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

WEDNESDAY, MAY 3, 2006, 7:00 P.M.

CALL TO ORDER

Pledge of Allegiance

Invocation – Jim Hale, Spirit of Life Christian Fellowship

PRESENTATION OF CERTIFICATES OF APPOINTMENT

Horizon Drive Association Business Improvement District Board

PRESENTATIONS

Presentation of the 2005 "Best in Colorado" City Street Resurfacing Project to the City and United Companies of Mesa County for Paving Last Summer in Grand Junction Presented by Tom Peterson, Executive Director of C.A.P.A.

PROCLAMATIONS / RECOGNITIONS

Proclaiming May 4, 2006 as "National Day of Prayer" in the City of Grand Junction

Proclaiming May as "Asthma Awareness Month" in the City of Grand Junction

Proclaiming May 13, 2006 as "Kids Day America/International" in the City of Grand Junction

Proclaiming May 13, 2006 as "Stamp Out Hunger Day" in the City of Grand Junction

Proclaiming May 13 through May 21, 2006 as "National Tourism Week" in the City of Grand Junction

CITIZEN COMMENTS

***** CONSENT CALENDAR ***[®]**

**** Indicates New Item*

[®] Requires Roll Call Vote

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

Action: Approve the Summary of the April 17, 2006 Workshop, the Minutes of the April 18, 2006 Special Session and the April 19, 2006 Regular Meeting

2. **Setting a Hearing on the First Supplemental Appropriation Ordinance for 2006** [Attach 2](#)

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

Proposed Ordinance Making Supplemental Appropriations to the 2006 Budget of the City of Grand Junction

Action: Introduction of Proposed Ordinance and Set a Hearing for May 17, 2006

Staff presentation: Ron Lappi, Administrative Services and Finance Director

3. **1% for the Arts Artwork for Activity Centers at Bookcliff Middle School and Pear Park Elementary School** [Attach 3](#)

The Commission on Arts and Culture recommends to the City Council commissioning tile artwork for the new City Activity Center at Bookcliff Middle School and the new joint-use gymnasium at Pear Park Elementary School through the 1% for the Arts Program.

Action: Authorize the City Manager, City Attorney, and the Commission on Arts and Culture to Negotiate a Contract with Latka Studios (Tom and Jean Latka) for the Creation and Installation of Two Ceramic Tile Murals

Staff presentation: Allison Sarmo, Cultural Arts Coordinator

4. **Purchase of Two Wide Area Mowers** [Attach 4](#)

Sole source purchase for the Parks and Recreation Department of two 2006 Toro Groundskeeper 4100-D mowers from LL Johnson Distributing Company, Denver, Colorado.

Action: Authorize the City Purchasing Division to Purchase Two Wide Area Mowers from LL Johnson Distributing Company, Denver, CO in the Amount of \$87,038.06

Staff presentation: Joe Stevens, Parks and Recreation Director

5. **Setting a Hearing for the Jones Rezone Located at 2591 G Road** [File #RZ-2006-070] [Attach 5](#)

Request to rezone 2591 G Road, comprised of 13.109 acres, from RSF-1 (Residential Single Family – 1 unit per acre) to RSF-2 (Residential Single Family – 2 units per acre). Planning Commission recommended denial at its April 25, 2006 meeting.

Proposed Ordinance Rezoning a Parcel of Land from Residential Single Family – One Unit per Acre (RSF-1) to Residential Single Family – Two Units per Acre (RSF-2) Located at 2591 G Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for May 17, 2006

Staff presentation: Ronnie Edwards, Associate Planner

6. **Setting a Hearing for a Right-of-Way Vacation Located Adjacent to 215 Franklin Avenue** [File #VR-2006-054] [Attach 6](#)

A request to vacate the southern 3 feet of the Franklin Avenue right-of-way, incorporating the subject area into a 14' multi-purpose easement.

Proposed Ordinance Vacating Right-of-Way Located Adjacent to 215 Franklin Avenue

Action: Introduction of a Proposed Ordinance and Set a Hearing for May 17, 2006

Staff presentation: Ronnie Edwards, Associate Planner

7. **Setting a Hearing for the Kresin Annexation Located at 530 South Broadway** [File #ANX-2006-084] [Attach 7](#)

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 8.20 acre Kresin Annexation consists of 2 parcels.

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

Resolution No. 34-06 – 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, Kresin Annexation, Located at 530 South Broadway

®Action: Adopt Resolution No. 34-06

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Kresin Annexation, Approximately 8.20 Acres Located at 530 South Broadway

Action: Introduction of a Proposed Ordinance and Set a Hearing for June 7, 2006

Staff presentation: Lori V. Bowers, Senior Planner

8. **Setting a Hearing for the Fox Annexation Located at 3000 F Road** [File #GPA-2006-087] [Attach 8](#)

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 1.92 acre Fox Annexation consists of 1 parcel.

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

Resolution No. 35-06 – 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, Fox Annexation, Located at 3000 F Road Including a Portion of the 30 Road Right-of-Way

®Action: Adopt Resolution No. 35-06

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Fox Annexation, Approximately 1.92 Acres Located at 3000 F Road Including a Portion of the 30 Road Right-of-Way

Action: Introduction of a Proposed Ordinance and Set a Hearing for June 7, 2006

Staff presentation: Kathy Portner, Assistant Community Development Director

9. **Setting a Hearing for the Thunder Hog Annexation Located at 3079 F ½ Road and 3088 Shadowbrook Court** [File #ANX-2006-072] [Attach 9](#)

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 13.76 acre Thunder Hog Annexation consists of 2 parcels and is a 2 part serial annexation.

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

Resolution No. 36-06 – 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, Thunder Hog Annexation, Located at 3079 F ½ Road and 3088 Shadowbrook Court Including a Portion of the F ½ Road Right-of-Way

®Action: *Adopt Resolution No. 36-06*

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Thunder Hog Annexation #1, Approximately 0.09 Acres Located Within the F ½ Road Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Thunder Hog Annexation #2, Approximately 13.67 Acres Located at 3079 F ½ Road and 3088 Shadowbrook Court Including a Portion of the F ½ Road Right-of-Way

Action: *Introduction of a Proposed Ordinance and Set a Hearing for June 7, 2006*

Staff presentation: Senta L. Costello, Associate Planner

10. **Setting a Hearing for Zoning the Free Annexation, Located at 462 E. Scenic Drive** [File #ANX-2006-046] [Attach 10](#)

Introduction of a proposed zoning ordinance to zone the Free Annexation RSF-2, located at 462 E. Scenic Drive.

Proposed Ordinance Zoning the Free Annexation to RSF-2, Located at 462 E. Scenic Drive

Action: *Introduction of a Proposed Ordinance and Set a Hearing for May 17, 2006*

Staff presentation: Senta L. Costello, Associate Planner

11. **Setting a Hearing on Vacating Alleys Between 6th and 7th Streets, Pitkin, and South Avenues** [File #VR-2006-076] [Attach 11](#)

Introduction of a proposed ordinance to vacate the eastern 250' of the east/west alley and the north/south alley between 6th and 7th Streets and Pitkin and South Avenues. The owner of the adjacent property is requesting the vacation to

facilitate the expansion of the Mesa County Corrections and Treatment Facility located to the south.

Proposed Ordinance Vacating Rights-of-Way for an Alleyway Located at the Eastern 250' of the East/West Alley and the North/South Alley Between 6th and 7th Streets and Pitkin and South Avenues

Action: *Introduction of a Proposed Ordinance and Set a Hearing for May 17, 2006*

Staff presentation: Senta L. Costello, Associate Planner

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

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

12. **Construction Contract for the Riverside Parkway Project, Phase 2** [Attach 12](#)

Award of a Construction Contract to SEMA Construction, Inc. in the amount of \$31,555,555.55 for the Riverside Parkway Phase 2.

Action: *Authorize the City Manager to Sign a Construction Contract for the Riverside Parkway Phase 2 to SEMA Construction, Inc., in the Amount of \$31,555,555.55*

Staff presentation: Mark Relph, Public Works and Utilities Director

13. **Public Hearing – The Plaza on North Avenue Growth Plan Amendment Located at 506 and 510 Pear Street** [File # GPA-2006-058] [Attach 13](#)

Hold a public hearing and consider passage of the Resolution to change the Growth Plan designation from "Residential Medium 4-8 du/ac" to "Commercial" for 2 properties located at 506 and 510 Pear Street.

Resolution No. 37-06 – A Resolution Amending the City of Grand Junction Growth Plan Future Land Use Map to Re-designate Two Properties Located at 506 and 510 Pear Street from "Residential Medium 4-8 du/ac" to "Commercial"

®Action: *Adopt Resolution No. 37-06*

Staff presentation: David Thornton, Principal Planner

14. **Public Hearing – CR Nevada Annexation, Located at 487 22 ¼ Road** [File #ANX-2006-030] [Attach 14](#)

Resolution for acceptance of petition to annex and to hold a public hearing and consider final passage of the annexation ordinance for the CR Nevada Annexation, located at 487 22 ¼ Road. The 19.73 acre CR Nevada Annexation consists of 1 parcel.

a. Accepting Petition

Resolution No. 38-06 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining the Property Known as the CR Nevada Annexation, Located at 487 22 ¼ Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3890 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, CR Nevada Annexation, Approximately 19.73 Acres, Located at 487 22 ¼ Road

®Action: Adopt Resolution No. 38-06 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3890

Staff presentation: Senta L. Costello, Associate Planner

15. **Public Hearing – Woodridge Subdivision Easement and Right-of-Way Vacations** [File #FPP-2005-240] [Attach 15](#)

The Woodridge Subdivision is a 29-lot proposal for both attached and detached single family housing on the remaining parcels of land (total 7.8 acres) that were originally part of the Wilson Ranch Planned Development. A Planned Development (PD) zoning ordinance and Preliminary Development Plan were approved by City Council on October 20, 2005. The Final Plat and Plan are in the final stages of administrative review. The proposed vacations were contemplated but not heard with the Preliminary review thus are being requested at this time.

Resolution No. 39-06 – A Resolution Vacating a Sewer Easement Within the Property Located at 2561 G-1/2 Road Also Known as the Woodridge Subdivision

Ordinance No. 3891 – An Ordinance Vacating Rights-of-Way for 25-3/4 and G-1/2 Roads in the Vicinity of 2561 G-1/2 Road Within the Property Known as the Woodridge Subdivision

®Action: Adopt Resolution No. 39-06 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3891

Staff presentation: Kristen Ashbeck, Senior Planner

16. **Rehearing – Consideration of a Right-of-Way Vacation and Rezone for the Van Gundy North Property** [File #RZ-2006-022] [Attach 16](#)

This proposal is to vacate a portion of a north-south alley right-of-way south of 4th Avenue midway between South 5th Street and South 7th Street and a rezone of all or portions of 12 properties in the vicinity of 1018 South 5th Street, including remnants created by right-of-way acquisition for the Riverside Parkway from C-2 to an I-1 zone district. A plat consolidating parcels is being concurrently reviewed administratively.

Ordinance No. 3892 – An Ordinance Vacating Right-of-way for an Alleyway in the Vicinity of 1018 South 5th Street South of 4th Avenue between 5th and 7th Streets known as the Van Gundy North Project

Ordinance No. 3893 – An Ordinance Rezoning Property in the Vicinity of 1018 South 5th Street South of 4th Avenue between 5th and 7th Street from General Commercial (C-2) to Light Industrial (I-1) known as the Van Gundy North Project

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 3892 and 3893

Staff presentation: Dave Thornton, AICP, Principal Planner
Jim Shanks, PE, Riverside Parkway Manager

17. **Election of Mayor and Mayor Pro Tem/Administer Oaths of Office and Council Assignments for 2006-2007** [Attach 17](#)

a. **Election of Mayor and Mayor Pro Tem**

Administer Oaths of Office

b. **Council Assignments**

Resolution No. 40 -06 – A Resolution Appointing and Assigning City Councilmembers to Represent the City on Various Boards and Organizations

®Action: Adopt Resolution No. 40-06

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

19. **OTHER BUSINESS**

20. **ADJOURNMENT**

Attach 1

Minutes from Previous Meetings

GRAND JUNCTION CITY COUNCIL

WORKSHOP SUMMARY

April 17, 2006

The City Council of the City of Grand Junction, Colorado met on Monday, April 17th, 2006 at 7:00 p.m. in the City Hall Auditorium to discuss workshop items. Those present were Councilmembers Teresa Coons, Jim Doody, Gregg Palmer, Jim Spehar, Doug Thomason, and President of the Council Bruce Hill. Absent was Councilmember Bonnie Beckstein.

Summaries and action on the following topics:

- 1. INSURANCE SERVICES OFFICE (ISO):** 10 Year Review Update by Dennis Parshley, Insurance Service Office (ISO). Mr. Parshley advised that he is here to evaluate the City on fire services. Mr. Parshley said the last review was in 1997 and said he is here earlier than the ten year review due to the amount of growth. Mr. Parshley talked about the process and said ISO is trying to get out to communities sooner due to the amount of growth to ensure the classification is correct. He said there is a chance to improve and said most communities stay the same, a few get worse, and a few improve. Mr. Parshley stated that recordkeeping is the key regarding liability issues. He then described some of the items that he looks at such as the communications center, training, staffing, equipment, number of hydrants, and service lines. He said part of the review for the water department portion is flow tests throughout the City. Mr. Parshley said City Manager Kelly Arnold will receive a report within six months and said the report will have a list of items that he looked at, the score that was achieved, and what the City could do to achieve the maximum score.

Councilmember Thomason asked if the current rating is 4 and asked Mr. Parshley to please explain what that classification means. Mr. Parshley said there are ten classifications: 1 is best versus class 9 which would be an area without water. He said a rating of 4 is about in the middle and said that is about average for a community of this size.

Councilmember Spehar questioned how the rating is used by insurance companies. Mr. Parshley said that is just one of the items the insurance companies look at when writing a policy. He said that does not mean the insurance rates will go down if the classification goes down. He said lower ratings under 5 affect insurance for commercial and industrial buildings.

Council President Hill stated the City is in the process of adding personnel to the department and questioned if that would be a factor in the review. Mr. Parshley said not at this time, but it will be a factor the next time they do the review, along with other improvements that have been made. He also encouraged Council to

stay ahead of the development and said that the City could request ISO to come back and request another review or every year and a half a questionnaire will be mailed out and will be sent to the Fire Chief to request them to do another review.

Action summary: City Council thanked Mr. Parshley and expressed their appreciation.

2. **METH STREET CRIMES UNIT:** The Grand Junction Police Department (GJPD) proposes the creation of a uniformed police unit dedicated to law enforcement intervention to attack methamphetamine distribution, addiction, and related crimes. Interim Police Chief Gardner summarized the history of the study and the proposal. He said the purpose of the Task Force was to form a focus group of people from law enforcement, the Department of Corrections, the Drug and Alcohol Treatment Center, the Drug and Alcohol Prevention Center, businesses in the community, family members of addicts, and insurance organizations. He said the Task Force group made a conscious decision to have a mission statement and a list of principles to reduce the tragedies from methamphetamine use.

(Council President Hill left the meeting at 7:55 p.m.)

Interim Police Chief Gardner said an Intern from Mesa State College interviewed 200 plus jailed inmates and said the results were used to form a good database for research. He said a majority of the felony crimes are directly or indirectly linked to methamphetamine and said a majority of the inmates were involved with methamphetamine. Interim Police Chief Gardner said that 75% to 80% of the children in the custody of the Department of Health Services (DHS) are children of methamphetamine- using parents. He said that methamphetamine has become a major concern and said the Task Force brought in a number of law enforcement personnel who testified and gave enforcement recommendations. Interim Police Chief Gardner said that he is here to review the recommendations that were made to make the product difficult to sell and bring pressure on the offenders. He listed three important pieces: the enforcement piece, the prevention piece, and the treatment piece. An organized Drug Task Force can work together to infiltrate and eradicate. He said for example, this year there was a three month investigation that brought down a large methamphetamine conspiracy. He advised the Task Force is in need of a unit that can respond immediately apart from other organized conspiracies, as a direct impact team. Interim Police Chief Gardner said they should be uniformed officers and be able to respond to all Crimestopper tips, not 911 emergency calls. He said they should be well supervised and have good communication with the DEA and neighborhood officers. He identified the last important piece to be a multi- jurisdictional Task Force and noted it is very important to collaborate with the Mesa County Sheriff's Department. He said that he spoke with Sheriff

Hilkey and he is very committed to the program. Interim Police Chief Gardner said that he also spoke to the Palisade Police Chief and the Fruita Police Chief regarding their ability to participate. They both welcome the program and want to participate on an ad hoc basis. He advised it will take a minimum of 6 to 9 months to staff up. There will be a 4 week experiment with a Meth Street Crimes Unit this summer using their current resources.

Councilmember Coons said the District Attorney's (DA) office is also a participant of the Task Force and is in favor of the program. She said the DA's office really emphasized the need for training for the officers so they know what they need to do.

Councilmember Thomason questioned if other departments are contributing financially. Interim Police Chief Gardner said both the Grand Junction Police Department and Mesa County Sheriff's Department are absorbing the cost of the experiment for the summer and said no, on the proposed budget, that it does not include any Mesa County funding, but said they are contributing to the treatment side.

Council President Pro Tem Palmer said that it nice to see the entire community working together collectively to support this and questioned if this will be operating outside the City limits. Interim Police Chief Gardner said only with the help of the Mesa County Sheriff's Department and said that this is a joint Task Force partnership.

Chief Gardner stated the request is for four additional officers and one supervisor. He said the street officers will answer the emergency calls, but officers on this team will only work with the Task Force program.

Finance Director Ron Lappi said there are two numbers that will affect both the 2006 and 2007 budgets. He said the cost estimated is \$210,000 for the first year or 2006, to get people on staff and get them trained. He said the estimated cost in 2007 is \$306,000. He said this will really not affect the budget, long term as they are just moving positions that were approved for 2007 forward. He said there is one impact of funding the Task Force; the traffic unit starting in 2007 was supposed to bring in revenue. He said Staff will need to reevaluate the budget for 2007 and said by amending the sales tax revenue estimate there will be enough revenue to fund this program for the next two years.

Councilmember Spehar said he is supportive of this program, but wants to make sure that all budget requests are reviewed when additional funding is identified rather than funding requests as they come forward.

(Council President Hill returned to the meeting at 8:16 p.m.)

Mr. Lappi agreed and said this proposal was not in the budget and he was told this was a priority that needed to be funded.

Council President Pro Tem Palmer noted that the methamphetamine use does constitute an extraordinary circumstance.

Interim Police Chief Gardner agreed this is a very extraordinary circumstance and said the officers are very frustrated because they know about the methamphetamine problem, but they do not have time to deal with the drug users. The department is appreciative of Council's support of this program.

Councilmember Doody questioned what will happen at the Mesa County jail if this is successful.

Councilmember Coons said that jail over crowding is a concern so Mesa County will be looking at how the criminals are sentenced for the various crimes committed.

Interim Police Chief Gardner advised these people are going to end up in jail anyway. He said there will be great cooperation between the street police and the Mesa County Jail; the department is working on arrest standards, how people are housed, and how to protect the community.

City Manager Kelly Arnold said there will be a budget amendment presented to City Council in two weeks. Mr. Lappi concurred noting the first reading is scheduled for May 3, 2006.

City Manager Arnold said that he recommends that Council support this proposal, but cautions that this probably won't be temporary. He too does not want to lose track of the original proposals in the budget. City Manager Arnold said there was a meeting 2 weeks ago with the school district regarding the education side of this program. He said this will be a challenge for the officers and school officials to open this dialog on this problem and change the DARE program to include education on meth abuse.

Action summary: Council thanked Interim Police Chief Gardner for all of his work on the Task Force and said this is a much needed program for the community.

3. **APPOINTMENTS TO BOARDS & COMMISSIONS:** A Staff review of the upcoming vacancies and time frames for scheduling interviews. City Clerk Stephanie Tuin said letters were mailed out to the Cinema at the Avalon, Inc., the Avalon Theatre Foundation, Inc., and the Downtown Development Authority requesting those boards recommend a representative to be a member on the new Avalon Theatre Advisory Committee. She reviewed the upcoming vacancies for the Downtown Development Authority/Downtown Grand Junction Business Improvement District Board, Parks and Recreation Advisory Board,

Urban Tails Committee, Ridges Architectural Control Committee, and the Riverfront Commission.

Councilmember Coons questioned if there has been any requests for a Traffic Safety Committee. Ms. Tuin said yes, that she has had a couple of conversations with Mesa County and said that they have some grant money to revitalize that committee. She said that Officer Quimby was going to talk with Interim Police Chief Gardner to come before Council to discuss that possibility.

Councilmember Thomason questioned if there is another GJ101 scheduled. Assistant City Manager Dave Varley said not yet, that once the new management intern is on board in June, Staff will try to get one together early fall.

Council President Hill asked when the intern will start. City Manager Arnold said the intern will start June 12th and hails from the University of Kansas.

Action summary: Terms on the Avalon Theatre Advisory Committee were clarified as being three years, it was suggested that board vacancies be advertised during the Council meeting intermissions and Staff was directed to place a discussion regarding the Ridges Architectural Control Committee on a future workshop agenda.

ADJOURN

The meeting adjourned at 8:47 p.m.

GRAND JUNCTION CITY COUNCIL

SPECIAL SESSION MINUTES

APRIL 18, 2006

The City Council of the City of Grand Junction, Colorado met in Special Session on Monday, April 18, 2006 at 7:00 a.m. in the Administration Conference Room, 2nd Floor of City Hall. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody, Doug Thomason, Gregg Palmer, Jim Spehar and President of the Council Bruce Hill.

Council President Hill called the meeting to order.

Councilmember Spehar moved to go into executive session to discuss personnel matters under section 402(4)(f)(I) of the Open Meetings Law and will not be returning to open session. Council President Pro Tem Palmer seconded the motion. The motion carried.

The City Council convened into executive session at 7:10 a.m.

Stephanie Tuin, MMC
City Clerk

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

April 19, 2006

The City Council of the City of Grand Junction convened into regular session on the 19th day of April 2006, at 7:02 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Jim Doody, Gregg Palmer, Jim Spehar, Doug Thomason, and President of the Council Bruce Hill. Also present were City Manager Kelly Arnold, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Hill called the meeting to order. Councilmember Thomason led in the pledge of allegiance. The audience remained standing for the invocation by Pastor Jerry Boschen, First Assembly of God.

PROCLAMATIONS / RECOGNITIONS

Council President Hill recognized Boy Scout Troop 303 in attendance.

RECOGNITION OF THE INVESTIGATIVE EFFORTS OF POLICE OFFICER ED PRESCOTT – RALPH BELCASTRO IS DONATING TO THE WESTERN SLOPE CENTER FOR CHILDREN ON BEHALF OF THE GRAND JUNCTION POLICE DEPARTMENT – Interim Police Chief Bill Gardner explained the purpose of the recognition as well as the generosity of the community. He detailed the story of the Belcastro robbery and Officer Prescott's involvement. Officer Prescott was recognized by Mr. and Mrs. Belcastro and was presented a check. Jo Anna O'Fallon representing the Western Slope Center for Children was then presented the check for their organization from Officer Prescott on behalf of the Police Department.

PROCLAIMING APRIL 20, 2006 "ARBOR DAY" IN THE CITY OF GRAND JUNCTION

PROCLAIMING APRIL 23 THROUGH APRIL 29, 2006 AS "ADMINISTRATIVE PROFESSIONALS WEEK" IN THE CITY OF GRAND JUNCTION

PROCLAIMING APRIL 30 THROUGH MAY 6, 2006 AS "MUNICIPAL CLERKS WEEK" IN THE CITY OF GRAND JUNCTION

APPOINTMENTS

TO THE HORIZON DRIVE ASSOCIATION BUSINESS IMPROVEMENT DISTRICT

Councilmember Coons moved to reappoint Richard Tally, Dale Reese, and Eileen Blanchard for four year terms until April 2010 to the Horizon Drive Association Business Improvement District Board. Councilmember Thomason seconded the motion. Motion carried.

CITIZEN COMMENTS

There were none.

CONSENT CALENDAR

Councilmember Spehar suggested items #14 and #15 be moved to the Consent Calendar.

It was moved by Councilmember Spehar, seconded by Councilmember Coons to move items # 14 and #15 to the Consent Calendar.

Council President Hill opened the public hearing on Item #14, the Amendment to the Action Plan for the CDBG and the subrecipient contract for the Salvation Army at 7:26 p.m.

There were no public comments.

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

Council President Pro Tem Palmer said regarding Item #7, he would like to preserve Council's ability of looking at certain items on a case by case on the purchase of items. He said the local bid has a \$1,949 difference than the bid from Commerce City. He felt the bid should be awarded locally.

Roll was called and the motion carried to approve Consent Calendar items #1 through #8 with the addition of #14 and #15 with Councilmember Doody and Council President Pro Tem Palmer voting NO on #7.

1. **Minutes of Previous Meeting**

Action: Approve the Minutes of the April 5, 2006 Regular Meeting

2. **Private Street for the Proposed Legends East Subdivision** [File #PP-2004-158]

The petitioners, Greedy Group, LLC, wish to propose a private street to be located within their proposed residential subdivision (Legends East) that they wish to develop near Patterson Road & 28 ½ Road. In accordance with Section 6.7 E. 5. of the Zoning & Development Code, only the City Council may authorize any development that would be served by a private street.

Resolution No. 29-06 – A Resolution to Approve a Proposed Private Street (Tract C) for the Legends East Subdivision

Action: Adopt Resolution No. 29-06

3. **Setting a Hearing on Woodridge Subdivision Right-of-Way Vacations** [File #FPP-2005-240]

The Woodridge Subdivision is a 29-lot proposal for both attached and detached single family housing on the remaining parcels of land (total 7.8 acres) that were originally part of the Wilson Ranch Planned Development. A Planned Development (PD) zoning ordinance and Preliminary Development Plan were approved by City Council on October 20, 2005. The Final Plat and Plan are in the final stages of administrative review. The proposed vacations were contemplated but not heard with the Preliminary review thus are being requested at this time. The sewer easement vacation will be considered at second reading of the right-of-way vacation ordinance.

Proposed Ordinance Vacating Rights-of-Way for 25-3/4 and G-1/2 Roads in the Vicinity of 2561 G-1/2 Road Within the Property Known as the Woodridge Subdivision

Action: Introduction of a Proposed Ordinance and Set a Hearing for May 3, 2006

4. **Setting a Hearing for the Arbogast Annexation Located at 785 24 Road** [File #GPA-2006-064]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 18.05 acre Arbogast Annexation consists of 1 parcel and is a 2 part serial annexation.

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

Resolution No. 30-06 – 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, Arbogast Annexation, Located at 785 24 Road

Action: Adopt Resolution No. 30-06

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Arbogast Annexation #1, Approximately 4.40 Acres Located at 785 24 Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Arbogast Annexation #2, Approximately 13.65 Acres Located at 785 24 Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for June 7, 2006

5. **Setting as Hearing for the Charlesworth Annexation Located at 248 28 Road**
[File #GPA-2006-062]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 10.85 acre Charlesworth Annexation consists of 2 parcels.

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

Resolution No. 31-06 – 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, Charlesworth Annexation, Located at 248 28 Road

Action: Adopt Resolution No. 31-06

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Charlesworth Annexation, Approximately 10.85 Acres, Located at 248 28 Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for June 7, 2006

6. **Setting a Hearing for the GPD Global/Woomer Annexation Located at 2322 and 2328 I-70 Frontage Road** [File #GPA-2006-065]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 37.57 acre GPD Global/Woomer Annexation consists of 3 parcels.

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

Resolution No. 32-06 – 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, GPD Global/Woomer Annexation Located at 2322 and 2328 I-70 Frontage Road Including a Portion of I-70 and 23 Road Rights-of-Way

Action: Adopt Resolution No. 32-06

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, GPD Global/Woomer Annexation, Approximately 37.57 Acres Located at 2322 and 2328 I-70 Frontage Road Including a Portion of I-70 and 23 Road Rights-of-Way

Action: Introduction of a Proposed Ordinance and Set a Hearing for June 7, 2006

7. **Purchase of 2006 Vactor P Ramjet Sewer Vacuum Truck**

This purchase is for the replacement of one 1996 International Ramjet Truck. The vehicle is currently scheduled for replacement in 2006 as identified by the annual review of the fleet replacement committee.

Action: Authorize the City Purchasing Division to Purchase One 2006 Sterling/Vactor L7500/P-Series Ramjet Sewer Vacuum Truck, from Boyle Equipment Company, Commerce City, Colorado for the Amount of \$110,401.00

8. **Award Contract for 2006 Curb, Gutter, and Sidewalk Replacement Program, Phase A**

The project consists of replacing sections of hazardous or deteriorating curb, gutter, and sidewalk in various locations on Street Department's schedule to be chip sealed later this year. The project also includes median improvements, on Patterson Road and South Broadway.

Action: Authorize the City Manager to Sign a Construction Contract for the 2006 Curb, Gutter, and Sidewalk Replacement, Phase A Project to BPS Concrete, Inc. in the Amount of \$169,096.68

14. **Public Hearing – Amendment to Action Plan for 2005 Program Year Community Development Block Grant (CDBG) Program and Subrecipient Contract with The Salvation Army [File #CDBG-2005-02]**

Hold a public hearing to amend the City's 2005 Action Plan for the Community Development Block Grant (CDBG) 2005 Program Year to utilize \$25,000 granted to the Salvation Army for operational funds for the Adult Rehabilitation Program (ARP) rather than to expand the program.

If the amendment for the Adult Rehabilitation Program (ARP) is approved as stated above, the Subrecipient Contract will formalize the City's award of \$25,000 to The Salvation Army for operation of the ARP.

Action: 1) Approve the Amendment to the City's CDBG 2005 Action Plan to Reflect the Revisions Summarized Above; 2) Authorize the City Manager to Sign the Subrecipient Contract with The Salvation Army

15. **Amending the 2006 City Council Meeting Schedule**

Due to scheduling conflicts, the City Council has determined it is necessary to change the June 21, 2006 meeting to June 19, 2006.

Resolution No. 33-06 – A Resolution of the City of Grand Junction Amending the City Council 2006 Meeting Schedule

Action: Adopt Resolution No. 33-06

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Rehearing Request Regarding the April 5, 2006 Consideration of a Rezone and Right-of-way Vacation for the Van Gundy Property [File #RZ-2006-022]

On April 5, 2006, the City Council considered a request to rezone and vacate right-of-way for property known as the Van Gundy property, in the vicinity of 1018 South 5th Street. The City of Grand Junction and owners of the adjacent property, Sterling Corporation, were the applicants. After a duly noticed public hearing, the City Council voted to reject the proposed ordinances, thus denying the requests. On April 17, 2006, the City received a request to rehear the matter, based on the contention that the City Council was not presented all the evidence.

City Manager Kelly Arnold introduced this item. He said this request is to rehear File #RZ-2006-002, the Van Gundy rezone, which Council heard two weeks ago. He stated per the contract, the City is the applicant. He then read paragraph five in the contract that was signed by Mr. Van Gundy and the City of Grand Junction. He said the Van Gundy's request letter speaks to impartiality. City Manager Arnold recommended a rehearing be granted as there were different presenters at the Planning Commission meeting than at the City Council meeting on April 5, 2006. He said Council should deliberate the differences between I-1 and C-2 zone districts. City Manager Arnold said there was some discussion at the Planning Commission meeting regarding the CUP process and said there is additional information that can be presented on the rezoning that occurred in 2000 regarding the South Downtown Plan. Lastly, he said the video tape from the Council meeting on April 5, 2006 was incomplete. If a rehearing is granted then the hearing date must be set within the next 45 days.

City Attorney John Shaver then elaborated on the provisions of the Zoning and Development Code. He said anyone can request a rehearing if they were present at the last hearing; a member of Council that was in the majority must make any such motion and then the vote can be taken. City Attorney Shaver said if the rehearing is granted the hearing could be held tonight or anytime within 45 days. If no second or the motion does not pass, then the matter dies and there will be no additional action. He said himself and the City Manager recommends a rehearing. City Attorney Shaver said the attorney for the Van Gundy's as well as members of City Staff are present and ready to participate in a hearing if held tonight.

Councilmember Thomason moved to rehear the request regarding the April 5, 2006 consideration of a rezone and right-of-way vacation for the Van Gundy property. Councilmember Coons seconded the motion.

Council President Pro Tem Palmer stated that this issue is clearly important to the community.

Motion carried.

Councilmember Spehar suggested Council rehear the request tonight and said it is difficult to get all seven Councilmembers there and said that he feels it is appropriate to go ahead and come to some conclusion tonight.

Councilmember Coons agreed that Council should rehear the request tonight.

Councilmember Doody said that he read an email this morning that said the Van Gundy group would like to rehear the request on May 3rd and said that he would like to give them the opportunity to regroup and get prepared for the rehearing if that is their preference.

Councilmember Thomason said Council should rehear the request tonight.

Councilmember Beckstein said she was fine to hear the request tonight.

Council President Hill said Council received a faxed letter today from Joe Coleman, attorney for the Van Gundy's, to schedule the rehearing for May 3rd.

Attorney Shaver recommended rescheduling the rehearing for May 3rd from a fairness perspective to the Van Gundy's.

Councilmember Beckstein said that she was not in attendance Monday evening and said that she was not aware of Attorney Shaver's comments. She said that May 3rd is more preferable.

Councilmember Coons moved to rehear the consideration of a rezone and right-of-way vacation for the Van Gundy's property this evening, April 19, 2006. Councilmember Spehar seconded the motion. Motion carried 4 to 3 to conduct the rehearing this evening with Council President Hill and Councilmembers Beckstein and Doody voting NO.

Council President Hill asked Council to review the rest of the agenda before going forward with the request and said there are options to either continue with the Van Gundy rehearing now or move it to the end of the agenda.

Council President Pro Tem Palmer said if Council is going to hear it tonight and everyone is here then Council should not make them all wait through the rest of the agenda.

Councilmember Beckstein said that she would prefer to address other items first.

Councilmember Spehar agreed with Councilmember Beckstein.

Councilmember Doody also agreed.

Councilmember Coons and Councilmember Thomason said they could go with the request to rehear either way.

Council President Hill said the decision is to review the Van Gundy request last on the agenda.

Public Hearing – Assessments for Sanitary Sewer Improvement District No. SS-47-05 (26 Road and F ½ Road Area)

Sanitary sewer improvements have been completed for the 26 Road and F ½ Road Area Sewer Improvement District No. SS-47-05 as petitioned by a majority of the property owners to be assessed.

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

Mark Relph, Public Works and Utilities Director, reviewed this item. He said this is the last step of this Sanitary Sewer Improvement District. He said the original estimate for this work was \$117,000 and said the actual cost is slightly less, \$114,417, so the assessment will be slightly less for the property owners.

Morgan Freitas, 637 26 Road, one of the property owners in the Sewer Improvement District, questioned the legal notice from March 17, 2006. He said it states the property owners are only assessed 70%, but the subsequent assessment notice did not make reference to this. Mr. Relph explained the calculation and said the actual assessment does have a six percent fee for collecting through the property tax notice and the actual cost is reduced by the City's participation.

There were no other comments.

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

Ordinance No. 3884 – An Ordinance Approving the Assessable Cost of the Improvements made in and for Sanitary Sewer Improvement District No. SS-47-05, in the City of Grand Junction, Colorado, Pursuant to Ordinance No. 178, Adopted and Approved the 11th Day of June, 1910, as Amended; Approving the Apportionment of Said Cost to Each Lot or Tract of Land or Other Real Estate in Said District; Assessing the Share of Said Cost Against Each Lot or Tract of Land or Other Real Estate in Said District; Approving the Apportionment of Said Cost and Prescribing the Manner for the Collection and Payment of Said Assessment

Council President Pro Tem Palmer moved to adopt Ordinance No. 3884 on Second Reading and ordered it published. Councilmember Coons seconded the motion.

Council President Hill noted that the road improvements to 26 Road were postponed until the sewer improvements were completed.

Motion carried by roll call vote.

Public Hearing – Revisions to the Submittal Standards for Improvements and Developments (SSIDs) Manual

Staff introduced the SSIDs Manual (Submittal Standards for Improvements and Developments) at the April 5th City Council Meeting. The major goals of the revision were to streamline the document, correct errors, and restructure conflicting language, incorporate input from the public and remove requirements duplicated in other City Codes. Planning Commission has reviewed the proposed changes and recommends Council adopt the Manual as proposed.

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

Tim Moore, Public Works Manager, reviewed this item. He explained the reason for the changes and then briefly reviewed the history of the manual. He highlighted some of the changes noting the extensive public involvement. He said there was a delay in the time frame when a title policy on the property was required. The requirement for the site plan drawings are for minor site plans and said a qualified engineer is not required for these smaller developments. He said the document has been reformatted and there will be staff training as well as the development of a resource guide that will be available to Staff and the public.

Council President Hill questioned if the document will be available on the City's web site. Mr. Moore said yes, along with some miscellaneous reports that have also been placed on the web site. He said there are new provisions on how to handle the boundary line discrepancies to make it a little cleaner and not so involved.

Council President Hill thanked Development Engineer Laura Lamberty for all her work on the project and said that he appreciated being able to go through the manual and know what was changed.

Mr. Moore said in Section 2, Application Submittals, talked about the review agencies in the old manual. He said Staff has cleaned it up to distinguish between City Staff and review agencies. Mr. Moore suggested that instead of calling out City Staff Review Agencies to delete Staff so the manual will read Review Agencies.

Larry Rasmussen, 3086 Bookcliff Avenue, representing AMGD and the Homebuilders Association, also echoed compliments to the revised manual. He supported Mr. Moore's suggested amendment to Section 2 and asked that the document stay a

working document as they continue to receive requests for further amendments or additions.

There were no other comments.

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

Councilmember Coons and Councilmember Spehar complimented Staff and expressed their appreciation.

Council President Hill thanked Mr. Rasmussen for coming forward and stating his compliments as well. He said this is a working document and it is easier to have it electronic.

Ordinance No. 3885 – An Ordinance Amending the City of Grand Junction’s Submittal Standards for Improvements and Developments (“SSID”) and Authorizing Publication of the Amendments by Pamphlet

Councilmember Doody moved to adopt Ordinance No. 3885 amending Section 2, page 1, by striking out City Staff in front of Review Agencies on Second Reading and ordered it published in pamphlet form. Councilmember Spehar seconded the motion. Motion carried by roll call vote.

Councilmember Coons recused herself for the St. Mary’s item next on the agenda as she is an employee. She left the dais.

Council President Hill called a recess at 8:23 p.m.

The meeting reconvened at 8:34 p.m.

Public Hearing – Adoption of the 2000 St. Mary’s Master Plan and Amendments

[File #FPA-2005-288]

Final consideration of a proposed ordinance to adopt the 2000 St. Mary’s Master Plan, including various amendments which reflect updates to the prior plans that will enable the hospital to prepare for the upcoming Century Project. St. Mary’s Hospital is located on the southwest and southeast corners of Patterson Road and 7th Street and is zoned principally Planned Development (PD).

The public hearing was opened at 8:35 p.m.

Lisa E. Cox, Senior Planner, reviewed this item. She described the location, the uses on the various sites, and the surrounding zoning. She listed the addresses of the properties under consideration at this hearing. She noted that in an effort to review the entire plan for their properties rather than having it being reviewed piecemealed, the Planning Commission recommended that St. Mary’s prepare a Master Plan. She said that was done and subsequently reviewed and approved with conditions by the Planning

Commission with the caveat that it be reviewed every five years. Ms. Cox said this is the process for large acreage developments and said they are reviewed by Planning Commission and then come before the City Council for adoption. She displayed the 2000 Master Plan and said the subsequent amendments moved the parking garage and the Sacommano Center. She then displayed another set of amendments which represented several smaller changes. Ms. Cox said there will be a utility tunnel, temporary helicopter pad, and some underground detention at St. Mary's Park that will be returned to open space at the end of the construction. She said some green space will be converted to surface parking for the construction workers that will remain as a parking lot but will be open space when completed. She said another set of improvements is the demolition of the existing emergency room entrance and said there will be a temporary entrance during construction. In Section 2.2.0 the criteria for the Master Plan requires review and consideration of the Master Plan. Ms. Cox said that it meets the intent of the 2000 Master Plan and also the Growth Plan.

Council President Pro Tem Palmer questioned if the pedestrian traffic will be an issue. Ms. Cox said St. Mary's has made provisions for both pedestrians and traffic to insure the safety of each.

Rob Jenkins, St. Mary's architect, 2575 N 7th Street, thanked Ms. Cox and said the first plan that submitted was a Facility Master Plan. He said St. Mary's will continue to update and submit for approval and that it sounds like they are constantly submitting and amending, but hopes that the City will be extremely flexible due to changing technology and changes in available materials. Mr. Jenkins reviewed the changes that Ms. Cox identified and explained the reasons for the changes. He said the 2005 plan has not been presented to the Council yet and said it is in the review process. He said the traffic analysis was postponed until the intersection improvements at 7th and Patterson were complete. The Century Project required certain changes, as identified by Ms. Cox. He said the utility tunnel will be an access to carry a number of things from the plant and the relocation of the helicopter services is to make way for the construction of the new building. He said an ambulance will then carry those patients from the helicopter to the hospital across 7th Street. Mr. Jenkins said these ambulances will be owned by St. Mary's and said there will be no impact on the City ambulances. He said the St. Mary's Park is no longer being leased by the City and will serve as green space and stormwater detention. It will be used for construction staging in the interim. He said the underground detention will be installed and then after construction it will then return to green space. The parking area along Bookcliff and across 7th Street will be parking for some 300 tradesmen. Mr. Jenkins said St. Mary's will relocate the emergency entrance of the hospital during the construction.

Councilmember Thomason questioned when the construction will begin. Mr. Jenkins said they are in the design process and will begin spring of next year. He said the construction will be two years for the hospital addition and two years for the extensive remodel of the hospital.

There were no public comments.

The public hearing was closed at 9:01 p.m.

Ordinance No. 3888 – An Ordinance Approving and Amending the Master Plan for St. Mary's Hospital and Environs Located at 2635 North 7th Street

Council President Pro Tem Palmer moved to adopt Ordinance No. 3888 on Second Reading and ordered it published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Councilmember Coons returned to the dais.

Public Hearing – Amending the PD Zoning and Approve the Preliminary Plan, 10 Overlook Subdivision [File #PP-2005-209]

Request approval to amend the PD zoning ordinance and approval of the Preliminary Plan and Plat for 10 Overlook Subdivision, consisting of 6 residential lots on 1.96 acres located at Hillview and Ridge Circle, Redlands Mesa.

The public hearing was opened at 9:02 p.m.

Kathy Portner, Assistant Director of Community Development, reviewed this item. She explained the request is to add a parcel that was originally going to be part of the golf course and is about 2 acres. She said the area to the east was originally a school site and is now owned by the City. She described the zoning and surrounding zoning. She said the proposal will create six lots and said the request meets the criteria of the Zoning and Development Code and is consistent with the Growth Plan.

Brad Higginbotham was present representing the applicant but had nothing to add.

There were no public comments.

The public hearing was closed at 9:05 p.m.

Ordinance No. 3889 – An Ordinance Amending the PD Zoning for Land Located West of Hillview Drive in the Ridges known as 10 Overlook Subdivision

Councilmember Spehar moved to adopt Ordinance No. 3889 on Second Reading and ordered it published. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Rehearing Request Regarding the April 5, 2006 Consideration of a Rezone and Right-of-way Vacation for the Van Gundy Property [File #RZ-2006-022]

The public hearing was opened at 9:06 p.m.

City Manager Kelly Arnold, the applicant, introduced the item and noted that Staff is present and ready to make the presentation. He said what will be heard from Staff is information that was discussed at the Planning Commission and what was presented at the City Council meeting two weeks ago. He said if there are any questions, he encourages Council to ask Staff or the City Attorney and take the opportunity to ask questions as they deliberate the issue. He then thanked Council for conducting the hearing tonight.

Joseph Coleman, attorney, 2454 Patterson Road, representing Dean Van Gundy stated that this is a co-application and he wanted to address two issues.

Council President Hill stated that the City is the applicant and said they will make the presentation.

Mr. Coleman said that he wanted to address an issue that needs to be addressed at the beginning of the hearing. He stated that the City is their agent for purposes of this matter. He said the City did not confer with the applicant and questioned if the Council will afford the opportunity to present the facts which will support the request of a recusal or disqualification of a Councilmember.

Council President Hill advised that Mr. Coleman brought before Council two issues, the first one is the City of Grand Junction is acting as an agent, the second is regarding the disqualification of a Councilmember.

City Attorney John Shaver said the agreement that is at issue is the option agreement for the sale of real property dated December 6, 2005 by the City of Grand Junction and Dean H. Van Gundy. He said what the application provides is that the City on or before January 15, 2006 will prepare and submit to all review agencies the three items in the application. The first item is the subdivision plat, the second is to vacate the north south alley right-of-way, and the third is to obtain the appropriate zoning designation. He said the City agrees by this contract that it will represent both the City and the Van Gundy's in this application. City Attorney Shaver said the City is the applicant and is doing so on behalf of its interest and the possible interest of this particular contract. He said the City purchased the property from Mr. Van Gundy and said there are two pieces of property that are being presented, the remnant piece which is the optional piece and the property to the east which is known as the Sterling property. He said the Van Gundy's do not own the Sterling property and said the City does own the remnant piece of property that would be merged under the subdivision plat. He then displayed the signed original of the development application which shows the City and the Sterling Company as the applicants.

Council President Pro Tem Palmer asked for clarification that the City Staff is the applicant and wanted to know if there was any guarantee of an outcome from the rezone hearing. City Attorney Shaver said the contract was not written that way nor would City Staff guarantee any outcome. He said the best person to ask would be Mr. Shanks as he

has worked on this day to day. City Attorney Shaver said that Mr. Coleman's concern is that the City makes the best case for his client.

Councilmember Spehar questioned if there are two signatures and two applicants, the City and the Sterling Company, and if those are the only applicants that are part of this application.

City Attorney Shaver said yes and said what is seen as AMPCO, Inc. on the application is the business with Randy Van Gundy, but they do not yet own the property.

Council President Hill questioned if there are three signatures, one being AMPCO.

City Attorney Shaver said that there are only two signatures, one with Mark Relph as the Department Director and the second is Mr. Scariano on behalf of the Sterling property.

Council President Hill questioned if there has been any participation from the Sterling Company. City Attorney Shaver answered not to his knowledge.

Council President Hill questioned if the City is supposed to be the agent for the Sterling Property regarding the zoning issues.

City Attorney Shaver said per the contract it is, because the City agreed to bring this application forward and said that was part of negotiations with the Van Gundy's. He said this hearing is about Council receiving the same presentation as did the Planning Commission from Mr. Shanks. City Attorney Shaver said that he does not get to substitute his judgment for the Council, he stated that Council as elected officials get to decide these items as presented. He said the purpose of this hearing is to hear all of the facts that are presented and said if the outcome is chosen differently than that is it.

Councilmember Beckstein said that she has a concern she was not aware of until she read that Mr. Scariano was part of the application. She said Mr. Scariano is a client of hers and said that she is a personal friend of his wife. She wanted to know if any of the Councilmembers would have a concern as well.

Council President Hill said that matter will be disclosed on record and said Council will come back to that.

Council President Hill questioned Mr. Coleman's issue regarding the City of Grand Junction being the agent for his client. He said the issue before Council tonight is the matter to rehear the zoning issues and said the City is the agent and questioned Mr. Coleman if he wishes Council to proceed with this hearing this evening.

Mr. Coleman said no. He said everyone here before Council and within the City wants Council to change their mind. He said they did not prepare for a rehearing tonight as they were told that the City would not rehear the matter. He said he found out about the rehearing in the newspaper and said that Mr. Arnold as his agent asked for a rehearing

and did not copy him on the request. Mr. Coleman said the reasons for the rehearing was a step in the right direction but there are some mistakes along the way and said the City Manager will not say that he is representing his client Mr. Van Gundy. He suggested they should have the hearing when everyone is prepared and they have enough time to get witnesses. He said he wanted to file his motion for disqualification of a council-member in a polite way but was not given the opportunity. He said it was not malice of the City Manager, but said it was carelessness, with no courtesy of a response. He said that he strongly believes the Council needs to show the citizens of the City of Grand Junction that this is not a rubber stamp proceeding. He said the City Manager has an undivided loyalty to Dean Van Gundy per the contract. He asked that Staff look at the language in the contract and treat Mr. Van Gundy in a legal and fair manner. He asked that Council rehear this matter on May 3rd so that he has the chance to work with the City Manager as his agent and work out their differences.

Council President Hill asked Council if it is in the best interest of the hearing to continue to May 3rd.

Councilmember Spehar stated that he asked City Attorney John Shaver and City Manager Kelly Arnold if they were prepared to present as per the contract tonight and said that he heard an affirmative response.

City Attorney Shaver said that he heard correctly. He said the argument is whether the rehearing is required. He said per the contract the required hearings are before the Planning Commission and the City Council and said those have taken place. He said if the City wants to rehear this and get all of the issues out, it would not hurt to wait until May 3rd. He stated that there will be different testimony tonight than what was said at the April 5th Council meeting, but whether it will satisfy the attorney and Mr. Van Gundy, he can't say because it is not known what all of the testimony will be.

Councilmember Coons stated that Mr. Coleman's letter originally said time is of the essence and must be held at tonight's meeting. She questioned if Mr. Coleman will change his mind again before the 3rd of May. She said Council rearranged the agenda this evening and feels Council should go forward the rehearing this evening.

Councilmember Spehar questioned if the rehearing must occur on the same agenda.

City Attorney Shaver said in a previous letter dated April 17th from Mr. Coleman, he requested the rehearing to be held tonight.

City Manager Kelly Arnold wanted to clarify for the record that he did not have a conversation with the legal counsel of the Van Gundy's. He said that he relied upon the City Attorney for legal counsel and said Staff is prepared if Council would like to go forward tonight. He said again for the record that he has not had any contact with Van Gundy's representative.

Councilmember Doody said that by Mr. Coleman's statement about being notified at the eleventh hour before this meeting and the fundamental fairness, he does not want the City to be viewed by the citizens as being unfair. He feels that Mr. Coleman's request for May 3rd is reasonable.

Councilmember Beckstein questioned if the City is the agent for the Van Gundy's or the Sterling property.

City Attorney Shaver said that Mr. Van Gundy has a contract of interest to purchase both properties, but they do not own either of the properties. Now the City is an owner and the other owner is Sterling, which is in support of this application.

Councilmember Coons questioned if the need is to rezone both pieces of property.

City Attorney Shaver said the Van Gundy's also had obligations under the contract. He said to have legal justice to the zoning, the City must look at the criteria and all of the uses that would be allowed in the I-1 zone district. He said the City must decide apart from the end use.

Council President Hill said that the City has to stay focused on the zoning issue. He said the Van Gundy's might not be the end user and the Council can't make that assumption. He said this was a different type of applicant and said in another example, the agent would also ask for a continuance. He felt that it would be fair for everyone involved to continue this to May 3rd.

Councilmember Spehar stated that he would like to delay the hearing to May 3rd.

Council President Pro Tem Palmer agreed with Councilmember Spehar to delay this to May 3rd. He said that he wants the City Council to do everything it can to make sure this is a fair process.

Councilmember Spehar moved to continue this rehearing request to May 3rd. Council President Pro Tem Palmer seconded the motion. Motion carried unanimously.

Councilmember Spehar said that the City needs to be prepared to make this a fair hearing and said that he won't support delaying this until there is complete agreement between Mr. Coleman and City Attorney Shaver.

Council President Hill said that hopefully this can be sorted out and bring out all of the issues.

Councilmember Spehar asked if all of Council will be able to attend the May 3rd meeting.

Councilmember Coons said that she supports the delay and wanted to make sure no further delay will be requested.

Councilmember Thomason said that he supports the delay as well.

All Councilmembers said they could be present for the May 3rd meeting.

Mr. Coleman wanted to clarify that if he had heard that the rehearing was going to be held at tonight's meeting then he would have worked to move forward tonight, but due to the timing he could not get prepare for the hearing.

Council President Hill questioned why the letter from City Manager Arnold did not get sent to Mr. Coleman.

City Attorney Shaver said that he requested for the letter to be faxed to Mr. Coleman yesterday afternoon around four o'clock after City Manager Arnold had signed the letter.

NON-SCHEDULED CITIZENS & VISITORS

There were none.

OTHER BUSINESS

There was none.

EXECUTIVE SESSION – DISCUSSION OF PERSONNEL MATTERS UNDER SECTION 402(4) (f) (I) OF THE OPEN MEETINGS LAW

Councilmember Beckstein moved to go into Executive Session for discussion of personnel matters under Section 402 (4)(f)(I) of the open meetings law and Council will not be returning to open session. Council President Pro Tem Palmer seconded the motion. Motion carried.

ADJOURNMENT

Council adjourned to Executive Session at 9:57 p.m.

Stephanie Tuin, MMC
City Clerk

Attach 2

**Setting a Hearing on the First Supplemental Appropriation Ordinance for 2006
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
Subject		1st Supplemental Appropriation Ordinance for 2006					
Meeting Date		May 3rd, 2006					
Date Prepared		04/26/06			File #		
Author		Lanny Paulson		Budget & Accounting Manager			
Presenter Name		Ron Lappi		Administrative Services Director			
Report results back to Council		X	No		Yes	When	
Citizen Presentation			Yes	X	No	Name	
	Workshop	X		Formal Agenda	X	Consent	Individual Consideration

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

Budget: Pursuant to statutory requirements the total appropriation adjustments are at the fund level as specified in the ordinance. The total appropriation adjustment for all funds combined is \$27,682,014. The following provides a summary of the requests by fund.

General Fund #100, \$1,740,001:

- Council Contributions: \$50K to United Way for Hurricane Relief.
- Admin. Services: \$16K to complete the Code of Ordinances contract.
- Community Development: Approximately \$77K carryover to complete various development plans.
- Police: Approximately \$210K to establish the Street Crimes Unit funded by increasing the projections for Sales Tax revenue back to 5.75% and \$133K carryover for capital equipment including Document Imaging, the Records Management System and laptop computers.
- Fire: \$48,000 carryover for specialty equipment including Mobile Data Terminals and physical fitness equipment for candidate testing.

- Public Works: \$55K to complete various contracts including the clear cutting of Indian Wash and Leech Creek.
- Parks & Recreation: \$30K carryforward for a ½ Ton Pickup, GBA software and to replace a furnace at the stadium restroom.
- Transfers-Out to Other Funds: \$485K transfer to the Sales Tax CIP Fund for the Affordable Housing Initiative, \$38K for the LP Clubhouse Roof Repair and \$1,070,000 first year subsidy to the Ambulance Transport Fund.
- General Fund Contingency: \$472K reduction in this account for 2006. This represents a portion of the Mineral Leasing Severance Tax collected in 2005 that was above the anticipated collections. This amount was effectively treated as one-time money and programmed into the Contingency account for 2006. These monies are being used to partially fund the required subsidy for the Ambulance Transport Fund.

E-911 Special Revenue Fund #101, \$453,582: Transfer to the Communications Center Fund for the Mobile Command Post and equipment purchases.

Sales TAX CIP Fund #201, \$6,794,893:

- City Administration: \$485,050 carryforward for the Affordable Housing Initiative.
- Fire Department: \$10,000 for sewer line completion at Station #5.
- Public Works: \$6,443,373 to complete various improvement projects including: \$2.5 million for Crosby Avenue, \$2 million for the expanded scope of the 7th Street project, \$440K for F 1/2 and 24 Road, \$335K for the Horizon Drive Landscaping project, \$300K for the 29 Road Viaduct, \$255K for Main Street (7th to 8th) and smaller amounts for multiple other projects.
- Parks & Recreation: \$307,403 for various park improvement projects including Restroom Facility Construction, Paradise Hills, Irrigation System replacements and Parking Lot Seal Coating.
- \$41,500 for transfers to other funds; \$31,500 for the Window Replacement at the OM Pool and \$10,000 for the Lincoln Park Irrigation System Replacement project.

Storm Drainage Improvements Fund #202, \$700,378: Appropriation carryover for the Ranchmen's Ditch "Big Pipe" project.

DDA/TIF Capital Improvements Fund #203, \$851,861: Carryforward unexpended proceeds from the 2003 TIF Bond issue.

Riverside Parkway Capital Improvement Fund #204, \$7,666,774: Carryforward unexpended budget from the second year of the Riverside Bypass project.

Street Improvement Assessment Fund #207, \$400,000: Carryforward unexpended budget for improvement associated with Canyon View Marketplace.

Water Fund #301, \$388,658: Various water system improvement projects, primarily (\$214K) for water line replacements.

Swimming Pools Fund #304, \$63,000: Window replacement at the OM Pool.

LP Golf Course Fund #305, \$38,000: Clubhouse roof replacement.

Parking Fund #308, \$2,933,617: Downtown Parking Garage.

Ambulance Transport Fund #310, \$1,500,000:

The budget ordinance includes \$1.5 million in the new Ambulance Transport Enterprise Fund #310 to appropriate the projected startup and operating costs associated with providing ambulance transport services for 2006. This amount was based upon the Fire Department being fully staffed with the 22 additional positions by July 1st. Although total billed revenue is estimated at \$879,000 this year, the actual revenue collected in 2006 is projected at \$430,000. This is due to the typical 9-month collection cycle for ambulance services. Based upon these projections the resulting cash-flow requires a transfer of \$1,070,000 from the City's General Fund in 2006. The Fire Department is currently in the process of applying for a S.A.F.E.R. grant which could significantly reduce the proposed subsidy.

Equipment Fund #402, \$297,019: Scheduled replacement of vehicles and equipment that were not completed by the end of the prior.

Communications Center Fund #405, \$53,000: Carryover for equipment purchases, the Mobile Command Post and CAD Interface System.

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

Joint Sewer System Fund #900, \$3,200,716: Sewer system improvements including; trunk line extensions, backbone improvements and the Duck Pond Lift Station elimination project.

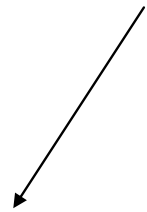
Action Requested/Recommendation: First Reading of the appropriation ordinance on May 3rdth, 2006 and adoption of the ordinance following the public hearing on May 17th, 2006.

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

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

GENERAL FUND OVERVIEW

	<u>2005 BUDGET</u>	<u>2005 ACTUAL</u>	<u>VARIANCE FROM BUDGET</u>	<u>BUDGET ADJUSTMENTS</u>
BEGINNING FUNDS AVAILABLE	\$ 12,105,216	\$ 12,105,216	\$ -	
REVENUE				
Taxes	\$ 40,643,741	\$ 41,635,807	\$ 992,066	278,545
Licenses & Permits	114,288	114,921	633	-
Intergovernmental	196,529	179,814	(16,715)	36,000
Charges for Services	3,659,439	3,839,447	180,008	-
Interfund Charges	931,800	1,018,920	87,120	-
Interest & Investments	450,000	607,038	157,038	-
Other Operating Revenue	632,620	601,544	(31,076)	-
Capital Proceeds	-	-	-	-
Transfers-In from Other Funds	61,000	58,638	(2,362)	-
TOTAL REVENUE	\$ 46,689,417	\$ 48,056,128	\$ 1,366,711	\$ 314,545
EXPENSE				
City Administration	\$ 2,060,300	\$ 1,870,466	\$ 189,834	\$ 50,000
Administrative Services	3,417,180	3,275,876	141,304	15,750
Community Development	2,187,624	2,037,562	150,062	77,229
Police	12,618,316	11,954,078	664,238	342,953
Fire	9,182,034	8,930,901	251,133	48,000
Public Works	8,480,927	8,185,303	295,624	55,102
Parks & Recreation	5,434,516	5,302,211	132,305	29,917
Subtotal: Departmental	\$ 43,380,897	\$ 41,556,397	\$ 1,824,500	\$ 618,951
<u>Non-Departmental</u>				
Contingency	128,567	-	128,567	(472,000)
Budget Savings	(877,000)	-	(877,000)	-
Transfers-Out to Other Funds	3,456,834	2,956,060	500,774	1,593,050
Subtotal: Non-Departmental	\$ 2,708,401	\$ 2,956,060	\$ (247,659)	\$ 1,121,050
TOTAL EXPENDITURES	\$ 46,089,298	\$ 44,512,457	\$ 1,576,841	\$ 1,740,001
NET SOURCE (USE) OF FUNDS	\$ 600,119	\$ 3,543,671	\$ 2,943,552	
ENDING FUNDS AVAILABLE	\$ 12,705,335	\$ 15,648,888	\$ 2,943,552	
Plus: Revenue Adjustments			\$ 314,545	
Minus: Expense Adjustments			\$ (1,740,001)	
NET IMPACT ON 2006 ENDING BALANCE			\$ 1,518,096	



SALES TAX CIP FUND OVERVIEW

	<u>2005 BUDGET</u>	<u>2005 ACTUAL</u>	<u>VARIANCE FROM BUDGET</u>	<u>BUDGET ADJUSTMENTS</u>
BEGINNING FUNDS AVAILABLE	\$ 6,477,722	\$ 6,477,722	\$ -	
REVENUE				
Sales & Use Taxes	\$ 9,559,909	\$ 9,660,809	\$ 100,900	104,455
Other Income	2,590,300	1,208,277	(1,382,023)	3,505,092
Transfers-In from Other Funds	4,025,256	3,161,066	(864,190)	1,485,050
TOTAL REVENUE	\$ 16,175,465	\$ 14,030,152	\$ (2,145,313)	\$ 5,094,597
EXPENSE				
City Administration	\$ 500,000	\$ 14,949	\$ 485,051	\$ 485,050
Administrative Services	-	711	(711)	-
Community Development	-	-	-	-
Police	-	-	-	-
Fire	10,000	-	10,000	10,000
Public Works	10,395,856	6,291,395	4,104,461	6,443,373
Parks & Recreation	1,475,802	1,167,402	308,400	310,020
Subtotal: Projects	\$ 12,381,658	\$ 7,474,458	\$ 4,907,200	\$ 7,248,443
Transfers-Out to Other Funds				
Economic Development	\$ 300,000	\$ 300,000	-	
DDA TIF Revenue	40,000	40,605	(605)	
Facilities	250,000	250,000		
Two Rivers	127,000	59,800	67,200	
Swimming Pools	217,500	210,501	6,999	31,500
Lincoln Park Golf	10,000	-	10,000	10,000
General Debt Service	3,708,388	3,708,538	(150)	
Subtotal: Transfers-Out	\$ 4,652,888	\$ 4,569,443	\$ 83,445	\$ 41,500
TOTAL EXPENDITURES	\$ 17,034,546	\$ 12,043,901	\$ 4,907,200	\$ 7,289,943
NET SOURCE (USE) OF FUNDS	\$ (859,081)	\$ 1,986,251	\$ 2,845,332	
ENDING FUNDS AVAILABLE	\$ 5,618,641	\$ 8,463,973	\$ 2,845,332	
Plus: Revenue Adjustments			\$ 5,094,597	
Minus: Expense Adjustments			\$ (7,289,943)	
NET IMPACT ON 2006 ENDING BALANCE			\$ 649,986	



ORDINANCE NO. ____

**AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE 2006
BUDGET OF THE CITY OF GRAND JUNCTION**

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

That the following sums of money be appropriated from unappropriated fund balance and additional revenue to the funds indicated for the year ending December 31, 2006, to be expended from such funds as follows:

FUND NAME	FUND #	APPROPRIATION
General	100	\$ 1,740,001
E-911 Special Revenue	101	\$ 453,582
Sales Tax Capital Improvements	201	\$ 6,794,893
Storm Drainage Capital Improvements	202	\$ 700,378
DDA, TIF Capital Improvements	203	\$ 851,861
Riverside Parkway Capital Project	204	\$ 7,666,774
Street Improvement Assessment Fund	207	\$ 400,000
Water	301	\$ 388,658
Swimming Pools	304	\$ 63,000
Lincoln Park Golf Course	305	\$ 38,000
Parking Fund	308	\$ 2,933,550
Ambulance Transport Fund	310	\$ 1,500,000
Equipment	402	\$ 297,019
Communications Center	405	\$ 653,582
Joint Sewer	900	\$ 3,200,716
TOTAL ALL FUNDS		\$ 27,682,014

INTRODUCED AND ORDERED PUBLISHED this ____ day of _____, 2006.

PASSED AND ADOPTED this ____ day of _____, 2006.

Attest:

President of the Council

City Clerk

Attach 3
1% for the Arts Artwork for Activity Centers
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject:	1% for the Arts artwork for Activity Centers at Bookcliff Middle School and Pear Park Elementary School							
Meeting Date:	May 3, 2006							
Date Prepared:	April 21, 2006				File #			
Author:	Allison Sarmo		Cultural Arts Coordinator					
Presenter Name:	Allison Sarmo		Cultural Arts Coordinator					
Report results back to Council:	X	No		Yes	When			
Citizen Presentation	X	Yes		No	Name	Joan Meyers, Chair		
	Workshop	X		Formal Agenda	X	Consent		Individual Consideration

Summary: The Commission on Arts and Culture recommends to the City Council commissioning tile artwork for the new City Activity Center at Bookcliff Middle School and the new joint-use gymnasium at Pear Park Elementary School through the 1% for the Arts Program.

Budget: 1% for the Arts budget at Bookcliff MS - \$12,000 and Pear Park - \$5,000.

Action Requested/Recommendation: Authorize the City Manager, City Attorney, and the Commission on Arts and Culture to negotiate a contract with Latka Studios (Tom and Jean Latka) for the creation and installation of two ceramic tile murals.

Attachments: (Artists' proposal and photographs of the artwork are attached)

Background Information: The 1% for the Arts program was established by City Council 1997 to include works of art in City capital construction projects for buildings, structures, and parks. For these projects, a "Call for Entries" (Request for Proposals) was mailed to about 200 artists throughout Colorado, including sculptors and ceramic tile artists in Mesa County. The Commission and representatives from the two schools and the Parks and Recreation Department reviewed slides, photographs, and drawings of proposed sculptures from 18 Colorado artists (including two from Grand Junction). After reviewing all the options, the committee agreed on exterior wall mounted ceramic tile murals rather than free-standing sculpture. Two tile artists were selected as finalists and they made presentations to the Commission and selection committee on April 26.

Latka Studios was chosen for both projects because their designs for the two exterior tile wall murals were deemed the more artistic, creative, and exciting of the two by the selection committee. The Bookcliff Middle School Activity Center mural will be titled "Handwoven" and represents the fact that the new activity center weaves a wide

variety of functions together. Pear Park Elementary School's new gymnasium will have a mural titled "Soaring" depicting a kite with a long tail running across the building.

**ART WORK PROPOSAL FOR
BOOKCLIFF MIDDLE AND
PEAR PARK ELEMENTARY SCHOOLS
BY
TOM & JEAN LATKA
April 26, 2006**

BOOKCLIFF MIDDLE SCHOOL 'HANDWOVEN'

The artwork that we are proposing for this facility is an artistic representation of a ceramic weaving. Our inspiration for this project comes from the fact that Bookcliff is a focal point within the community, encompassing a variety of functions. The mural is a visual depiction of this activity and the role that the facility plays in the community by weaving together the individuals, teams and events. Located in the center of the weaving is a jewel area, heavily carved and three-dimensional. This jewel will have rich colored glazes; areas of fused glass and are highly textural. This jewel will visually anchor the mural and also serves symbolically to recognize the creativity of this school and the artistic dimension of Grand Junction.

PEAR PARK ELEMENTARY 'SOARING'

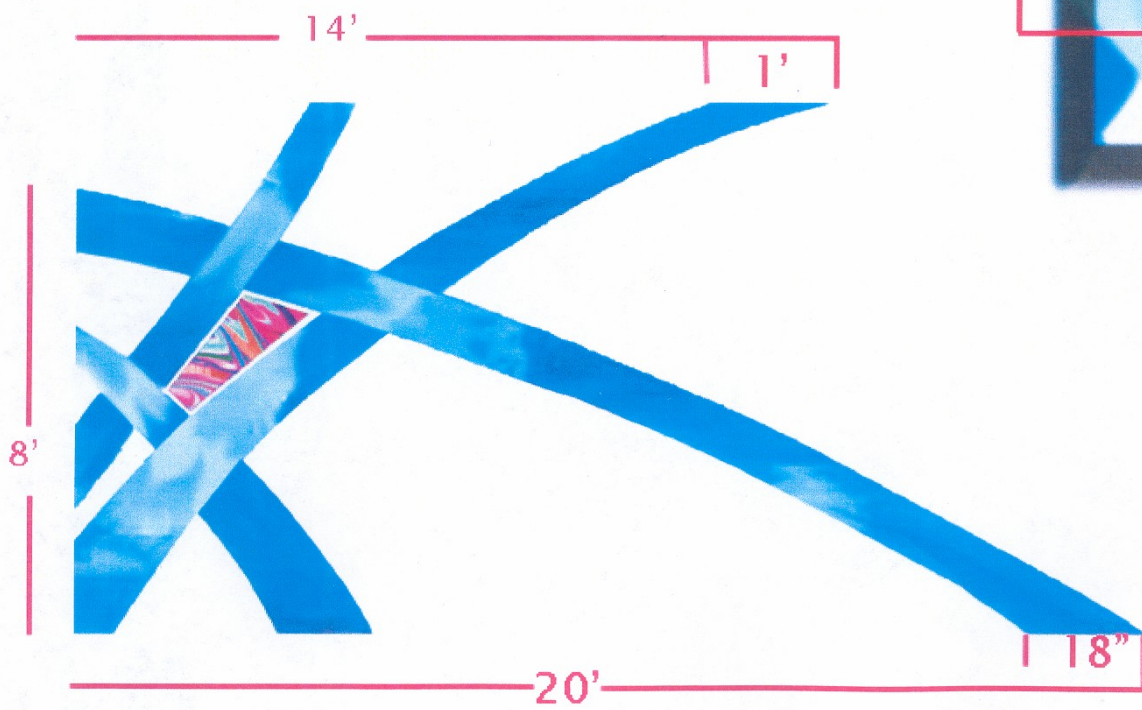
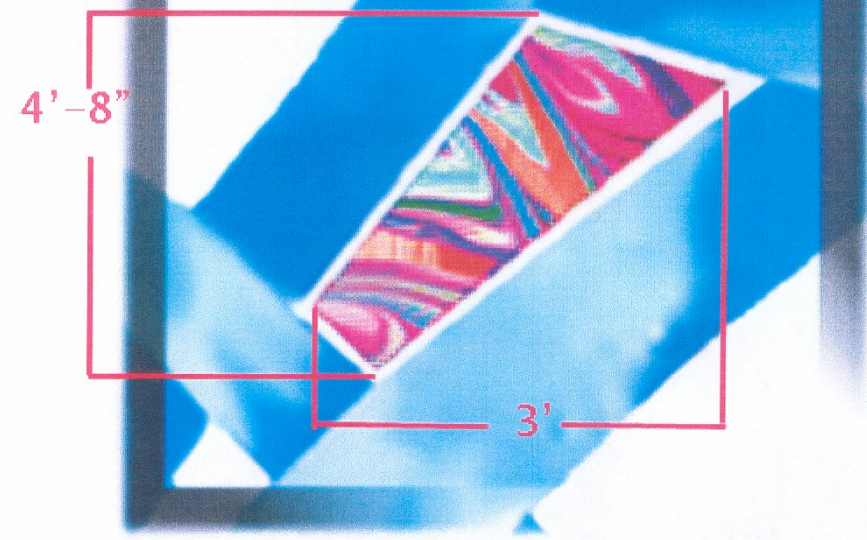
This artistic expression captures its inspiration from the inhabitants of the school... the children. Using a kite as a metaphor, our desire is to create a piece of art that is colorful, fun, whimsical and yet abstract enough so that the children can expand upon their own imaginations. The kite is made from high relief, heavily carved clay and glazed with a variety of rich colors. Trailing at the end of the sculpture is a 25-foot long tail that adds to the illusion that the kite is actually flying. The tail is constructed using two – dimensional colorful clay tiles which will contrast with the heavy detail of the kite. "Soaring" is a playful expression that will add interest and color to the exterior of the building.

Both murals are made from high-fired ceramic clay for a weather resistant and low maintenance surface. Installation includes thin-set mortar mix with an acrylic additive. Grouting of the artworks uses a concrete grout product with an acrylic additive.

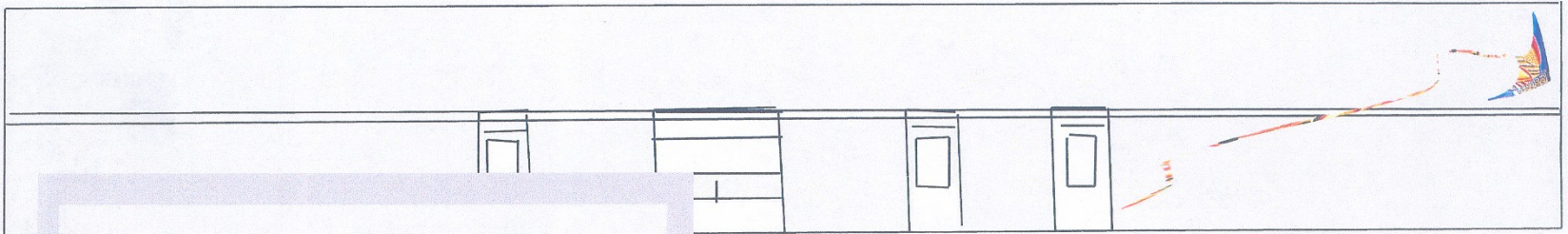
LATKA STUDIOS has always delivered their projects on time, within budget and carries liability insurance.



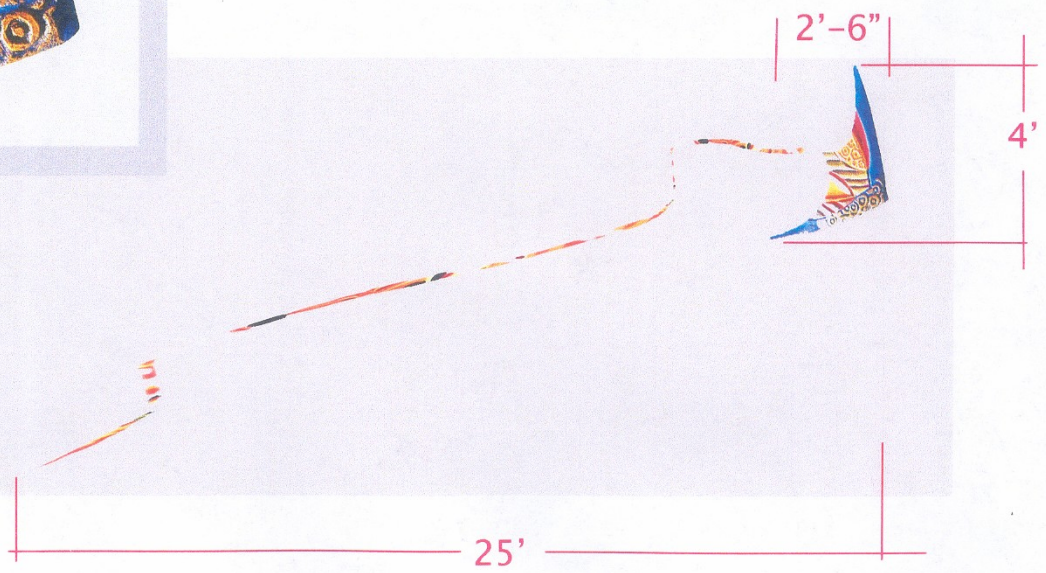
Brookcliff Middle School "Handwoven"



Tom and Jean Latka



Pear Park "Soaring"



Tom and Jean Latka

Attach 4
Purchase of Two Wide Area Mowers
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Two Wide Area Mowers - Sole Source Purchase					
Meeting Date		May 3, 2006					
Date Prepared		April 24, 2006				File #	
Author		Don Hobbs		Ass't. Parks & Recreation Director			
Presenter Name		Joe Stevens		Parks & Recreation Director			
Report results back to Council		X	No		Yes	When	
Citizen Presentation			Yes	X	No	Name	
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Sole source purchase for the Parks and Recreation Department of two 2006 Toro Groundsmaster 4100-D mowers from LL Johnson Distributing Company, Denver, Colorado.

Budget: \$76,000.0 has been budgeted and approved for replacement of these units in 2006. The 2006 Fleet replacement CIP carry forward request includes the additional funding for this purchase.

Action Requested/Recommendation: Authorize the City Purchasing Division to purchase two wide area mowers from LL Johnson Distributing Company, Denver, CO in the amount of \$87,038.06.

Background Information: The two existing 2000 455-D Toro Mowers were currently scheduled for replacement in 2006, as identified by the annual review of the fleet replacement committee.

Park staff submitted specifications for two diesel powered commercial mowers with 125 - 130 inch wide mower decks and a 55.5 inch wheelbase. These mowers are replacements for two of three wide area mowers used daily throughout our parks system. Included in those specifications was the requirement the mower decks be mounted forward of the operator. Purchasing staff has researched other manufacturers and found that Toro is the only manufacturer with 125 - 130 inch forward mounted mower decks.

Most mower suppliers offer side mounted decks, as majority of wide mowers are purchased for use on golf courses and open sport fields. The wide front mounted deck was built by Toro primarily for use in public parks where there are both obstacles and open spaces; sites where a traditional 72 inch front mounted mower would be too small and a wide side mounted mower is not conducive to safe mowing operations.

There are several advantages to having a forward mounted mower deck. In the transport position the front deck mower is not wider than 80 inches, the width between the fenders on the three trailers used to transport the mowers from site to site, and thus will fit on our existing tilt bed trailers without having to purchase two new trailers. The 125 to 130 inch width is an optimal width for efficiently mowing wide open spaces, yet has the ability to maneuver in tight spaces and around fixed objects. Our overriding reason for specifying the forward mounted deck is safety. Because of the number of children, adults, pets and fixed obstacles in our parks the ability of the operator to have a full view of the deck and the area in front and to the side is essential to safe, accident free, operation. Our full time operator and mechanic are both supportive of the front mounted deck as it is easy to train the two seasonal operators to both operate and service the unit. The front access to the deck and blades takes much less time to clean and service than the side units.

We have previously demonstrated side mounted deck mowers used primarily in golf course operations and found them to be unsatisfactory in a park setting with trees, shrubs, tables, waste receptacles, people and pets. With the side decks, the operators must turn to the side to watch the outer edges of the deck. Because they have to turn their head so far to the side their peripheral vision is turned as well and does not allow them to see and focus forward or on the deck on the opposite side. With the forward deck they are able to see the entire field of operation.

A side or rear deck mower is not as problematic on a relatively wide-open golf course with controlled access, but in the park setting, where these two mowers are used, not being able to see could be disastrous. Parks have open access and literally hundreds of park users and the potential for hitting a youngster who innocently darts out in front of the mower while playing, or decides to play "chicken" with the mower, is just too great of liability; the risk of serious injury or even death is far too great. In addition to the potential human loss is the potential for property loss is tremendous because of the number of fixed objects like waste receptacles, tables, trees, light poles, elevated sprinklers, manholes, shelters, curbs, bottles, animals, and shrubs that must be avoided.

We feel very strongly the mower decks should be out-front so the operators are able to keep their eyes facing forward and see what they are mowing and avoid what they are not supposed to mow. It is for these reasons we feel the sole source purchase is justified.

The General Services Administration Federal Supply Services has provisions for local government purchases from their contract. The Multiple Assembly of Procurement Officials compiled the orders from members throughout Colorado. The pooling of the orders allowed that a further discount be received from the GSA Price Agreement No. GS-06F-0012R for Toro grounds maintenance equipment. The estimated savings for the City of the Grand Junction is \$9,962.00 through this process. Parks and Recreation staff, the Fleet Manager, and Purchasing Manager support this recommendation.

City Council understanding and endorsement of this issue is appreciated.

Attach 5
Setting a Hearing for the Jones Rezone Located at 2591 G Road
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Jones Rezone located at 2591 G Road						
Meeting Date	May 3, 2006						
Date Prepared	April 17, 2006			File #RZ-2006-070			
Author	Ronnie Edwards		Associate Planner				
Presenter Name	Ronnie Edwards		Associate Planner				
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Request to rezone 2591 G Road, comprised of 13.109 acres, from RSF-1 (Residential Single Family – 1 unit per acre) to RSF-2 (Residential Single Family – 2 units per acre). Planning Commission recommended denial at its April 25, 2006 meeting.

Budget: N/A

Action Requested/Recommendation: Introduce the proposed ordinance and set a public hearing for May 17, 2006.

Attachments:

1. Vicinity Map/Aerial Map
2. Growth Plan/Zoning Map
3. Planning Commission Minutes (will be provided for 2nd reading)
4. Zoning Ordinance

BACKGROUND INFORMATION				
Location:		2591 G Road		
Applicants:		Donald and Cheryl Jones		
Existing Land Use:		Vacant		
Proposed Land Use:		Residential Subdivision		
Surrounding Land Use:	North	Residential Single Family (The Estates)		
	South	Residential Single Family		
	East	Residential Single Family		
	West	Residential Single Family		
Existing Zoning:		RSF-1		
Proposed Zoning:		RSF-2		
Surrounding Zoning:	North	RSF-2 and RSF-4		
	South	RSF-1		
	East	RSF-1		
	West	RSF-R, RSF-2 and RSF-4		
Growth Plan Designation:		Residential Low (1/2 – 2 ac/du)		
Zoning within density range?		N/A	Yes	No

1. BACKGROUND:

The subject property was annexed in August of 2000 with the G Road South Enclave. The property was zoned RSF-1 with the annexation as that was equivalent to the existing Mesa County zone district. The Future Growth Plan designation for this property and those parcels adjacent to the south and east is Residential Low (1/2-2 ac/du). Properties to the west and north have designations of Residential Medium Low (2–4 du/ac) and Residential Medium (4–8 du/ac), which demonstrates diversity in the density in the area between 25 Road and 27 Road from F Road to G 1/2 Road. The subdivisions that have developed in this area since 2000 have zone districts ranging from RSF-2 (Residential Single Family – 2 du/ac) to RMF-5 (Residential Multi-Family – 5 du/ac). A majority of the surrounding parcels adjacent to the subject property are less than one acre, which results in these parcels not meeting the current RSF-1 (Residential Single Family – 1 du/ac) zone district bulk standards.

The properties in the area have developed residentially, consistent with the Growth Plan and Future Land Use Map. The requested zoning of RSF-2 provides a transition from the higher densities to the west and north to the lower

densities to the south and east. The bulk standards for RSF-1 and RSF-2 include the same required setbacks for principal structures.

2. Consistency with the Growth Plan:

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

Policy 5.2 states that the City will encourage development that uses existing facilities and is compatible with existing development.

The RSF-2 zone district is consistent with Growth Plan policies and is providing a development transition between residential neighborhoods.

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

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

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

The existing zone district of RSF-1 was imposed only because it was equivalent to Mesa County zoning at the time of annexation. The proposed RSF-2 zoning is consistent with the Growth Plan.

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

Property in the area has been developing as residential consistent with the Growth Plan, with zone densities ranging from two to five dwelling units per acre. This rezone request provides a transition between the higher densities to the west and north and the lower densities to the south and east.

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

The proposed rezone will allow future developments that will be compatible with existing and surrounding land uses, and will not create adverse impacts. The subject property is located on G Road, which is classified as a Minor Arterial. Any residential development will require landscape buffering, which would alleviate impacts.

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

The proposed zoning district of RSF-2 supports the land use classification of Residential Low and is consistent with the goals and policies of the Growth Plan and Future Land Use Map. Any future development will be reviewed for consistency with other adopted plans and City regulations.

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

Adequate public facilities are currently available adjacent to the site.

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

The Future Land Use designation of Residential Low (1/2-2 acres/unit) would allow for a range of densities, as RSF-E, RSF-1 and RSF-2. The RSF-2 zone district provides a transition between the varying densities in the area.

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

The proposed rezone would allow for future subdivision development, resulting in sewer extensions, roadway interconnectivity and transitional density within the neighborhood.

FINDINGS OF FACT/CONCLUSIONS:

Staff makes the following findings of fact:

1. The requested rezone is consistent with the Growth Plan.
2. The review criteria in Section 2.6.A of the Zoning and Development Code have been met.

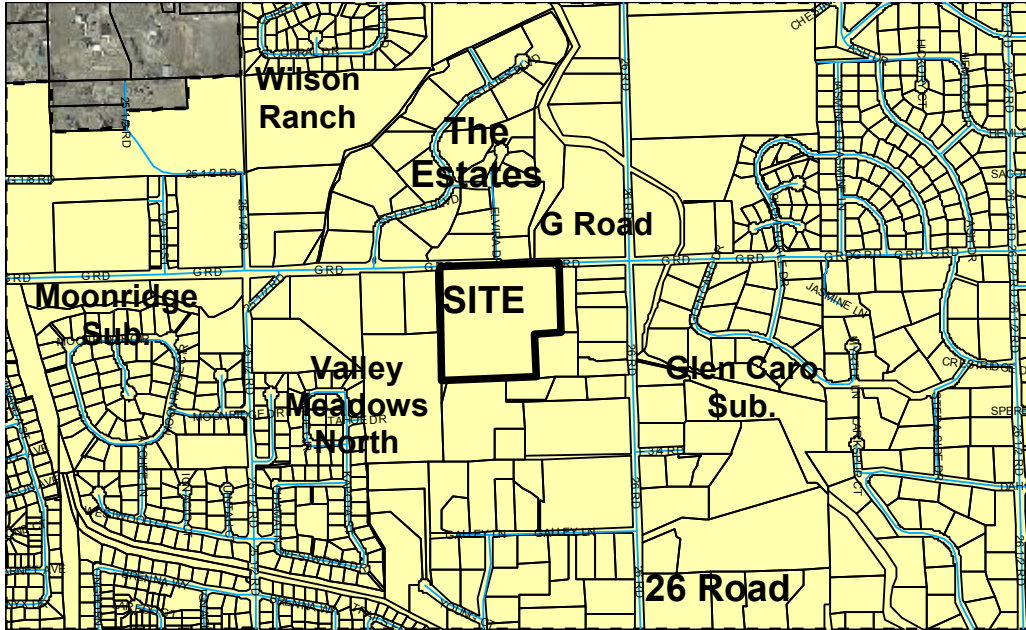
Planning Commission Recommendation:

At their April 25, 2006 hearing, the Planning Commission denied the request for rezone.

Note: An affirmative vote of 5 members of the City Council is required to reverse the Planning Commission recommendation of denial.

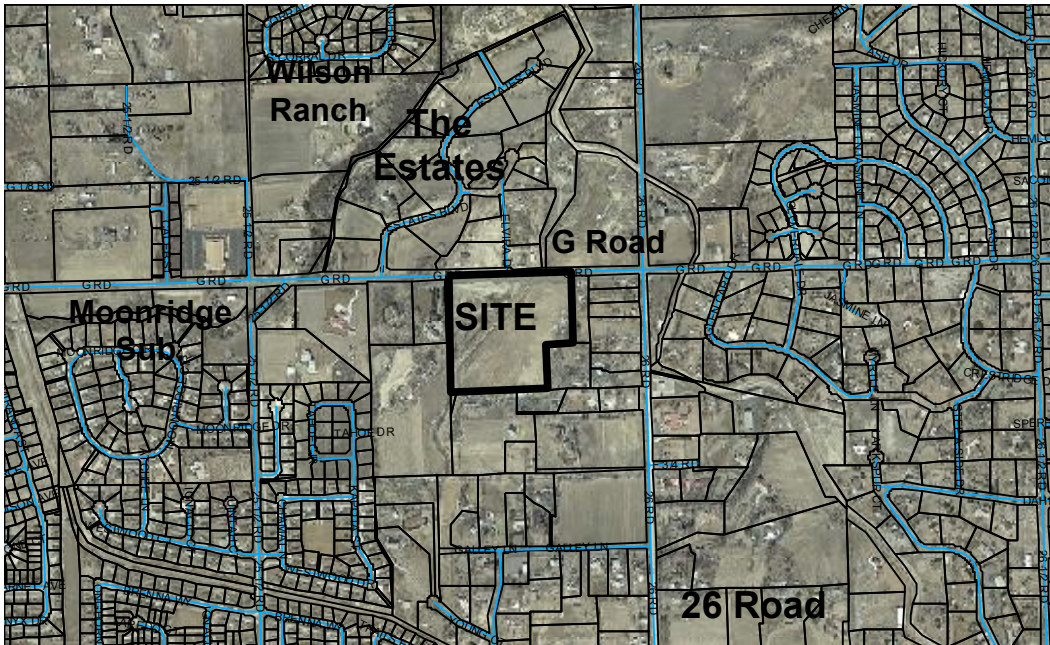
Site Location Map

Figure 1



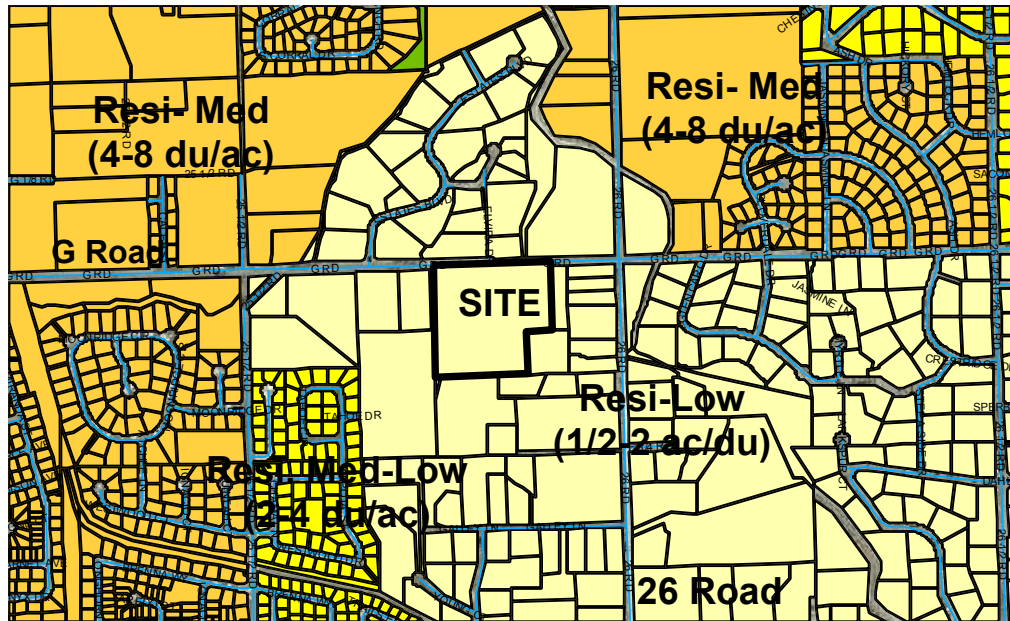
Aerial Photo Map

Figure 2



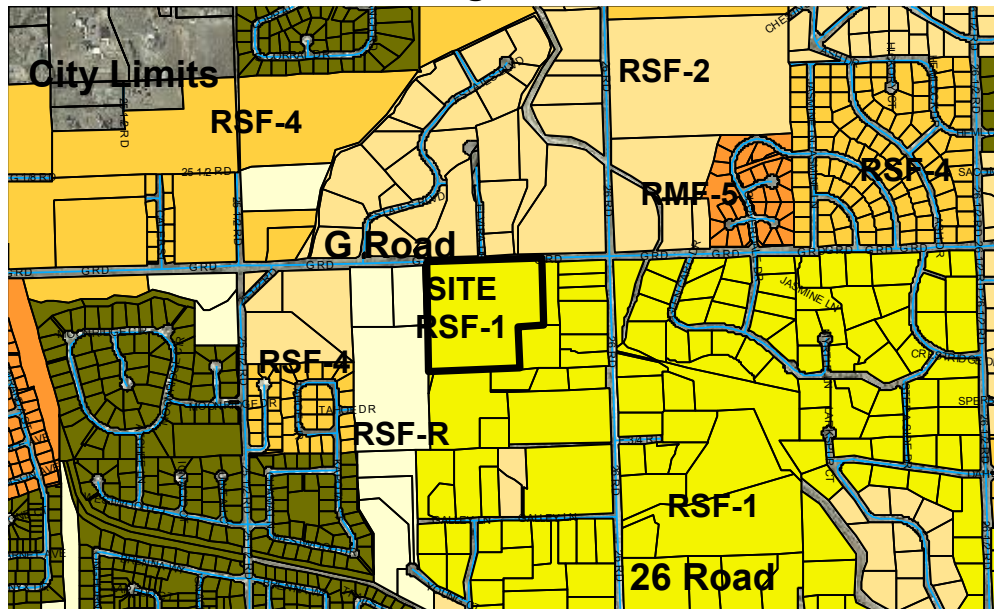
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE REZONING A PARCEL OF LAND FROM
RESIDENTIAL SINGLE FAMILY – ONE UNIT PER ACRE (RSF-1) TO
RESIDENTIAL SINGLE FAMILY – TWO UNITS PER ACRE (RSF-2)
LOCATED AT 2591 G ROAD**

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended denial of the rezone request from RSF-1 zone district to the RSF-2 zone district.

After public notice and public hearing before the Grand Junction City Council, City Council finds the rezone request meets the goals and policies and future land use as set forth by the Growth Plan, Residential Low (1/2 – 2 ac/du). 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.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE PARCEL DESCRIBED BELOW IS HEREBY ZONED RSF-2 (RESIDENTIAL SINGLE FAMILY – TWO UNITS PER ACRE):

The North 1173 links of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, T1S, R1W of the UM; EXCEPT Beginning at the NE corner of the NE $\frac{1}{4}$ of Section 3, T1S, R1W of the UM; thence South 774.18 feet; thence West 663.28 feet; thence North 300.3 feet; thence East 180.04 feet; thence North 474. 15 feet; thence East 482.38 feet to the Point of Beginning; and the South 12 feet of the following described tract: Beginning at a point 372.38 feet West of the NE corner of Section 3, T1S, R1W of the UM; thence South 474. 18 feet, thence West 110 feet, thence North 474.18 feet, thence East 110 feet to the Point of Beginning, Mesa County, Colorado.

Introduced on first reading on the ____ day of _____, 2006.

PASSED and ADOPTED on second reading this _____ day of _____, 2006.

Attest:

City Clerk

President of the Council

Attach 6
Right-of-Way Vacation Located Adjacent to 215 Franklin Avenue
CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION

<i>CITY COUNCIL AGENDA</i>							
Subject	Right-of-Way Vacation – 215 Franklin Avenue						
Meeting Date	May 3, 2006						
Date Prepared	April 17, 2006				File #VR-2006-054		
Author	Ronnie Edwards		Associate Planner				
Presenter Name	Ronnie Edwards		Associate Planner				
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda	X	Consent		Individual Consideration

Summary: A request to vacate the southern 3 feet of the Franklin Avenue right-of-way, incorporating the subject area into a 14' multi-purpose easement.

Budget: N/A

Action Requested/Recommendation: Introduce the proposed ordinance and set a public hearing for May 17, 2006.

Background Information: See attached.

Attachments:

1. Site/Aerial Map
2. Future Land Use/Zoning Map
3. Ordinance

BACKGROUND INFORMATION					
Location:		215 Franklin Avenue			
Applicants:		201 Franklin, LLC – Jim Laudadio			
Existing Land Use:		Right-of-Way			
Proposed Land Use:		Multi-purpose Easement			
Surrounding Land Use:	North	Residential Single Family			
	South	Vacant Land			
	East	Vacant/Apartment Complex			
	West	Residential Single Family			
Existing Zoning:		RMF-24			
Proposed Zoning:		RMF-24			
Surrounding Zoning:	North	RMF-8			
	South	RMF-24			
	East	RMF-24			
	West	RMF-24			
Growth Plan Designation:		Residential-High (12+du/ac)			
Zoning within density range?		N/A	Yes		No

PROJECT DESCRIPTION: The proposal is to vacate the 3 feet of the Franklin Avenue right-of-way, incorporating the subject area into a multi-purpose easement.

ANALYSIS:

1. Background:

The subject area is presently vacant and is adjacent to the vacant lot to the south, which is 215 Franklin Avenue. This area was previously dedicated for use as right-of-way but was never constructed as part of Franklin Avenue. Per Chapter 5 of the Transportation Engineering Design Standards (TEDS), the current standard for a local residential street width is 44 feet. The existing Franklin Avenue right-of-way in this location is 50 feet wide. The proposed vacation of 3 feet will result in a width of 47 feet. The applicant will be required to dedicate a 14 feet multi-purpose easement to accommodate existing and proposed utilities.

2. Consistency with the Growth Plan:

Policy 10.2 states that the City will consider the needs of the community at large and the needs of the individual neighborhoods when making development decisions.

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

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

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

Granting the right-of-way vacation does not conflict with applicable Sections of the Growth Plan, major street plan and other adopted plans and policies of the City.

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

No parcel will be landlocked by the requested vacation as the adjacent property will continue to have direct access off Franklin Avenue and the subject area will be incorporated into a required multi-purpose easement for future utilities.

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

Access to the adjoining parcel will not be restricted to the point where access is unreasonable, economically prohibitive nor will it reduce or devalue any property.

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

There will be no adverse impacts to the general community and the quality of public facilities and services provided will not be reduced.

- 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.*

Provision of adequate public facilities and services will not be inhibited to any property. A 14' multi-purpose easement will be dedicated for existing and proposed utilities.

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

This proposal provides a benefit to the City as the vacated area will become the responsibility of the owner of the abutting property for maintenance. The remaining right-of-way will still exceed street standards. Utility providers and the City will retain the benefit of use of the property with the area being dedicated as a multi-purpose easement.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the right-of-way Vacation application, VR-2006-054, for the vacation of the southern 3 feet of right-of-way adjacent to 215 Franklin Avenue, Staff makes the following findings of fact and conclusions:

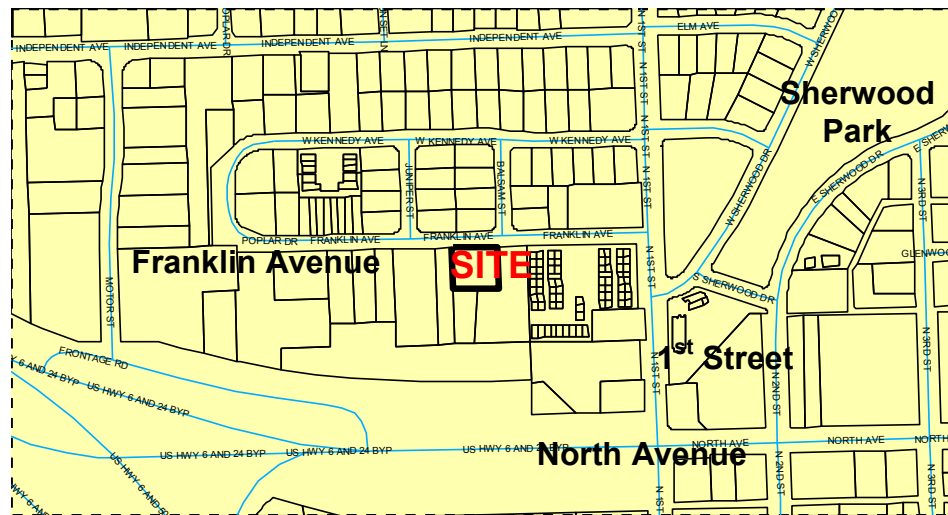
- The requested right-of-way vacation is consistent with the Growth Plan.
- The review criteria in Section 2.11.C of the Zoning and Development Code have been satisfied.
- The area of the requested right-of-way vacation will be incorporated into a multi-purpose easement for existing and proposed utilities.

Planning Commission Recommendation:

At their April 25, 2006 hearing, the Planning Commission recommended approval of the right-of-way vacation.

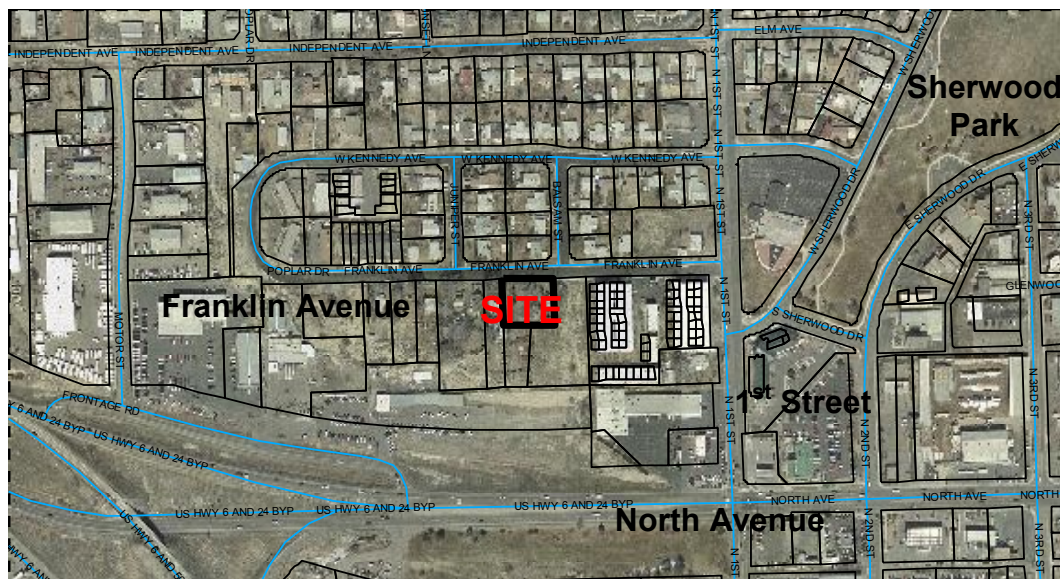
Site Location Map

Figure 1



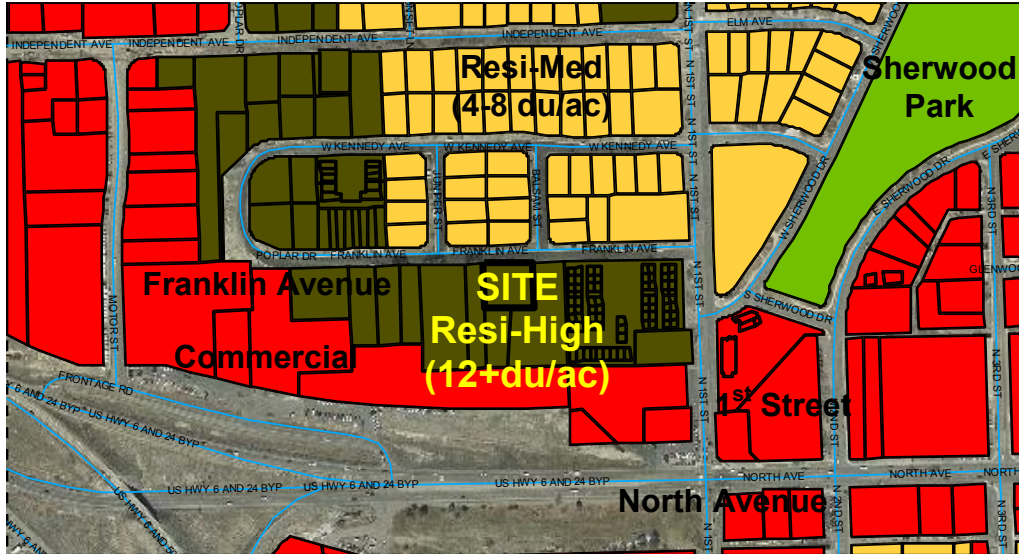
Aerial Photo Map

Figure 2



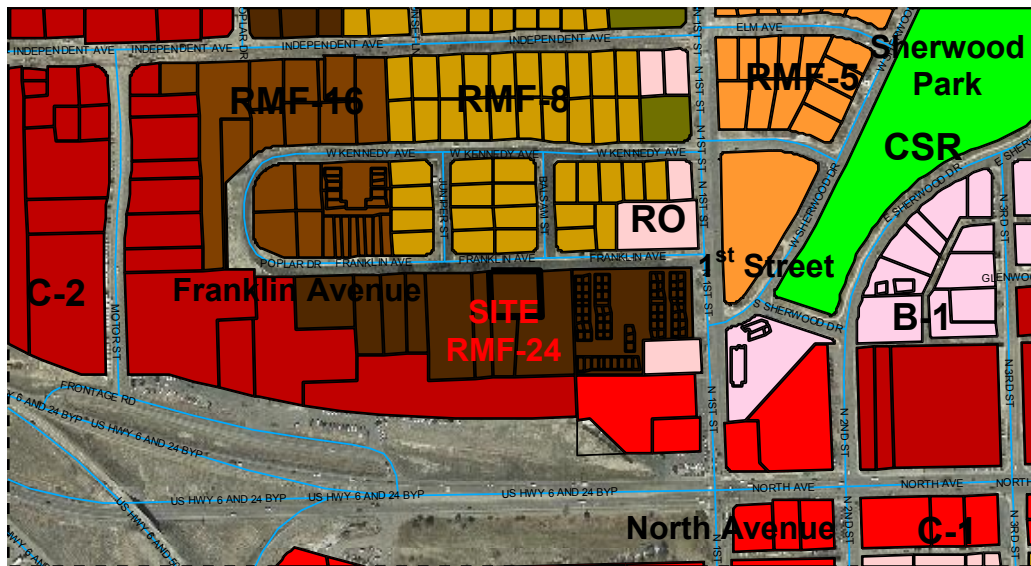
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE VACATING RIGHT-OF-WAY LOCATED ADJACENT TO
215 FRANKLIN AVENUE**

Recitals:

A request to vacate the southern 3 feet of right-of-way adjacent to 215 Franklin Avenue has been submitted to the City of Grand Junction. The City will reserve and retain the area by incorporating the area into a 14' Multi-Purpose Easement.

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 recommended that the vacation be approved as requested subject to the condition that the City shall reserve and retain the area in a Multi-Purpose Easement.

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 conditionally vacated:

EXHIBIT A

A parcel of land for a Three foot (3') Wide Right-of-Way Vacation located in the South Half of the Southeast Quarter of the Southeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 10, Township 1 South, Range 1 West of the Ute Meridian, and being more particularly described as follows:

BEGINNING at the Northeast corner of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 10, T1S, R1W of the U.M.; whence the Northwest corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, bears N89°56'41"W, a distance of 1319.87 feet, for a basis of bearings, with all bearings contained herein relative thereto; thence S00°15'47"E, a distance of 655.50 feet, along the East line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, to a point at the intersection of said East line and the North line of the South Half of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10; thence N89°52'11"W, a distance of 493.00 feet, along said North line of S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10; thence S00°29'34"W, a distance of 22.00 feet to the POB; thence S00°29'34"W, a distance of 3.00 feet; thence N89°52'11"W, a distance of 143.03 feet; thence N00°16'02"W, a distance of 3.00 feet; thence S89°52'11"E, a distance of 143.07 feet to the POB. Said parcel containing an area of 0.010 acres, as described and depicted on Exhibit B, attached.

This right-of-way vacation is conditioned and contingent upon the dedication of the 14' multi-purpose easement for the benefit of future and anticipated utilities.

2. The City hereby reserves and retains the said area in a Multi-Purpose Easement on, long, over, under, through and across the entire area of the above described right-of-way, for the use and benefit of the City and for the use and benefit of the Public Utilities, as approved by the City, as a Multi-Purpose Easement for the installation, operation, maintenance, repair and replacement of existing and future utilities and appurtenances related thereto, as approved by the City, including, but not limited to, electric lines, cable television lines, natural gas pipelines, sanitary sewer lines, storm sewers and storm water drainage facilities, water lines, telephone lines, and also for the installation, operation, maintenance, repair and replacement of traffic control facilities. Street lighting, landscaping, trees and grade structures, as approved by the City, together with the right of ingress and egress for workers and equipment to survey, maintain, operate, repair, replace, control and use said Easement, and to remove objects interfering therewith, including the trimming of trees and bushes as may be required to permit the operation of standard utility construction and repair machinery.

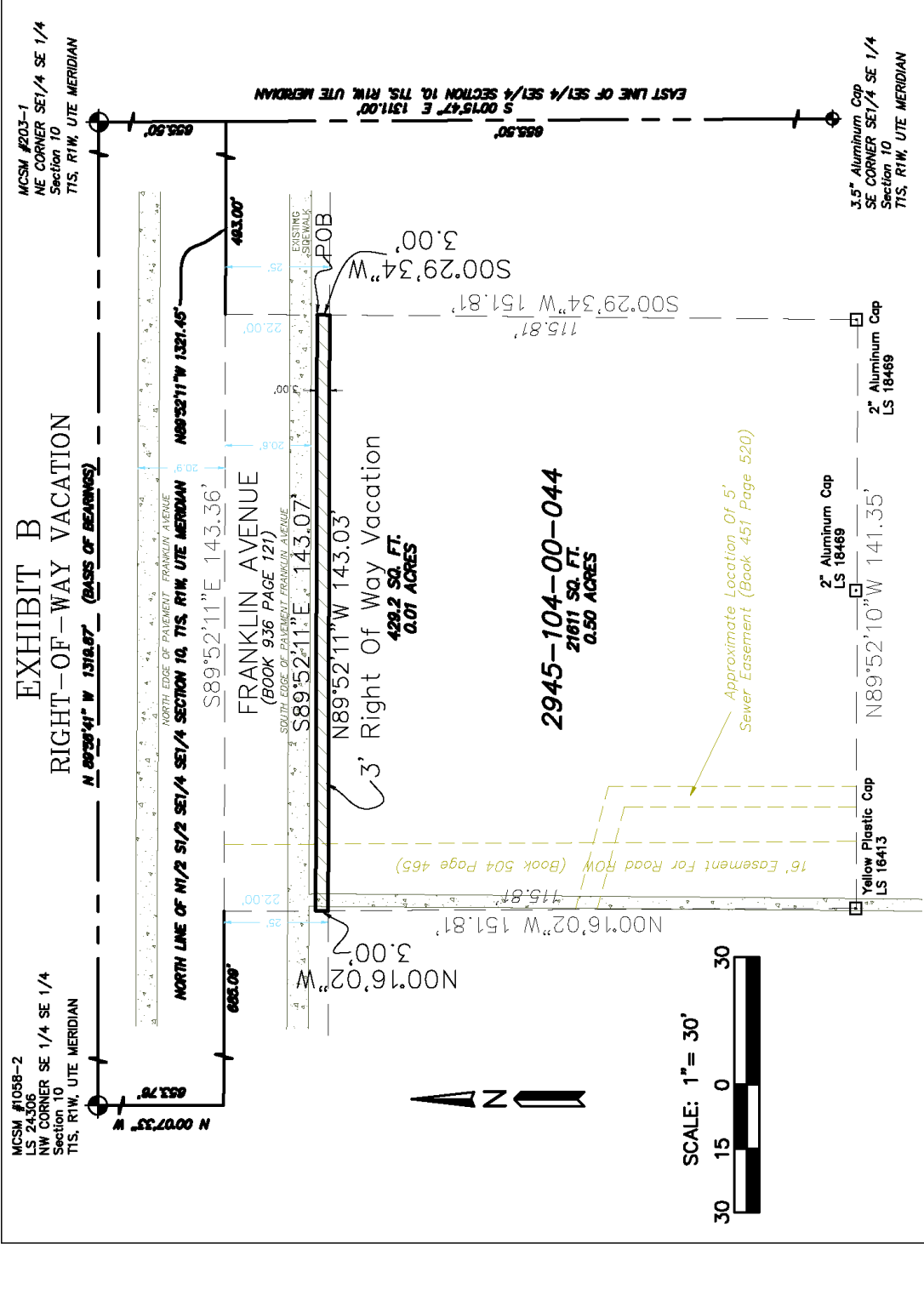
Introduced for first reading on this ____ day of _____, 2006

PASSED and ADOPTED this ____ day of _____, 2006

ATTEST:

President of City Council

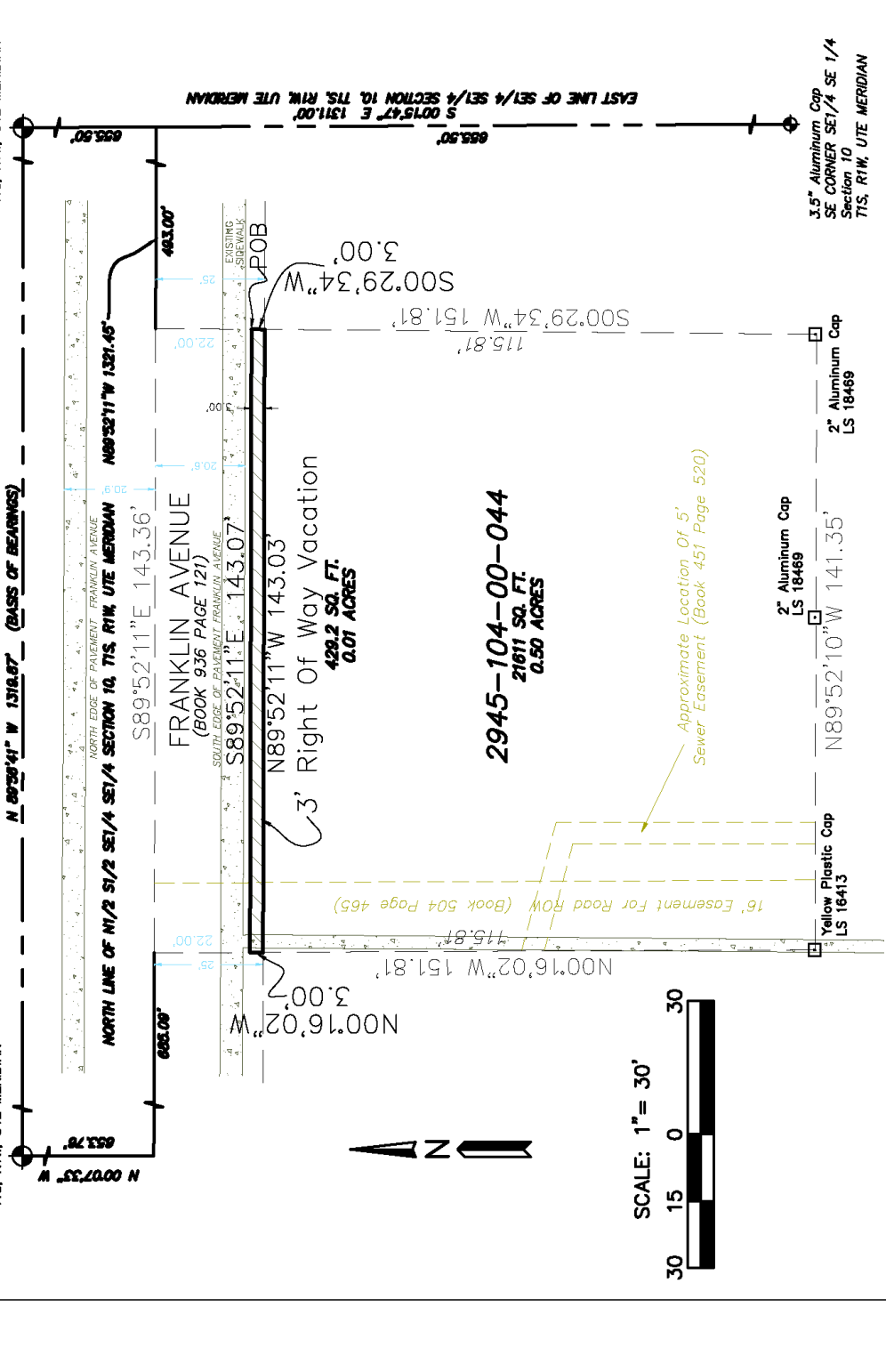
City Clerk



MCSM #1058-2
 LS 24306
 NW CORNER SE 1/4 SE 1/4
 Section 10
 T1S, R1W, UTE MERIDIAN

EXHIBIT B
RIGHT-OF-WAY VACATION
(BASIS OF BEARINGS)

MCSM #203-1
 NE CORNER SE 1/4 SE 1/4
 Section 10
 T1S, R1W, UTE MERIDIAN



N 00°07'35" W
 653.78'

3' Right of Way Vacated
429.2 SQ. FT.
0.01 ACRES

N 00°16'02" W
 3.00'
 115.81'
 151.81'

N 89°52'11" E 143.36'
 S 89°52'11" W 143.03'

FRANKLIN AVENUE
 (BOOK 936 PAGE 121)

N 89°52'10" W 141.35'
 2" Aluminum Cap
 LS 18489

N 89°52'11" E 143.07'
 S 00°29'34" W 151.81'

2945-104-00-044
21611 SQ. FT.
0.50 ACRES

S 00°16'02" W 151.81'
 115.81'
 151.81'

N 89°52'11" E 143.36'
 S 89°52'11" W 143.03'

FRANKLIN AVENUE
 (BOOK 936 PAGE 121)

N 89°52'10" W 141.35'
 2" Aluminum Cap
 LS 18489

N 89°52'11" E 143.07'
 S 00°29'34" W 151.81'

2945-104-00-044
21611 SQ. FT.
0.50 ACRES

S 00°16'02" W 151.81'
 115.81'
 151.81'

N 89°52'11" E 143.36'
 S 89°52'11" W 143.03'

FRANKLIN AVENUE
 (BOOK 936 PAGE 121)

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N 89°52'11" E 143.07'
 S 00°29'34" W 151.81'

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21611 SQ. FT.
0.50 ACRES

S 00°16'02" W 151.81'
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2945-104-00-044
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 S 89°52'11" W 143.03'

FRANKLIN AVENUE
 (BOOK 936 PAGE 121)

N 89°52'10" W 141.35'
 2" Aluminum Cap
 LS 18489

N 89°52'11" E 143.07'
 S 00°29'34" W 151.81'

2945-104-00-044
21611 SQ. FT.
0.50 ACRES

S 00°16'02" W 151.81'
 115.81'
 151.81'

N 89°52'11" E 143.36'
 S 89°52'11" W 143.03'

FRANKLIN AVENUE
 (BOOK 936 PAGE 121)

N 89°52'10" W 141.35'
 2" Aluminum Cap
 LS 18489

N 89°52'11" E 143.07'
 S 00°29'34" W 151.81'

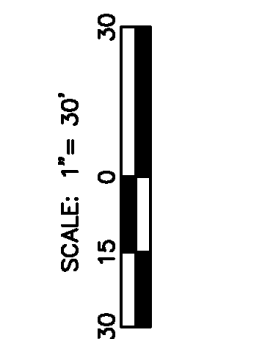
2945-104-00-044
21611 SQ. FT.
0.50 ACRES

S 00°16'02" W 151.81'
 115.81'
 151.81'

N 89°52'11" E 143.36'
 S 89°52'11" W 143.03'

FRANKLIN AVENUE
 (BOOK 936 PAGE 121)

N 89°52'10" W 141.35'
 2" Aluminum Cap
 LS 18489



SCALE: 1" = 30'



N

30 15 0 30

Yellow Plastic Cap
 LS 16413

2" Aluminum Cap
 LS 18489

3.5" Aluminum Cap
 SE CORNER SE 1/4 SE 1/4
 Section 10
 T1S, R1W, UTE MERIDIAN

Approximate Location Of 5' Sewer Easement (Book 451 Page 520)

16' Easement For Road ROW (Book 504 Page 465)

EXISTING SIDEWALK

ROB

NORTH EDGE OF PAVEMENT FRANKLIN AVENUE

SOUTH EDGE OF PAVEMENT FRANKLIN AVENUE

N 89°52'11" E 1321.45'

653.90'

S 00°15'47" E 1311.00'

EAST LINE OF SE 1/4 SE 1/4 SECTION 10, T1S, R1W, UTE MERIDIAN

653.90'

Attach 7

**Kresin Annexation Located at 530 South Broadway
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
Subject	Kresin Annexation located at 530 South Broadway					
Meeting Date	May 3, 2006					
Date Prepared	April 27, 2006			File #ANX-2006-084		
Author	Lori V. Bowers		Senior Planner			
Presenter Name	Lori V. Bowers		Senior Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda	X	Consent	Individual Consideration

Summary: Resolution referring a petition for annexation and introduction of a proposed ordinance. The 8.20 acre Kresin Annexation consists of 2 parcels.

Budget: N/A

Action Requested/Recommendation: Approval of the Resolution of Referral, accepting the Kresin Annexation petition and introduce the proposed Kresin Annexation Ordinance, exercise land use jurisdiction immediately and set a hearing for the 7th day of June, 2006.

Background Information: See attached Staff Report/Background Information

Attachments:

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

STAFF REPORT / BACKGROUND INFORMATION

Location:		530 South Broadway		
Applicants:		Owner/Developer: Bruce Kresin Representative: Brynn Vasboe		
Existing Land Use:		Residential		
Proposed Land Use:		Residential		
Surrounding Land Use:	North	Single Family Residential		
	South	Single Family Residential / Tiara Rado Driving Range		
	East	Single Family Residential		
	West	Single Family / Multi-Family Residential		
Existing Zoning:		County RSF-4		
Proposed Zoning:		City RSF-4		
Surrounding Zoning:	North	County RSF-2		
	South	County PUD (undeveloped) / City CSR		
	East	County RSF-2		
	West	County RSF-4		
Growth Plan Designation:		Residential Medium Low 2-4 du/ac		
Zoning within density range?		X	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 8.20 acres of land and is comprised of 2 parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary 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 Kresin Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;

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

The following annexation and zoning schedule is being proposed.

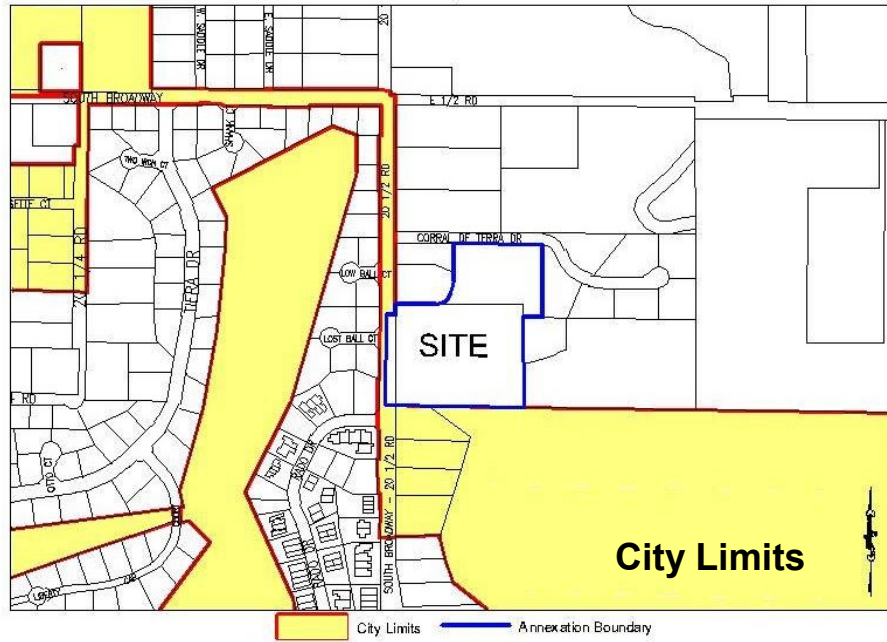
<i>ANNEXATION SCHEDULE</i>	
May 3, 2006	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
May 9, 2006	Planning Commission considers Zone of Annexation
May 17, 2006	Introduction Of A Proposed Ordinance on Zoning by City Council
June 7, 2006	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
July 2, 2006	Effective date of Annexation and Zoning

KRESIN ANNEXATION SUMMARY

File Number:	ANX-2006-084
Location:	530 South Broadway
Tax ID Number:	2947-224-00-215 / 2947-224-00-216
Parcels:	2
Estimated Population:	2
# of Parcels (owner occupied):	0
# of Dwelling Units:	1
Acres land annexed:	8.20 acres
Developable Acres Remaining:	7.86 acres
Right-of-way in Annexation:	0.00 acres
Previous County Zoning:	RSF-4
Proposed City Zoning:	RSF-4
Current Land Use:	Residential
Future Land Use:	Residential
Values:	Assessed: = \$56,380
	Actual: = \$470,390
Address Ranges:	530, 532, 534 S. Broadway / 2061 Corral De Terra Dr
Special Districts:	Water: Ute Water
	Sewer: City of Grand Junction
	Fire: Grand Jct Rural
	Irrigation/Drainage : Redlands Water & Power
	School: Mesa County School District #51
	Pest: N/A

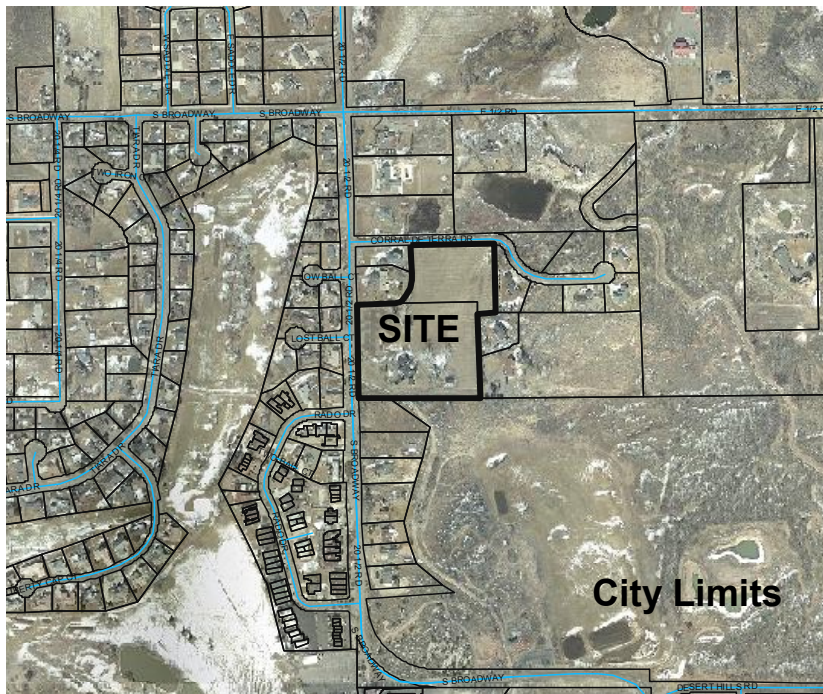
Site Location Map

Figure 1



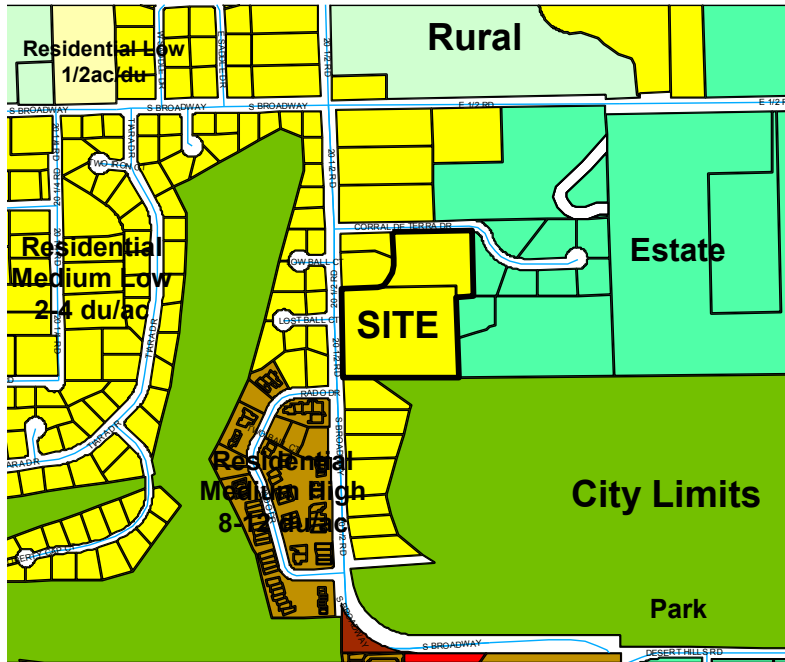
Aerial Photo Map

Figure 2



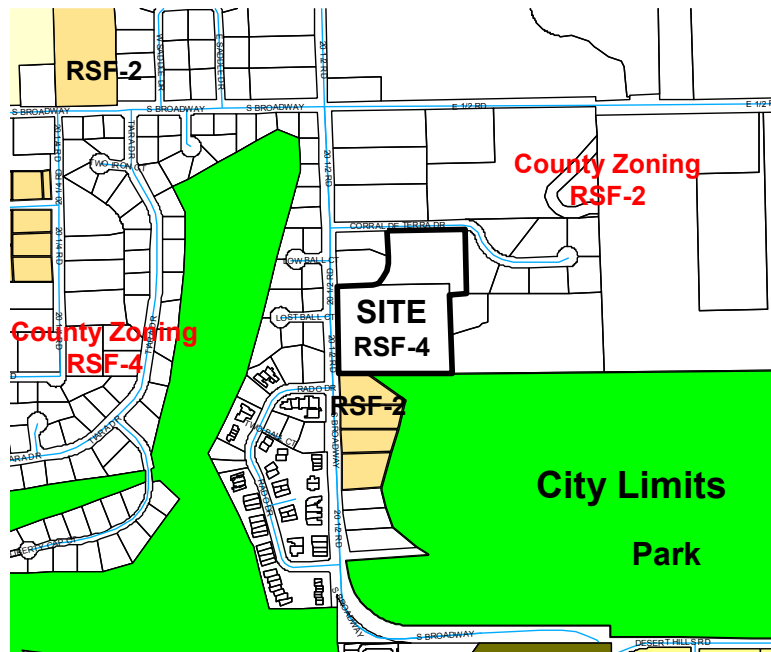
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 3rd of May, 2006, the following Resolution was adopted:

RESOLUTION NO. _____

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

KRESIN ANNEXATION

LOCATED AT 530 SOUTH BROADWAY.

WHEREAS, on the 3rd day of May, 2006, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

KRESIN ANNEXATION

A certain parcel of land lying in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 22, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southwest corner of the NW 1/4 SE 1/4 of said Section 22, and considering the West line of the NW 1/4 SE 1/4 of said Section 22 to bear N00°02'27"E with all bearings contained herein being relative thereto; thence from said Point of Beginning, N00°02'27"E along the West line of the NW 1/4 SE 1/4 of said Section 22, a distance of 384.00 feet; thence S88°55'36"E a distance of 40.00 feet; thence N00°02'27"E along a line 40.00 feet East of and parallel to the West line of the NW 1/4 SE 1/4 of said Section 22, being the East right of way for 20 1/2 Road (South Broadway), a distance of 43.70 feet; thence S89°49'32"E a distance of 168.46 feet; thence N80°33'41"E a distance of 31.91 feet; thence N56°51'28"E a distance of 12.67 feet; thence N40°38'16"E a distance of 19.41 feet; thence N30°05'02"E a distance of 20.67 feet; thence N20°52'08"E a distance of 19.81 feet; thence N17°46'08"E a distance of 20.00 feet; thence N12°27'37"E a distance of 19.83 feet; thence N05°01'09"E a distance of 20.36 feet; thence N00°02'27"E a distance of 136.20 feet to a point on the South line of that certain 50 foot utility easement and road right of way for Corral de Terra Drive, as same is shown on the Plat of Corral de Terra, recorded in Plat Book 13, Page 124, Public Records of Mesa County, Colorado; thence S89°34'33"E along said South line, a distance of 380.00 feet to a point being the Northwest corner of Lot 7, said Plat of Corral de Terra; thence S00°02'27"W, along the West line of said Plat of Corral de Terra, a distance of 311.19 feet to a point on the North line of Bonatti Subdivision, as same is recorded in Plat Book 14, Page 69, Public Records of Mesa County, Colorado; thence N88°56'45"W, along said North line, a distance of 83.70 feet to a point being the Northwest corner of said Bonatti Subdivision; thence S00°06'03"E, along the West line of said Bonatti Subdivision, a distance of 383.00 feet to a point on

the South line of the NW 1/4 SE 1/4 of said Section 22; thence N88°56'45"W, along said South line, a distance of 590.02 feet, more or less, to the Point of Beginning.

Said parcel contains 8.20 acres (357,249 square feet), more or less, as described.

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

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

1. That a hearing will be held on the 7th day of June, 2006, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED this _____ day of _____, 2006.

Attest:

President of the Council

City Clerk

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

City Clerk

<i>DATES PUBLISHED</i>
May 5, 2006
May 12, 2006
May 19, 2006
May 26, 2006

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

KRESIN ANNEXATION

APPROXIMATELY 8.20 ACRES

LOCATED AT 530 SOUTH BROADWAY

WHEREAS, on the 3rd day of May, 2006, 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 7th day of June, 2006; 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:

KRESIN ANNEXATION

A certain parcel of land lying in the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 22, Township 11 South, Range 101 West of the 6th Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southwest corner of the NW 1/4 SE 1/4 of said Section 22, and considering the West line of the NW 1/4 SE 1/4 of said Section 22 to bear N00°02'27"E with all bearings contained herein being relative thereto; thence from said Point of Beginning, N00°02'27"E along the West line of the NW 1/4 SE 1/4 of said Section 22, a distance of 384.00 feet; thence S88°55'36"E a distance of 40.00 feet; thence N00°02'27"E along a line 40.00 feet East of and parallel to the West line of the NW 1/4 SE 1/4 of said Section 22, being the East right of way for 20 1/2 Road (South Broadway), a distance of 43.70 feet; thence S89°49'32"E a distance of 168.46 feet; thence N80°33'41"E a distance of 31.91 feet; thence N56°51'28"E a distance of 12.67 feet; thence N40°38'16"E a distance of 19.41 feet; thence N30°05'02"E a distance of 20.67 feet; thence N20°52'08"E a distance of 19.81 feet; thence N17°46'08"E a

distance of 20.00 feet; thence N12°27'37"E a distance of 19.83 feet; thence N05°01'09"E a distance of 20.36 feet; thence N00°02'27"E a distance of 136.20 feet to a point on the South line of that certain 50 foot utility easement and road right of way for Corral de Terra Drive, as same is shown on the Plat of Corral de Terra, recorded in Plat Book 13, Page 124, Public Records of Mesa County, Colorado; thence S89°34'33"E along said South line, a distance of 380.00 feet to a point being the Northwest corner of Lot 7, said Plat of Corral de Terra; thence S00°02'27"W, along the West line of said Plat of Corral de Terra, a distance of 311.19 feet to a point on the North line of Bonatti Subdivision, as same is recorded in Plat Book 14, Page 69, Public Records of Mesa County, Colorado; thence N88°56'45"W, along said North line, a distance of 83.70 feet to a point being the Northwest corner of said Bonatti Subdivision; thence S00°06'03"E, along the West line of said Bonatti Subdivision, a distance of 383.00 feet to a point on the South line of the NW 1/4 SE 1/4 of said Section 22; thence N88°56'45"W, along said South line, a distance of 590.02 feet, more or less, to the Point of Beginning.

Said parcel contains 8.20 acres (357,249 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 ____ day of _____, 2006 and ordered published.

ADOPTED on second reading this ____ day of _____, 2006.

Attest:

President of the Council

City Clerk

Attach 8

Fox Annexation Located at 3000 F Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Fox Annexation located at 3000 F Road						
Meeting Date	May 3, 2006						
Date Prepared	April 27, 2006			File #GPA-2006-087			
Author	Senta L. Costello		Associate Planner				
Presenter Name	Kathy Portner		Assistant Community Development Director				
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Resolution referring a petition for annexation and introduction of a proposed ordinance. The 1.92 acre Fox Annexation consists of 1 parcel.

Budget: N/A

Action Requested/Recommendation: Approval of the Resolution of Referral, accepting the Fox Annexation petition and introduce the proposed Fox Annexation Ordinance, exercise land use jurisdiction immediately and set a hearing for the 7th day of June, 2006.

Background Information: See attached Staff Report/Background Information

Attachments:

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

STAFF REPORT / BACKGROUND INFORMATION

Location:		3000 F Road		
Applicants:		Owner: Pamela Fox		
Existing Land Use:		Residential		
Proposed Land Use:		Residential / Office		
Surrounding Land Use:	North	Single Family Residential		
	South	Single Family Residential		
	East	Single Family Residential		
	West	Single Family Residential / Rite-Aid		
Existing Zoning:		County RSF-4		
Proposed Zoning:		City RO		
Surrounding Zoning:	North	County RSF-4		
	South	County RSF-4		
	East	County RSF-4		
	West	City PD – Commercial / County RSF-4 and PD		
Growth Plan Designation:		Current: Residential Medium Low 2-4 du/ac Requesting: Residential Medium High 8-12 du/ac		
Zoning within density range?		W/ amendment	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 1.92 acres of land and is comprised of 1 parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary 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 Fox Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;

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

The following annexation and zoning schedule is being proposed.

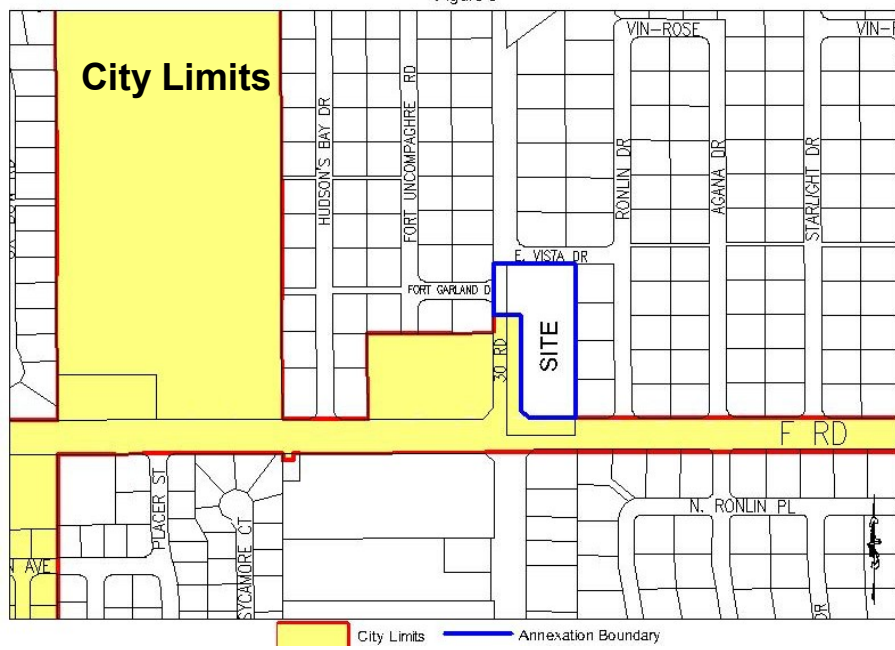
<i>ANNEXATION SCHEDULE</i>	
May 3, 2006	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
To be scheduled	Planning Commission considers Zone of Annexation
To be scheduled	Introduction Of A Proposed Ordinance on Zoning by City Council
June 7, 2006	Acceptance of Petition and Public Hearing on Annexation by City Council
July 2, 2006	Effective date of Annexation

FOX ANNEXATION SUMMARY

File Number:		GPA-2006-087
Location:		3000 F Road
Tax ID Number:		2943-043-00-114
Parcels:		1
Estimated Population:		2
# of Parcels (owner occupied):		1
# of Dwelling Units:		1
Acres land annexed:		1.92 acres
Developable Acres Remaining:		2.25 acres
Right-of-way in Annexation:		12,001 square feet
Previous County Zoning:		RSF-4
Proposed City Zoning:		City RO
Current Land Use:		Residential
Future Land Use:		Residential / Office
Values:	Assessed:	= \$10,540
	Actual:	= \$132,400
Address Ranges:		3000 F Road / 600-608 30 Road (even only)
Special Districts:	Water:	Ute Water
	Sewer:	Central Grand Valley Sanitation
	Fire:	Clifton Fire District
	Irrigation/Drainage:	Grand Valley Irrigation / Grand Jct Drainage
	School:	Mesa County School District #51
	Pest:	Grand River Mosquito

Site Location Map

Figure 1



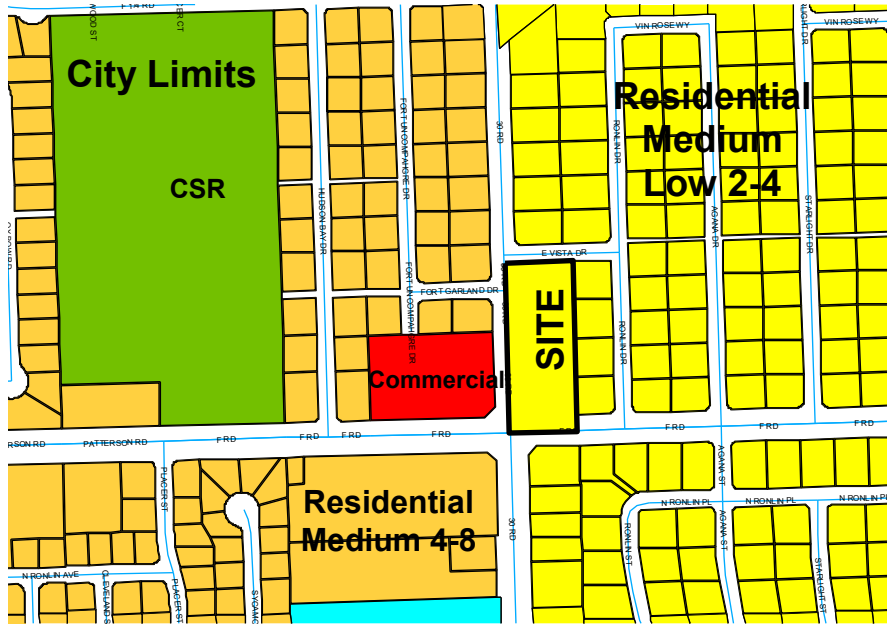
Aerial Photo Map

Figure 2



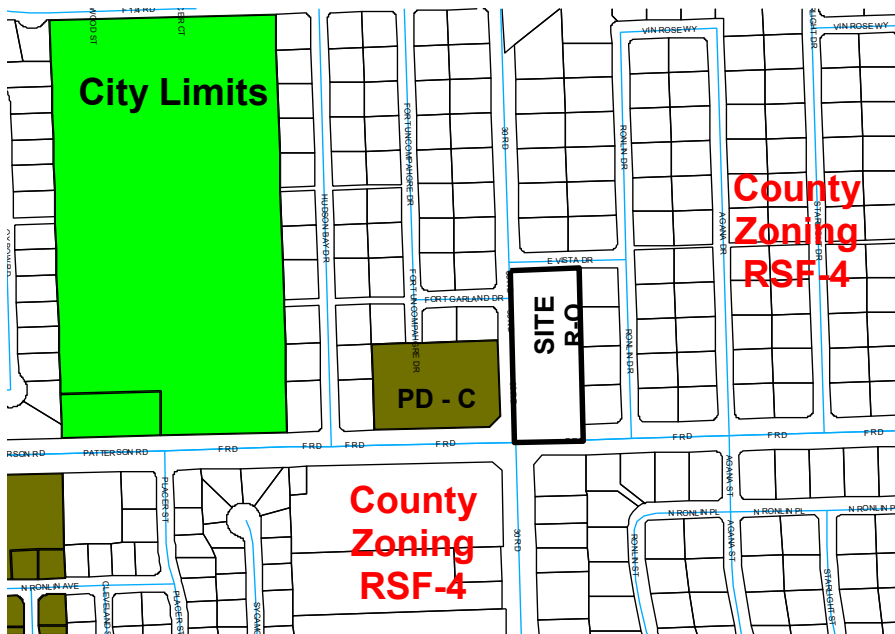
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 7th of June, 2006, the following Resolution was adopted:

RESOLUTION NO. _____

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

FOX ANNEXATION

LOCATED AT 3000 F ROAD INCLUDING A PORTION OF THE 30 ROAD RIGHT-OF-WAY

WHEREAS, on the 3rd day of May, 2006, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

FOX ANNEXATION

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

COMMENCING at the Southwest corner of said Section 4, and assuming the West line of the SW 1/4 SW 1/4 of said Section 4 to bear N00°09'16"W with all bearings contained herein relative thereto; thence N00°09'16"W, along the West line of the SW 1/4 SW 1/4 of said Section 4, a distance of 350.05 feet to the POINT OF BEGINNING; thence S89°50'44"W, a distance of 40.00 feet to a point on the Westerly right of way of 30 Road; thence N00°09'16"W, along the Westerly right of way of 30 Road a distance of 150.12 feet; thence S89°55'10"E along the Southerly right of way and the Westerly projection of East Vista Drive as same is shown on the plat of Village East First Filing, as described in Plat Book 11, page 76 of the Mesa County, Colorado, Public Records a distance of 240.07 feet to the Northwest corner of Block One of said Village East First Filing; thence S00°09'16"E along the West line of Block One of said Village East First Filing, a distance of 450.00 feet to a point on the Northerly right of way of Patterson Road; thence N89°55'10"W, along the North right of way of Patterson Road, a distance of 135.00 feet; thence N45°02'11"W, along said right of way, a distance of 35.43 feet to a point on the Easterly right of way of said 30 Road; thence N00°09'16"W along the East right of way of said 30 Road a distance of 275.21 feet; thence S89°50'44"W a distance of 40.00 feet, more or less to the POINT OF BEGINNING.

Said parcel contains 1.92 acres (83,689 square feet), more or less, as described.

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

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

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

1. That a hearing will be held on the 7th day of June, 2006, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED this _____ day of _____, 2006.

Attest:

President of the Council

City Clerk

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

City Clerk

<i>DATES PUBLISHED</i>
May 5, 2006
May 12, 2006
May 19, 2006
May 26, 2006

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

FOX ANNEXATION

APPROXIMATELY 1.92 ACRES

**LOCATED AT 3000 F ROAD INCLUDING A PORTION OF THE 30 ROAD RIGHT-OF-
WAY**

WHEREAS, on the 3rd day of May, 2006, 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 7th day of June, 2006; 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:

FOX ANNEXATION

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

COMMENCING at the Southwest corner of said Section 4, and assuming the West line of the SW 1/4 SW 1/4 of said Section 4 to bear N00°09'16"W with all bearings contained herein relative thereto; thence N00°09'16"W, along the West line of the SW 1/4 SW 1/4 of said Section 4, a distance of 350.05 feet to the POINT OF BEGINNING; thence S89°50'44"W, a distance of 40.00 feet to a point on the Westerly right of way of 30 Road; thence N00°09'16"W, along the Westerly right of way of 30 Road a distance of 150.12 feet; thence S89°55'10"E along the Southerly right of way and the Westerly projection of East Vista Drive as same is shown on the plat of Village East First Filing, as described in Plat Book 11, page 76 of the Mesa County, Colorado, Public Records a distance of 240.07 feet to the Northwest corner of Block One of said Village East First

Filing; thence S00°09'16"E along the West line of Block One of said Village East First Filing, a distance of 450.00 feet to a point on the Northerly right of way of Patterson Road; thence N89°55'10"W, along the North right of way of Patterson Road, a distance of 135.00 feet; thence N45°02'11"W, along said right of way, a distance of 35.43 feet to a point on the Easterly right of way of said 30 Road; thence N00°09'16"W along the East right of way of said 30 Road a distance of 275.21 feet; thence S89°50'44"W a distance of 40.00 feet, more or less to the POINT OF BEGINNING.

Said parcel contains 1.92 acres (83,689 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 ____ day of _____, 2006 and ordered published.

ADOPTED on second reading this ____ day of _____, 2006.

Attest:

President of the Council

City Clerk

Attach 9**Thunder Hog Annexation Located at 3079 F ½ Road and 3088 Shadowbrook Court
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
Subject	Thunder Hog Annexation Located at 3079 F ½ Road / 3088 Shadowbrook Court						
Meeting Date	May 3, 2006						
Date Prepared	April 27, 2006				File #ANX-2006-072		
Author	Senta L. Costello		Associate Planner				
Presenter Name	Senta L. Costello		Associate Planner				
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Resolution referring a petition for annexation and introduction of a proposed ordinance. The 13.76 acre Thunder Hog Annexation consists of 2 parcels and is a 2 part serial annexation.

Budget: N/A

Action Requested/Recommendation: Approval of the Resolution of Referral, accepting the Thunder Hog Annexation petition and introduce the proposed Thunder Hog Annexation Ordinance, exercise land use jurisdiction immediately and set a hearing for the 7th day of June, 2006.

Background Information: See attached Staff Report/Background Information

Attachments:

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

STAFF REPORT / BACKGROUND INFORMATION

Location:		3079 F ½ Road / 3088 Shadowbrook Ct		
Applicants:		Owner: Billie J. Dodd; Owner: TD Investments of Grand Junction, LLC – Thad Harris; Developer: TDSM, Inc. – Merl Unruh; Representative: Ciavonne, Roberts & Associates – Keith Ehlers		
Existing Land Use:		Vacant / Agricultural		
Proposed Land Use:		Residential		
Surrounding Land Use:	North	Single Family Residential / Agricultural		
	South	Single Family Residential 3.4 du/ac		
	East	Single Family Residential / Agricultural		
	West	Thunder Mountain Elementary / Vacant		
Existing Zoning:		County RSF-R / PD 3.4		
Proposed Zoning:		City RSF-4		
Surrounding Zoning:	North	County RSF-R		
	South	PD 3.4 du/ad		
	East	County RSF-R		
	West	County RSF-R		
Growth Plan Designation:		Residential Medium Low 2-4 du/ac		
Zoning within density range?	X	Yes		No

Staff Analysis:

ANNEXATION:

This annexation area consists of 13.76 acres of land and is comprised of 2 parcels. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary 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 Thunder Hog Annexation is eligible to be annexed because of compliance with the following:

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

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

The following annexation and zoning schedule is being proposed.

<i>ANNEXATION SCHEDULE</i>	
May 3, 2006	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
May 9, 2006	Planning Commission considers Zone of Annexation
May 17, 2006	Introduction Of A Proposed Ordinance on Zoning by City Council
June 7, 2006	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
July 2, 3006	Effective date of Annexation and Zoning

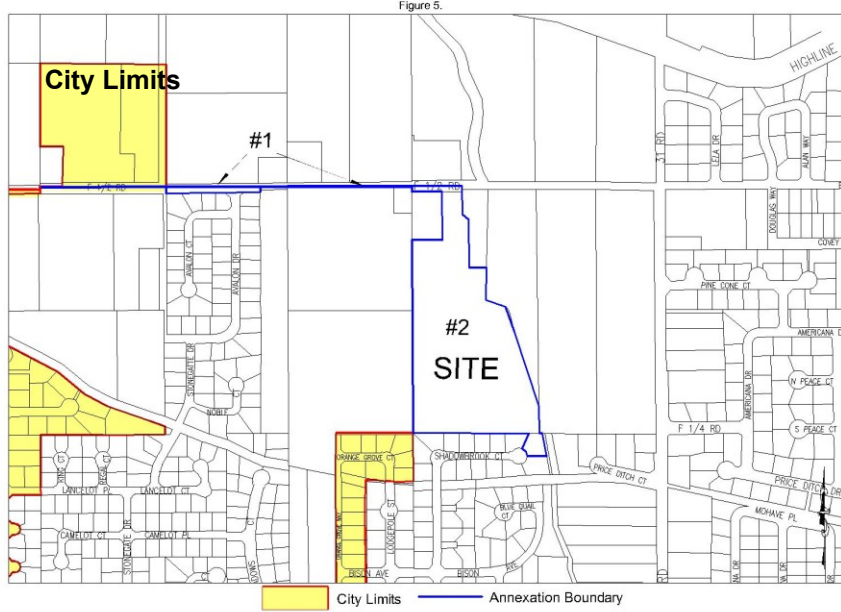
THUNDER HOG ANNEXATION SUMMARY

File Number:	ANX-2006-072	
Location:	3079 F ½ Road / 3088 Shadowbrook Ct	
Tax ID Number:	2943-044-31-002 / 2943-044-54-009	
Parcels:	2	
Estimated Population:	2	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	1	
Acres land annexed:	13.76 acres	
Developable Acres Remaining:	12.7 acres	
Right-of-way in Annexation:	30,476.93 acres	
Previous County Zoning:	RSF-R / PD 3.4	
Proposed City Zoning:	RSF-4	
Current Land Use:	Residential / Agricultural	
Future Land Use:	Residential	
Values:	Assessed:	= \$1,710 / \$18,140
	Actual:	= \$5,900 / \$190,850
Address Ranges:	3079 F ½ Road / 3088 Shadowbrook Ct	
Special Districts:	Water:	Clifton Water
	Sewer:	Central Grand Valley Sanitation
	Fire:	Clifton Fire District
	Irrigation/Drainage:	Grand Valley Irrigation/Grand Jct Drainage
	School:	Mesa County School District #51
	Pest:	Grand Valley Mosquito

Site Location Map

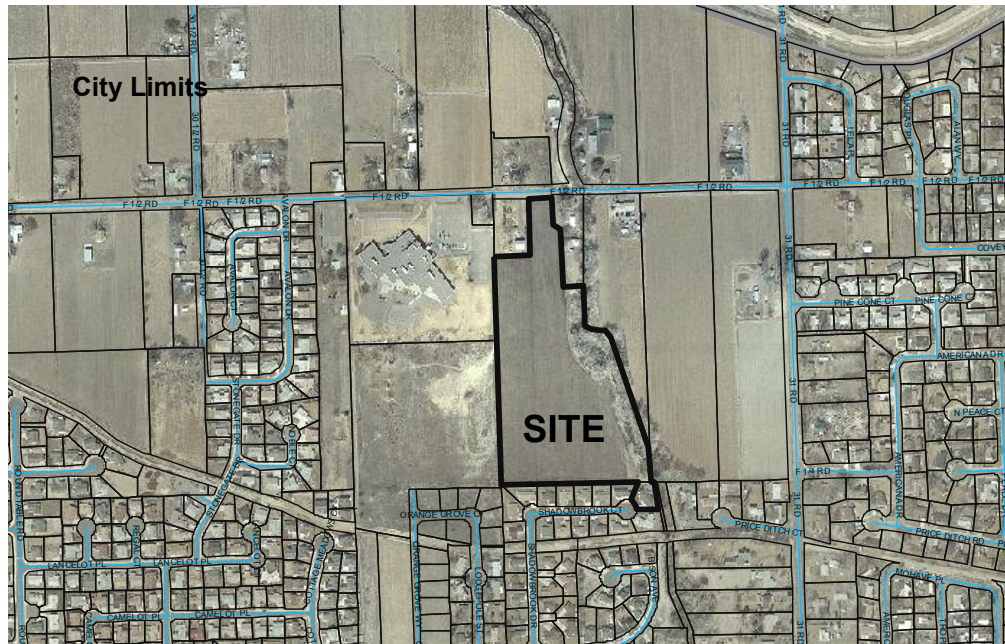
Figure 1

Thunder Hog Annexations #1 & #2



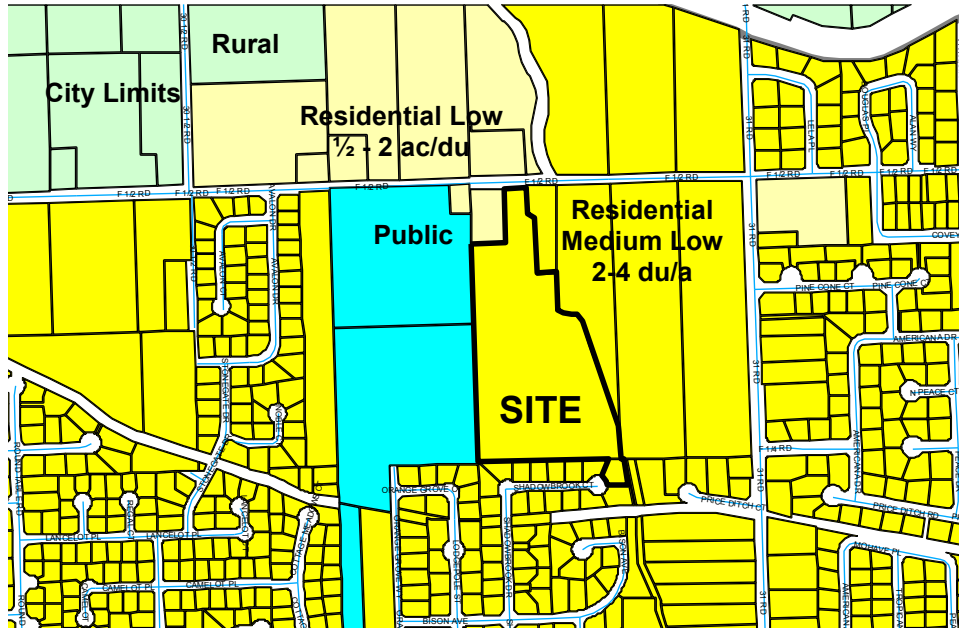
Aerial Photo Map

Figure 2



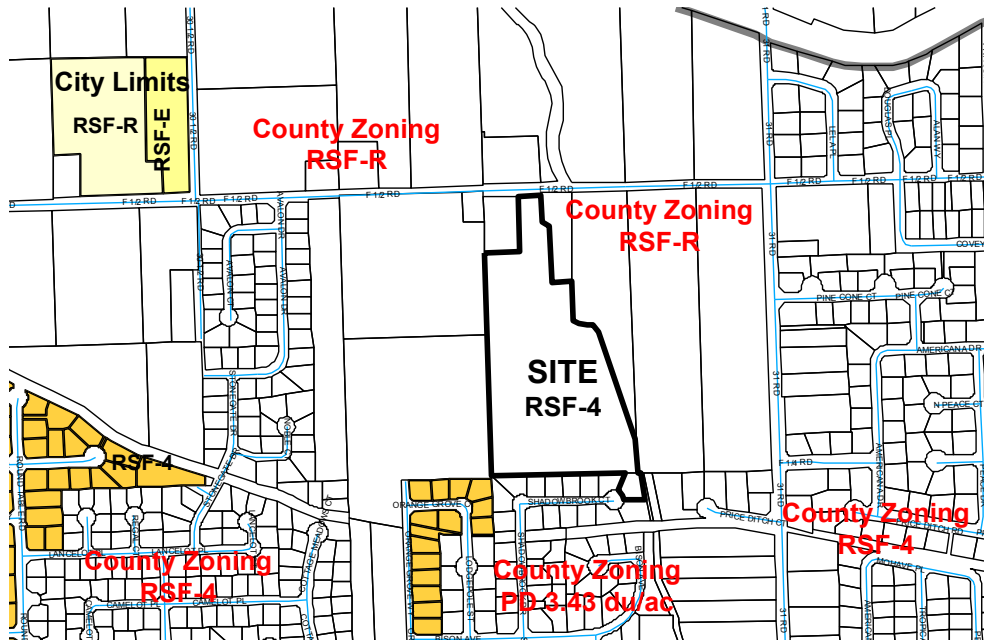
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 3rd of May, 2006, the following Resolution was adopted:

RESOLUTION NO. _____

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

THUNDER HOG ANNEXATION

**LOCATED AT 3079 F ½ ROAD AND 3088 SHADOWBROOK COURT INCLUDING A
PORTION OF THE F ½ ROAD RIGHT-OF-WAY**

WHEREAS, on the 3rd day of May, 2006, a petition was referred to the City Council of the City of Grand Junction, Colorado, for annexation to said City of the following property situate in Mesa County, Colorado, and described as follows:

Thunder Hog Estates Annexation No. 1

A certain parcel of land located in the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) and the Northwest Quarter of the Southeast Quarter (NW1/4 SE1/4) of Section 4, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northeast corner of the NW1/4 SE1/4 of said Section 4 and assuming the North line of the NW1/4 SE1/4 of said Section 4 bears N89°58'34"E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S00°15'03"E along the East line of the NW1/4 SE1/4 of said Section 4 a distance of 2.00 feet; thence S89°58'34"W along a line being 2.00 feet South of and parallel with the North line of the NW1/4 SE1/4 of said Section 4 a distance of 1320.18 to a point on the West line of the NW1/4 SE1/4 of said Section 4; thence S89°58'03"W along a line being 2.00 feet South of and parallel with the North line of the NE1/4 SW1/4 of said Section 4, a distance of 660.47 feet; thence N01°28'59"E a distance of 2.00 feet to a point on the North line of the NE1/4 SW1/4 of said Section 4; thence N89°58'03"E along the North line of the NE1/4 SW1/4 of said Section 4, a distance of 660.42 to the Northeast corner of the NE1/4 SW1/4 of said Section 4; thence N89°58'34"E along the North line of the NW1/4 SE1/4 of said Section 4, a distance of 1320.17, more or less to the POINT OF BEGINNING. Said parcel contains 0.09 acres (3961 square feet), more or less, as described.

Thunder Hog Estates Annexation No. 2

A certain parcel of land located in the Northeast Quarter of the Southeast Quarter (NE1/4 SE1/4) and the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section 4, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northwest corner of the NE1/4 SE1/4 of said Section 4 and assuming the North line of the NE1/4 SE1/4 of said Section 4 bears N89°58'59"E with all other bearings contained herein being relative thereto; thence from said Point of Beginning; thence N89°58'59"E along the North line of the NE1/4 SE1/4 of said Section 4, a distance of 275.22 feet; thence S00°15'04"E a distance of 33.00 feet to the Northeast corner of Lot 2 Didier Subdivision, as same is recorded in Plat Book 13, page 288, of the Mesa County, Colorado Public Records; thence S89°58'51"W a distance of 275.22 feet; thence N00°14'52"W a distance of 29.00 feet; thence S89°58'34"W along a line 4.00 feet South of and parallel with the North line of NW1/4 SE1/4 of said Section 4 a distance of 809.98 feet; thence S00°10'13"E a distance of 29.00 feet to the Northeast corner of Lot 1 of Stonegate Subdivision Filing No. 3, as same is recorded in Plat Book 14, pages 122 and 123, of the Mesa County, Colorado Public Records; thence S89°58'34"W along the North line of said Stonegate Subdivision Filing No. 3 a distance of 510.17 feet to the West line of NW1/4SE 1/4 of said Section 4; thence N00°13'11"W along West line NW1/4 SE1/4 of said Section 4 a distance of 31.00 feet; thence N89°58'34"E along a line 2.00 feet South of and parallel with the North line of NW 1/4 SE 1/4 of said Section 4 a distance of 1320.18 feet; thence N00°15'03"W a distance of 2.00 feet, more or less to the POINT OF BEGINNING, together with Lot 2 , Didier Subdivision, as same is recorded in Plat Book 13, page 288 and Lot 9, Shadowbrook Subdivision Filing No. 4, as same is recorded in Plat Book 16, Page 115, Public Records of Mesa County, Colorado. Said parcel contains 13.67 acres (595,625.51 square feet), more or less, as described.

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

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

1. That a hearing will be held on the 7th day of June, 2006, in the City Hall auditorium, located at 250 North 5th Street, City of Grand Junction, Colorado, at 7:00 PM to determine whether one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City; whether a community of interest exists between the territory and the city; whether the territory proposed to be annexed is urban or will be urbanized in the near future; whether the territory is integrated or is capable of being integrated with said City; whether any land in single ownership has been divided by the proposed annexation without the consent of the landowner; whether any land held in identical ownership comprising more than twenty acres which, together with the buildings and improvements thereon, has an assessed valuation in excess of two hundred thousand dollars is included without the landowner's consent; whether any of the land is now subject to other annexation proceedings; and whether an election is required under the Municipal Annexation Act of 1965.
2. Pursuant to the State's Annexation Act, the City Council determines that the City may now, and hereby does, exercise jurisdiction over land use issues in the said territory. Requests for building permits, subdivision approvals and zoning

approvals shall, as of this date, be submitted to the Community Development Department of the City.

ADOPTED this _____ day of _____, 2006.

Attest:

President of the Council

City Clerk

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

City Clerk

<i>DATES PUBLISHED</i>
May 5, 2006
May 12, 2006
May 19, 2006
May 26, 2006

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

THUNDER HOG ANNEXATION #1

APPROXIMATELY 0.09 ACRES

LOCATED WITHIN THE F ½ ROAD RIGHT-OF-WAY

WHEREAS, on the 3rd day of May, 2006, 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 7th day of June, 2006; 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:

Thunder Hog Estates Annexation No. 1

A certain parcel of land located in the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) and the Northwest Quarter of the Southeast Quarter (NW1/4 SE1/4) of Section 4, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northeast corner of the NW1/4 SE1/4 of said Section 4 and assuming the North line of the NW1/4 SE1/4 of said Section 4 bears N89°58'34"E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S00°15'03"E along the East line of the NW1/4 SE1/4 of said Section 4 a distance of 2.00 feet; thence S89°58'34"W along a line being 2.00 feet South of and parallel with the North line of the NW1/4 SE1/4 of said Section 4 a distance of 1320.18 to a point on the West line of the NW1/4 SE1/4 of said Section 4; thence S89°58'03"W along a line being 2.00 feet South of and parallel with the North line of the NE1/4 SW1/4 of said Section 4, a distance of 660.47 feet; thence N01°28'59"E a distance of 2.00 feet to a point on the North line of the NE1/4 SW1/4 of said Section 4; thence N89°58'03"E along the North line of the NE1/4 SW1/4 of said Section 4, a distance of

660.42 to the Northeast corner of the NE1/4 SW1/4 of said Section 4; thence N89°58'34"E along the North line of the NW1/4 SE1/4 of said Section 4, a distance of 1320.17, more or less to the POINT OF BEGINNING.

Said parcel contains 0.09 acres (3961 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 ____ day of _____, 2006 and ordered published.

ADOPTED on second reading this ____ day of _____, 2006.

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**

THUNDER HOG ANNEXATION #2

APPROXIMATELY 13.67 ACRES

**LOCATED AT 3079 F ½ ROAD AND 3088 SHADOWBROOK COURT INCLUDING A
PORTION OF THE F ½ ROAD RIGHT-OF-WAY**

WHEREAS, on the 3rd day of May, 2006, 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 7th day of June, 2006; 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:

Thunder Hog Estates Annexation No. 2

A certain parcel of land located in the Northeast Quarter of the Southeast Quarter (NE1/4 SE1/4) and the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section 4, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northwest corner of the NE1/4 SE1/4 of said Section 4 and assuming the North line of the NE1/4 SE1/4 of said Section 4 bears N89°58'59"E with all other bearings contained herein being relative thereto; thence from said Point of Beginning; thence N89°58'59"E along the North line of the NE1/4 SE1/4 of said Section 4, a distance of 275.22 feet; thence S00°15'04"E a distance of 33.00 feet to the Northeast corner of Lot 2 Didier Subdivision, as same is recorded in Plat Book 13, page 288, of the Mesa County, Colorado Public Records; thence S89°58'51"W a distance of 275.22 feet; thence N00°14'52"W a distance of 29.00 feet; thence S89°58'34"W along a line 4.00 feet South of and parallel with the North line of NW1/4 SE1/4 of said Section 4 a distance of 809.98 feet; thence S00°10'13"E a distance of 29.00 feet to the Northeast corner of Lot 1 of Stonegate Subdivision Filing No. 3, as same is recorded in

Plat Book 14, pages 122 and 123, of the Mesa County, Colorado Public Records; thence S89°58'34"W along the North line of said Stonegate Subdivision Filing No. 3 a distance of 510.17 feet to the West line of NW1/4SE 1/4 of said Section 4; thence N00°13'11"W along West line NW1/4 SE1/4 of said Section 4 a distance of 31.00 feet; thence N89°58'34"EW along a line 2.00 feet South of and parallel with the North line of NW 1/4 SE 1/4 of said Section 4 a distance of 1320.18 feet; thence N00°15'03"W a distance of 2.00 feet, more or less to the POINT OF BEGINNING, together with Lot 2 , Didier Subdivision, as same is recorded in Plat Book 13, page 288 and Lot 9, Shadowbrook Subdivision Filing No. 4, as same is recorded in Plat Book 16, Page 115, Public Records of Mesa County, Colorado.

Said parcel contains 13.67 acres (595,625.51 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 ____ day of _____, 2006 and ordered published.

ADOPTED on second reading this ____ day of _____, 2006.

Attest:

President of the Council

City Clerk

Attach 10

**Zoning the Free Annexation, Located at 462 E. Scenic Drive
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
Subject	Zoning the Free Annexation, located at 462 E. Scenic Drive					
Meeting Date	May 3, 2006					
Date Prepared	April 27, 2006			File #ANX-2006-046		
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 Free Annexation RSF-2, located at 462 E. Scenic Drive.

Budget: N/A

Action Requested/Recommendation: Introduce a proposed zoning ordinance and set a public hearing for the 17th of May, 2006.

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:	462 E Scenic Drive
Applicants:	Owner: John Free & Lisa Fenton Free Developer: Nick Lobato

Existing Land Use:		Single Family Residential		
Proposed Land Use:		Single Family Residential		
Surrounding Land Use:	North	Single Family Residential		
	South	Single Family Residential		
	East	Single Family Residential		
	West	Single Family Residential		
Existing Zoning:		County RSF-4		
Proposed Zoning:		City RSF-2		
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-2 district is consistent with the Growth Plan density of Residential Medium Low 2-4 du/ac. The existing County zoning is RSF-4. Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

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

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

Response: The requested zoning is to place the property into an appropriate City zoning designation due to the annexation request. Therefore, this criteria is not applicable.

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

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

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

Response: The zoning request is compatible with the neighborhood and adjacent zoning. Future improvements to facilities will occur if the preliminary plan goes forward.

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

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

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

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

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

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

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

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

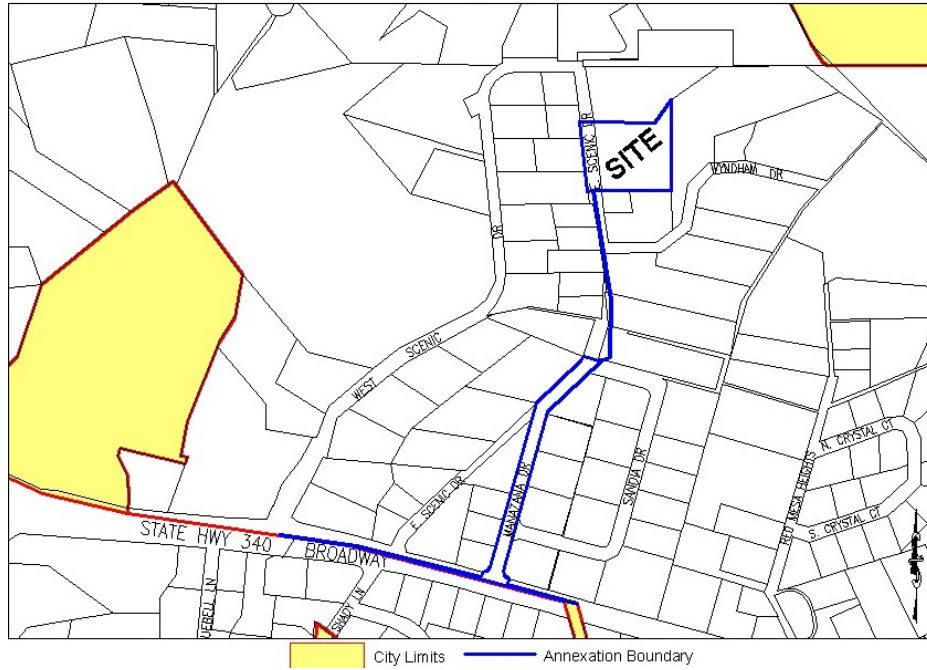
STAFF RECOMMENDATION

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

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the RSF-2 district to be consistent with the Growth Plan, the existing County Zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.

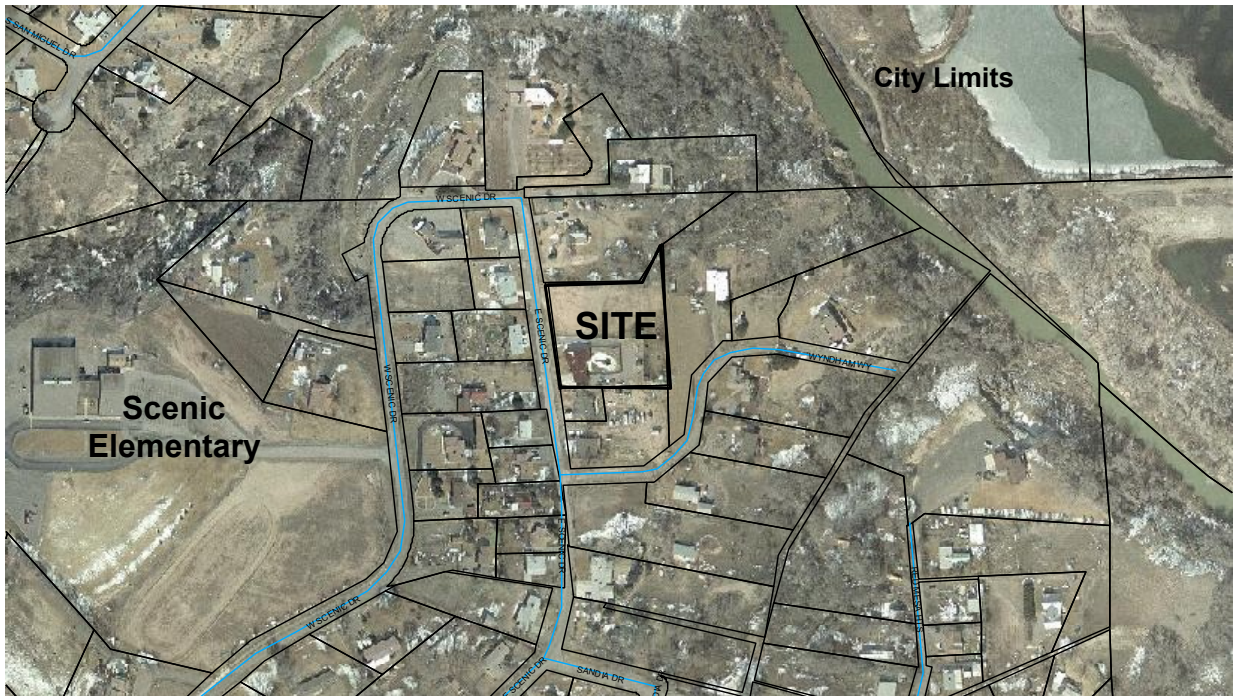
Site Location Map

Figure 1



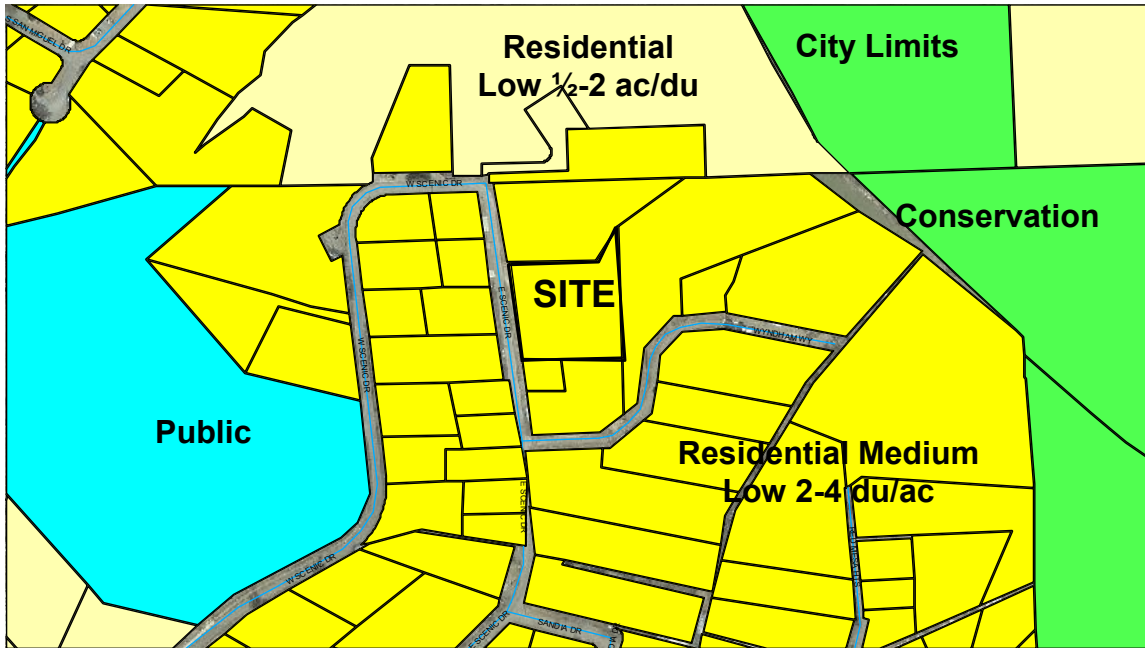
Aerial Photo Map

Figure 2



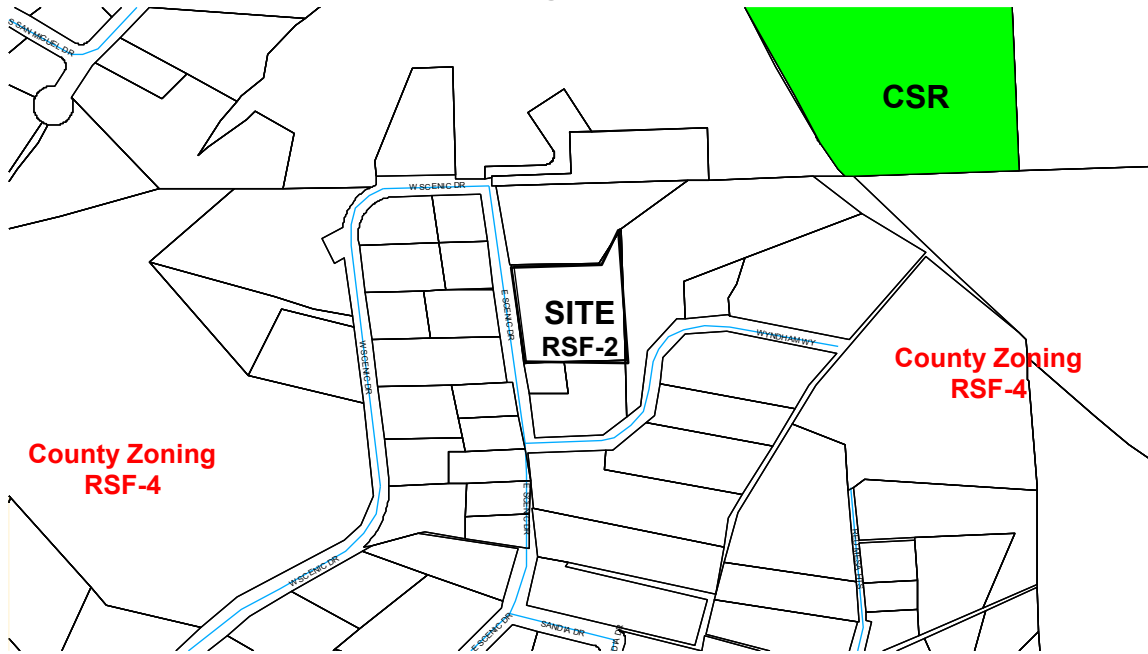
Future Land Use Map

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 FREE ANNEXATION TO
RSF-2
LOCATED AT 462 E. SCENIC 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 Free 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.

FREE ANNEXATION

A certain parcel of land located in the East Quarter (E 1/4) of Section 17 and the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of Section 16, Township One South, Range One West of the Ute Principal Meridian, County of Mesa, State of Colorado, and being more particularly described as follows:

Commencing at the Northwest corner of the SW 1/4 NW 1/4 of said Section 17 and assuming the West line of the SW 1/4 NW 1/4 of said Section 17 to bear S00°44'08"E with all bearings contained herein relative thereto; thence S00°44'08"E along the West line of the SW 1/4 NW 1/4 of said Section 17 a distance of 198.26 feet to the Point of Beginning; thence S89°39'00"E a distance of 255.74 feet; thence N35°20'00"E a distance of 103.00 feet; thence S00°39'00"E a distance of 327.57

feet to the Northeast corner of Lot 2, Bemis Subdivision recorded in Plat Book 18, Page 214 of the Mesa County, Colorado public records; thence S89°06'00"W along the North line of said Bemis Subdivision a distance of 282.40 feet; thence S09°08'50"E a distance of 398.34 feet; thence S01°42'52"W a distance of 209.35 feet; thence S72°50'24"W a distance of 31.72 feet; thence S46°37'47"W along the Northeasterly extension of the Easterly right of way of Manzana Drive as shown on the plat of Hermosa Subdivision, recorded in Plat Book 9, Page 191 of the Mesa County, Colorado public records, a distance of 264.72 feet; thence continuing along the Easterly right of way of said Manzana Drive the following two (2) courses: (1) S15°37'47"W a distance of 595.42 feet; (2) thence 39.36 feet along the arc of a 25.00 foot radius curve, concave Northeast, having a central

angle of 90°13'00" and a chord bearing S29°28'43"E a distance of 35.42 feet; thence S15°37'47"W a distance of 32.00 feet; thence S74°35'13"E along a line being 4.00 feet North of and parallel with the Northerly line of Sycamore Creek Annexation No. 2, Ordinance No. 3752, City of Grand Junction a distance of 264.64 feet; thence S15°24'47"W a distance of 4.00 feet to a point on the Northerly line of said Sycamore Creek Annexation No. 2; thence N74°35'13"W along the Northerly line of said Sycamore Creek Annexation No. 2 a distance of 837.53 feet; thence N84°02'09"W continuing along the Northerly line of said Sycamore Creek Annexation No. 2 a distance of 262.47 feet; thence N05°57'51"E a distance of 4.00 feet; thence along a line being 4.00 feet North of and parallel with the Northerly line of said Sycamore Creek Annexation No. 2, the following two (2) courses: (1) S84°02'09"E a distance of 263.13 feet; (2) thence S74°35'13"E a distance of 472.89 feet; thence N15°37'47"E a distance of 32.00 feet to a point on the Northerly right of way of Colorado Highway 340; thence 39.18 feet along the arc of a 25.00 foot radius curve, concave Northwest, having a central angle of 89°47'00" and a chord bearing N60°31'17"E a distance of 35.29 feet to a point on the Westerly right of way of said Manzana Drive; thence N15°37'47"E along the Westerly right of way and the Northeasterly extension of said Manzana Drive a distance of 609.67 feet to a point on the Westerly right of way of East Scenic Drive; thence N46°37'47"E along the Westerly right of way East Scenic Drive a distance of 226.84 feet; thence N18°12'47"E continuing along the Westerly right of way of East Scenic Drive a distance of 17.20 feet; thence S68°12'52"E a distance of 20.04 feet; thence S74°46'13"E a distance of 36.28 feet; thence N72°50'24"E a distance of 41.18 feet; thence N01°42'52"E a distance of 206.30; thence N09°08'50"W a distance of 398.73 feet; thence S89°06'00"W a distance of 20.08 feet to a point on the Westerly right of way of East Scenic Drive; thence N05°59'00"W along the Westerly line of East Scenic Drive a distance of 251.35 feet; thence S89°39'00"E a distance of 13.67 feet to the Point of Beginning.

Said parcel contains 3.11 acres (135,576 square feet), more or less, as described.

Introduced on first reading this ____ day of _____, 2006 and ordered published.

Adopted on second reading this _____ day of _____, 2006.

Mayor

ATTEST:

City Clerk

Attach 11

**Vacating Alleys Between 6th and 7th Streets, Pitkin, and South Avenues
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
Subject	Vacation of the eastern 250' of the east/west alley and the north/south alley between 6 th and 7 th Streets and Pitkin and South Avenues					
Meeting Date	May 3, 2006					
Date Prepared	April 27, 2006			File #VR-2006-076		
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 ordinance to vacate the eastern 250' of the east/west alley and the north/south alley between 6th and 7th Streets and Pitkin and South Avenues. The owner of the adjacent property is requesting the vacation to facilitate the expansion of the Mesa County Corrections and Treatment Facility located to the south.

Budget: N/A

Action Requested/Recommendation: Introduce a proposed vacation ordinance and set a public hearing for May 17, 2006.

Background Information: See attached Staff report/Background information

Attachments:

1. Staff report/Background information
2. Site Location Map / Aerial Photo Map
3. Future Land Use Map / Zoning Map
4. Vacation Ordinance

AGENDA TOPIC: Vacation of Public Alley Right-of-Way, VR-2006-076.

ACTION REQUESTED: Vacation of Public Alley Right-of-Way

BACKGROUND INFORMATION				
Location:		636 South Avenue - the eastern 250' of the east/west alley and the north/south alley between 6 th and 7 th Streets and Pitkin and South Avenues		
Applicants:		Owner/Developer: Mesa Co – Sue Gormley Representative: Integrated Construction Solutions – Dave Detwiler		
Existing Land Use:		Alley		
Proposed Land Use:		New Meth Treatment Facility		
Surrounding Land Use:	North	Vacant		
	South	Lumberyard		
	East	Commercial/Retail/Community Services		
	West	Office		
Existing Zoning:		N/A		
Proposed Zoning:		C-1		
Surrounding Zoning:	North	B-2		
	South	C-2		
	East	C-1/C-2		
	West	C-1/C-2		
Growth Plan Designation:		Public		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: Request to vacate the eastern 250' of the east/west alley and the north/south alley between 6th and 7th Streets and Pitkin and South Avenues.

RECOMMENDATION: Recommend approval to City Council of the alley vacation.

ANALYSIS

1. Background

The applicant is requesting to vacate the eastern 250' of the east/west alley and the north/south alley between 6th and 7th Streets and Pitkin and South Avenues. The 15' utility easement was dedicated in 1998 when the south half of the north/south alley was vacated and the existing building was approved.

2. Consistency with the Growth Plan

This project is consistent with the following Goals and Policies of the Growth Plan:

- Goal 5: To ensure that urban growth and development make efficient use of investments in streets, utilities and other public facilities.
 - Policy 5.2: The City and County will encourage development that uses existing facilities and is compatible with existing development.
 - Policy 5.3: The City and County may accommodate extensions of public facilities to serve development that is adjacent to existing facilities. Development in areas which have adequate public facilities in place or which provide needed connections of facilities between urban development areas will be encouraged. Development that is separate from existing urban services (“leap-frog” development) will be discouraged.
- 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.

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

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

- g. The Growth Plan, major street plan and other adopted plans and policies of the City.
- h. No parcel shall be landlocked as a result of the vacation.
- i. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive or reduces or devalues any property affected by the proposed vacation.
- j. There shall be no adverse impacts on the health, safety, and/or welfare of the general community and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g. police/fire protection and utility services).

- k. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of the Zoning and Development Code.
- l. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.

Staff has reviewed the project and finds that all applicable review criteria as listed above have been met.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Meth Treatment Facility alley and easement vacation application, VR-2006-076 for the vacation of a public right-of-way and utility easement, staff makes the following findings of fact and conclusions:

1. The requested right-of-way and utility 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:

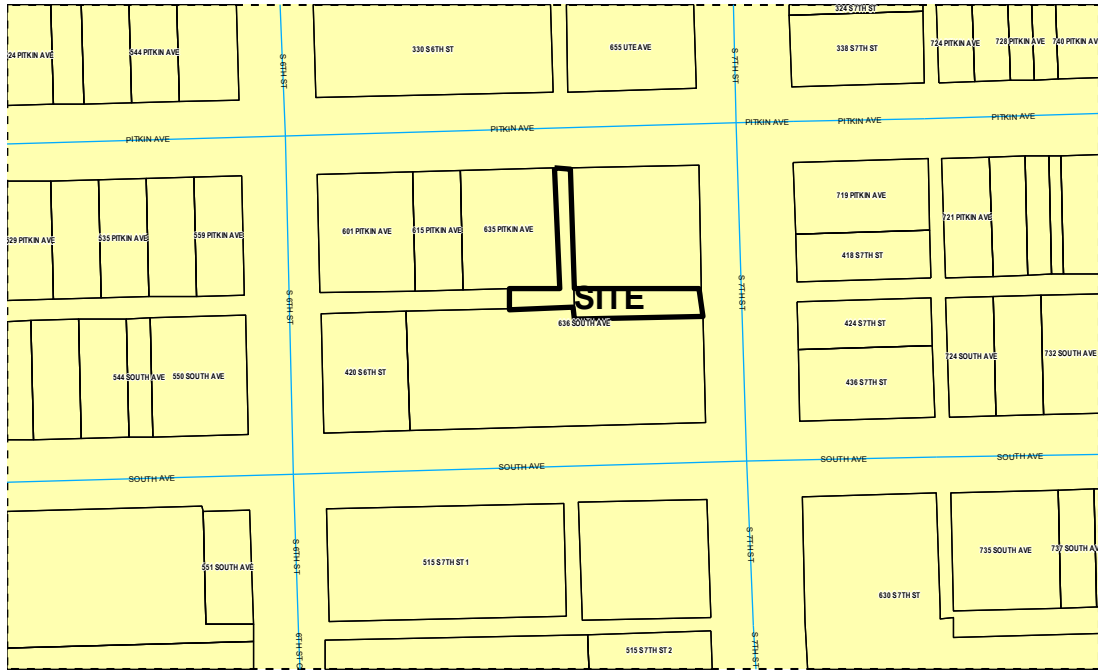
The Planning Commission forwarded a recommendation of approval of the requested right-of-way, VR-2006-076 to the City Council with the findings and conclusions listed above.

Attachments:

Vicinity Map / Aerial Photo
Growth Plan Map / Zoning Map
Ordinance

Site Location Map

Figure 1



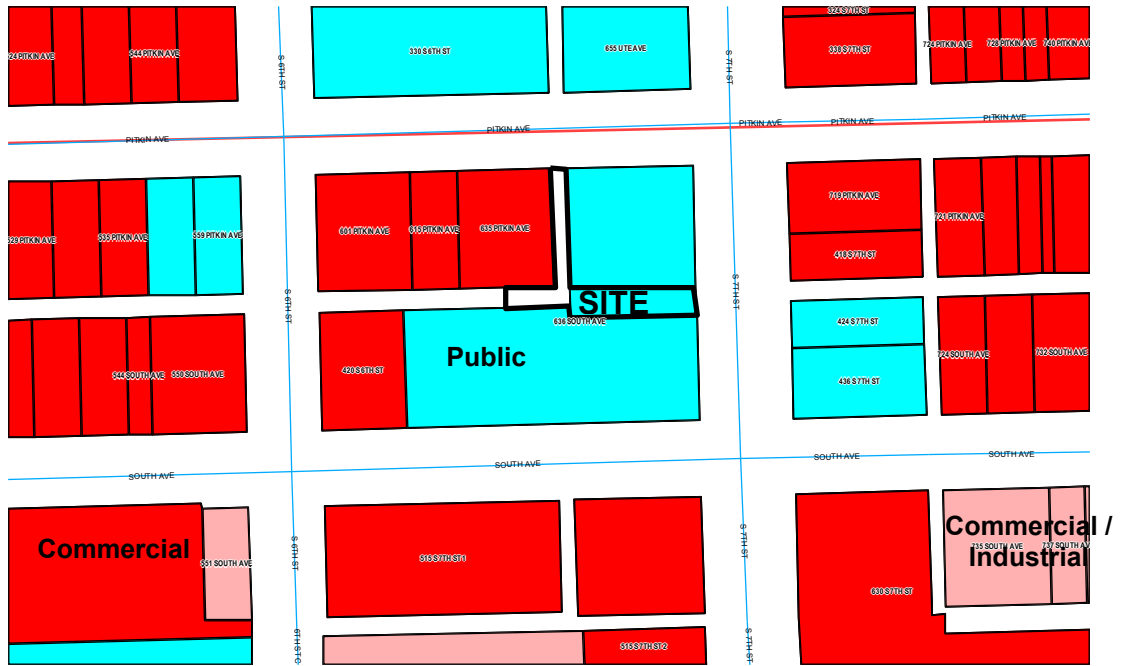
Aerial Photo Map

Figure 2



Future Land Use Map

Figure 3



Existing City Zoning

Figure 4



CITY OF GRAND JUNCTION

ORDINANCE NO.

**AN ORDINANCE VACATING RIGHTS-OF-WAY FOR AN ALLEYWAY
LOCATED AT THE EASTERN 250' OF THE EAST/WEST ALLEY AND THE
NORTH/SOUTH ALLEY BETWEEN 6TH AND 7TH STREETS AND PITKIN AND
SOUTH AVENUES**

RECITALS:

A vacation of the dedicated right-of-way for has been requested by the adjoining property owners.

The City Council finds that the request is consistent with the Growth Plan, the Grand Valley Circulation 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 Code to have been met, and recommends that the vacation be approved.

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

The following described dedicated right-of-way for is hereby vacated subject to the listed conditions:

1. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.

The following right-of-way is shown on "Exhibit A" as part of this vacation of description.

Dedicated right-of-way to be vacated:

A part of the alleys in Block 149 of the Grand Junction Colo. Second Division Survey as Amended, recorded in the Mesa County records, January 22, 1909 at Reception No. 80773; said vacation being described as follows:

Beginning at the southeast corner of Lot 15 of said Block 149;
Thence South 00°04'34" West, a distance of 20.00 feet to the southeast corner of the east-west alley in said Block 149;
Thence along the south line of said alley, North 89°50'18" West, a distance of 205.87 feet;
Thence North 00°02'59" East, a distance of 20.00 feet to the north line of said alley;
Thence South 89°50'18" East, a distance of 55.52 feet to the southeast corner of Lot 10 of said Block 149;
Thence North 00°03'43" East, a distance of 125.89 feet to the northeast corner of said Lot 10;
Thence South 89°49'01" East, a distance of 15.00 feet to the northwest corner of Lot 11 of said Block 149;
Thence South 00°03'43" West, a distance of 125.88 feet to the southwest corner of said Lot 15;
Thence South 89°50'18" East, a distance of 135.36 feet to the Point of Beginning.

Containing 0.138 acres, more or less.

AND all of a ten foot road right-of-way described in a document recorded in Book 361 at Page 211; In the City of Grand Junction, Mesa County, Colorado.

Introduced for first reading on this _____ day of _____, 2006

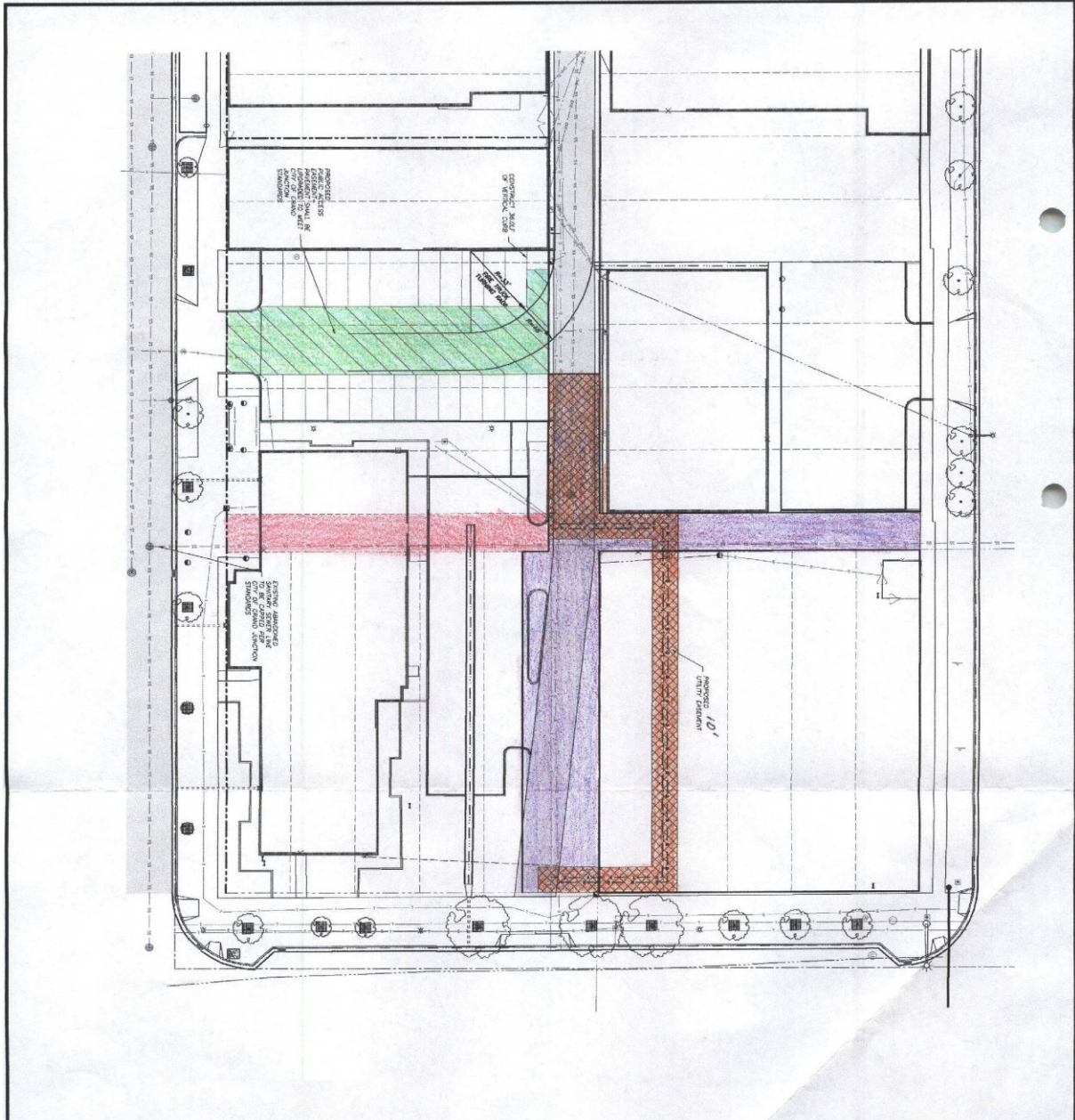
PASSED and ADOPTED this _____ day of _____, 2006.

ATTEST:

President of City Council

City Clerk

Exhibit "A"



LEGEND

- EXISTING ASPHALT
- PROPOSED CONCRETE
- PROPOSED ALLEY VACATION EASEMENT
- PROPOSED PUBLIC ACCESS EASEMENT
- PROPOSED CURB/GUTTER
- PROPOSED SPILL CURB/GUTTER
- PROPERTY LINE
- EXISTING GAS LINE
- EXISTING TELEPHONE
- EXISTING OVERHEAD POWER
- EXISTING WATER MAIN
- EXISTING SANITARY SEWER
- EXISTING STORM SEWER
- EXISTING BUILDING
- EXISTING SANITARY SEWER MANHOLE
- EXISTING STORM SEWER MANHOLE
- EXISTING WATER VALVE
- EXISTING GAS METER
- EXISTING ELECTRIC METER
- EXISTING POWER POLE
- EXISTING GUY ANCHOR
- EXISTING FIRE HYDRANT
- EXISTING TREE
- EXISTING INLET
- EXISTING SANITARY CLEANOUT
- EXISTING WATER METER
- EXISTING CONTROL BOX
- EXISTING UTILITY PEDESTAL
- EXISTING SIGN
- PROPOSED GAS LINE
- PROPOSED TELEPHONE LINE

Utility Easement Vacation



<p>Alley Vacation Exhibit 636 South Avenue</p> <p>prepared by Integrated Construction Solutions</p>		<p>A · C · G AUSTIN CIVIL GROUP, INC. Land Planning · Civil Engineering · Development Services 236 Main Street, Suite 209 Grand Junction, Colorado 81501 970.242.7262</p>		<p>REVISIONS</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> <th>BY</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	NO.	DESCRIPTION	DATE	BY																					<p>CALL YOUR SURVEYOR FOR THE LOCATION OF THE PROPERTY CORNERS. 1-800-922-1087</p> <p>SCALE VERIFICATION BAR IS ONE INCH ON ORIGINAL DRAWING IF NOT ONE INCH ON THIS SHEET ADJUST SCALES ACCORDINGLY</p>
NO.	DESCRIPTION	DATE	BY																										
<p>DATE: 3-02-05 SCALE: 1"=40' DRAWN BY: mra CHECKED BY: mra APPROVED BY: mra</p>	<p>DATE: 10/14/00 SCALE: 1"=40' DRAWN BY: cjw CHECKED BY: mra APPROVED BY: mra</p>	<p>PROJECT NO: 1014.0002</p>																											

Attach 12

**Construction Contract for the Riverside Parkway Project, Phase 2
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
Subject	Construction Contract Award for Riverside Parkway Phase 2					
Meeting Date	May 3, 2006					
Date Prepared	April 26, 2006				File #	
Author	Jim Shanks		Riverside Parkway Program 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: Award of a Construction Contract to SEMA Construction, Inc. in the amount of \$31,555,555.55 for the Riverside Parkway Phase 2.

Background Information:

The project generally consists of six miles of new and reconstructed minor arterial roadway, construction of a bridge and interchange at 25 Road, reconstruction of the bridge and new intersection at Broadway, installation of a pedestrian bridge at West Main Street, and installation of 16,700 linear feet of storm drain facilities.

Three bids were opened on Tuesday, April 25, 2006.

Contractor	From	Bid
Hamon Contractors, Inc	Denver, CO	\$ 32,851,002.49
Lawrence Construction Co.	Littleton, CO	\$ 34,023,896.30
SEMA Construction	Englewood, CO	\$ 31,555,555.55
Engineer's Estimate		\$ 31,650,000.00

Budget: The Riverside Parkway is funded through Fund 204 / F04600. The overall project budget and this construction contract are as follows:

Budget		Expenses
Right-of-Way & Relocations		\$19,444,163
1601 study and 30% plans		\$5,486,000
Construction Oversight		\$4,200,000
City administration expenses		\$2,800,000
Stipends		\$150,000
Attorneys Fees		\$165,000
Utilities & Traffic signals		\$4,532,000
Final Design		\$2,994,000
Demolition		\$550,000
Phase 1 construction		\$13,250,000
Phase 1 landscaping		\$550,000
Phase 2 Pedestrian Bridges		\$584,990
Construction Phase 2 - This contract		\$31,555,555
Phase 3 Estimate (based on phase 2 prices)		\$18,750,000
Total		\$105,011,708
		Revenues
Bond Proceeds 2004 Issue		\$ 60,000,000
Interest Income		\$ 2,100,000
Bond Proceeds 2007 Issue		\$ 23,400,000
Interest Income		\$ 320,000
Railroad Reimbursement		\$ 5,000,000
County Contribution 29 Road		\$ 3,095,563
City Sewer Replacements		\$ 150,000
CGVSD (24" sewer in D Road)		\$ 2,088,016
Undergrounding Fund		\$ 1,000,000
Developer Cash in lieu		\$ 126,928
Energy Impact Grants		\$ 858,000
Utility Company Reimbursements		\$ 100,620
Remnant Property Sales (includes project office)		\$ 1,500,000
Total		\$ 99,739,127
Budget Shortfall		\$ (5,272,581)

Action Requested/Recommendation: Authorize the City Manager to sign a Construction Contract for the **Riverside Parkway Phase 2** to SEMA Construction, Inc. in the amount of **\$31,555,555.55**.

Attachments: none

Background: Staff will present at the workshop on Monday, May 1 a series of options to finance the balance of project. Since the project is anticipated to be complete by late 2008, the \$5.2M does not need to be funded this year, but in 2008.

The options staff will present will largely include using the fund balance within the Capital fund and shifting projects with the capital fund to later years. Other options to be discussed include reducing the scope of the project (e.g. landscaping, street lighting, etc.) and the use of General Fund balance.

Staff will also be ready to discuss strategies to maintain our level of financial commitment to the 29 and I-70 Interchange, the schedule for the CDOT 1601 process as well as the construction schedule.

Attach 13

**Public Hearing – The Plaza on North Avenue Growth Plan Amendment
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
Subject	The Plaza on North Avenue - Growth Plan Amendment					
Meeting Date	May 3, 2006					
Date Prepared	April 17, 2006				File # GPA-2006-058	
Author	David Thornton		Principal Planner			
Presenter Name	David Thornton		Principal Planner			
Report results back to Council	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When	
Citizen Presentation	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name	
Workshop	<input checked="" type="checkbox"/>	Formal Agenda			Consent	<input checked="" type="checkbox"/> Individual Consideration

Summary: Hold a public hearing and consider passage of the Resolution to change the Growth Plan designation from "Residential Medium 4-8 du/ac" to "Commercial" for 2 properties located at 506 and 510 Pear Street.

Budget: N/A

Action Requested/Recommendation: Hold a public hearing and approve the Resolution.

Background Information: See attached Analysis/Background Information

Attachments:

1. Staff report/Background information
2. Vicinity Map / Aerial Photo
3. Growth Plan Map / Existing Zoning Map
4. Petitioner's General Project Report (Part C)
5. Minutes
6. Resolution

ANALYSIS

1. Background

The 0.91 acre site is located on the North side of North Avenue on Pear Street and is proposed to be a part of the redevelopment site of the former Guyton's Fun Junction property. 510 Pear Street is currently zoned RMF-8 conforming to the Growth Plan designation of Residential Medium, however 506 Pear Street is zoned C-1 and does not conform to the Growth Plan designation of Residential Medium, but will conform to the proposed change of Commercial.

A neighborhood meeting was held on March 22, 2006 with one member of the public attending the meeting. At the time of this staff report there has been no noted public opposition to this Growth Plan Amendment request.

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

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

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

506 Pear Street although historically a residential use, is already zoned commercial (C-1) and would be brought into conformance with the Growth Plan with the proposed change to Commercial. The 510 Pear Street property is the only property along both sides of Pear Street not commercially zoned.

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

With the anticipated redevelopment of this commercial area at 28 ¾ Road and North Avenue (formerly the Guyton's Fun Junction site) to include both 506 and 510 Pear Street, there is good reason to make this area all commercial and combine the properties into a larger commercial development.

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

The character of the area along North Avenue has been and will continue to be commercial, however many small lots that currently exist such as 506 and 510 Pear Street are anticipated to be combined with other larger parcels and redevelop. With the anticipation of redevelopment of the Guyton's Fun Junction site along North Avenue, the amendment is acceptable.

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

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

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

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.

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

Policy 13.2: The City and County will enhance the quality of development along key arterial street corridors.

Goal 28: The City of Grand Junction is committed to taking an active role in the facilitation and promotion of infill and redevelopment within the urban growth area of the City.

Policy 28.3: The City's elected officials and leadership will consistently advocate and promote the planning, fiscal, and quality of life advantages and benefits achievable through infill and redevelopment.

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

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

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

In looking at the commercial potential and land use needs in the 28 ³/₄ Road and North Avenue area the proposed land uses for these properties should be commercial. Changing the Growth Plan designation to commercial will allow for a future request to vacate Pear Street and combine these properties with the Guyton's Fun Junction former site and develop as a new commercial center. This will allow for better infill development opportunity in this area.

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

The community as a whole and the 28 ³/₄ Road and North Avenue area will benefit from the amendment.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Plaza on North Avenue application, GPA-2006-058 for a Growth Plan Amendment, staff makes the following findings of fact and conclusions:

3. The proposed amendment is consistent with the purpose and intent of the Growth Plan.

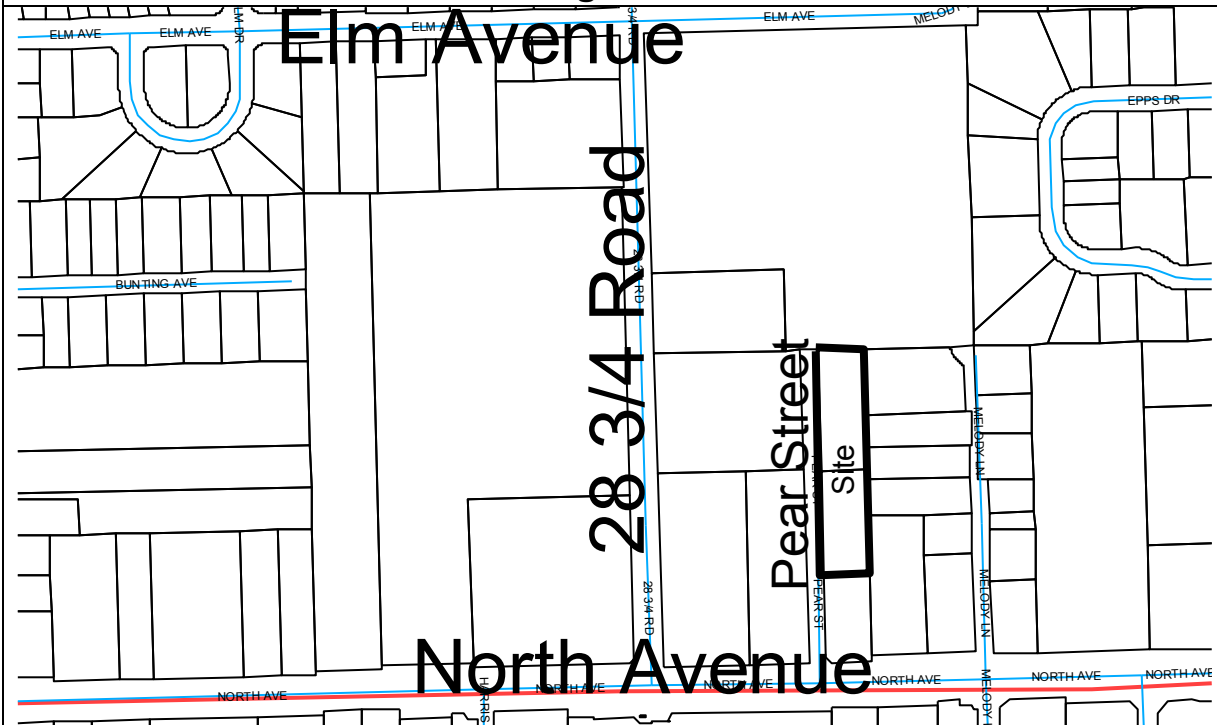
4. The review criteria in Section 2.5.C of the Zoning and Development Code have all been met.

RECOMMENDATION:

Staff recommends approval. Planning Commission at their April 11, 2006 meeting recommended that City Council approve the requested Growth Plan Amendment, GPA-2006-058 with the findings and conclusions listed in this staff report.

Site Location Map

Figure 1



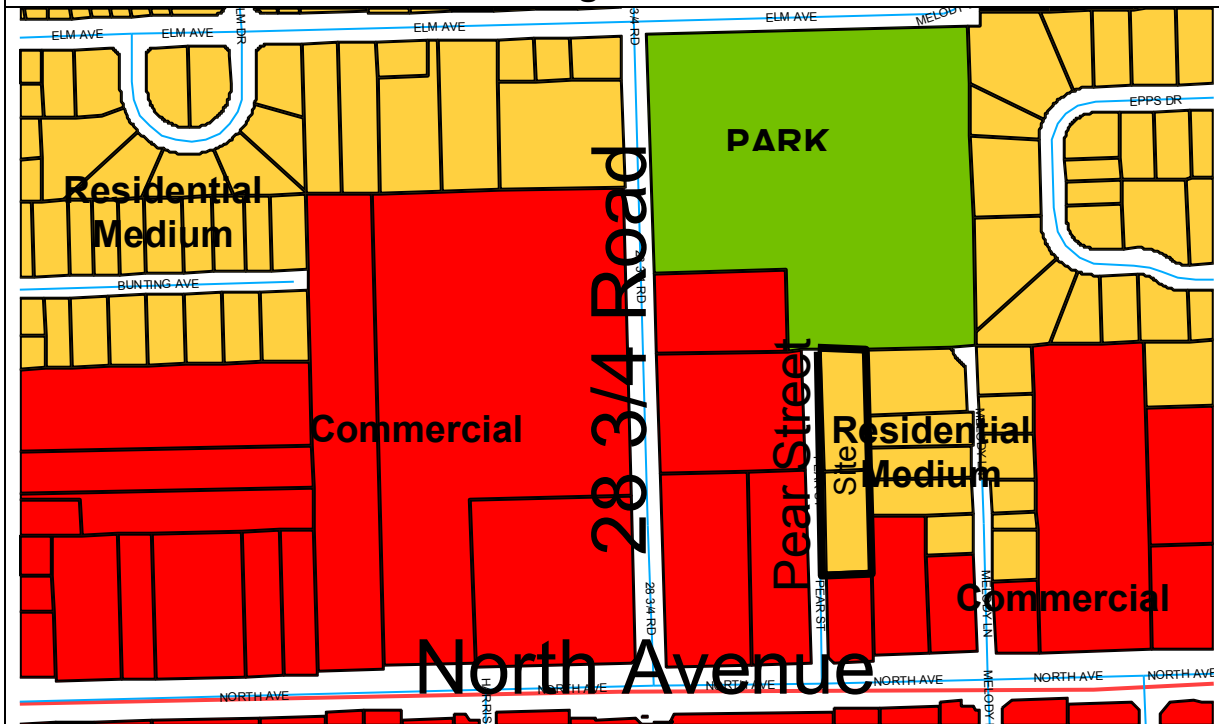
Aerial Photo Map

Figure 2



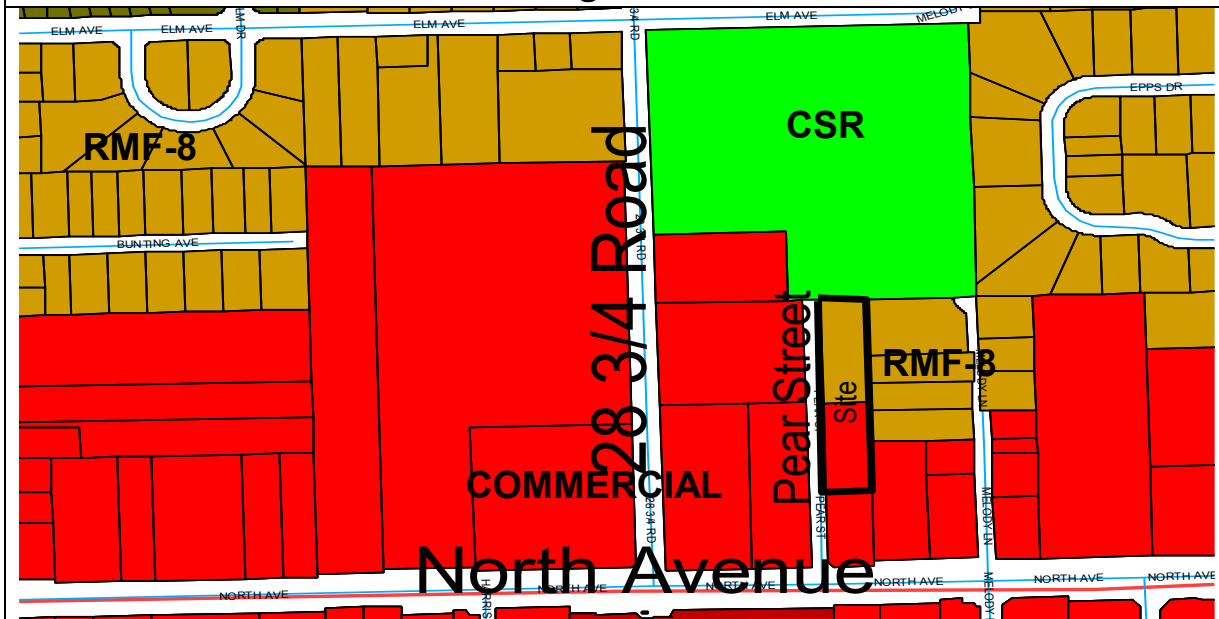
Future Land Use Map

Figure 3



Existing City 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."

GRAND JUNCTION PLANNING COMMISSION
APRIL 11, 2006 MINUTES
7:02 p.m. to 10:26 p.m.

The regularly scheduled Planning Commission hearing was called to order at 7:02 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, Bill Pitts, Tom Lowrey, Patrick Carlow, Ken Sublett, and Reginald Wall. (Mr. Sublett substituted for two different planning commissioners during the course of the public hearing.)

In attendance, representing the City's Community Development Department, were Sheryl Trent (City Manager's Assistant), Kathy Portner (Assistant Community Development Director), Lisa Cox (Senior Planner), Dave Thornton (Principal Planner), Scott Peterson (Senior Planner), and Kristen Ashbeck (Senior Planner).

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

Terri Troutner was present to record the minutes.

There were 30 interested citizens present during the course of the hearing.

III. CONSENT AGENDA

Available for consideration were items:

1. GPA-2006-058 (Growth Plan Amendment--The Plaza on North Avenue)
2. PP-2005-216 (Preliminary Plat--Riverview Estates Subdivision)
3. ANX-2006-046 (Zone of Annexation--Free Annexation)
4. CDP-2006-023 (Condo Plat--Sanida Condos)
5. FPP-2005-240 (ROW & Easement Vacations--Woodridge Subdivision)
6. CUP-2005-218 (Conditional Use Permit--Monument Truck Office/Shop/Warehouse)

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. At planning commissioner request, item PP-2005-216 was pulled from Consent and moved to the Full Hearing Agenda. No objections or revisions were received from the audience or planning commissioners on any of the remaining Consent Agenda items.

MOTION: (Commissioner Lowrey) "So moved that [CUP]-2006-097 be pulled [from the Full Hearing Agenda]."

Commissioner Pitts 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 of the Consent Agenda, items 1, 3, 4, 5, and 6 [GPA-2006-058 (Growth Plan Amendment--The Plaza on North Avenue), ANX-2006-046 (Zone of Annexation--Free Annexation), CDP-2006-023 (Condo Plat--Sanida Condos), FPP-2005-240 (ROW & Easement Vacations--Woodridge Subdivision), and CUP-2005-218 (Conditional Use Permit--Monument Truck Office/Shop/Warehouse)]."

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

CITY OF GRAND JUNCTION, COLORADO

RESOLUTION NO.

**A RESOLUTION AMENDING THE CITY OF GRAND JUNCTION GROWTH PLAN
FUTURE LAND USE MAP TO RE-DESIGNATE TWO PROPERTIES LOCATED AT
506 AND 510 PEAR STREET FROM "RESIDENTIAL MEDIUM 4-8 DU/AC" TO
"COMMERCIAL"**

Recitals:

A request for the Growth Plan amendment has been submitted in accordance with the Zoning and Development Code to the City of Grand Junction. The applicant has requested that two properties located at 506 and 510 Pear Street be changed from "Residential Medium 4-8 du/ac" to "Commercial" on the Future Land Use Map.

In a public hearing, the City Council reviewed the request for the proposed Growth Plan amendment and determined that it satisfied the criteria as set forth and established in Section 2.5.C of the Zoning and Development Code and the proposed amendment is consistent with the purpose and intent of the Growth Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE GRAND JUNCTION GROWTH PLAN IS AMENDED IN THE FOLLOWING WAY:

That two properties, located at 506 and 510 Pear Street be designated as Commercial on the Future Land Use Map. The boundary description of the area being more fully described as follows:

BEG at a pt 220 ft North of the SW COR of the E1/2 SW1/4 SE1/4 SE1/4 of SEC 7, T1S, R1E of the UM; thence East 110 ft; thence North 200 ft; thence West 110 ft; thence South 200 ft to the POB.

PASSED on this _____ day of _____, 2006.

ATTEST:

President of Council

City Clerk

Attach 14
Public Hearing – CR Nevada Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	CR Nevada Annexation located at the 487 22 ¼ Road					
Meeting Date	May 3, 2006					
Date Prepared	April 27, 2006				File #ANX-2006-030	
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	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Consent	<input checked="" type="checkbox"/>
Workshop	<input checked="" type="checkbox"/>	Formal Agenda			<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 CR Nevada Annexation, located at 487 22 ¼ Road. The 19.73 acre CR Nevada Annexation consists of 1 parcel.

Budget: N/A

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

Background Information: See attached Staff Report/Background Information

Attachments:

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

STAFF REPORT / BACKGROUND INFORMATION				
Location:		487 22 ¼ Road		
Applicants:		Owner: CR Nevada Associates, LLC – Jay Cooke Representative: Hill & Holmes - Mark Kareus		
Existing Land Use:		Vacant		
Proposed Land Use:		Single Family Residential Subdivision		
Surrounding Land Use:	North	Vacant / Single Family Residential		
	South	Vacant		
	East	Single Family Residential / Duplexes / 4-plexes		
	West	Vacant		
Existing Zoning:		County RSF-4		
Proposed Zoning:		Applicant Request: RSF-1 Staff Recommendation: RSF-E		
Surrounding Zoning:	North	County RSF-4		
	South	City PD – 2 (Plat note: “because of steep terrain, might be difficult, if not impossible, to develop in a manner acceptable to the City of Grand Junction)		
	East	County RSF-4		
	West	County RSF-4 / City RSF-R		
Growth Plan Designation:		Residential Low ½ - 2 ac/du		
Zoning within density range?		X	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 19.73 acres of land and is comprised of 1 parcel. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires 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 CR Nevada Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;

- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
- e) The area is capable of being integrated with the City;
- f) No land held in identical ownership is being divided by the proposed annexation;
- g) No land held in identical ownership comprising 20 contiguous acres or more with an assessed valuation of \$200,000 or more for tax purposes is included without the owners consent.

The following annexation and zoning schedule is being proposed.

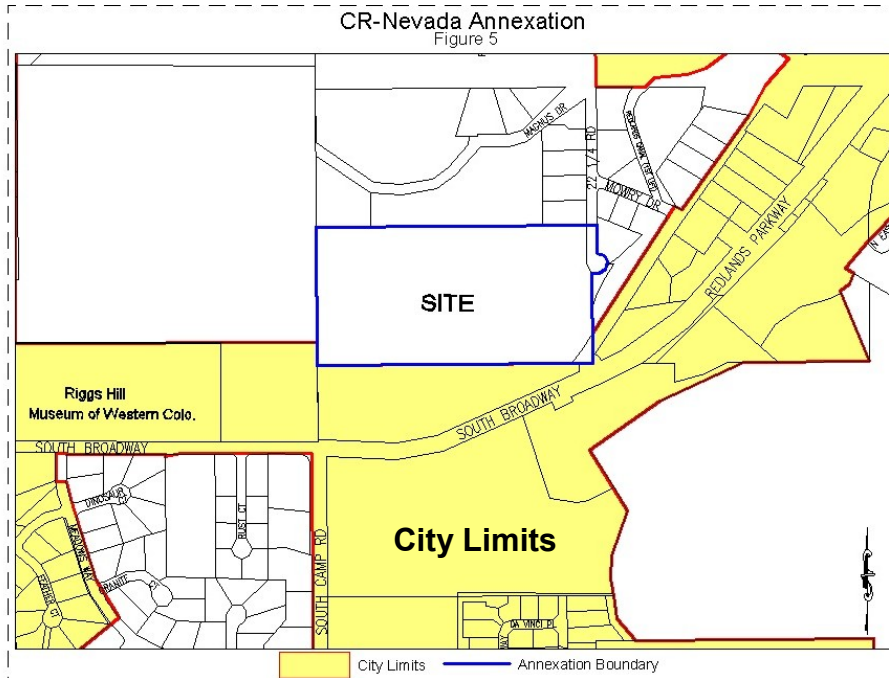
<u>ANNEXATION SCHEDULE</u>	
March 15, 2006	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
May 3, 2006	Acceptance of Petition and Public Hearing on Annexation by City Council
May 9, 2006	Planning Commission considers Zone of Annexation
May 17, 2006	Introduction Of A Proposed Ordinance on Zoning by City Council
June 4, 2006	Effective date of Annexation
June 7, 2006	Public Hearing on Zoning by City Council

CR NEVADA ANNEXATION SUMMARY

File Number:	ANX-2006-030	
Location:	487 22 ¼ Road	
Tax ID Number:	2945-182-00-026	
Parcels:	1	
Estimated Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	19.73 acres	
Developable Acres Remaining:	19 acres	
Right-of-way in Annexation:	0.0 acres	
Previous County Zoning:	RSF-4	
Proposed City Zoning:	Applicant Request: RSF-1 Staff Recommendation: RSF-E	
Current Land Use:	Vacant	
Future Land Use:	Single Family Residential Subdivision	
Values:	Assessed:	= \$58,280
	Actual:	= \$200,970
Address Ranges:	487 22 ¼ Road	
Special Districts:	Water:	Ute Water
	Sewer:	City of Grand Junction
	Fire:	Grand Jct Rural
	Irrigation/Drainage :	Redlands Water & Power
	School:	Mesa Co School District #51
	Pest:	None

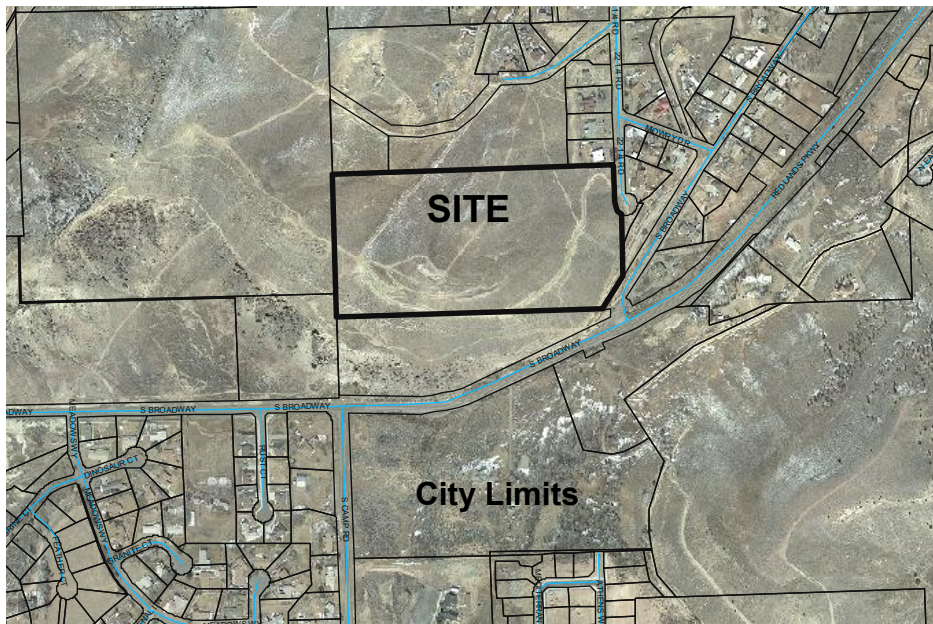
Site Location Map

Figure 1



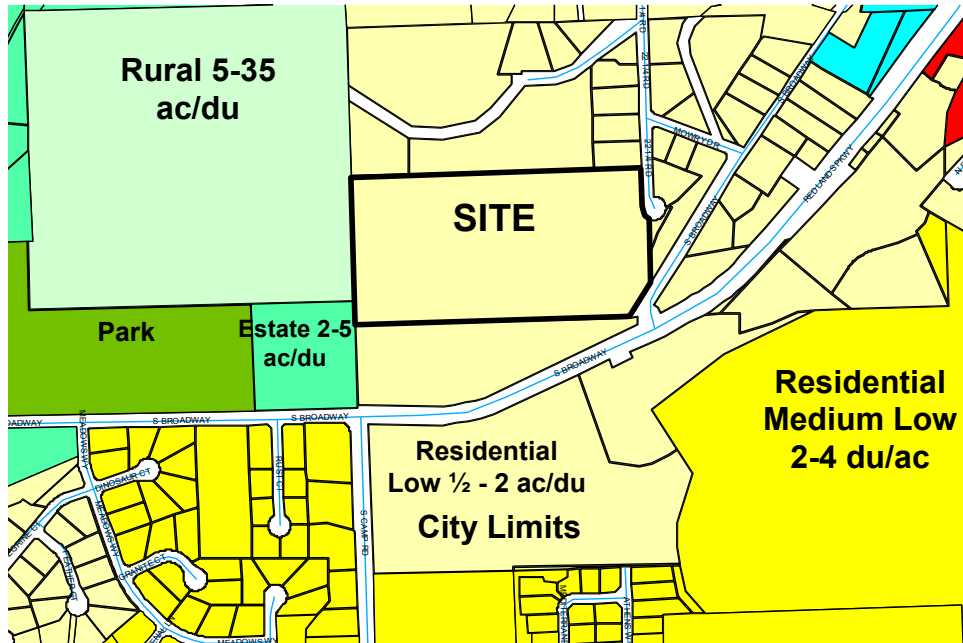
Aerial Photo Map

Figure 2



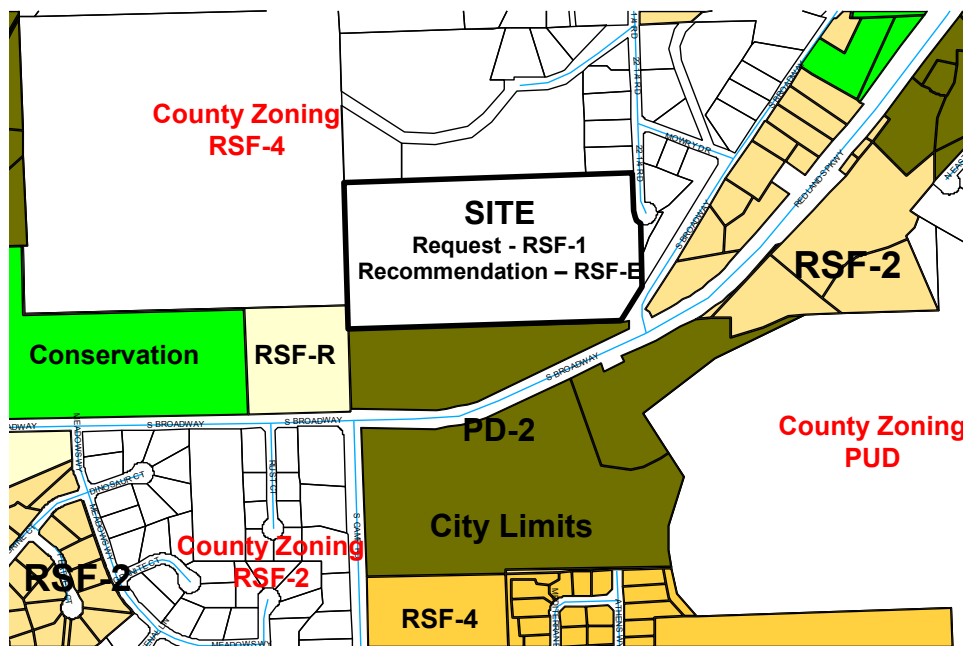
Future Land Use Map

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**

CR NEVADA ANNEXATION

LOCATED AT 487 22 1/4 ROAD

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 15th day of March, 2006, 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:

CR NEVADA ANNEXATION

A certain parcel of land located in the South Half (S 1/2) of Lot 1, and the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 18, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Southwest corner of Lot 1 of said Section 18 also being the Northwest corner of Pumphouse Subdivision as recorded in Plat Book 15, Pages 222 and 223 , Mesa County, Colorado public records and assuming the West line of said Lot 1 to bear N00°18'32"W with all bearings contained herein relative thereto; thence N00°18'32"W along the West line of the S 1/2 of said Lot 1 a distance of 659.00 feet to the Northwest corner of the S 1/2 of said Lot 1; thence N89°50'26"E along the North line of the S 1/2 of said Lot 1 a distance of 1338.03 feet to a point on the Easterly right of way of 22 1/4 Road as shown on the plat of South Broadway Subdivision No. 2, as recorded in Plat Book 9, Page 130 of the Mesa County, Colorado public records; thence S00°10'49"E along the Easterly right of way of said 22 1/4 Road a distance of 131.86 feet; thence continuing along the Easterly right of way of said 22 1/4 Road 183.26 feet along the arc of a 50.00 foot radius curve concave West, having a central angle of 210°00'00" and a chord bearing S14°49'11"W a distance of 96.59 to a point on the East line of the S 1/2 of said Lot 1; thence S00°10'49"E along the East line of the S 1/2 of said Lot 1 a distance of 433.87 feet to the Southeast corner of said Lot 1; thence S89°50'33" along the South line of said Lot 1 also being the North line of said Pumphouse Subdivision a distance of 1311.55 feet to the Point of Beginning.

Said parcel contains 19.73 acres (852,711 square feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 3rd day of May, 2006; 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 ____ day of _____, 2006.

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**

CR NEVADA ANNEXATION

APPROXIMATELY 19.73 ACRES

LOCATED AT 487 22 1/4 ROAD

WHEREAS, on the 15th day of March, 2006, 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 3rd day of May, 2006; 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:

CR NEVADA Annexation

A certain parcel of land located in the South Half (S 1/2) of Lot 1, and the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of Section 18, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Beginning at the Southwest corner of Lot 1 of said Section 18 also being the Northwest corner of Pumphouse Subdivision as recorded in Plat Book 15, Pages 222 and 223 , Mesa County, Colorado public records and assuming the West line of said Lot 1 to bear N00°18'32"W with all bearings contained herein relative thereto; thence N00°18'32"W along the West line of the S 1/2 of said Lot 1 a distance of 659.00 feet to the Northwest corner of the S 1/2 of said Lot 1; thence N89°50'26"E along the North line of the S 1/2 of said Lot 1 a distance of 1338.03 feet to a point on the Easterly right of way of 22 1/4 Road as shown on the plat of

South Broadway Subdivision No. 2, as recorded in Plat Book 9, Page 130 of the Mesa County, Colorado public records; thence S00°10'49"E along the Easterly right of way of said 22 1/4 Road a distance of 131.86 feet; thence continuing along the Easterly right of way of said 22 1/4 Road 183.26 feet along the arc of a 50.00 foot radius curve concave West, having a central angle of 210°00'00" and a chord bearing S14°49'11"W a distance of 96.59 to a point on the East line of the S 1/2 of said Lot 1; thence S00°10'49"E along the East line of the S 1/2 of said Lot 1 a distance of 433.87 feet to the Southeast corner of said Lot 1; thence S89°50'33" along the South line of said Lot 1 also being the North line of said Pumphouse Subdivision a distance of 1311.55 feet to the Point of Beginning.

Said parcel contains 19.73 acres (852,711 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 March, 2006 and ordered published.

ADOPTED this _____ day of _____, 2006.

Attest:

President of the Council

City Clerk

**Attach 15
Public Hearing – Woodridge Subdivision Easement and Right-of-Way
Vacations**

CITY OF GRAND JUNCTION

<i>CITY COUNCIL AGENDA</i>						
Subject	Woodridge Subdivision Easement and Right-of-Way Vacations					
Meeting Date	May 3, 2006					
Date Prepared	April 27, 2006				File: FPP-2005-240	
Author	Kristen Ashbeck		Senior Planner			
Presenter Name	Kristen Ashbeck		Senior Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation	X	Yes		No	Name	Jim Langford, Thompson-Langford Corporation
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary: The Woodridge Subdivision is a 29-lot proposal for both attached and detached single family housing on the remaining parcels of land (total 7.8 acres) that were originally part of the Wilson Ranch Planned Development. A Planned Development (PD) zoning ordinance and Preliminary Development Plan were approved by City Council on October 20, 2005. The Final Plat and Plan are in the final stages of administrative review. The proposed vacations were contemplated but not heard with the Preliminary review thus are being requested at this time.

Budget: N/A

Action Requested/Recommendation: Public Hearing for the vacation resolution and ordinance.

Background Information: See following Staff Report/Background Information

Attachments:

- Site Location and Aerial Photo Maps
- Future Land Use and Existing Zoning Maps
- Proposed Woodridge Subdivision
- Planning Commission Minutes
- Proposed Easement Vacation Resolution & Exhibit
- Proposed Rights-of-way Vacation Ordinance & Exhibit

BACKGROUND INFORMATION					
Location:		2561 G-1/2 Road			
Applicants:		Owner: 759 Investments LLC Developer: Same Representative: Thompson-Langford, Jim Langford			
Existing Land Use:		Vacant			
Proposed Land Use:		19 detached single family units 10 attached single family units			
Surrounding Land Use:	North	Interstate 70 and Large Lot Single Family Residential			
	South	Grand Valley Canal, Large Lot Single Family Residential and Single Family Residential (Wilson Ranch)			
	East	Large Lot Single Family Residential and Commercial (Bookcliff Gardens)			
	West	Grand Valley Canal and Single Family Residential			
Existing Zoning:		Planned Development (PD)			
Proposed Zoning:		Same			
Surrounding Zoning:	North	County Zoning: Agricultural Forestry Transition (AFT)			
	South	Planned Development (PD-Wilson Ranch)			
	East	Residential Single Family 2 units per acre (RSF-2)			
	West	PD (Wilson Ranch)			
Growth Plan Designation:		Residential Medium 4-8 du/ac			
Zoning within density range?		X	Yes		No

BACKGROUND: The Woodridge Subdivision site is located at 2561 G-1/2 Road just west of Bookcliff Gardens on the remaining parcels of land (total 7.8 acres) that were originally part of the Wilson Ranch Planned Development. The site is just between the Grand Valley Canal and Interstate 70. Wilson Ranch

was initially developed in the County and then annexed to the City in the early 1990s – later filings were developed in the City. The entire subdivision was zoned Planned Residential 4.3 units per acre at the time of annexation. The detached single family phases have all been built out but the remaining areas proposed as the Woodridge Subdivision were initially planned to be developed as a multifamily residential project. Several plans for multifamily development were proposed for the site during the mid-1990s but none of them were approved. The land remains vacant, with the property split by the existing G-1/2 Road alignment. The Woodridge project plans for the development of 19 single-family detached units and 10 single-family attached units, for a total of 29 dwelling units on the site. The right-of-way for G-1/2 Road encompasses approximately 1.4 acres, which leaves 6.4 acres thus a resulting proposed density of 4.5 dwelling units per acre.

The plan involves the relocation/realignment of G-1/2 Road to eliminate substandard curves and create a configuration of land more conducive to residential development. The subdivision will be accessed from a single street (Woodridge Court) off of G-1/2 Road. The existing right-of-way for G-1/2 Road within the site is requested to be vacated to allow for the reconstruction as stated. In addition, an unnecessary remnant of undeveloped right-of-way along the alignment of 25-3/4 Road is also being requested to be vacated.

The third vacation being requested is for a small portion of an existing sewer easement along the southern boundary of the site. The vacated portion will be replaced by the sewer system to be constructed in the street and Tract F within the project.

Consistency with the Growth Plan: The Future Land Use Map of the Growth Plan shows this area as Residential Medium 4 to 8 units per acre. The entire Wilson Ranch subdivision, including these vacant parcels, is zoned PD with a density of 4.3 units per acre. The proposed density of Woodridge Subdivision of 4.5 units per acre is lower than was originally proposed for this portion of Wilson Ranch but is still consistent with the Future Land Use density and the overall density of the Wilson Ranch project. The proposed vacations do not impact this analysis of consistency.

ANALYSIS:

Section 2.11 of the Zoning and Development Code: Requests for vacation of easements and rights-of-way shall conform to the criteria listed below.

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

25-3/4 Road is an undeveloped remnant of right-of-way that serves no purpose for development of a future road network since it is already bisected by the developed right-of-way for Interstate 70

and it does not appear on the Grand Valley Circulation Plan in this area of the City.

G-1/2 Road is classified as a Minor Collector on the Grand Valley Circulation Plan. Vacation of this segment of it in order to reconstruct it within the site will improve the overall safety and function of the roadway, furthering the Circulation Plan.

Vacation of the small segment of the sanitary sewer easement will be inconsequential to the Growth Plan and other adopted plans and policies – sanitary sewer will be replaced in the street network and tracts within the proposed Woodridge Subdivision.

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

Provided that G-1/2 Road is reconstructed and the plat recorded designating the new right-of-way as planned, there will be no parcels being landlocked by vacating this right-of-way nor will there be by the vacation of the 25-3/4 Road right-of-way.

This criterion is not applicable to the proposed sewer easement 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;

As stated above, provided the project is constructed as proposed, there will be no property accesses affected by the proposed vacations.

Access to sewer service will not be affected by the proposed easement vacation.

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

There are 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 will not be reduced. Vacation of the rights-of-way will ultimately allow for and improve the safety and function of the G-1/2 Road corridor and the sewer service in the area will be unaffected by the vacation of the sewer easement.

- e. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 6 of this Code; and

Public facilities and services are not inhibited to any property by the vacation of these rights-of-way and easement. Service will be improved as stated above.

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

The proposed vacations will benefit the City by the improvement to the safety and function of the traffic circulation along G-1/2 Road in the vicinity of the proposed Woodridge Subdivision.

FINDINGS OF FACT/CONCLUSIONS: After reviewing the Woodridge Subdivision application, FPP-2005-240 for vacation of rights-of-way and easement, Planning Commission made the following findings of fact and conclusions:

Easement Vacation

1. The requested vacation is consistent with the Growth Plan.
2. The review criteria of Section 2.11 of the Zoning and Development Code have all been met.
3. This vacation shall be effective upon the recording of the Woodridge Subdivision Final Plan and Plat which shall contain the new Tract and Easements replacing the vacated portion of easement and the new sewer line is reconstructed and accepted in accordance with the approved plans contained within Community Development Department File FPP-2005-2004.

Rights-of-Way Vacations

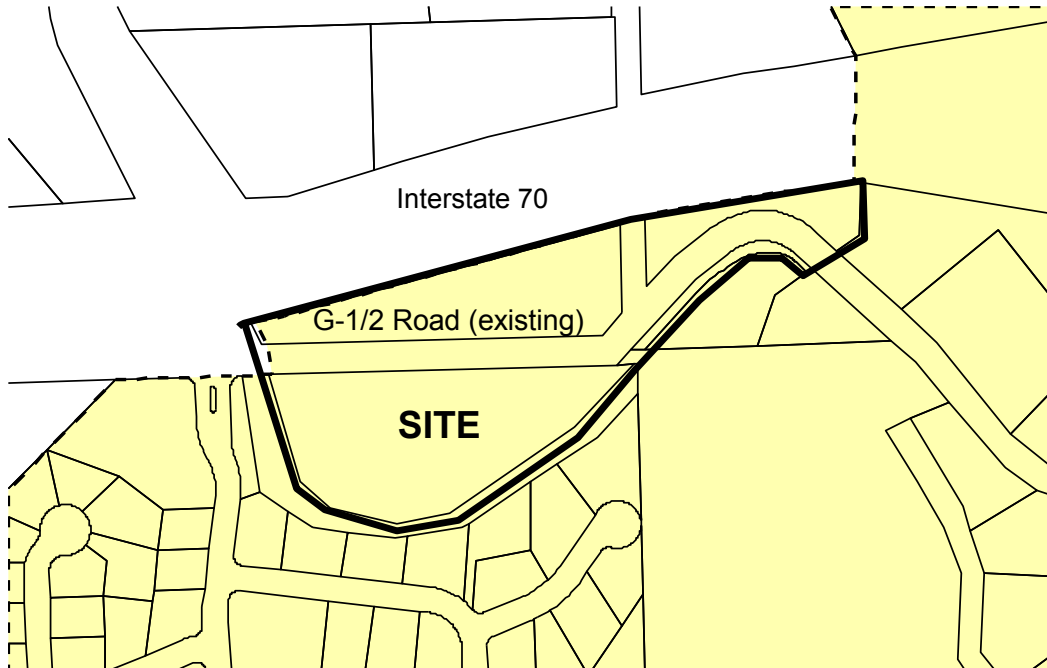
1. The requested vacations are consistent with the Growth Plan.
2. The review criteria of Section 2.11 of the Zoning and Development Code have all been met.
3. The vacation of G-1/2 Road shall be subject to and contingent upon: 1) the recording of the Final Plat and Plan for the Woodridge Subdivision per section 2.12.D. of the Zoning and Development Code; 2) reconstruction and acceptance of G-1/2 Road per the approved plans contained within Community Development Department File FPP-2005-240; and 3)

relocation and approval of utilities per the same approved plans stated above.

PLANNING COMMISSION RECOMMENDATION (4/11/06 7-0): Approval of the vacation resolution and ordinance.

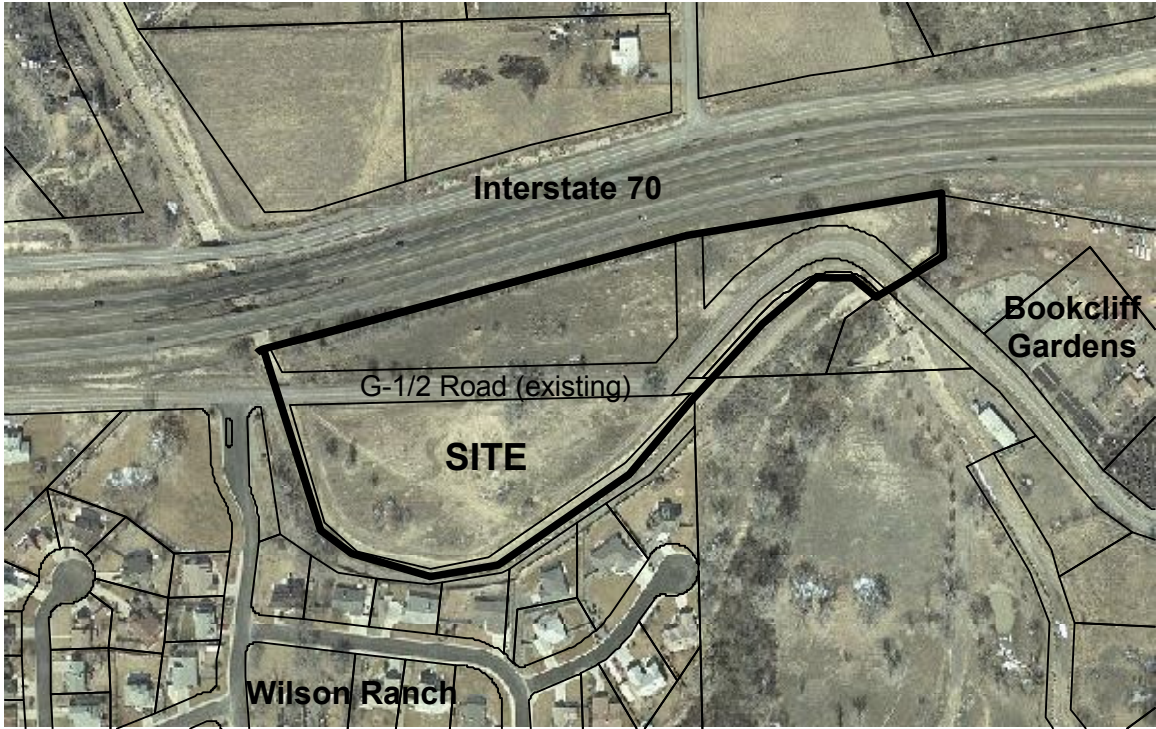
Site Location Map

Figure 1



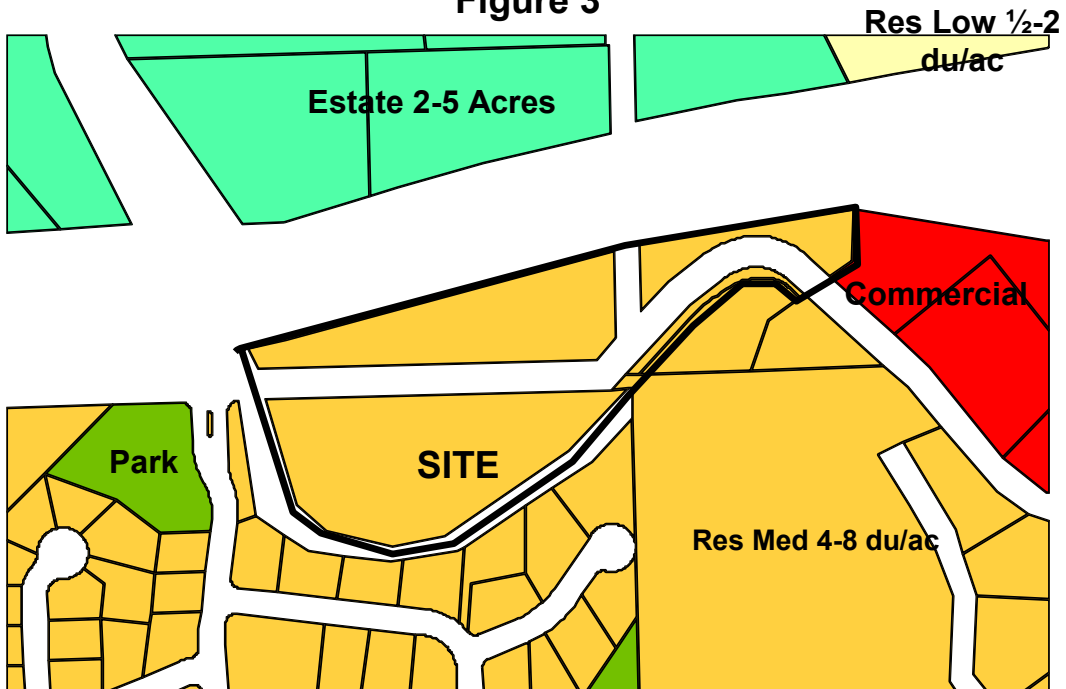
Aerial Photo Map

Figure 2



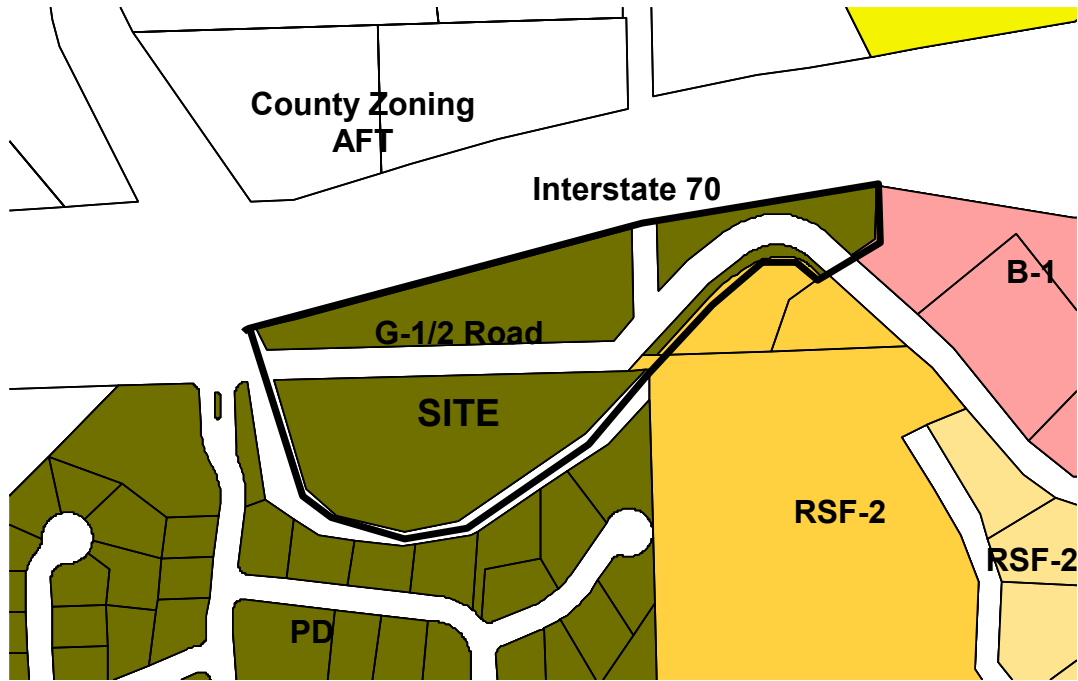
Future Land Use Map

Figure 3

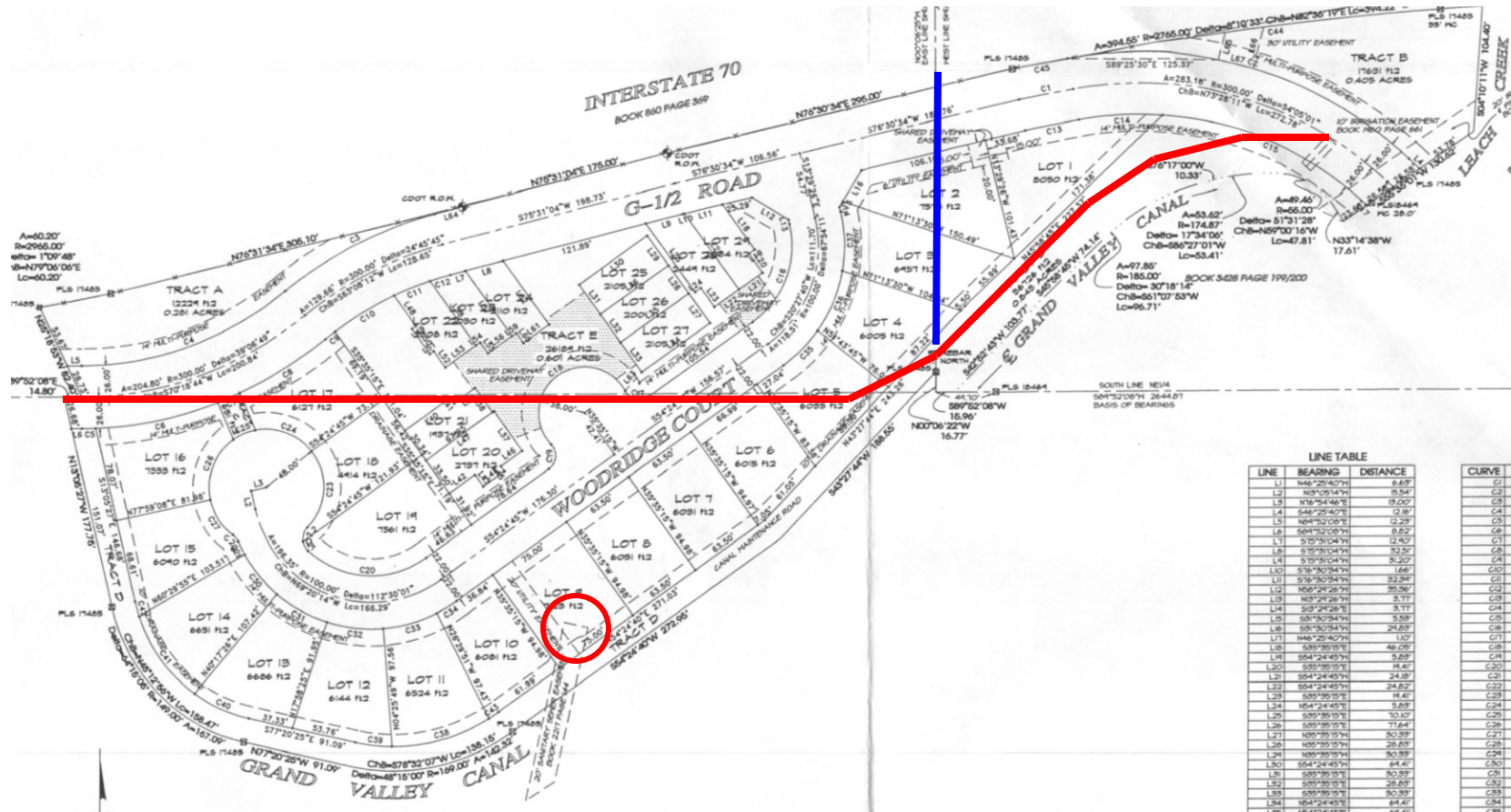


Existing City and County Zoning

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."



Woodridge Subdivision Proposed Development Plan

- Approximate Current G-1/2 Road Alignment
- Approximate Location 25-3/4 Road Right-of-Way
- Area of Easement Vacation

**GRAND JUNCTION PLANNING COMMISSION
APRIL 11, 2006 MINUTES
7:02 p.m. to 10:26 p.m.**

The regularly scheduled Planning Commission hearing was called to order at 7:02 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, Bill Pitts, Tom Lowrey, Patrick Carlow, Ken Sublett, and Reginald Wall. (Mr. Sublett substituted for two different planning commissioners during the course of the public hearing.)

In attendance, representing the City's Community Development Department, were Sheryl Trent (City Manager's Assistant), Kathy Portner (Assistant Community Development Director), Lisa Cox (Senior Planner), Dave Thornton (Principal Planner), Scott Peterson (Senior Planner), and Kristen Ashbeck (Senior Planner).

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

Terri Troutner was present to record the minutes.

There were 30 interested citizens present during the course of the hearing.

I. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

Chairman Dibble announced the pending departure of Senior Planner Lisa Cox. Ms. Cox had been with the Community Development Department for a number of years, and recognition and appreciation was expressed for her many contributions. A plaque was presented to Ms. Cox along with the Planning Commission's best wishes for continued success.

Item CUP-2006-097 (Conditional Use Permit--Van Gundy Salvage Yard) was pulled from the Full Hearing Agenda and would not be heard.

II. APPROVAL OF MINUTES

Available for consideration were the minutes from the March 14, 2006 public hearing. No additions or corrections were noted.

MOTION: (Commissioner Pitts) "Mr. Chairman, I move for the approval of the March 14 minutes as written."

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

III. CONSENT AGENDA

Available for consideration were items:

7. GPA-2006-058 (Growth Plan Amendment--The Plaza on North Avenue)
8. PP-2005-216 (Preliminary Plat--Riverview Estates Subdivision)
9. ANX-2006-046 (Zone of Annexation--Free Annexation)
10. CDP-2006-023 (Condo Plat--Sanida Condos)

11. FPP-2005-240 (ROW & Easement Vacations--Woodridge Subdivision)
12. CUP-2005-218 (Conditional Use Permit--Monument Truck Office/Shop/Warehouse)

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. At planning commissioner request, item PP-2005-216 was pulled from Consent and moved to the Full Hearing Agenda. No objections or revisions were received from the audience or planning commissioners on any of the remaining Consent Agenda items.

MOTION: (Commissioner Lowrey) "So moved that [CUP]-2006-097 be pulled [from the Full Hearing Agenda]."

Commissioner Pitts 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 of the Consent Agenda, items 1, 3, 4, 5, and 6 [GPA-2006-058 (Growth Plan Amendment--The Plaza on North Avenue), ANX-2006-046 (Zone of Annexation--Free Annexation), CDP-2006-023 (Condo Plat--Sanida Condos), FPP-2005-240 (ROW & Easement Vacations--Woodridge Subdivision), and CUP-2005-218 (Conditional Use Permit--Monument Truck Office/Shop/Warehouse)]."

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

CITY OF GRAND JUNCTION

RESOLUTION NO. __

**A RESOLUTION VACATING A SEWER EASEMENT WITHIN THE PROPERTY
LOCATED AT 2561 G-1/2 ROAD ALSO KNOWN AS THE WOODRIDGE
SUBDIVISION**

Recitals

A request for the vacation of a sewer easement has been submitted in accordance with the Zoning and Development Code. The applicant has requested that a small portion of the existing the 20-foot sewer easement near the southern boundary of the site be vacated as it encroaches on a proposed lot (Lot 9). This portion of the easement is to be replaced by the sewer system proposed to be constructed in Tract F and the street system within the Woodridge Subdivision. The existing 20-foot sewer easement was originally dedicated via a grant of easement recorded on March 20, 1996 in Book 2217, Pages 144-145 in the records of the Mesa County Clerk and Recorder. The vacation request is required to proceed with completion of the Woodridge Subdivision.

The Grand Junction Planning Commission, at its hearing on April 11, 2006 reviewed vacation request and determined that it satisfied the criteria as set forth and established in Section 2.11 of the Zoning and Development Code. The proposed vacation is also consistent with the purpose and intent of the Growth Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE SEWER EASEMENT AREA DESCRIBED BELOW IS HEREBY VACATED.

The north 15.57 feet of an easement described in a document recorded in Book 2217 at Page 144 of the Mesa County records, situated in the NW1/4 SE1/4 of Section 34, Township 1 North, Range 1 West of the Ute Meridian; said vacation being more particularly described as follows:

Beginning at the northwest corner of said easement;
Thence South 77°42'19" East, a distance of 20.00 feet to the northeast corner of said easement;
Thence along the east line of said easement, South 12°17'41" East, a distance of 15.57 feet;
Thence North 77°42'17" West, a distance of 20.00 feet to the west line of said easement;
Thence North 12°17'41" East, a distance of 15.57 feet to the Point of Beginning.

See Easement Vacation Exhibit attached hereto and incorporated by this reference as if fully set forth.

This vacation shall be effective upon the recording of the Woodridge Subdivision Final Plan and Plat which shall contain the new Tract and Easements replacing the vacated portion of easement and the new sewer line is reconstructed and accepted in accordance with the approved plans contained within Community Development Department File FPP-2005-2004.

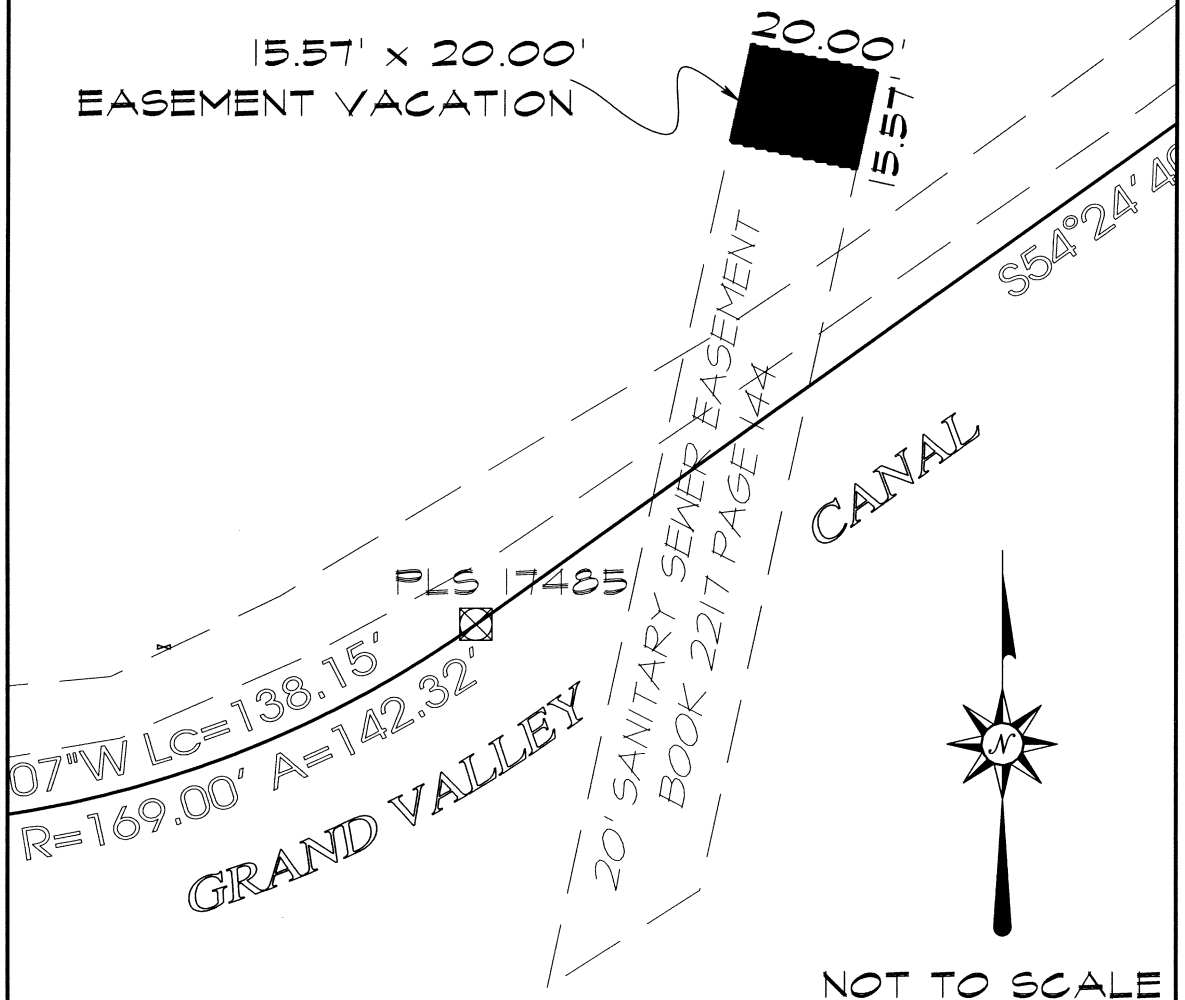
PASSED on this _____ day of _____, 2006.

ATTEST:

City Clerk

President of Council

EASEMENT VACATION EXHIBIT



This exhibit is a graphical representation of a written description, and is provided for information only. It is not to be relied upon for boundary or title matters. It is not intended to be a legal document and does not replace, correct or supersede the attached easement description.

CITY OF GRAND JUNCTION

ORDINANCE NO. _____

**AN ORDINANCE VACATING RIGHTS-OF-WAY FOR 25-3/4 and G-1/2 ROADS
IN THE VICINITY OF 2561 G-1/2 ROAD
WITHIN THE PROPERTY KNOWN AS THE WOODRIDGE SUBDIVISION**

Recitals

A vacation of a segment of undeveloped remnant right-of-way along the alignment of 25-3/4 Road as further described above is requested. The right-of-way is not necessary for future development of the street network since it is already bisected by the developed Interstate 70 right-of-way. The properties surrounding it are concurrently being platted into a new residential project to be known as the Woodridge Subdivision and the right-of-way impedes the redevelopment of the property.

In addition, a vacation of a segment of G-1/2 Road right-of-way as further described above is requested. The road is currently developed but the vacation is requested in order to realign the roadway making the property more conducive to development and improving the safety and function of G-1/2 Road.

The City Council finds that the vacation requests are consistent with the Growth Plan and meet the criteria of section 2.11 of the Zoning and Development Code.

The Planning Commission, having heard and considered the requests, found the criteria of the Code to have been met and recommended that the vacations be approved.

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

The following described dedicated public rights-of-way are hereby vacated:

25-3/4 Road: All of the right-of-way for 25-3/4 Road as it crosses the following described parcels of land:

PARCEL 1

Commencing at the Northwest corner of the SE1/4 of said Section 34, thence North 90°00'00" East along the North line of the SE1/4 of said Section 34 a distance of 596.23 feet to the True Point of Beginning, thence continuing North 90°00'00" East along the North line of the SE1/4 of said Section 34 a distance of 12.60 feet, thence North 25°08'30" West 82.68 feet to a point on the South right-of-way of Interstate 70, thence along said South right-of-way of Interstate 70 by the following 4 courses and distances;

- 1) along the arc of a curve to the left whose radius is 2965.00 feet and whose long chord bears North 79°15'22" East 60.20 feet,
- 2) North 76°40'49" East 305.10 feet,
- 3) North 75°40'19" East 175.00 feet,
- 4) North 76°39'26" East 229.99 feet, thence South 00°03'30" West 247.06 feet to a point on the North bank of the Grand Valley Canal, thence along the North and East bank of the Grand Valley Canal by the following 7 courses and distances:
 - 1) South 29°34'51" West 6.54 feet,
 - 2) South 45°29'19" West 171.38 feet,
 - 3) South 56°44'15" West 301.17 feet,
 - 4) South 80°30'15" West 107.47 feet,
 - 5) North 74°13'45" West 135.85 feet,
 - 6) North 47°02'00" West 80.36 feet,
 - 7) North 14°08'30" West 217.97 feet to the True Point of Beginning.

PARCEL 2

Commencing at the Northwest corner of the SE1/4 of said Section 34, thence North 90°00'00" East along the North line of the SE1/4 of said Section 34 a distance of 608.83 feet, thence North 25°08'30" West 82.68 feet to a point on the South right-of-way of Interstate 70, thence along said South right-of-way of Interstate 70 by the following 4 courses and distances:

- 1) along the arc of a curve to the left whose radius is 2965.00 feet and whose long chord bears North 79°15'22" East 60.20 feet,
- 2) North 76°40'49" East 305.10 feet,
- 3) North 75°40'19" East 175.00 feet,
- 4) North 76°39'26" East 229.99 feet to the True Point of Beginning, thence along the South right-of-way of Interstate 70 by the following 2 courses and distances:
 - 1) North 76°41'12" East 64.92 feet,
 - 2) along the arc of a curve to the right whose radius is 2765.00 feet and whose long chord bears North 82°45'20" East 393.80 feet to a point on the centerline of Leach Creek, thence along the centerline of Leach Creek by the following 2 courses and distances:
 - 1) South 04°18'03" West 104.14 feet,
 - 2) South 55°42'53" West 131.26 feet to the centerline of the Grand Valley Canal, thence along the centerline of the Grand Valley Canal the following 6 courses and distances:
 - 1) North 64°03'24" West 59.02 feet,
 - 2) South 88°41'25" West 35.29 feet,
 - 3) South 79°34'22" West 41.79 feet,
 - 4) South 61°21'09" West 89.95 feet,
 - 5) South 45°25'42" West 125.11 feet,
 - 6) South 29°34'51" West 30.01 feet to a point in the North line of the SE1/4 of said Section 34, thence South 90°00'00" West along said North line of the SE1/4 of Section 34 a distance of 25.52 feet to the Northeast corner of the NW1/4

SE1/4 of said Section 34, thence North 00°03'30" East 252.74 feet to the True Point of Beginning.

All in the City of Grand Junction, Mesa County, Colorado.

G-1/2 Road: All of the right-of-way for G-1/2 Road as described in a road petition in Road Book 2 at Page 203, dated April 4, 1910; and all of the road right-of-way shown on the plat of Pomona Park as it crosses the following described parcels of land:

PARCEL 1

Commencing at the Northwest corner of the SE1/4 of said Section 34, thence North 90°00'00" East along the North line of the SE1/4 of said Section 34 a distance of 596.23 feet to the True Point of Beginning, thence continuing North 90°00'00" East along the North line of the SE1/4 of said Section 34 a distance of 12.60 feet, thence North 25°08'30" West 82.68 feet to a point on the South right-of-way of Interstate 70, thence along said South right-of-way of Interstate 70 by the following 4 courses and distances;

- 1) along the arc of a curve to the left whose radius is 2965.00 feet and whose long chord bears North 79°15'22" East 60.20 feet,
- 2) North 76°40'49" East 305.10 feet,
- 3) North 75°40'19" East 175.00 feet,
- 4) North 76°39'26" East 229.99 feet, thence South 00°03'30" West 247.06 feet to a point on the North bank of the Grand Valley Canal, thence along the North and East bank of the Grand Valley Canal by the following 7 courses and distances:
 - 1) South 29°34'51" West 6.54 feet,
 - 2) South 45°29'19" West 171.38 feet,
 - 3) South 56°44'15" West 301.17 feet,
 - 4) South 80°30'15" West 107.47 feet,
 - 5) North 74°13'45" West 135.85 feet,
 - 6) North 47°02'00" West 80.36 feet,
 - 7) North 14°08'30" West 217.97 feet to the True Point of Beginning.

PARCEL 2

Commencing at the Northwest corner of the SE1/4 of said Section 34, thence North 90°00'00" East along the North line of the SE1/4 of said Section 34 a distance of 608.83 feet, thence North 25°08'30" West 82.68 feet to a point on the South right-of-way of Interstate 70, thence along said South right-of-way of Interstate 70 by the following 4 courses and distances:

- 1) along the arc of a curve to the left whose radius is 2965.00 feet and whose long chord bears North 79°15'22" East 60.20 feet,
- 2) North 76°40'49" East 305.10 feet,
- 3) North 75°40'19" East 175.00 feet,
- 4) North 76°39'26" East 229.99 feet to the True Point of Beginning, thence along the South right-of-way of Interstate 70 by the following 2 courses and distances:
 - 1) North 76°41'12" East 64.92 feet,

2) along the arc of a curve to the right whose radius is 2765.00 feet and whose long chord bears North 82°45'20" East 393.80 feet to a point on the centerline of Leach Creek, thence along the centerline of Leach Creek by the following 2 courses and distances:

1) South 04°18'03" West 104.14 feet,

2) South 55°42'53" West 131.26 feet to the centerline of the Grand Valley Canal, thence along the centerline of the Grand Valley Canal the following 6 courses and distances:

1) North 64°03'24" West 59.02 feet,

2) South 88°41'25" West 35.29 feet,

3) South 79°34'22" West 41.79 feet,

4) South 61°21'09" West 89.95 feet,

5) South 45°25'42" West 125.11 feet,

6) South 29°34'51" West 30.01 feet to a point in the North line of the SE1/4 of said Section 34, thence South 90°00'00" West along said North line of the SE1/4 of Section 34 a distance of 25.52 feet to the Northeast corner of the NW1/4 SE1/4 of said Section 34, thence North 00°03'30" East 252.74 feet to the True Point of Beginning.

All in the City of Grand Junction, Mesa County, Colorado.

See 25-3/4 and G-1/2 Road Vacation Exhibit attached hereto and incorporated by this reference as if fully set forth.

The vacation of G-1/2 Road shall be subject to and contingent upon: 1) the recording of the Final Plat and Plan for the Woodridge Subdivision per section 2.12.D. of the Zoning and Development Code; 2) reconstruction and acceptance of G-1/2 Road per the approved plans contained within Community Development Department File FPP-2005-240; and 3) relocation and approval of utilities per the same approved plans stated above.

Introduced on first reading this ____ day of _____, 2006 and ordered published.

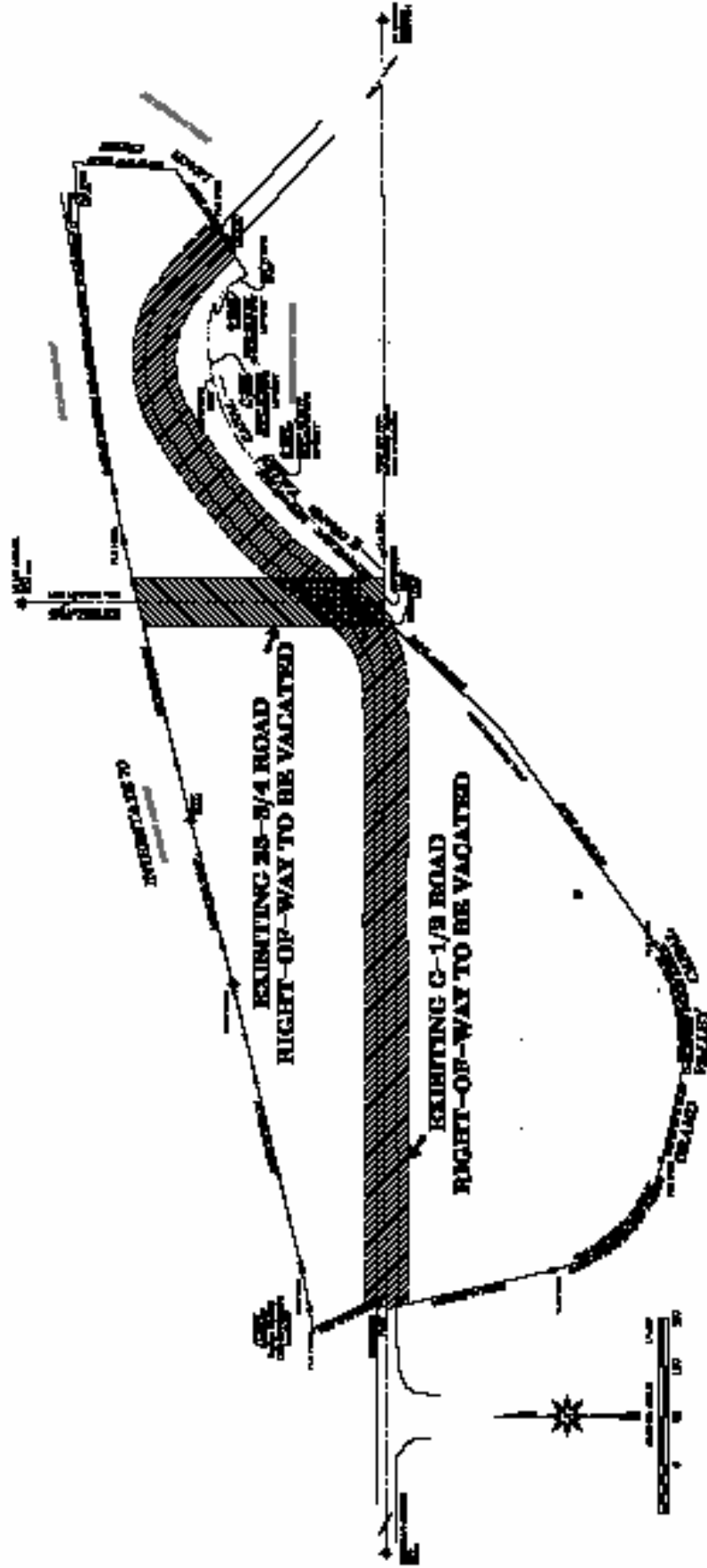
Adopted on second reading this ____ day of _____, 2006.

ATTEST:

City Clerk

President of Council

RIGHT OF WAY VACATION EXHIBIT
G-1/3 ROAD IN THE NE 1/4 & SE 1/4 OF SECTION 84, T1N, R1W, U7E MERIDIAN
CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO



Attach 16

Rehearing – Consideration of a Right-of-Way Vacation and Rezone for the Van Gundy North Property

CITY OF GRAND JUNCTION

<i>CITY COUNCIL AGENDA</i>						
Subject	Van Gundy North Right-of-Way Vacation and Rezone -- Rehearing					
Meeting Date	May 3, 2006					
Date Prepared	April 27, 2006				File RZ-2006-022	
Author	City Staff					
Primary Presenters	Dave Thornton, AICP Jim Shanks, PE			Principal Planner Riverside Parkway Manager		
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	x	No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary: This proposal is to vacate a portion of a north-south alley right-of-way south of 4th Avenue midway between South 5th Street and South 7th Street and a rezone of all or portions of 12 properties in the vicinity of 1018 South 5th Street, including remnants created by right-of-way acquisition for the Riverside Parkway from C-2 to an I-1 zone district. A plat consolidating parcels is being concurrently reviewed administratively.

Budget: N/A

Action Requested/Recommendation: Public hearing for consideration of zoning and vacation ordinances.

Background Information: See attached Staff Report/Background Information

Attachments:

- Site Location and Aerial Photo Maps
- Future Land Use and Existing Zoning Maps
- Section 3.5 Use/Zone Matrix for C-2 and I-1
- Planning Commission Minutes
- Letter from Downtown Development Authority
- Proposed Van Gundy North Subdivision
- Proposed Riverside Parkway Alignment
- Proposed Vacation Ordinance
- Proposed Rezone Ordinance

BACKGROUND INFORMATION					
Location:		South of 4 th Avenue between 5 th and 7 th Streets			
Applicants:		Owners: City of Grand Junction and Sterling Corporation Developer: City of Grand Junction Representative: Jim Shanks, Riverside Parkway			
Existing Land Use:		Salvage yard, warehouse and vacant			
Proposed Land Use:		Industrial			
Surrounding Land Use:	North	Railroad Operations			
	South	Future ROW for Riverside Parkway			
	East	Industrial – Warehouse			
	West	US Highway 50 and Future ROW for Riverside Parkway			
Existing Zoning:		General Commercial (C-2)			
Proposed Zoning:		Light Industrial (I-1)			
Surrounding Zoning:	North	I-1			
	South	C-2			
	East	C-2			
	West	C-2			
Growth Plan Designation:		Commercial/Industrial			
Zoning within density range?		NA	Yes		No

PROJECT BACKGROUND: In 2003 the citizens of Grand Junction approved a bond issue to construct the Riverside Parkway. When completed the Parkway will extend from 24 Road on the West to 29 Road on the East. One of the main concerns for the project is the displacement of some businesses and residences within the Lower Downtown area. In accordance with the Environmental Assessment, those problems had to be mitigated. Certain planning assumptions were made on how to best accomplish that mitigation. This application is part of the relocation efforts for one property owner affected by the Riverside Parkway construction.

The request is for the vacation of the north/south alley right-of-way south of Fourth Avenue midway between South 5th Street and South 7th Street (approximately lines up with 6th Street to the north), a rezone of the properties to

I-1, and a concurrent Simple Subdivision to combine all of the lots into one parcel.

The property is located generally between South 5th Street and South 7th Street on the south side of 4th Avenue. The site consists of all/or portions of 12 properties, tax parcels: 2945-232-00-069, 2945-232-02-005, 2945-232-02-004, 2945-232-02-008, 2945-232-02-006, 2945-232-02-038, 2945-232-02-014, 2945-232-02-015, 2945-232-02-027, 2945-232-02-026, 2945-232-02-029, 2945-232-02-028. The total project area is 5.10 acres in size (includes area of right-of-way to be vacated). The proposed use of the property is intended to be industrial in nature, utilizing the railroad access.

Riverside Parkway Information as it Relates to this Area

The Riverside Parkway will cross 5th Street 540 feet north of Noland Avenue. Riverside Parkway will be elevated approximately 30 feet from existing grade as it crosses over the top of 5th Street and the Union Pacific Railroad to the west. The bridge crossing 5th Street will have a center pier and landscaped terrace abutments on both the east and west ends. The bridge and embankment will obscure the view of the property located on the northeast corner of the interchange.

As part of the Riverside Parkway a screen wall will be constructed from the north side of Riverside Parkway from just east of the 5th Street Bridge to just west of 7th Street. This screen wall will be located behind the sidewalk on the north side of the Parkway. The screen wall will be a colored, patterned concrete wall, 8 feet high. Vehicles approaching Riverside Parkway from the 5th Street off-ramp and vehicles on Riverside Parkway will not have a view of the railroad tracks and the properties adjacent to the railroad. Tall structures such as the 230 Kv power transmission poles and the Mesa Feed silos will be visible.

The function of 4th Avenue will change with the Riverside Parkway construction. Existing 4th Avenue west of 7th Street has direct access to the 5th Street south-bound ramp and also connects to Noland Avenue and to the at-grade rail crossing at 4th Street that continues to the west and connects to Broadway. With the new Riverside Parkway interchange configuration, 4th Avenue will become a dead-end street west of 7th Street. 4th Avenue will continue in its existing location under the 5th Street Viaduct and will continue to the south where it will pass underneath Riverside Parkway and the Riverside Parkway ramp to 5th Street. 4th Avenue will dead-end at the existing trailer park located just north of the Colorado River on the west side of 5th Street.

As a part of the site search effort to relocate the affected property owner, the Riverside Parkway staff looked at approximately 14 locations along the railroad from west of Fruita to 30 Road. In the Grand Junction vicinity there are 9 existing rail spurs. 7 of these spurs are located in an area between 2nd Street

and 12th Street on either side of the Union Pacific Railroad (UPRR). The other two spurs are located along River Road, one at 24.5 Road and one located at 22 Road. All of these spurs, except the spur on the subject property are located within and serve I-1 or I-2 zones.

There were several properties that were investigated as relocation sites that are zoned industrial but those sites lacked rail access. In every case where rail access was not available, UPRR was unwilling to consider the construction of a rail spur or the cost to construct a rail spur was prohibitively expensive for the project. An example is the property located south of the railroad, and just west of 30 Road. That property lies immediately adjacent to the UPRR tracks. UPRR would only consider a rail spur if it was extended from the yard at 28 road which would have cost \$3,000,000 (three million dollars) per mile. The UPRR would not consider the construction of a rail spur at the 30 Road site because it said that it would interfere with coal train traffic.

Unused land with rail spur access in Grand Junction is very scarce. The City as applicant for the rezone has determined that the highest and best use of this subject property is industrial due to the Riverside Parkway location, the dead end of 4th Street, and the rail spur. This site with the constraints is not as appropriate for commercial uses. Generally commercial uses need a location that has more visibility, better accessibility and a higher potential traffic count. The \$575,000 purchase option price for the affected business is included as a revenue stream in the financial balancing for the Riverside Parkway project.

In 2004, the City completed an environmental assessment (EA) for the Riverside Parkway at State Highway 50 (5th Street) as part of a CDOT required 1601 planning process. The EA recognized the different land uses in the study area (residential, commercial and industrial) with the intent of selecting a preferred alternative that minimizes the impacts of the Parkway to all uses. The EA did not use non-conforming uses (e.g. industrial &/or residential uses in commercial zones), as a criteria for selecting the best alternative.

The EA recognized the value of railroad spurs by selecting a preferred alternative that minimized the number of crossings along the Parkway. Certainly from a traffic perspective, the fewer crossings of railroad spurs directly improves the efficiency of the Parkway. At the same time, the mitigation measures for the alternatives with rail spur crossings did not include their removal or relocation. Staff concludes the EA supported the notion that rail spurs are a necessary community asset required for the operation of existing business that utilized them.

Consistency with the Growth Plan: The Growth Plan Future Land Use Map shows the property as Commercial/Industrial which is

intended for heavy commercial, offices and some industrial uses with outdoor storage, but no outdoor operations other than sales. Yard operations may be permitted through Conditional Use or Planned Development processes where adequate screening and buffering can be provided to ensure compatibility with existing and proposed uses in the vicinity. In addition, the following goals of the Growth Plan are implemented by this change in zoning.

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

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

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

ANALYSIS:

Section 2.6 of the Zoning and Development Code: Requests for a rezone must demonstrate conformance with all of the following criteria.

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

The C-2 zoning was established in 2000 when new City wide zoning was established. The zoning of the property prior to 2000 was I-2. The C-2 zoning made the established uses non-conforming.

In 2000, it was thought that a shift from the Heavy Industrial uses to General Commercial uses was appropriate. The staff report, dated January 19, 2000, stated the proposed zoning in the South Downtown area "generally follows the recommendations of the Growth Plan, which were very similar to the preferred alternative that was identified in the South Downtown Plan". The South Downtown planning effort was initiated in 1994 and resulted in a "Proposed Alternative" being recommended by a citizens' Steering Committee. The proposed alternative was never brought forward to the Planning Commission or City Council for adoption and accordingly there is no South Downtown Plan.

The Commercial/Industrial land use designation allows for C-2, I-O or I-1 zoning. When C-2 was placed on the property in 2000, the proposed Riverside Parkway alignment, that isolates this property, had not yet been determined. In addition, at that time in 2000 4th Street was a through street and will now be a dead end street, significantly limiting access to this site for commercial uses.

One thing that was not considered at the time of zoning to C-2, was the existence of the rail spur to this property. Rail spurs generally serve industrial type uses and an inventory of all rail spurs in the City limits shows all but this one to be located within industrial zones. The rail spur should have been considered in determining the most appropriate zone district for this property in 2000; therefore the C-2 zoning was adopted in error.

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

The construction of the Riverside Parkway is necessitating the relocation of some existing property owners along its alignment.

The proposed alignment and configuration of the Parkway is isolating this area with no through access. The Parkway structure will be substantially elevated above the site and will provide a screen wall. Existing 4th Avenue, currently a through street to the west, will dead-end just to the west of 5th Street/Highway 50. These changes will severely reduce the traffic volumes and visibility of this site, making it more appropriate for industrial uses than for commercial uses.

All of these are significant changes to the neighborhood.

- 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 surrounding area is heavy commercial and industrial uses (i.e. railroad, warehousing, construction company, etc.) and zoning the property to I-1 will be compatible. There are uses for this site that would require a Conditional Use Permit in the I-1 zone district that would require necessary mitigation for any adverse impacts.

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

The following goals of the Growth Plan are implemented by this change in zoning.

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

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

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

In addition, the goals and policies of the Zoning and Development Code are implemented by promoting the health, welfare, and safety of the citizens and residents of the City by having consistent zoning patterns. Adding industrial zoning to the already industrially used and zoned area of the community is appropriate.

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

Public facilities and services are available in the area. Any specific impacts of proposed development will be reviewed and addressed with the Conditional Use Permit and Site Plan Review phases of a development project.

In addition, this property is accessed by a rail spur, providing access to the railroad. There are 7 spurs located in the central Grand Junction area, between 2nd Street and 12th Street. All but this spur access industrially zoned property.

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

There is very little land available that has access to the railroad. The rail spur and proximity to the railyard indicate that the property

should be industrial. As discussed earlier in the report, there are 9 existing rail spurs in the Grand Junction vicinity, 7 of which are located between 2nd Street and 12th Street. All but this spur access property zoned industrial. In addition, new spurs are very difficult to site and very expensive. As shown by the replacement site search, there is not an adequate supply of industrial land with rail access.

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

The community and neighborhood will benefit from the change in zoning to industrial, making this land with rail access available for industrial uses. Due to the isolation of this property with the development of the Riverside Parkway, it is of questionable value as Commercial property; however, proximity and access to the railroad make it appropriate industrial property. The railroad spur is an existing asset to this property and the community to utilize rail transportation more necessary and appropriate for industrial uses.

Section 2.11 of the Zoning and Development Code: Requests for vacation of right-of-way shall conform to the criteria listed below.

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

In addition to Goal 5 stated above, the request for vacation implements the following goals of the Growth Plan.

Goal 23: *To foster a well-balanced transportation system that supports the use of a variety of modes of transportation, including automobile, local transit, pedestrian and bicycle use.*

Goal 24: *To develop and maintain a street system which effectively moves traffic throughout the community.*

The proposed vacation does not inhibit the implementation or go against the Grand Valley Circulation Plan, and is in conformance with the Zoning and Development Code.

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

There are no parcels being landlocked by vacating this alley contingent on the filing of the Simple Subdivision plat.

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

Property accesses are not affected by the proposed vacation contingent on the filing of the Simple Subdivision plat.

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

There are 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 will not be reduced.

- k. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter 6 of this Code; and

Public facilities and services are not inhibited to any property by the vacation of this alley.

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

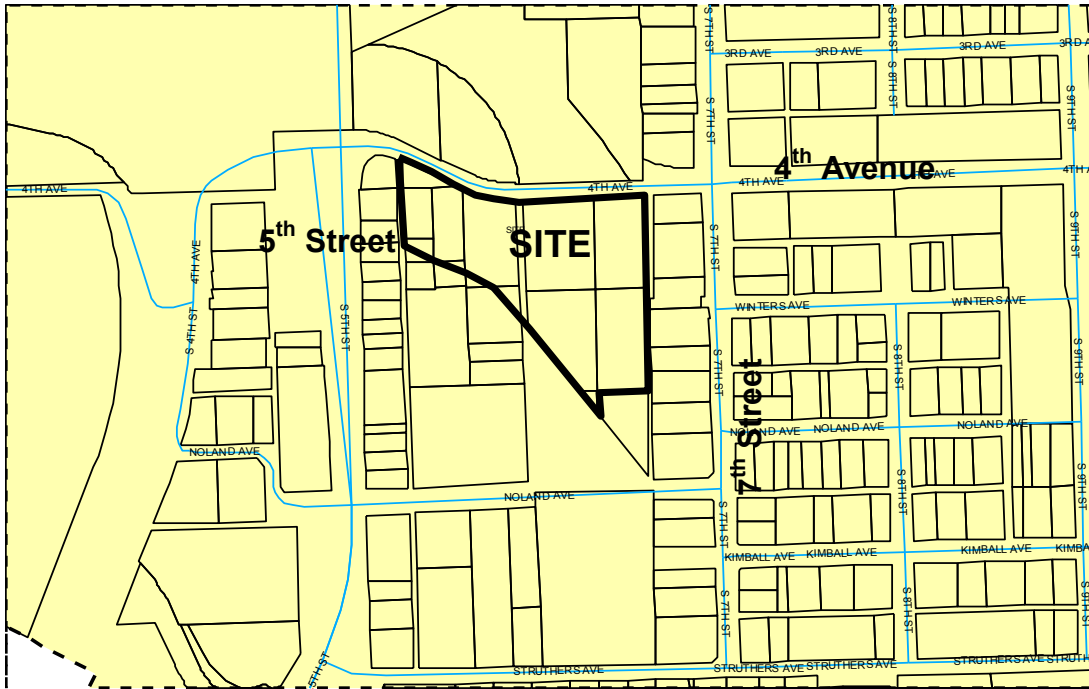
The alley that is being requested to be vacated is not developed as an alley for vehicular traffic. It contains a rail spur that travels into the properties on the south side of 4th Avenue and will continue to benefit this property. The City benefits from the reduced maintenance requirements for the alley right-of-way. The alley will need to be retained as an easement for a sewer line that is located within the alley right-of-way.

PLANNING COMMISSION FINDINGS OF FACT/CONCLUSIONS: Planning Commission heard this item at its March 14, 2006 meeting. After reviewing the Van Gundy North application, RZ-2006-022 for a Rezone and Right-of-Way Vacation, Planning Commission recommended approval of both the rezone and the vacation with the following findings of fact and conclusions subject to the condition that the vacation not be effective unless and until a Simple Subdivision Plat is recorded that dedicates a 20-foot sewer easement to the City within the vacated right-of-way:

- 4. The requested rezone is consistent with the Growth Plan.
- 2. The review criteria in Section 2.6 of the Zoning and Development Code have all been met.
- 3. The review criteria of Section 2.11 of the Zoning and Development Code have all been met.

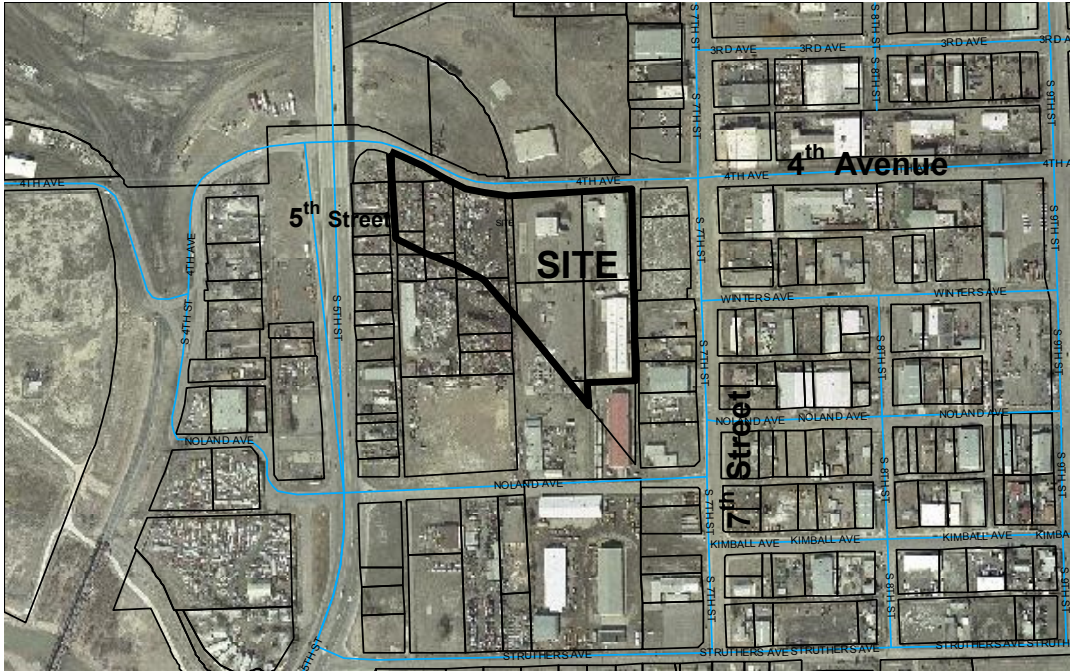
Site Location Map

Figure 1



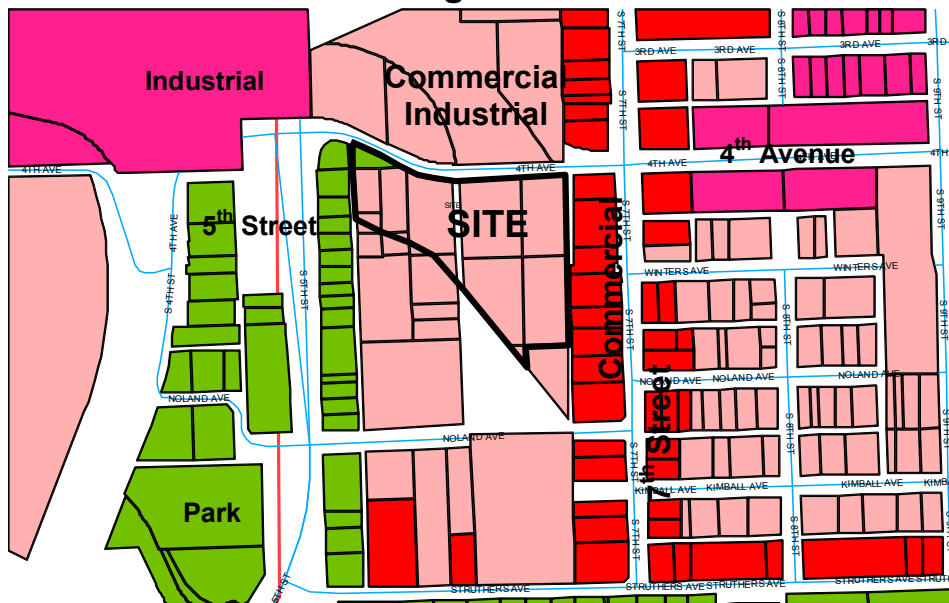
Aerial Photo Map

Figure 2



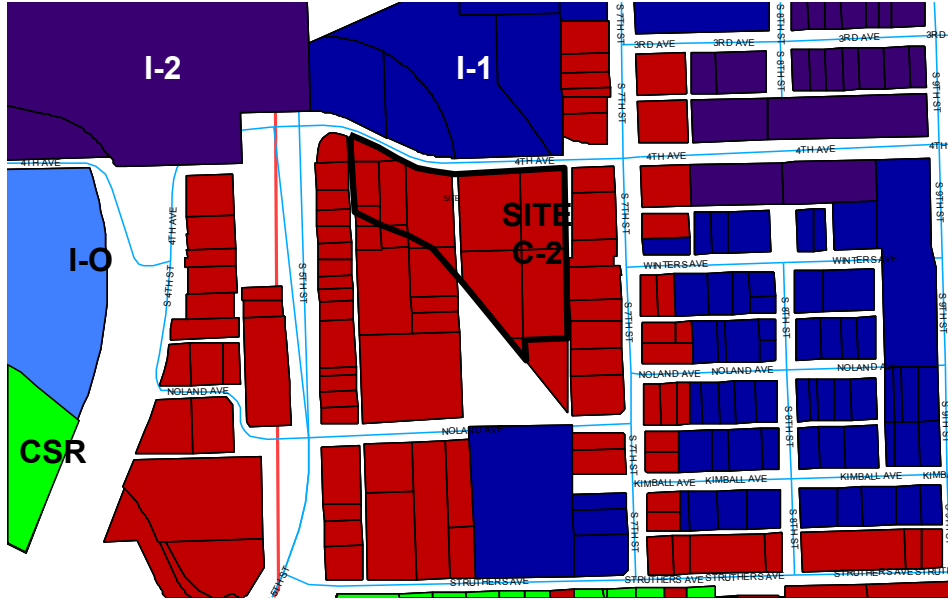
Future Land Use Map

Figure 3



Existing City 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."

Table 3.5 Use/Zone Matrix

Use Category-Definition. See Chapter Nine for complete description.	Specific Use Type	C	I	Use-Specific Standard
RESIDENTIAL				
Household Living - residential occupancy of a dwelling units by a "household"	Business Residence	A	C	4.3.I
	Rooming/Boarding House			
	Single-Family Attached ³			
	Single-Family Detached			4.3.N
	Duplex ³			
	Multi-Family ³			4.3.O
	Residential Subunits/Accessory Units			4.1.G
	Agricultural Labor Housing			
	Town Home			
	Manufactured Housing Park			4.3.F
	All Other Housing Living			
Home Occupation	Home Occupation			4.1.H
Group Living - residential occupancy of a structure by a group of people who do not meet the definition of "Household Living"	Small Group Living Facility	C		4.3.Q
	Large Group Living Facility (includes secure facilities)	C		4.3.Q
	Unlimited Group Living Facility	C		4.3.Q
INSTITUTIONAL & CIVIC				
Colleges and Vocational Schools - colleges and institutions of higher learning	Colleges and Universities	A	C	
	Vocational, Technical & Trade Schools	A	C	
	All Other Educational Institutions	C	C	
Community Service - uses providing a local service to the community	Community Activity Building	A		
	All Other Community Service	C	C	
Cultural - establishments that document the social and religious structures and intellectual and artistic manifestations that characterize a society	Museum, Art Galleries, Opera Houses, Libraries	C	C	
Day Care - care, protection and supervision for children or adults on a regular basis away from their primary residence for less than 24 hours per day	Home-Based Day Care (1-12)	C		
	General Day Care	C		
Detention Facilities - facilities for the detention or incarceration	Jails, Honor Camps, Reformatories	C	C	

of people	Community Corrections Facility	C		
	Law Enforcement Rehabilitation Centers	C	C	
Hospital/Clinic - uses providing medical treatment or surgical care to patients	Medical and Dental Clinics	A	A	
	Counseling Centers (nonresident)	A		
	Hospital/Mental Hospital	C		
	Physical and Mental Rehabilitation (resident)	C		
	All Other	C		
Parks and Open Space - natural areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, etc.	Cemetery	A	C	
	Golf Course	A	C	
	Campground, Primitive			
	Golf Driving Ranges	A	A	
	Parks, Lakes, Reservoirs	A	C	
	All Other	A	C	
Religious Assembly - meeting area for religious activities	All	A	A	4.3.P
Funeral Homes/Mortuaries/ Crematories	All	A		
Safety Services - public safety and emergency response services	All	A	A	
Schools - schools at the primary, elementary, middle, junior high or high school level	Boarding Schools	C		
	Elementary Schools			
	Secondary Schools	A		
Utility, Basic - Infrastructure services that need to be located in or near the area where the service is provided	Utility Service Facilities (underground)	A	A	
	All Other Utility, Basic	A	A	
Utility, Corridors - passageways for bulk transmitting or transporting of electricity, gas, oil, communication signals, or other similar services	Transmission Lines (above ground)	C	C	
	Transmission Lines (under ground)	A	A	
	Utility Treatment, Production or Service Facility		C	
	All Other	C	C	
COMMERCIAL				
Entertainment Event, Major - activities and structures that draw large numbers of people to specific events or shows	Indoor Facilities	C		
	Outdoor Facilities	C	C	
Lodging - hotels, motels and similar establishments	Hotels & Motels	A		
	Bed and Breakfast (1-3 guest rooms)	C		4.3.H
	Bed and Breakfast (4-5 guest rooms)	C		4.3.H
Office - activities conducted in an office setting and generally focusing on business, government, professional, or financial services	General Offices	A	C	
	Office with Drive-Through	A	C	

Parking, Commercial - parking that is not necessary to serve a specific use and for which fees may be charged	All	A	A	
Recreation and Entertainment, Outdoor - large, generally commercial uses that provide continuous recreation or entertainment-oriented activities	Campgrounds and Camps (non-primitive)	A		4.3.E
	Resort Cabins and Lodges			
	Swimming Pools, Community	A		
	Shooting Ranges, Outdoor		C	
	Amusement Park	C		
	Drive-In Theater	C		
	Miniature Golf	C		
	Riding Academy, Roping or Equestrian Area			
	Zoo	C		
	All Other Outdoor Recreation	C	C	
Recreation and Entertainment, Indoor - large, generally commercial uses that provide indoor recreation or entertainment-oriented activities including health clubs, movie theaters, skating rinks, arcades	Health Club	A	C	
	Movie Theater	A	C	
	Skating Rink	A	C	
	Arcade	A	C	
	Shooting Ranges, Indoor	C	C	
	All Other Indoor Recreation	A	C	
Retail Sales and Service - firms involved in the sale, lease or rental of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer & business goods	Adult Entertainment	A	A	4.3.B
	Alcohol Sales, retail	A	C	
	Bar/Nightclub	C	C	
	Animal Care/Boarding/Sales, Indoor	A	A	
	Animal Care/Boarding/Sales, Outdoor	C	C	
	Contractors and Trade Shops, Indoor operations and storage	A	A	
	Contractors and Trade Shops, Indoor operations and outdoor storage (including heavy vehicles)	A	A	
	Contractors and Trade Shops, Outdoor storage and operations		A	
	Delivery and Dispatch Services (vehicles on-site)	A	A	
	Drive-through Uses (Restaurants Retail)	C	C	
	Food Service, Catering	A	A	
	Food Service, Restaurant (including alcohol sales)	A	C	
	Farm Implement/Equipment Sales/Service	A	A	
	Farmer's Market/Flea Market	A		4.3.C
	Feed Store	A	A	
	Fuel Sales, automotive/appliance	A	A	
	Fuel Sales, heavy vehicle	C	A	

	General Retail Sales, Indoor operations, display and storage	A	C	
	General Retail Sales, Outdoor operations, display or storage	A	C	
	Landscaping Materials Sale/Greenhouse/Nursery	A	A	
	Manufactured Building Sales and Service	A	A	
	Produce Stands ²	A	A	
Retail Sales and Service, continued	Rental Service, Indoor display/storage	A	A	
	Rental Service, Outdoor display/storage	A	A	
	Repair, small appliance	A	A	
	Repair, large appliance	A	A	
	Personal Services	A		
	All Other Retail Sales and Service	A		
Self-Service Storage - uses providing separate storage areas for individual or business uses	Mini-Warehouse	A	A	4.3.G
Vehicle Repair - repair service to passenger vehicles, light and medium trucks and other consumer motor vehicles	Auto and Light Truck Mechanical Repair	A	A	
	Body Shop	A	A	
	Truck Stop/Travel Plaza	A	A	
	Tire Recapping and Storage	A	A	
	All Other Vehicle Repair	C	C	
Vehicle Service, Limited - direct services to motor vehicles where the driver or passengers generally wait in the care or nearby while the service is performed.	Car Wash	A	A	
	Gasoline Service Station	A	A	
	Quick Lube	A	A	
	All Other Vehicle Service, limited	A	A	
INDUSTRIAL				
Manufacturing and Production - firms involved in the manufacturing, processing, fabrication, packaging, or assembly of goods	<i>Indoor Operations and Storage</i>			
	Assembly	A	A	
	Food Products	A	A	
	Manufacturing/Processing	A	A	
	<i>Indoor Operations with Outdoor Storage</i>			
	Assembly	A	A	
	Food Products	C	A	
	Manufacturing/Processing	A	A	
	<i>Outdoor Operations and Storage</i>			
	Assembly	C	A	
	Food Products	C	A	
	Manufacturing/Processing	C	A	
	All Other Industrial Service		C	
Junk Yard	Junk Yard		C	4.3.D
Impound Lot	Impound Lot	A	A	

Heavy Equipment Storage/Pipe Storage	All		A	
Warehouse and Freight Movement - firms involved in the storage or movement of freight	Indoor Operations, Storage and Loading	A	A	
	Indoor Storage with Outdoor Loading Docks	C	A	
	Outdoor Storage or Loading		A	
	Gas or Petroleum Storage		C	
	Sand or Gravel Storage		A	4.3.K
	All Other		C	
Waste-Related Use - uses that receive solid or liquid wastes from others, uses that collect sanitary wastes or uses that manufacture or produce goods or energy from the composting of organic material	Non-Hazardous Waste Transfer		C	
	Medical/Hazardous Waste Transfer Station		C	4.3.J
	Solid Waste Disposal Sites		C	
	Recycling Collection Point	C	C	
	All Other Waste-Related		C	
Wholesale Sales - firms involved in the sale, lease or rental of products primarily intended for industrial, institutional or commercial businesses	Wholesale Business (No Highly Flammable Materials/Liquids)	A	A	
	Agricultural Products		A	
	All Other Wholesale Uses		A	
OTHER				
Agricultural	Animal Confinement		C	
	Dairy		C	
	Confined Animal Feeding Operation, Feedlot		C	
	Forestry, Commercial			
	Pasture, Commercial		A	
	Winery		C	
	All Other Agriculture		C	
Aviation or Surface Passenger Terminal - facilities for the landing and take-off of flying vehicles or stations for ground-based vehicles, including loading and unloading areas	Airports/Heliports	C	C	
	Bus/Commuter Stops	A	A	
	Bus/Railroad Depot	A	A	
	Helipads	C	C	
	All Other Aviation or Surface Passenger Terminal		C	
Mining - mining or extraction of mineral or aggregate resources from the ground for off-site use	Oil or Gas Drilling		C	
	Sand or Gravel Extraction or Processing		C	4.3.K
	All Other Mining			
Telecommunications Facilities - devices and supporting elements necessary to produce nonionizing electromagnetic radiation operating to produce a signal	Telecommunications Facilities & Support Structures	C	C	4.3.R

¹ Only allowed as part of a mixed use development.

² Produce stands are allowed in residential zone districts only for products produced on the premises provided no hazards are created with parking, ingress, egress and signage and the operation does not disrupt the peace, quiet and dignity of the neighborhood. Produce stands in non-residential zone districts may include products produced off-premise and require a Temporary Use Permit.

³ In some zone districts, lots originally platted and zoned for detached dwellings require a Conditional Use Permit for attached units. See Section 3.3.

Planning Commission Minutes March 14, 2006

RZ-2006-022 REZONE & RIGHT-OF-WAY VACATION--VAN GUNDY NORTH

A request for approval to 1) rezone 5.1 acres from a C-2 (General Commercial) to an I-1 (Light Industrial) zone district in the vicinity of 1018 South 5th Street, and 2) vacation of the north/south alley right-of-way south of 4th Avenue between 5th and 7th Streets.

Petitioner: Jim Shanks, City of Grand Junction

Location: South of 4th Avenue between 5th and 7th Streets

STAFF'S PRESENTATION

Dave Thornton gave a PowerPoint presentation containing the following slides: 1) site location map; 2) aerial photo map; 3) Future Land Use Map; 4) Existing City and County Zoning Map; 5) proposed rezone/subdivision area map; 6) proposed alley vacation summary; 7) Riverside Parkway/Lower Downtown Area Map; and 8) findings and conclusions.

The 5.1-acre site was comprised of 12 individual lots. Van Gundy's salvage yard could move onto the site if approval of the rezone and approval of a Conditional Use Permit (not part of the current submittal) was granted. Relocation of the business would facilitate construction of the Riverside Parkway, proposed to extend from 24 Road on the west to 29 Road on the east. The existing alleyway was 17 feet wide and contained a rail spur. The vacation request proposed eliminating the right-of-way since it was not needed and overlaying that area with a 20-foot-wide easement. The easement would accommodate both the sewer line and existing rail spur.

Mr. Thornton said that the only two requests before the Planning Commission for consideration were the rezone and alley vacation. Planning commissioners were asked to consider the range of uses allowed within the proposed I-1 zone district. He recalled how the area had been previously zoned I-2, and most of the uses within the subject area had historically been industrial. Van Gundy's salvage yard was partially located on the site. In 2000, and in anticipation of future development, the Future Land Use Map had been changed to reflect a C-2 zone district. However, with approval of the Riverside Parkway bond in 2003, the direction of that area's development had changed. There were very few rail spurs in the Grand Junction area, and because they were so expensive to construct, it was unlikely that new ones would be built anytime soon. As such, the existing rail spur would remain to serve as a community benefit. But while used often in conjunction with industrial uses, they were seldom used by commercial businesses. The I-1 zone district was more closely aligned with the area's existing infrastructure.

Having determined that both requests met Code criteria, approval of both the rezone and vacation requests was recommended.

QUESTIONS

Commissioner Cole asked if the rail spur was located entirely within the alley right-of-way, to which Mr. Thornton replied affirmatively.

Commissioner Putnam asked if the I-1 zone permitted outdoor storage, to which Mr. Thornton again answered affirmatively.

Chairman Dibble asked staff to list the type of uses that would be permitted within an I-1 zone. Mr. Thornton read this information into the record from the Code's Use/Zone Matrix.

Commissioner Putnam asked where the beginning of the Riverside Parkway's northbound overpass entrance would be located. Mr. Thornton referenced the Riverside Parkway/Lower Downtown Area Map but felt that Mr. Shanks could better answer the question.

Commissioner Putnam noted that the staff report had twice mentioned that the proposed use of the property would be the new location of the Van Gundy salvage yard, which would be moved from its present location

to the proposed site. He asked for clarification on the salvage yard's current and proposed locations, which was provided.

Commissioner Cole observed that the northwest corner of the proposed site was currently comprised, in part, of Van Gundy's salvage yard. Mr. Thornton confirmed the commissioner's observation but added that until the Conditional Use Application was submitted along with a revised site plan, it was unclear at this point just where the business would ultimately be located.

Commissioner Lowrey noted receipt of a letter received from the Downtown Development Authority (DDA) suggesting that the proposed I-1 zone may not be compatible with the goals and long-term uses contemplated for the area in the City's Master Plan. Mr. Thornton said that the City had been looking to undertake and complete a South Downtown plan for years; however, such a plan could not be completed until the status of the Riverside Parkway project was known. The Growth Plan showed the area to be Commercial/Industrial. The property owners were not asking for a Growth Plan Amendment, so no change to the City's Master Plan was being proposed. The currently proposed industrial zone district would remain consistent with Growth Plan recommendations.

PETITIONER'S PRESENTATION

Jim Shanks, program manager for the Riverside Parkway project and the City's engineering director, said that he represented the property owners involved in the current request. He noted the location of a piece of property adjoining the site presently owned by the City. He provided a brief history and said that industrial uses had been situated there since at least 1929. The rail spur was located at approximately the 6th Street alignment. It would remain within a 20-foot-wide easement that would be rededicated in conjunction with the alley's vacation. He reiterated that while the right-of-way itself was not needed, the easement would accommodate the City's sewer line. In talking with railroad representatives, they were concerned about traffic to and from individual rail spurs interfering with coal traffic. Since that traffic was expected to increase over the next few years, the railroad was reluctant to construct new spurs.

Mr. Shanks reiterated that the request was consistent with Growth Plan recommendations. He pointed out that there were many I-2 uses in the area. Access to the site would be via 4th Avenue, which would dead-end in a cul-de-sac at the proposed site. The Riverside Parkway, he said, would limit accessibility to the property. Referencing the Riverside Parkway/Lower Downtown Area Map, he clarified design plans for the Riverside Parkway, its location, and circulation pattern. Approaching the downtown area via Highway 50, motorists would see a large embankment with landscaping planted on the interiors of all loops. A screen wall would be installed on the north side of the Parkway just west of 7th Street. It would fit in well with the aesthetics planned for the intersection. Plans included installing and lining a new sewer line underneath the Parkway.

QUESTIONS

Commissioner Putnam asked for confirmation that the City owned the property directly to the west of the adjacent site, which was given.

Commissioner Pitts asked if there were plans to reconfigure 7th Street to accommodate access to the proposed site. Mr. Shanks noted the location of 7th Street in relation to the proposed site and said that there were no plans to reconfigure it.

Commissioner Lowrey wondered why the City would want to vacate the alley when plans were to leave the rail spur intact. Mr. Shanks said that the alley itself was not needed; it didn't go anywhere. Vacating the right-of-way would relieve the City of any future maintenance. A 20-foot-wide easement would replace the 17-foot-wide right-of-way and sufficiently accommodate both the rail spur and sewer line. When asked if there were various property owners currently located on either side of the rail spur, Mr. Shanks replied affirmatively.

Commissioner Lowrey asked for the rationale behind construction of the Parkway's retaining wall. Mr. Shanks said that the retaining wall would contribute to the project's overall visual aesthetics.

PUBLIC COMMENTS

FOR:

There were no comments for the request.

AGAINST:

Karen Vogel (no address given), representing the DDA, came forward and referenced the letter she'd submitted previously. She just questioned whether rezoning the area should occur without the benefit of a downtown area Master Plan. She expressed support for the relocation of the salvage yard, stating that doing so would significantly improve the aesthetics of that southern entrance into the City. The salvage yard provided a necessary service to the community, and she felt that the I-1 zone was probably a "necessary evil." The DDA was ready to see the request move on to the CUP review stage.

Commissioner Lowrey remarked that a 6-foot-high retaining wall would screen the industrial use from view. If it was so objectionable, why propose an industrial zone for the site? That seemed to him to be "self-defeating." Chairman Dibble felt that the question could be better answered by staff.

Denny Wynne (732 Winters Avenue, Grand Junction) said that while not opposed to the current request, he would like to see fencing installed to screen the site from his property.

PETITIONER'S REBUTTAL

Mr. Shanks offered no additional testimony.

DISCUSSION

Commissioner Wall noted that when the City rezoned the property in 2000 to C-2 they'd had good intentions, but the zone was inconsistent with the uses in place at the time. Returning to an I-1 zone was more consistent with those existing uses. He agreed that Van Gundy's provided a valuable community service, and he expressed support for both the rezone and vacation requests.

Commissioner Pitts concurred, adding that the I-1 zone conformed more closely to the uses already there.

Commissioner Pavelka-Zarkesh said that given the impending construction of the Riverside Parkway, the existing industrial uses, and the presence of the rail spur, she agreed that the I-1 zone made the most sense.

Commissioner Cole said that he'd originally been opposed to the request. However, after listening to the testimony presented, he also agreed that the I-1 zone made sense. The details of the site, including the uses to be located there, would be better discussed during CUP review. He noted that the City had done a lot with the Parkway's design to mitigate any negative effects from the uses in that area. He agreed that it was important to improve the aesthetics of entrances into the City. The blanket rezoning of the area in 2000 had not been appropriate. Governments needed to consider existing uses when contemplating an area-wide rezone.

Commissioner Putnam agreed.

Commissioner Lowrey disagreed with staff's recommendation and thought that the DDA had made some good points. Contending that Grand Junction could have a better future, he didn't feel he could support either request.

Chairman Dibble expressed support for both the rezone and vacation request.

MOTION: (Commissioner Cole) "Mr. Chairman, on item RZ-2006-022, the request for approval of a rezone from C-2 to I-1 for the Van Gundy North project, I move that the Planning Commission recommend approval to the City Council with the findings of fact and conclusions listed in the staff report."

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

MOTION: (Commissioner Cole) "Mr. Chairman, on item RZ-2006-022, the request for approval of vacation of an alley right-of-way within the Van Gundy North project, I move that the Planning Commission recommend approval to the City Council with the findings of fact and conclusions listed in the staff report subject to the condition that the vacation not be effective unless and until a Simple Subdivision Plat is recorded that dedicates a sewer easement to the City within the vacated right-of-way."

Commissioner Pitts seconded the motion. Commissioner Lowrey felt that the City should hold onto the alley right-of-way in case it was ever needed. If the railroad ever removed its rail spur, the alley right-of-way could be a valuable asset. A vote was called and the motion passed by a vote of 6-1, with Commissioner Lowrey opposing.



Downtown Development Authority

February 24, 2006

Kristin Ashbeck, Senior Planner
Community Development Department
City of Grand Junction
250 N. Fifth Street
Grand Junction, CO 81501

Dear Kristen,

The Grand Junction Downtown Development Authority Board of Directors wishes to object the rezoning of the Van Gundy property, as well as the proposed abandonment of the adjacent alley.

Although the City's land use policy may permit Industrial (I) zoning in this neighborhood, the land is currently zoned Commercial/Industrial and this change may not be appropriate given the long term uses contemplated in the City's master plan. Additionally, this use (Industrial) may not be desirable at the gateway to downtown and entrance to Grand Junction. The development of the Riverside Parkway is an opportunity to fully realize the potential to have this area of the City not only provide commercial services, but also serve as the entrance to the many visitors to our community that are critical to our commercial and retail viability.

The proposed abandonment of the alley should be considered only if adequate compensation is received from the applicant to the City in payment for this valuable right of way and access to rail service.

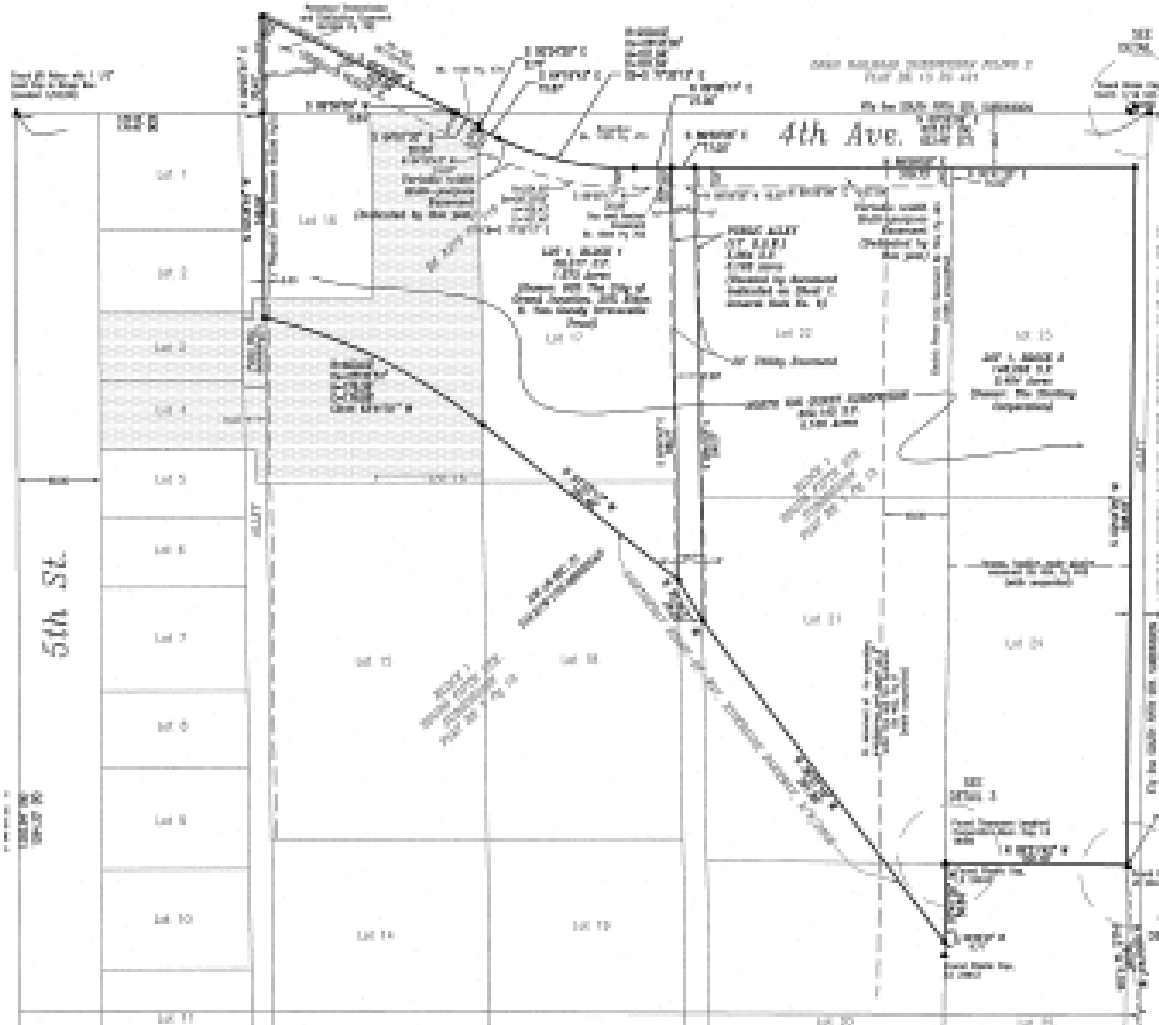
In conclusion the DDA wishes to object to these changes and encourage the applicant to locate in a more appropriate area that is properly zoned and that does not require the increased zoning authority that is defined as Industrial. This may lead to a spread of Industrial zoning in this highly visible area that would be better served as a commercial entry to the community.

Cordially yours,

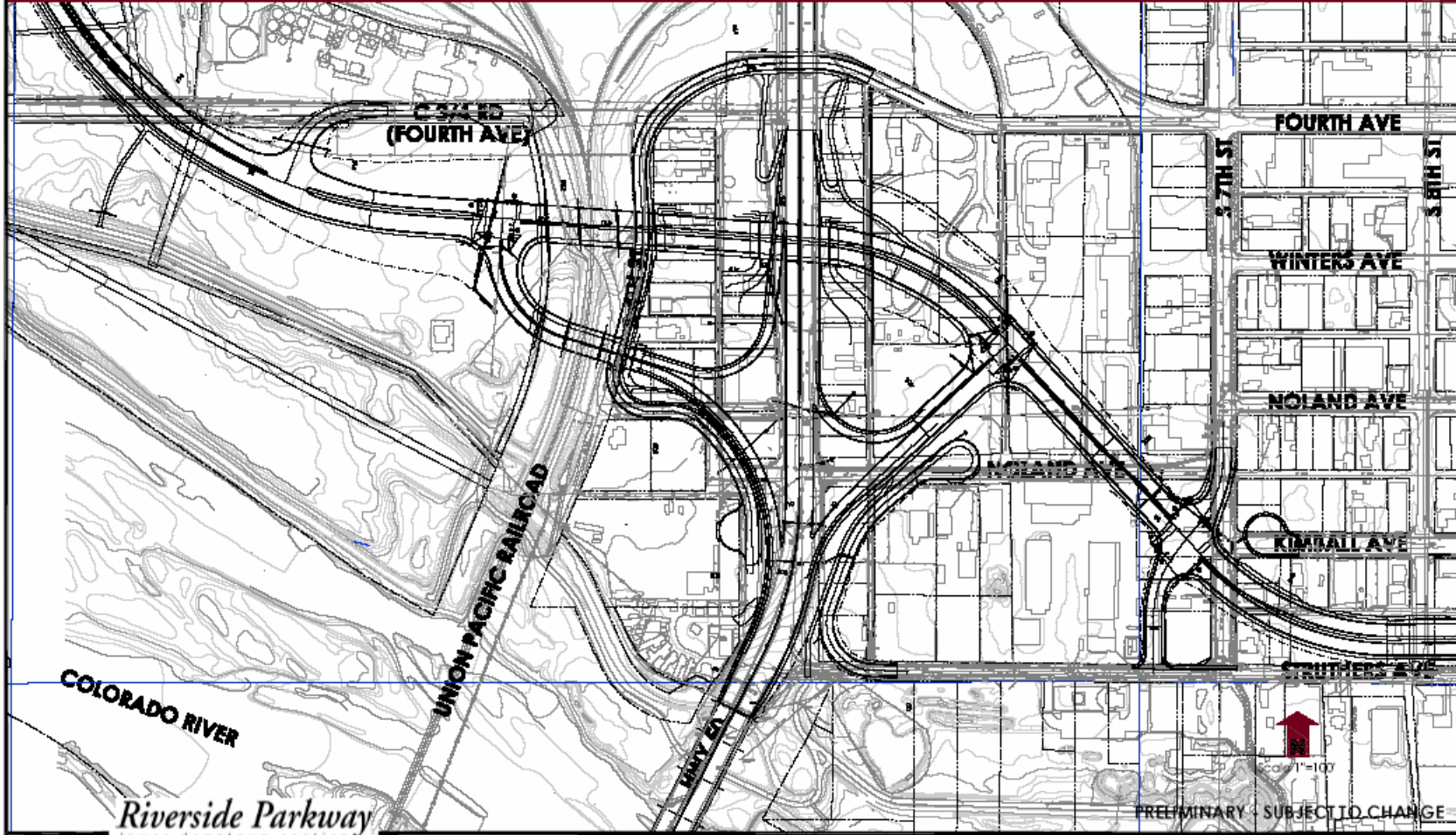
Karen Vogel, Chairperson

VAN GUNDY NORTH SUBDIVISION

PLAT OF LOTS 22, 23, 24 AND A PORTION OF LOTS 16, 17, 18, 20, 21, THE
ON TRACT OF SOUTH FIFTH STR. SUBDIVISION AND A PARCEL IN THE NW $\frac{1}{4}$ OF
1S, 11W, UTE MERIDIAN, CITY OF GRAND JUNCTION, MESA COUNTY, COLORADO



Riverside Parkway Layout - Lower Downtown



CITY OF GRAND JUNCTION

ORDINANCE NO. _____

**AN ORDINANCE VACATING RIGHT-OF-WAY FOR AN ALLEYWAY
IN THE VICINITY OF 1018 SOUTH 5TH STREET SOUTH OF 4TH AVENUE
BETWEEN 5TH AND 7TH STREETS
KNOWN AS THE VAN GUNDY NORTH PROJECT**

Recitals

A vacation of a north-south alley way located as described above is requested. The alley is not developed for vehicular traffic but is used as a rail spur and a City sewer line is located within it underground. The properties surrounding it are concurrently being platted into a single parcel to be used for one use. The rail spur will be retained for private use but the alley is not needed since it will dead end at the southern end at the Riverside Parkway once it is constructed.

The City Council finds that the vacation is consistent with the Growth Plan and meets the criteria of section 2.11 of the Zoning and Development Code.

The Planning Commission, having heard and considered the request, found the criteria of the Code to have been met and recommended that the vacation be approved subject to the condition that the vacation not be effective unless and until a Simple Subdivision Plat is recorded that dedicates a sewer easement to the City within the vacated right-of-way.

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

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

A parcel of land being a portion of the alley in Block 1 of SOUTH FIFTH STREET SUBDIVISION as recorded in Book 7, Page 19 recorded at the Mesa County Clerk and Recorder's Office on November 29, 1946 lying in the Northwest Quarter of Section 23, Township 1 South, Range 1 West of the Ute Meridian, City of Grand Junction, Mesa County, Colorado being more particularly described as follows:

COMMENCING at the Center Quarter corner of Section 23 (a found 3" Brass Cap "MCSM C1/4 S23"), WHENCE the East Quarter Corner of Section 23 (a found 3 1/2" Aluminum Cap "D-H SURVEYS INC LS42306"), bears S89°36'03"E (Basis of Bearing-assumed) a distance of 2638.76 feet;
THENCE N18°07'38"W a distance of 991.86 feet to the POINT OF BEGINNING;

THENCE N30°36'27"W, a distance of 34.26 feet;

THENCE N00°51'43"W, along the easterly line of Lots 18 & 17, a distance of 300.77 feet;
THENCE S89°59'58"E, along the south right-of-way line of 4th Avenue, a distance of 17.00 feet; THENCE S00°51'43"E, along the easterly line of Lots 22 & 21, a distance of 330.27 feet to the POINT OF BEGINNING.

Containing 0.123 Acres (5,364 Sq.Ft.), more or less.

See Alley Vacation Exhibit attached hereto and incorporated by this reference as if fully set forth.

The vacation shall be subject to and contingent upon the City's approval of a Simple Subdivision per section 2.2.E.4. of the Zoning and Development Code.

The vacation shall be subject to and contingent upon dedication of an easement for the existing sanitary sewer line within the alley.

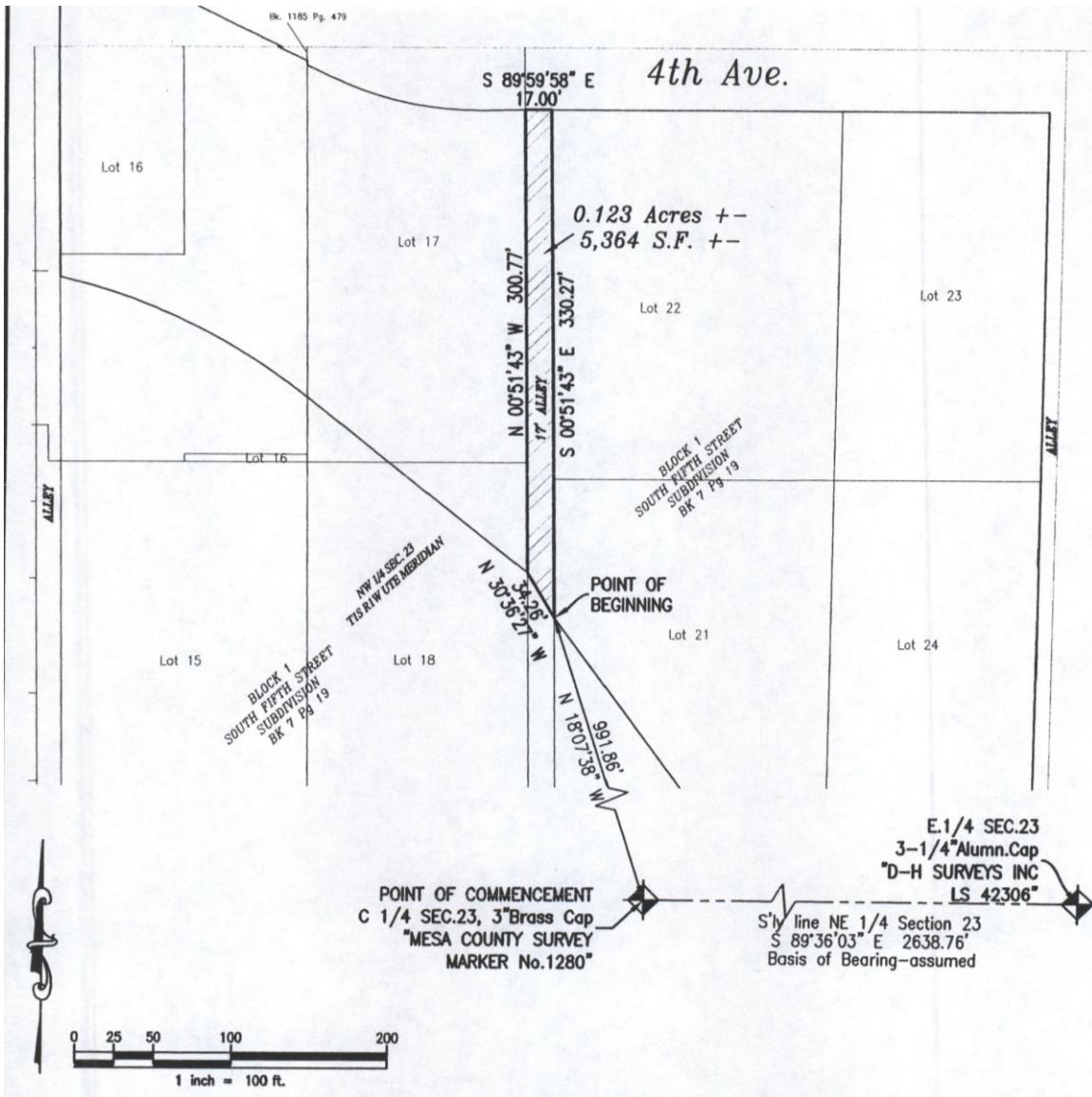
Introduced on first reading this 15th day of March, 2006 and ordered published.

Adopted on second reading this ____ day of _____, 2006.

ATTEST:

City Clerk

President of Council



ALLEY VACATION EXHIBIT

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. ____

**AN ORDINANCE REZONING PROPERTY IN THE VICINITY OF 1018 SOUTH
5TH STREET SOUTH OF 4TH AVENUE BETWEEN 5TH AND 7TH STREETS
FROM GENERAL COMMERCIAL (C-2) TO LIGHT INDUSTRIAL (I-1)
KNOWN AS THE VAN GUNDY NORTH PROJECT**

Recitals.

In 2003 the citizens of Grand Junction approved a bond issue to construct the Riverside Parkway which extends from 24 Road on the West and 29 Road on the East. One of the main issues of concern that required implementation of mitigation measures was the displacement of some businesses and residences within the Lower Downtown area. The Van Gundy North project is part of the relocation efforts for some of the property owners affected by the Riverside Parkway alignment.

The project site is located generally between South 5th Street and South 7th Street on the south side of Fourth Avenue. The site consists of all/or portions of 12 properties, tax parcel #'s: 2945-232-00-069, 2945-232-02-005, 2945-232-02-004, 2945-232-02-008, 2945-232-02-006, 2945-232-02-038, 2945-232-02-014, 2945-232-02-015, 2945-232-02-027, 2945-232-02-026, 2945-232-02-029, 2945-232-02-028.

The Grand Junction Planning Commission, at its March 14, 2006 hearing, recommended approval of the rezone request.

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

The following described property is hereby rezoned to Light Industrial (I-1):

A parcel of land being a portion of a tract of land described in Book 2279 at Page 718, recorded November 15, 1995 in the Mesa County Clerk and Recorder's Office, and a portion of Lots 20 and 21, and all of Lots 22, 23 and 24, Block 1, SOUTH FIFTH STREET SUBDIVISION recorded in Book 7 at Page 19, at Mesa County Clerk and Recorder's Office on November 29, 1946, lying in the Northwest Quarter of Section 23, Township 1 South, Range 1 West of the Ute Principal Meridian, Mesa County, Colorado being more particularly described as follows:

COMMENCING at the Center Quarter Corner of said Section 23 (a 3" brass cap stamped "MESA COUNTY SURVEY MARKER-C 1/4 S23-NO1280")

WHENCE the East Quarter Corner of said Section 23 (a 3 1/4" aluminum cap stamped "D-H SURVEYS INC T1SR1W 1/4 23/24 LS 42306") bears S89°36'03"E a distance of 2638.76 feet; THENCE N00°01'18"W a distance of 764.81 feet to the southeast corner of said Lot 24, being the POINT OF BEGINNING;

THENCE N89°21'42"W along the southerly line of said Lot 24 a distance of 132.21 feet to the southwest corner of said Lot 24; THENCE S00°41'38"W along the easterly line of said Lot 20 a distance of 56.84 feet; THENCE N36°57'10"W a distance of 291.80 feet to a point on the westerly line of said Lot 21; THENCE N30°36'27"W a distance of 34.26 feet to a point on the easterly line of said tract of land described in Book 2279 at Page 718, also being the easterly line of Lot 18, Block 1 of said SOUTH FIFTH STREET SUBDIVISION; THENCE N51°23'17"W, non-tangent with the following described curve, a distance of 181.48 feet; THENCE along the arc of a curve to the left, having a central angle of 25°32'51", a radius of 400.00 feet, a chord bearing of N63°41'51"W a distance of 176.88 feet, and an arc distance of 178.36 feet to a point on the easterly line of a tract of land described in Book 559 at Page 271 recorded on January 10, 1952 at Mesa County Clerk and Recorder's Office; THENCE N00°38'44"W along the easterly line of said tract of land described in Book 559 at Page 271 and the westerly line of Lot 16, Block 1 of said SOUTH FIFTH STREET SUBDIVISION, non-tangent with the last described curve, a distance of 149.04 feet; THENCE N00°07'31"E along a westerly line of said tract of land described in Book 2279 at Page 718 a distance of 70.41 feet; THENCE S63°32'58"E along the northeasterly line of said tract of land described in Book 2279 at Page 718 a distance of 157.99 feet; THENCE S89°59'09"W along the southerly line of said tract of land described in Book 2279 at Page 718 a distance of 2.54 feet; THENCE S64°01'20"E along the southwesterly line of a tract of land described in Book 1185 at Page 479 recorded February 2, 1972 in the Mesa County Clerk and Recorder's Office a distance of 20.54 feet; THENCE S00°34'20"E along the westerly line of said Lot 17 a distance of 2.77 feet; THENCE the following three (3) courses along the southerly line of said tract of land described in Book 1185 at Page 479:

- 1) S64°18'43"E, tangent with the following described curve, a distance of 15.87 feet;
- 2) THENCE along the arc of a curve to the left, having a central angle of 26°33'00", a radius of 220.00 feet, a chord bearing S77°35'13"E a distance of 101.04 feet, and an arc distance of 101.94 feet;
- 3) THENCE N89°08'17", tangent with the last described curve, a distance of 27.00 feet to a point on the easterly line of said tract of land described in Book 2279 at Page 718;

THENCE S89°59'58"E a distance of 17.00 feet to the northwest corner of said Lot 22; THENCE N89°59'09"E along the northerly line of said Lots 22 and 23 a distance of 319.74 feet to the northeast corner of said Lot 23; THENCE S00°43'45"W along the easterly lines of said Lots 23 and 24 a distance of 508.18 feet to the POINT OF BEGINNING.

Containing 222173 square feet (5.100 Acres) more or less.

Basis of Bearing: N89°58'01"E between Mesa County Local Coordinate System points Southwest Corner of Section 15 (2-1/2"Alumn.Cap in Monument Box Stamped: AES T1S R1W S16/S15/S21/S22 2002 PLS 24320) and the Southeast Corner of Section 15, (2-1/2"Brass Cap Stamped: COUNTY SURVEY MARKER 828-1 15/14/22/23), both in Township 1 South, Range 1 West Ute P.M.

INTRODUCED on first reading on the 15th day of March, 2006 and ordered published.

PASSED on this ____ day of _____, 2006.

ATTEST:

City Clerk

President of Council



Eko Sport, Inc.

580 N. Westgate Drive Grand Junction, CO 81505 Tel. 970/241-3518 Fax 970/241-3529 www.ekosport.com

April 7, 2006

Mayor Bruce Hill
City Council
City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501

RE: VanGundy's Salvage Yard

Dear Mayor Hill and City Council:

I am a local small business owner. My company designs, manufactures and sells high-end bicycle components all over the world. We are a small, but growing company and currently have 15 employees. I have tried to be a good employer and feel a sense of joy in growing a business that can allow my employees the opportunity to grow and flourish. We offer competitive benefits for a company our size and try to be a good business citizen of this community.

I indicated above that we "manufacture" bicycle components. Although we have about 30% of our parts made outside our factory (both in the U.S. and Asia), we actually cut metal and make parts in Grand Junction. Although my family and I really enjoy this community, and this community makes a lot of sense for our company due to the image of Colorado and Utah for biking, Grand Junction is a very difficult environment to "manufacture" in. Finding the services, resources and vendors that are necessary to actually manufacture parts in Grand Junction is our biggest hurdle. We have been proactive and have worked with local entrepreneurs to start small businesses that can provide some of the necessary services (such as anodizing and powder coating). This allows us to keep more of our revenue in our local community (99.8% of our revenue is generated from outside Grand Junction). It reduces our costs and lead times and creates local jobs. But we still struggle with this every day in this community and hundreds of thousands of dollars leave my company annually to vendors outside of Grand Junction. These are dollars that could be captured locally.

A recent decision by the City Council has once again put us into a difficult situation and is threatening the local manufacturing base. This decision involves VanGundy's. I received a call yesterday that VanGundy's will be closing and will no longer be able to pick up our aluminum and steel scrap metal. We generate thousands of pounds of aluminum scrap annually in our machining processes. As part of our environmental mission, we expect to be able to recycle this material. The issue is that we generate aluminum scrap in a form that no other local recycler will take (either very small chips or larger chips that are like cotton candy (they take up a lot of room with very little weight)). VanGundy's has always taken them, and paid us for them.

Manufacturers of Performance Bicycle Products



Page 2
Mayor Bruce Hill
City Council
City of Grand Junction
April 7, 2006

Without a service like VanGundy's, I am not sure what we will do with all of this scrap. My choices may be to send it to the landfill, ship it to Denver or store it. None of these choices will meet our company's mission and are unacceptable to me. Additionally, all of these options would have certain costs that would make it even harder to operate in this city.

VanGundy's is a necessary service to our business community and our local community in general. They take items that would end up on the street or in the landfill and recycle them. A community generates a lot of "junk," and a business that can turn a certain percentage of that junk back into natural resources is an important citizen.

I see this decision as very shortsighted and one more nail in the coffin for local manufacturing businesses. My company is a small company, but we have put over 4 million dollars into the local economy over the last 6 years. If this decision is indicative of the manufacturing environment that the City Council intends to "foster," do not plan on manufacturing businesses being a part of this economy in the future.

Thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim Fry', with a long horizontal flourish extending to the left.

Tim Fry
President

From: Jim Shanks
To: Spehar, Jim
Date: 4/27/2006 7:44 am
Subject: VanGundy

In my last e-mail I asked you to not change your vote on rezoning the parcel that Van Gundy wants. I mentioned what an eyesore his present place is and I have no reason to believe any new facility he uses would look any different. What an ugly site it would be to see from the new Riverside Parkway, Hopefully those of you who voted no on rezoning will stick by your original vote and we can get rid of a downtown junkyard.

Ruth Terrill
705 Grand Mesa Ave.
Grand Jct. CO. 81503
harnruth@aol.com

From: "John & Marcia Borgen" <borgen3@bresnan.net>
To: "Gregg Palmer" <greggp@gjcity.org>, "Bruce Hill...
Date: 5/3/2006 7:44 am
Subject: Van Gundy

CC: "Letters, Free Press" <letters@gjfreepress.com>...

Please don't cave in to Van Gundy tonight. The plan for lower downtown is the right plan for the twenty first century. Industrial usage in the past for the area near the river may or may not have been wise but today we need to make better usage of a natural feature--and benefit--of our geography for all of our citizens as well as visitors.

Communities all across the country have turned similar situations of prior land usage adjacent a river into a magnet for citizen recreation and enjoyment. From Sacramento to Bend, Oregon, to St.Louis, to Norfolk, Virginia and back to our own Pueblo, cities have had the foresight to take advantage of previously blighted areas and turn them into centers of enjoyment and pride for all their citizens and their visitors.

You've more than adequately compensated Van Gundy. Take the long view. And after it is all over find out why the entire city apparatus wasn't on the same page and didn't seem to know what the master plan for the area was and that it wasn't only the Parkway that had to be accommodated.

Stand up and be counted for the future! If you cave on this there'll be nothing but trouble in the future when trying to adhere to forward looking plans for the benefit of all citizens instead of placating bullies with selfish and ideological agendas.

John Borgen

From: Stephanie Tuin
To: Debra Kemp
Date: 5/5/2006 8:13 am
Subject: Fwd:

Stephanie Tuin
City Clerk
970-244-1511
stepht@ci.grandjct.co.us

>>> "Ted Munkres" <builderted@bresnan.net> 5/3/06 9:42 am >>>
Dear Jim,

I believe the gateways to our community should be representative of our community. Something that we see and think is attractive and appealing. We work hard in this community to make our community attractive, and I don't believe a salvage yard is an appropriate use of property at one of the three major gateways to our community.

I encourage you to not allow the rezone the zoning is in place let it stand.

Best regards.

Ted Munkres

From: Stephanie Tuin
To: Kemp, Debra
Date: 5/4/2006 3:54 pm
Subject: Fwd: Vote No on Van Gundy Re-Zone

Stephanie Tuin
City Clerk
970-244-1511
stepht@ci.grandjct.co.us

>>> <pjohnson@bluestarindustries.com> 5/2/06 10:52 am >>>
Dear Mayor and Council Members:

I applaud those of you who voted against the Van Gundy re-zone. I urge you to stand your ground on the vote this week with the courage you showed before.

From what I can see, and from information I have received from a friend who owns a local salvage yard, Mr. Van Gundy has not followed proper salvage yard practices in the last 40 years. He does not drain the freon out of refrigerators or car air conditioners; he does not have a current drainage permit; and he has not kept his yard neat and fenced.

If Mr. Van Gundy had followed good business practices and been a good business citizen in the past 40 years we may count on him to do so again. We cannot.

My wife recollects the first time we came to buy land in Grand Junction in 1998. We crossed the 5th street bridge and she still remembers thinking "what an ugly eyesore this junkyard is."

If Mr. Van Gundy chooses not to use his relocation money to move his business, others will step up and provide the salvage service this community needs.

Thanks much for your time and your dedication to the City.

Paul S. Johnson
Director of Land Development
Blue Star Industries
2350 G Road, Grand Junction, CO 81505
970-210-5555 - cell; 970-255-7080 - fax
970-255-8853 X125 - business phone

From: Stephanie Tuin
To: Kemp, Debra
Date: 5/4/2006 3:54 pm
Subject: Fwd: Van Gundy

Stephanie Tuin
City Clerk
970-244-1511
stepht@ci.grandjct.co.us

>>> "carlmitchell" <carlmitchell@bresnan.net> 4/28/2006 4:41:17 pm >>>

Council - I have talked to a lot of people in GJ - and they support VG for approval change to allow his Recycle Operation to continue. The land is very close to where he has existed for many years. It seems however that some (mostly our city council, both current and the past) has wanted him out of his location. Nothing is rarely said about the American Auto storage (junk - that is never moved from that location, like VG moved metal for recycle) and American Auto is very close to the Jarvis Property that you the Council is talking about spending Millions to "quote" spruce up so what is the issue here. The City of GJ owns a lot of land, and causes the Citizens to wonder why they buy land and yet cut services. We should be in the Service Business, not in the Real Estate Business. As a Citizen, I am embarrassed that you the Council would put "Quote" our city in the situation as you have with the agreement you made with VG. How can your "employee - City Manager and Staff " push and agree to something that most of you seem to not want. The Staff should not offer one Presentation to City Council than they did to the Planning Commision. If you go through the "motions of a hearing" and refuse the rezoning , you have opened the door to a real costly mess. The city manager's position is another subject that should be addressed under a different forum. You should agree to the rezone. We need to recycle, to stop our dependance on other countries. Regards, Carl Mitchell

From: Stephanie Tuin
To: Kemp, Debra
Date: 5/4/2006 3:56 pm
Subject: Fwd: Van Gundy

Stephanie Tuin
City Clerk
970-244-1511
stepht@ci.grandjct.co.us

>>> Jim Spehar 5/3/06 4:52 pm >>>

>>> "Denny Wynne" <dmansfatboy@msn.com> 5/3/2006 1:06:13 pm >>>
Jim: I sincerely hope that you don't give in to the Van Gundy crowd. I know it's not easy, but what they are doing is wrong. Denny Wynne

Don't just search. Find. Check out the new MSN Search!
<http://search.msn.click-url.com/go/onm00200636ave/direct/01/>

From: Stephanie Tuin
To: Debra Kemp
Date: 5/5/2006 8:12 am
Subject: Fwd: Van Gundy hearing tonight 5-3-06

Stephanie Tuin
City Clerk
970-244-1511
stepht@ci.grandjct.co.us

>>> Jim Spehar 5/3/06 4:55 pm >>>

>>> <kimfurr@aol.com> 5/3/2006 3:18:26 pm >>>

Hello City Council

I wanted to express my support for the Van Gundys. While their business is not "aesthetically pleasing", it is a necessary service for our community. I think the site they would be moving to is hardly suited for "commercial" development (as in retail/restaurant, etc.). It is an ugly area, filled with industrial users and railroad tracks. While I respect your idea to "clean up" the area, I think the Van Gundys deserve a chance to re-locate their business, put in their landscaping and fencing and continue on. As an environmentally minded citizen, I never thought I would be writing you to support a junkyard, but I am. Please treat the Van Gundys fairly and with an open mind.

For those of you who voted against the re-zone, please reconsider.

By the way, I've lived in the valley a long time and have witnessed the Van Gundys acting on behalf of the community. Years ago, they allowed preschoolers to have field trips to their site to learn about recycling. Also, they assisted an elderly disabled gentleman (and his 14 cats!) that lived in a shack under the bridge for a few years until he passed away.

Thank you.

Jeanne Lelonek
1850 North 18th
GJ CO
jeannelonek@cs.com

From: Stephanie Tuin
To: Kemp, Debra
Date: 5/4/2006 3:55 pm
Subject: Fwd: Re: Van Gundy

Stephanie Tuin
City Clerk
970-244-1511
stepht@ci.grandjct.co.us

>>> Jim Spehar 5/3/06 4:51 pm >>>

>>> William Grant <wgrant@bgsu.edu> 5/3/2006 11:22:36 am >>>
Neanderthals are extinct today because they were unable to adapt to change. If Dean Van Grundy, our local Neanderthal, is unable to change with the time by moving his junk business to a less central location, he deserves to go extinct. With scrap selling at record levels, a more enterprising entrepreneur will emerge to fill the vacancy. Van Gundy's departure will not leave the city awash in junk for long.

The attempt tonight to fill the hearing room with then same crowd that defeated the county junk ordinance a couple of years ago is a clear effort at intimidation of public officials. If it were an election, the free picnic in the park could be construed as vote buying; it should not influence the Council's decision.

Stand firm against this effort to curtail the ability of the Council to act in the best interest of the entire community. Van Grundy has been paid for his land, it now belongs to us. Any binding conditions should have been negotiated as part of the purchase plan. The very fact that a vote is being taken means that there were no binding conditions in effect, regardless what Van Grundy and his lawyer claim. If remaining in his present location was a deal breaker, he never should have sold without protective covenants in place as part of the deal. He apparently thought he could get his way with the City after the fact, and now is angry because he failed to prevail.

Once Van Grundy is dealt with, Council should address the cause of the current problem. If city employees are working at cross purposes to the Council, some changes need to be made to staff.

Stand firm.

Bill Grant

Dr. William E. Grant
Professor Emeritus of American Culture Studies
Bowling Green State University

Attach 17

**Election of Mayor and Mayor Pro Tem/Administer Oaths of Office and
Council Assignments for 2006-2007**

RESOLUTION NO. __-06

**A RESOLUTION APPOINTING AND ASSIGNING
CITY COUNCILMEMBERS TO REPRESENT THE CITY
ON VARIOUS BOARDS AND ORGANIZATIONS**

Be it resolved by the City Council of the City of Grand Junction that:

1. Until further action by the City Council, the appointments and assignments of the members of the City Council are as attached.

PASSED and ADOPTED this _____ day of _____, 2006.

ATTEST:

City Clerk

President of the Council

Date: April 28, 2006

To: Mayor and City Council

Re: City Council Assignments

CITY COUNCIL FORMAL ASSIGNMENTS

Individual Members are assigned for each of the following:

Board/Organization	Meeting Day/Time/Place	2005-2006 Assignments	2006-2007 Assignments
Downtown Development Authority	2nd Thursday @ 7:30 am @ Whitman Educational Center	Jim Doody	
Grand Junction Housing Authority	4 th Monday @ 11:30 am @ 1011 N. 10 th	Teresa Coons	
Walker Field Public Airport Authority	3 rd Tuesday @ 5:15 pm @ Airport (3 rd Floor)	Gregg Palmer	
Associated Governments of Northwest Colorado	2nd Thursday - different municipalities	Jim Doody	
Parks Improvement Advisory Board (PIAB)	3 rd Thursday @ 8:00 am (as needed) @ Parks & Rec. Administration	Doug Thomason	
Parks & Recreation Advisory Committee	3 rd Thursday @ noon @ Two Rivers	Doug Thomason	
Mesa County Separator Project Board (PDR)	Quarterly @ 750 Main St.	Doug Thomason	
MC Community Transit Steering Committee (GVRTC)	4 th Monday @ 3:00 pm @ Old Courthouse (multipurpose room)	Bonnie Beckstein	
Riverview Technology Corporation	2 nd Friday, quarterly, @ noon @ Incubator	Gregg Palmer	
Grand Junction Economic Partnership	4 th Wednesday of every other month @ 7:00 am @ Airport, 3 rd floor	Bruce Hill	
Economic Partners	Meets 1 st Wednesday @ 9 am @ Chamber	Jim Spehar, Bruce Hill and Kelly Arnold	
Business Incubator	1 st Wednesday @ 7:30 am @ Incubator	Bruce Hill	
Grand Mesa Slopes Steering Committee	As needed - various locations	Jim Spehar	

Colorado Association of Ski Towns (CAST)	Meets six times a year – including at CML Conference	Teresa Coons	
Colorado Water Congress	Meets 3-4 times a year in Denver	Jim Spehar	
Chamber Transportation Committee	Meets as needed	Bonnie Beckstein	
FEMA Funding Board	Meets quarterly	Teresa Coons	
Western Colorado Water, Inc. (WCW, Inc.)	Meets 2 nd Monday at 7:00 p.m.	Jim Spehar	
Parking Management Advisory Group (PMAG)	As needed	Gregg Palmer	
Chamber Governmental Affairs (Legislative) Committee	Meets biweekly during the legislative session and monthly during the rest of the year	Bruce Hill Jim Spehar	
EMS Study Group	Meets 4 th Monday at 3:00 at County Administration (3 rd Floor)	Gregg Palmer	
Methamphetamine Task Force	Meets 1 st Thursday at 7:30 a.m. @City Hall Auditorium	Teresa Coons	
5-2-1 Drainage Authority	Meets the 4th Wednesday of month at 3:30 p.m. in the Old Courthouse in Multi Purpose Room	Jim Doody	

NO COUNCIL MEMBER ASSIGNMENTS

Individual Members will not be assigned to serve as a liaison to the following. To assure good communications the entire City Council will meet with these on an annual or as needed basis as indicated.

Meet with Annually

VCB

Riverfront Commission

Meet with as Needed

Museum of Western Colorado

MC Enterprise Zone Comm.

Meet with Semi-Annually

School District 51

Separate Memo not part of the Resolution

Date: April 28, 2006

To: Mayor and City Council

Re: Other City Council Commitments

Under "Other Council Commitments", these are not formal assignments made by Council but rather are either elected positions or appointments made by other entities, with Council's support. This is provided for informational purposes only.

"Strategic Plan Committees" are ad hoc committees created to address specific goals in the current Strategic Plan (2005-2006).

Other Council Commitments **2005-2006**

National League of Cities Community & Economic Steering Committee (1 year term) Meets 4 times a year	Bruce Hill
Colorado Municipal League Board of Directors (1 year term) Meets many times per year (Vice President/Incoming President)	Jim Spehar
Policy Committee (1 year term) Meets 2 times a year	Bruce Hill

Strategic Plan Committees

Team #1 : Using zoning and infrastructure as tools to encourage development along major corridors and citizen-based planning.

City Council Member(s): **Palmer, Spehar**

Team #2: Better local utilization of I-70 as a transportation corridor and funding options (including bonds) to accelerate road construction.

City Council Member(s): **Hill, Beckstein**

Team #3: Re-evaluate the Parks Master Plan.

City Council Member(s): **Hill, Thomason**

Team #4: Weeds

City Council Member(s): **Palmer, Thomason**

Team #5: Shelter & Housing

City Council Member(s): **Spehar, Coons**

Carryover from Last Year: Gateway & Beautification

City Council Member(s): **Hill, Doody**