of transport such as BLS, BLS-Emergency, ALS-1, ALS-1-Emergency, ALS-2, Specialty Care Transport and mileage for all ambulance calls resulting from market rights assigned through the exclusive agreement. Non-emergency calls, standby's, mutual aid to areas outside of the City and similar sources of revenue will be included in the calculation.

In preparing the price proposal, charge proposals may not increase by more than 5 percent per year. The contract will contain a provision providing that a situation, beyond the reasonable control of the contractor, that significantly

causes increased cost to the contractor, may be cause for the contractor to petition for rate increases or changes in contract terms.

8.3 Insurance and Indemnity Provisions

Proposers will provide satisfactory evidence that if chosen as the city's contractor, the company will be able to provide, throughout the term of the contract insurance coverage meeting or exceeding the following requirements:

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- 8.3.1** Commercial general liability insurance in the amount of not less than \$2,000,000 combined single limit per occurrence for personal injury and property damage, for the protection of the City, its officers, council and employees against liability for damages because of personal injury, bodily injury, death or damage to property, including loss of use thereof in any way related to the contract.
- 8.3.2** Business automobile liability insurance in the amount of not less than \$2,000,000 combined single limit per occurrence for bodily injury and property damage for the protection of the City, its officers, commissioners, and employees against liability for damages because of bodily injury, death or damage to property, including loss of use thereof in any way related to the contract.
- 8.3.3** Professional liability insurance in the amount of not less than \$2,000,000 combined single limit per occurrence for medical professional liability coverage for the protection of the City, its officers, commissioners and employees against liability for damages because of personal injury, bodily injury, death, or damage to property, including loss of use thereof and damages because of negligent acts, or errors and omissions, in any way related to the contract.
- 8.3.4** The City, at its option, may require a copy(ies) of any of the required insurance policies obtained by the successful proposer. The commercial general liability and automobile liability insurance shall include the City as an additional insured and refer to and support the Contractor's obligation to hold harmless the City, and its officers, commissioners and employees. All of the above insurance shall provide sixty days written notice to the City in the event of a cancellation or material change and include a statement that no act on the part of the insured shall affect the coverage afforded to the City under the insurance.
- 8.3.5** 5.If any required liability insurance is arranged on a "claims made" basis, "tail" coverage will be required at the completion of the contract for a duration of thirty-six (36) months or the maximum time period the CONTRACTOR'S insurer will provide "tail" coverage as subscribed, or continuous "claims made" liability coverage for thirty-six (36) months following the contract completion. Continuous "claims made" coverage will be acceptable in lieu of "tail" coverage, provided it's retroactive date is on or before the effective date of the contract.

Additionally, the successful proposer must agree to the following indemnity clause in the agreement: Contractor shall indemnify, hold harmless and defend the City, its Council, officers, agents and employees, from and against all claims and actions,

and all expenses incidental to the investigation and defense thereof, arising out of or based upon damage or injuries to persons or property resulting from the Contractor's operations under this agreement, or caused by the errors, omissions, fault or negligence of the Contractor or its employees or subcontractors.

8.4 Performance Security

Due to the importance of the EMS System to the community it serves, the City must do everything possible to eliminate the potential for a system failure. Ambulance service is an essential service and a well-designed system incorporates a variety of performance security measures to minimize the potential for failure and to sustain uninterrupted service in the event of the failure of the contractor.

The City will use a combination of performance security provisions to safeguard the public. The contractor will execute a three way leasing agreement or standby lease agreement, which will assure the City immediate access to any and all equipment and supplies, and other assets that the City determines are necessary for the continued operations of the system. The City has the right to terminate the contract for major breach.

8.4.1 Continuous Service Delivery

The contractor expressly agrees that, in the event of breach of contract by the contractor, the contractor will work with the City and Mesa County to assure continuous delivery of services regardless of the underlying cause of the breach.

The contractor agrees that there is a public health and safety obligation to assure that the City is able to provide uninterrupted service delivery in the event of breach even if the contractor disagrees with the determination of breach. Further the contractor agrees that if notified by the City of a determination of breach and intent to execute an immediate takeover of the system, that the contractor will cooperate fully with the takeover and challenge or appeal the matter only after the takeover has been completed.

The contractor also agrees that it will comply with all rules and regulations promulgated by Mesa County and the County's EMSMD. The County and City will cooperate to avoid multiple conflicting requirements on the contractor.

8.4.2 Performance Letter of Credit or Cash Escrow Account and Replenishment.

Contractor will provide performance security in the amount of one million dollars (\$1,000,000). This performance security may be provided using a combination of methods. Contractor will deposit with the City, an irrevocable performance letter

of credit or cash escrow account, in a form acceptable to the City, of at least five hundred thousand dollars (\$500,000). The remaining balance of five hundred thousand dollars (\$500,000) may be provided in the same manner or as a performance bond, in a form acceptable to the City. The City believes that a cash deposit or irrevocable performance security letter of credit provides improved access to working capital in the event of a contractor failure and is therefore the preferred method of securing performance. Accordingly, the award of points for provision of performance security during the scoring process will favor this method.

Because it will be impracticable to determine the actual damages in the event of contractor's breach, the parties shall contract that this amount of one million dollars (\$1,000,000) is a reasonable amount for total liquidated damages and a source for any liquidated damages set out in this RFP or the contract. It is expressly understood and agreed by the proposer and City that this one million dollars (\$1,000,000) total or the lesser amounts of liquidated damages set out in this RFP and final contract are not considered a penalty, but shall be deemed, taken and treated as reasonable liquidated damages. If used, the Letter of Credit must be issued by a federally insured (FDIC) banking institution, acceptable to the City, with a debt rating of 1A or higher; A or higher by Standard and Poor's; A or higher by Moody's investors; or, have a comparable rating by another rating system acceptable to the City. In the event the letter of credit or cash account is used for minor or major breaches such that the total of the letter of credit, cash account and any performance bond is reduced to seven hundred fifty thousand dollars (\$750,000), or the amount of the letter of credit or cash deposit is reduced to two hundred fifty thousand dollars (\$250,000) then the letter of credit or cash deposit will be immediately replenished to five hundred thousand dollars (\$500,000). Withdrawals of liquidated damages shall be made by a letter signed by the City Attorney and no other action will be required for the immediate release of funds to the City.

Should a proposer initially prevail in this procurement and then fail to provide the required letter of credit or cash account specified herein, the City will not execute the contract, the proposer will be disqualified and forfeit the proposal deposit.

The letter of credit or cash account will be used to assure the operation of the ambulance service, as well as payment for any liquidated damages for delay or nonperformance or as otherwise set out in this RFP and the final contract, including, but not limited to the conduct of a procurement process, negotiation or related administrative expenses, should the City terminate the contract because of breach.

If Mesa County terminates the provider's license because of breach, the City may consider the provider in major breach and take steps to implement performance security measures.

8.4.3 Notice of Change Required for Letter of Credit

Any performance letter of credit or performance bond shall contain the following endorsement: "at least 60 days prior to cancellation, replacement, failure to renew, or material alteration of this performance letter of credit, (or bond) written notice of such intent will be given to the City of Grand Junction, Colorado by the financial institution. Such notice will be given by certified mail to the City Attorney."

8.4.4 Forfeiture of Performance Security

In the event the City terminates the contract in accordance with its terms, the contractor will immediately forfeit the full amount of its performance security as liquidated damages.

8.4.5 Lockbox

A primary method of funding the City's EMS system and Ambulance Contract is through fees for service that are collected by the contractor. It is therefore essential that the City be able to accurately determine the contractor's revenue collections through accounts receivable activities.

The City will require that all monies collected from fees for ambulance service under this contract will flow through a lockbox at the City's depository bank. The lockbox will be established through a three-party agreement between the City, the bank, and the contractor. The contractor will fund the cost of maintaining the lockbox.

8.4.6 Three Way Lease Agreement

The City will require that the ambulance provider enter into a three-way lease agreement to ensure that the City can maintain ambulance service in the event of a provider failure or breach. The three-way lease agreement will include all ambulances, ambulance equipment, communications equipment, ambulance billing equipment, and fuel necessary to continue ambulance service.

8.5 Contractor Breach and Provisions for Early Termination

Conditions and circumstances that constitute a breach of the contract include but are not limited to the following:

1. Failure of the contractor to operate the system in a manner which enables the City and the contractor to remain in compliance with federal or state laws, rules

or regulations, and with the requirements of the Mesa County Ambulance Service Resolution and/or related rules and regulations.

2. Falsification of information supplied by the contractor during or subsequent to this procurement process, including for example, altering the presumptive run code designations to enhance the contractor's apparent performance or falsifying any other reports required under the contract.
3. Creating patient responses or transports so as to artificially inflate run volumes.
4. Failure of the contractor to provide data generated in the course of operations including for example, dispatch data, patient report data, response time data or financial data.
5. Excessive and unauthorized scaling down of operations to the detriment of performance during a "lame duck" period.
6. Failure of the contractor's employees to conduct themselves in a professional and courteous manner and present a professional appearance, including failure of the contractor's employees to comply with incident command requirements implemented by the City.
7. Failure of the contractor to maintain equipment in accordance with manufacturer recommended maintenance procedures.
8. Failure of the contractor to cooperate with and assist the City after breach has been declared.
9. Acceptance by the contractor or contractor's employees of any bribe, kickback or consideration of any kind in exchange for any consideration whatsoever, when such consideration or action on the part of the contractor or contractor's employees could be reasonably construed as a violation of federal, state or local law.
10. Payment by the contractor or any of the contractor's employees of any bribe, kickback or consideration of any kind to any federal, state or local public official or consultant in exchange for any consideration whatsoever, when such consideration could be reasonably be construed as a violation of any federal, state or local law.
11. Failure of the contractor to meet the system standard of care as established by the Medical Director.

12. Failure of the contractor to maintain licenses, certifications, equipment standards and comply with the County EMS Resolution and other rules established by Mesa County.
13. Failure of the contractor to maintain insurance in accordance with the contract.
14. Failure of the contractor to meet response time requirements as set forth in the contract.
15. Failure to maintain a letter of credit or cash account meeting the terms and amount specified in the contract.
16. The unauthorized sale or transfer of the operating entity contracted to perform all services under the contract, provided that the City will not unreasonably withhold authorization if sufficient evidence of ability and commitment of the acquirer or transferee, to meet the performance criteria is provided to convince the City that the sale or transfer is in the public interest.
17. The unauthorized assignment of any assets, used in the performance of the City contract to any third party.
18. The filing of any bankruptcy or any other similar action, which, in the opinion of the City places the performance of the contract at risk.
19. Failure to submit reports and information under the terms and conditions outlined in this RFP and any subsequent contract.
20. Any other failure of performance, clinical or other, required in accordance with the contract and which is determined by the City Manager or Medical Director and confirmed by the City Council to constitute a breach or endangerment to public health and safety.
21. Failure to timely establish or replenish the letter of credit or cash escrow.

8.6 City Remedies

If conditions or circumstances constituting a breach as set forth above, are determined to exist, the City shall have all rights and remedies available at law or in equity under the contract, specifically including the right to terminate the contract.

8.7 Provisions for Termination of Contract

In the event of contract breach, the City will give the contractor written notice, return receipt requested, setting forth with reasonable specificity the nature of the breach. Within five (5) calendar days of receipt of such notice, the contractor will deliver to the City, in writing, a plan to cure such breach. The plan will be updated, in writing, every five (5) calendar days until the breach is cured. The contractor shall have the right to cure such breach within 30 calendar days of receipt of notice of breach. If the contractor fails to cure such breach within the period allowed for cure (such failure to be determined by the sole and absolute discretion of the City), or the contractor fails to timely deliver the cure plan, or updates to the City, the City may immediately terminate the contract in accordance with the contract. The contractor will cooperate completely and immediately with the City to affect a prompt and orderly transfer of all responsibilities to the City.

The contractor will not be prohibited from disputing any findings of breach through litigation, provided, however, that such litigation will not have the effect of delaying, in any way, the immediate transfer of operations to the City. Such dispute by the contractor will not delay the City's access to funds made available by the letter of credit or cash account. These provisions will be specifically stipulated and agreed to by both parties as being reasonable and necessary for the protection of public health and safety. Any legal dispute concerning the finding that a breach has occurred will be initiated and shall take place only after the transfer of operations to the City has been completed, and will not, under any circumstances delay the process of transferring operations to the City or delay the City's access to performance security funds as needed by the City to finance such transfer of operations.

The contractor's cooperation with and full support of the City's termination of the contract, as well as the contractor's immediate release of performance security funds to the City will not be construed as acceptance by the contractor of the finding of breach. However, failure on the part of the contractor to cooperate fully with the City to affect a smooth and safe transition shall itself constitute a breach of contract.

8.8 "Lame Duck" Provisions

Should the contractor fail to prevail in a future procurement cycle, the contractor will agree to continue to provide all services required in and under the contract until a new contractor assumes service responsibilities. Under these circumstances, the contractor will, for a period of at least six months, serve as a lame duck contractor. To assure continued performance fully consistent with the requirements of the contract through any such period, the following provisions will apply:

1. The contractor will continue all operations and support services at the same level of effort and performance that were in effect prior to the award of the subsequent contract to a competing organization, including but not limited to compliance with the provisions related to the qualifications of key personnel.
2. The contractor will make no changes in methods of operation, which could reasonably be considered to be aimed at cutting contractor services, and operating cost to maximize profits during the final stages of the contract.
3. The City recognizes that if a competing organization should prevail in a future procurement cycle, the contractor may reasonably begin to prepare for transition of the service to a new contractor. The City will not unreasonably withhold its approval of the contractor's request to begin an orderly transition process, including reasonable plans to relocate staff, scale down certain inventory items, etc. as long as such transition activity does not impair the contractor's performance during this period.
4. During the process of subsequent competition conducted by the City, the contractor will permit its non-management personnel reasonable opportunities to discuss with competing organizations, issues related to employment with such organizations in the event the contractor is not the successful proposer. The contractor may, however, require that its non-management personnel refrain from providing information to a competing organization regarding the contractor's current operations and the contractor may also prohibit its management personnel from communicating with representatives of competing organizations during the competition. However, once the City has made its decision regarding award, and in the event that the contractor is not the winner, the contractor will permit free discussion between City-based employees and the winning proposer without restriction, and without consequence to the employee.

8.9 General Provisions

8.9.1 Assignment

The contractor shall not assign any portion of the contract without first obtaining written consent from the City. Any assignment made contrary to the provisions of this section shall terminate the contract. Any change in the contractor's ownership shall, for the purposes of the contract, be considered a form of assignment. The City shall not unreasonably withhold its approval of the requested change in ownership, so long as the transferee is of known financial and business integrity. City may require credentials and financial information

from the transferee and may base its approval or withholding of approval on the information provided.

8.9.2 Permits and Licenses

The contractor shall be responsible for and hold any and all required federal, state, county, and local licenses and permits required to perform the duties under the contract. In addition, the contractor will make all necessary payments for licenses and permits to conduct its business and duties under the contract. The contractor will assure that all necessary renewals are made on time. The contractor will be responsible for assuring that all of its personnel hold valid state and local certifications at all times.

8.9.3 Compliance with Laws and Regulations

All services furnished by the contractor under the contract shall be rendered in full compliance with all applicable federal, state, and local laws, ordinances, rules and regulations. The contractor shall agree to perform in accordance with the provisions of any regulations or written guidelines established by Medical Director.

8.9.4 Product Endorsement / Advertising

The contractor shall not use the name or equipment of the City for the endorsement of any commercial product or service without the expressed written permission of the City.

8.9.5 Audits and Inspections

City, County, or Medical Direction representatives may at any time, and without notification, ride as an observer on any contractor ambulance, provided that in exercising this right to inspection and observation, City, County, and Medical Direction representatives shall conduct themselves professionally and shall not interfere with the duties of the contractor's employees. City, County, and Medical Direction representatives shall have the right to audit the reports and data that the contractor is required to provide under the contract.

8.9.6 Return of City Equipment

The contractor agrees to return any City issued equipment in good working order, normal wear and tear excepted, at the termination of the contract. For any City equipment not returned at the conclusion of the term, or, for any equipment returned damaged or unusable, the City shall repair or replace said equipment at the contractor's expense.

8.9.7 Relationship of the Parties

Nothing in the contract resulting from this RFP shall be construed to create a relationship of employer and employee or principal and agent, partnership, joint venture, or any relationship other than that of independent parties contracting with each other solely for the purpose of carrying out the provisions of the contract,

8.9.8 Rights and Remedies Not Waived

The acceptance of work under the contract shall not be held to prevent maintenance of an action for failure to perform work in accordance with the contract. The inaction of the City to enforce a minor or major breach of the contract shall not be construed as a waiver by the City of any breach or covenant by the contractor.

8.9.9 Consent to Jurisdiction

The contractor and its ultimate parent corporation shall consent to the exclusive jurisdiction of the courts of the state of Colorado, or a federal court in Colorado in any and all actions and proceedings between the parties hereto arising under or growing out of the Contract. Venue shall lie in the City of Grand Junction, Colorado.

8.9.10 End Term Provisions

The contractor shall have ninety (90) days after termination of the contract in which to supply the required audited financial statements and other such documentation necessary to facilitate the close out of the contract at the end of the term.

8.9.11 Notice of Litigation

The contractor shall notify the City within twenty-four (24) hours of any litigation or significant potential for litigation of which the contractor becomes aware. The contractor will be required to warrant that it will disclose in writing to the City all litigation involving the contractor, the contractor's related organization, owners and key personnel.

INSTRUCTIONS FOR SUBMITTING PROPOSAL

SUMMARY OF REQUIREMENTS TO ENSURE PROPER SUBMISSION OF PROPOSAL DOCUMENT

- Ensure format of the document meets the requirements set forth in this RFP.
- Ensure that all required sections have been completed as required and tabbed for easy access to each major section.
- Ensure that all required forms have been completed and signed and notarized as necessary.
- Ensure that Proposal contains payment of the Proposal Submission Fee required by the RFP. Make check payable to the City of Grand Junction, put the words “ambulance proposal deposit” in the memo field.
- If submitting a proposal that includes a partnership, joint venture, or multiple owners, written documentation shall be included that describes the precise nature of the legal relationship of the partners, shareholders or constituent governmental agencies, including an opinion letter from legal counsel, admitted to the Colorado State Bar, confirming the legal validity and enforceability of the Agreement.
- Proposer must submit one (1) set of original signature documents, and be signed in blue ink. Original copies must be marked as such.
- Proposer must submit eight (8) copies of each Proposal.
- Ensure that the total number of pages submitted, excluding the table of contents and the signature forms, does not exceed 100 pages. All pages exceeding the 100 page limit will be removed from the submittal and will not be included in the review.
- Proposals must be received by 4:00 PM on October 7, 2005 at City of Grand Junction, Purchasing Department, 2549 River Road Grand Junction, Colorado, 81501.

APPENDIX 1: INVESTIGATIVE RELEASES

DRAFT 4, 7/11/2005

FORM A - INVESTIGATIVE AUTHORIZATION – INDIVIDUAL

The undersigned, being (title) for _____ (entity), which is a prospective Contractor to provide ambulance service to the City of Grand Junction and Mesa County, Colorado recognizes that public health and safety requires assurance of safe, reliable, and cost efficient ambulance service. That assurance requires an inquiry into matters which are determined relevant by the City of Grand Junction or its agents, such as but not limited to the character, reputation, competence of the entity's owners and key employees. The undersigned specifically acknowledges that such inquiry may involve an investigation of his or her personal work and background/records, moral character, and financial stability, and specifically agrees that the City of Grand Junction, or its agents, may undertake a personal investigation of the undersigned for the purpose stated. This authorization shall expire six (6) months from the signature date.

AUTHORIZATION FOR SUCH PERSONAL INVESTIGATION IS HEREBY EXPRESSLY GIVEN:

Date _____ Individual Name _____

ACKNOWLEDGMENT

On this ____ day of _____, 2005, before me, the undersigned, a Notary Public in and for the County of _____ and State of _____, personally appears _____ to me known to be the person described herein and who executed the foregoing Affirmation Statement, and acknowledged that he/she executed the same as his/her free act and deed.

Witness my hand and Notarial Seal subscribed and affixed in said County and State, the day and year above written.

Notary Public

Notary Public Seal
Commission Expiration Date

FORM B - INVESTIGATIVE AUTHORIZATION - ENTITY

The undersigned entity, a prospective Contractor to provide advanced life support ambulance service for the City of Grand Junction and Mesa County Colorado recognizes that public health and safety requires assurance of safe, reliable, and cost efficient ambulance service. That assurance will require inquiry into aspects of entity's operations determined relevant by the City of Grand Junction or its agents. The entity specifically agrees that the City of Grand Junction or its agents may conduct an investigation for the purpose into, but not limited to the following matters:

1. The financial stability of the entity, including its owners and officers, any information regarding potential conflict of interests, past problems in dealing with other clients or cities where the entity has rendered service, or any other aspect of the entity operations or its structure, ownership, or key personnel which might reasonably be expected to influence the City of Grand Junction's selection decision.
2. The entity's current business practices, including employee compensation and benefits arrangements, pricing practices, billings and collections practices, equipment replacement and maintenance practices, in-service training programs, means of competing with other companies, employee discipline practices, public relations efforts, current and potential obligations to other buyers, and general internal personnel relations.
3. The opinion of current and previous customers of the entity toward the entity's services and general business practices, including patients or families of patients served by the entity, physicians or other health care professionals knowledgeable of the entity's past work, as well as units of local government with which the entity has dealt in the past.
4. Other business in which entity owners and/or other key personnel in the entity currently have an interest.
5. The accuracy and truthfulness of any information submitted by the entity in connection with such evaluation.

This authorization shall expire six (6) months from the date of the signature.

AUTHORIZATION FOR SUCH INVESTIGATION IS HEREBY EXPRESSLY GIVEN BY THE ENTITY:

Date Entity Name

Authorized Representative (Signature)

Authorized Representative (Printed)

Title (Printed)

DRAFT 4, 7/11/2005

ACKNOWLEDGMENT

On this ____ day of _____, 2005, before me, the undersigned, a Notary Public in and for the County of _____ and State of _____, personally appears _____ to me known to be the person described herein and who executed the foregoing Affirmation Statement, and acknowledged that he/she executed the same as his/her free act and deed.

Witness my hand and Notarial Seal subscribed and affixed in said County and State, the day and year above written.

Notary Public

Notary Public Seal
Commission Expiration Date

DRAFT 4, 7/11/2005

APPENDIX 2: MESA COUNTY EMS RESOLUTION

DRAFT 4, 7/11/2005

APPENDIX 3: DEMOGRAPHIC DATA

DRAFT 4, 7/11/2005

APPENDIX 4: RADIO SYSTEM INFRASTRUCTURE REQUIREMENTS

DRAFT 4, 7/11/2005

APPENDIX 5: MESA COUNTY CLINICAL PROTOCOLS

DRAFT 4, 7/11/2005

APPENDIX 6: FINANCIAL STATEMENT AND BUDGET FORMS

DRAFT 4, 7/11/2005

Form C—Proposed Operating Budget, Page 1

Proposer: _____

—

EXPENSES	Year 1	Year 2	Year 3	Year 4	Year 5
<i>Personal Services</i>					
Paramedic Wages	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Paramedic Benefits	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
EMT Wages	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
EMT Benefits	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Other Wages	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Other Benefits	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Subtotal	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
<i>Vehicle Costs</i>					
Fuel	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Veh. Repair & Maintenance	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Veh. Lease/Depreciation	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
<i>Medical Equipment/Supplies</i>					
Medical supplies	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Med. Equip. lease/depreciation	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Maintenance and Repair	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
<i>Other</i>					
Rents and leases	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Insurance	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Utilities and telephone	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Office supplies and postage	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Professional services	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Taxes	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

_____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Subtotal	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
TOTAL	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

DRAFT 4, 7/11/2005

Form C—Proposed Operating Budget, Page 2

Proposer: _____

—

Revenues	Year 1	Year 2	Year 3	Year 4	Year 5
<i>Patient Charges</i>					
Private	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Insurance	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Medicare	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Welfare	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Other 3rd party payments	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
<i>Other Revenue, Specify</i>					
_____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
<i>(Less) Uncollectable Accounts</i>					
Private	\$ (_____)	\$ (_____)	\$ (_____)	\$ (_____)	\$ (_____)
Insurance	\$ (_____)	\$ (_____)	\$ (_____)	\$ (_____)	\$ (_____)
Medicare	\$ (_____)	\$ (_____)	\$ (_____)	\$ (_____)	\$ (_____)
Welfare	\$ (_____)	\$ (_____)	\$ (_____)	\$ (_____)	\$ (_____)
Other 3rd party payments	\$ (_____)	\$ (_____)	\$ (_____)	\$ (_____)	\$ (_____)

TOTAL REVENUE \$ _____ \$ _____ \$ _____ \$ _____ \$ _____

**NET REVENUE (Total Revenue
less Expenses)** \$ _____ \$ _____ \$ _____ \$ _____ \$ _____

DRAFT 4, 7/11/2005

Form C—Proposed Operating Budget, Page 3

Basis for Revenue Projections

Source of Payments	Annual Transports	Percent	Avg. Payment per Transport	Annual Revenue
Private Pay				
Insurance Pay				
Medicare				
Welfare				
Other 3rd Party payments				
No Payment			\$0	\$0
TOTAL		100%		

DRAFT 4, 11/12/2015

Form E—Paramedic Compensation Package

Proposer
: _____

WAGES

		New Employee	After Two Years		After Five Years	
		\$/hr.			\$/hr.	
Hourly Wage (straight time)	Lowest	_____	Lowest	_____	Lowest	_____
		\$/hr.		\$/hr.		\$/hr.
	Median	_____	Median	_____	Median	_____
		\$/hr.		\$/hr.		\$/hr.
	Highest	_____	Highest	_____	Highest	_____
		Average hours per week for full time employee: _____				
		Average gross earnings/year for full-time employee: _____				

BENEFITS

	New Employee	After Two Years		After Five Years	
Paid Vacation	_____ days/yr	_____ days/yr		_____ days/yr	
Paid Holidays	_____ days/yr	_____ days/yr		_____ days/yr	
Sick Leave	_____ days/yr	_____ days/yr		_____ days/yr	
Paid Continuing Ed.	_____ days/yr	_____ days/yr		_____ days/yr	
Uniform Allowance	_____ days/yr	_____ days/yr		_____ days/yr	
Tuition Reimb.	_____ days/yr	_____ days/yr		_____ days/yr	

HEALTH INSURANCE

Medical	_____ % covered	_____ % covered	_____ % covered
	_____ deductible	_____ deductible	_____ deductible
Dental	_____ % covered	_____ % covered	_____ % covered
	_____ % covered	_____ % covered	_____ % covered
Optical	_____ % covered	_____ % covered	_____ % covered
	_____ % covered	_____ % covered	_____ % covered

OTHER BENEFITS

Stock Options:

Profit Sharing:

Day Care Services:

Career Development:

Pension Plan:

Attach 19

Change Order #2 Duck Pond Park Lift Station

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Change Order #2 to the Contract for the Duck Pond Park Lift Station Elimination Project.					
Meeting Date	July 20, 2005					
Date Prepared	July 20, 2005					
Author	Bret Guillory		Utility Engineer			
Presenter Name	Mark Relph		Public Works Director			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary:

Approve Contract Change Order #2 for Repair/Replacement of a 24-inch water transmission line to Mendez, Inc. in the amount of \$298,379.55 to the Duck Pond Park Lift Station Elimination Project construction contract for a revised contract amount of \$2,120,759.59.

Water fund (3011) 2005 budget is broken down as follows:

<u>2005 Fund 3011 – Waterline Replacements F04800</u>	
2005 Budgeted 3011 Funds (after 2004/2005 carry forward)	\$1,200,000
<u>Individual Project Costs:</u>	
- Duck Pond Lift Station Project; 24" Waterline Replacement – Cannon Street North of Duck Pond Park (including deductive change order #1)	\$90,000
Construction Management for above	\$10,000
- 2005 Waterline Replacements Phase 1 & 2 (estimated)	\$640,600
- Colorado River crossing repair (Completed)	\$336,476
- installation of fill stations, City crew water line replacements, etc.	\$108,000
SubTotal Existing Projects	\$1,185,076
Project Costs (24" waterline Repair/Replacement Change Order #2)	
24" Waterline replacement (This Change Order)	\$298,379.55
Total 2005 Project Costs	<u>\$1,483,455</u>

Remaining Available 3011 Funds Water line Replacements	\$-283,455
Additional \$ needed from 2005 fund balance	\$283,455
Available 2005 Fund Balance	\$3,700,000
Remaining	\$3,416,444

As shown above, we will need to utilize \$283,455 from fund balance. There is \$3,700,000 available in fund balance, leaving \$2,846,544 above minimum working reserve for Fund 301. Minimum working reserve is \$570,000.

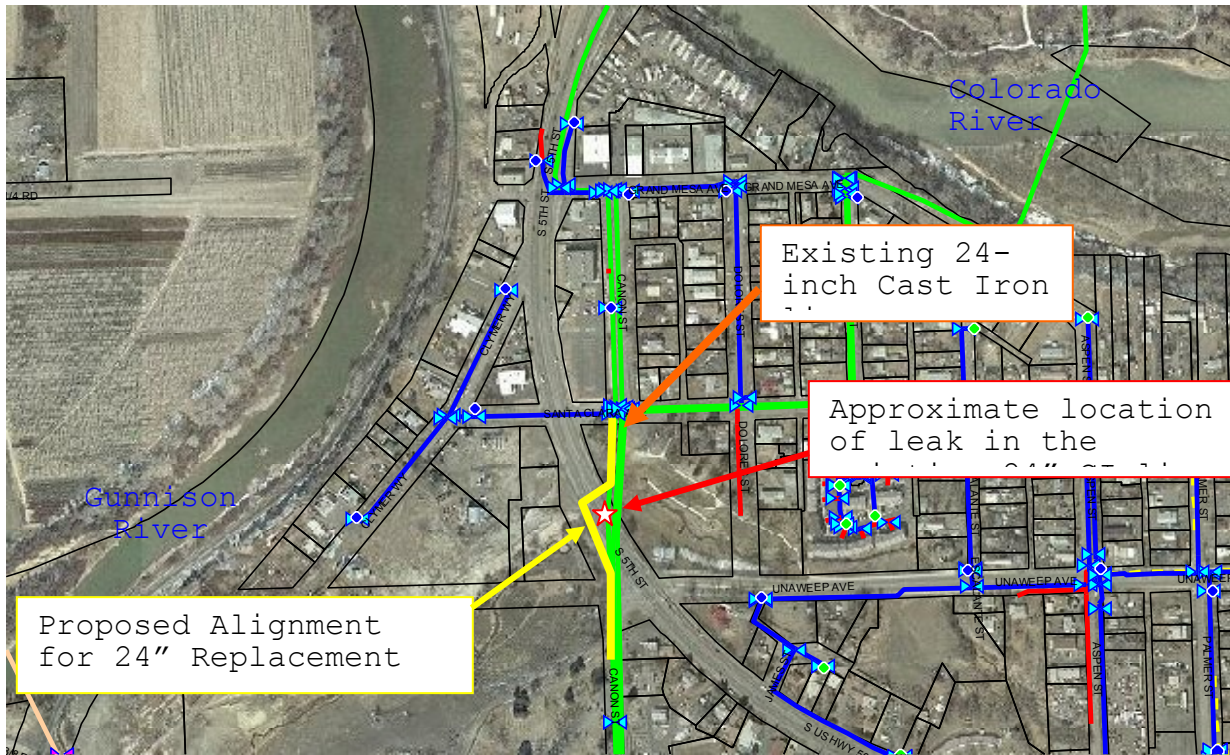
Action Requested/Recommendation: Authorize the City Manager to approve contract Change Order #2 to the Duck Pond Park Lift Station Elimination Project in the amount of \$298,379.55 with Mendez, Inc. for repair/replacement of a 24-inch waterline from the north side of Duck Pond Park across Highway 50.

Background Information:

On July 8, 2005 City water crews discovered a leak in a 24" waterline that is located under Highway 50 near the Duck Pond Park on Orchard Mesa. The existing 24" Cast Iron water line was constructed in the mid 1940's and has leaded joints that over time become susceptible to leaking if pressure in the line does not remain constant. Pressure in this line was reduced as a safety precaution during construction of the Duck Pond Park gravity sewer line that includes replacement of a section of the existing water line located north of the park along Canon Street.

The remainder of the existing 24" cast iron line from Duck Pond Park to the City water plant is scheduled to be replaced during the next two years. The city has taken the existing 24" CI line out of service due to the leak under Highway 50. It is imperative that this line be replaced and put back in service as soon as possible. This main transmission line is one of two that feed the City treated water north of the Colorado River. We are currently making use of an interconnect with Clifton Water to help this area of town maintain adequate pressure while the new line is being installed.

Replacement of the 24-inch line is included in the 2006/2007 CIP.



Proposed Alignment
for 24" Replacement

Existing 24-
inch Cast Iron

Approximate location
of leak in the
24" cast iron