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

WEDNESDAY, JULY 19, 2006, 7:00 P.M.

Call to Order

Pledge of Allegiance
Invocation – Retired Pastor Eldon Coffey

Proclamations / Recognitions

Proclaiming July 26, 2006 as “Americans with Disabilities Act Day” in the City of Grand Junction

Proclaiming July 19, 2006 as “Ride to Work Day” in the City of Grand Junction

Presentations of Certificates of Appointment

To the Downtown Development Authority/Downtown Grand Junction Business Improvement District Board of Directors

To the Avalon Theatre Advisory Committee

Appointments

To the Riverfront Commission

Citizen Comments

A representative from Western Colorado Congress to update Council on an initiative petition regarding a Watershed Protection Ordinance

***** CONSENT CALENDAR ***®**

**** Indicates New Item*

® Requires Roll Call Vote

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

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

2. **Setting a Hearing on Zoning the Hamilton Annexation, Located at 3124 D Road** [File #ANX-2006-105] [Attach 2](#)

Request to zone the 8.33 acres Hamilton Annexation located at 3124 D Road to RMF-5 (Residential Multi-Family 5 du/ac).

Proposed Ordinance Zoning the Hamilton Annexation to RMF-5, Located at 3124 D Road

Action: Introduction of Proposed Ordinance and Set a Hearing for August 2, 2006

Staff presentation: Senta L. Costello, Associate Planner

3. **Setting a Hearing on Zoning the Harris Annexation, Located at 2730 B Road** [File #ANX-2006-125] [Attach 3](#)

Introduction of a proposed ordinance to zone the Harris Annexation located at 2730 B Road, to the RSF-4 (Residential Single Family, 4 units per acre) zone district.

Proposed Ordinance Zoning the Harris Annexation to RSF-4, Located at 2730 B Road

Action: Introduction of Proposed Ordinance and Set a Hearing for August 2, 2006

Staff presentation: Faye Hall, Associate Planner

4. **Setting a Hearing on Zoning the Pine Industrial No. 1 Annexation, Located at 2769 D Road** [File #ANX-2006-124] [Attach 4](#)

Introduction of a proposed ordinance to zone the Pine Industrial No.1 Annexation located at 2769 D Road, to the I-2 (General Industrial) zone district.

Proposed Ordinance Zoning the Pine Industrial No.1 Annexation to I-2, Located at 2769 D Road

Action: Introduction of Proposed Ordinance and Set a Hearing for August 2, 2006

Staff presentation: Faye Hall, Associate Planner

5. **Setting a Hearing on the Burkey Park II Annexation, Located at 179 28 ½ Road** [File #ANX-2006-179] [Attach 5](#)

Request to annex 9.68 acres, located at 179 28 ½ Road. The Burkey Park II Annexation consists of 1 parcel.

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

Resolution No. 87-06 – 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, Burkey Park II Annexation, Located at 179 28 ½ Road

®Action: *Adopt Resolution No. 87-06*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Burkey Park II Annexation, Approximately 9.68 Acres, Located at 179 28 ½ Road

Action: *Introduction of Proposed Ordinance and Set a Hearing for September 6, 2006*

Staff presentation: Adam Olsen, Associate Planner

6. **Change Order #1 for 2006 Asphalt Overlays** [Attach 6](#)

CDOT has requested that the following streets be added to the City's current 2006 Asphalt Overlay Contract: 1) HWY 50 from South Street to Ute Avenue, 2) I-70B from Grand Avenue to North Avenue, and 3) HWY 340 from Mulberry to I-70B. This additional work will add 13,500 square yards of asphalt milling and 3,650 tons of hot mix asphalt grading SX binder 76-28.

Action: *Authorize the Interim City Manager to Sign Change Order No. 1 to Elam Construction Inc. in the Amount of \$318,051.80 and a Memorandum of Agreement*

Between CDOT and the City for Overlay of State Highways Within the City and Reimbursement for Those Costs

Staff presentation: Mark Relph, Public Works and Utilities Director

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

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

7. **Software Purchase for Fire and EMS Records Management** [Attach 7](#)

As a result of a cooperative effort between Mesa County and the City, the Grand Junction Fire Department is seeking authorization to purchase software from High Plains Information Systems to replace the current Fire and Emergency Medical Services (EMS) Records Management System. The Fire Records Management System (Fire Manager) includes three modules: Incident Reporting, Life Safety and Human Resource Management.

Action: Authorize the Purchasing Division to Purchase Two High Plains Software Modules from High Plains Information Systems, Inc. in Centennial, CO in the Amount of \$104,040

Staff presentation: Jim Bright, Interim Fire Chief
Jim Finlayson, Information Systems Manager

8. **Change Order to Professional Services Contract for the Horizon Drive/I-70 Interchange Improvements Project to Include the 24 Road/I-70 Interchange Landscaping** [Attach 8](#)

The City has budgeted funds to install landscaping and artistic features in the new interchange at 24 Road and I-70. To design and coordinate the landscape improvements with artistic features, staff proposes an amendment to the contract with Carter-Burgess for design of the Horizon Drive/I-70 Interchange Improvement Project.

Action: Authorize the Interim City Manager to Amend the Professional Services Contract with Carter-Burgess for the Horizon Drive/I-70 Improvement Project. This Amendment will Include Landscaping Design and Coordination of Landscaping

and Art Features to be Installed at the 24 Road/I-70 Interchange. The Cost of the Additional Services is \$35,200. This Amendment will Increase the Carter-Burgess Contract Amount from \$102,400 to \$137,600

Staff presentation: Mark Relph, Public Works and Utilities Director

9. **Construction and Maintenance Agreement with GVIC for Storm Drainage Improvements to the Ranchmen's Ditch Drainage System** [Attach 9](#)

This is a proposed agreement to be entered into by the City of Grand Junction with the Grand Valley Irrigation Company (GVIC). The agreement will allow for construction and maintenance of piped infrastructure that will convey storm water and irrigation supply water for the Ranchmen's Ditch Drainage.

Action: Authorize the Interim City Manager to Sign a Maintenance and Construction Agreement with the Construction and Maintenance of the Ranchmen's Ditch Storm Drainage Project Also Known as the Big Pipe

Staff presentation: John Shaver, City Attorney

10. **Public Hearing – Fletcher Annexation, Located ½ Mile West of Monument Road on South Camp Road Across from Monument Valley Subdivision** [File #ANX-2006-108] [Attach 10](#)

Request to annex 144 acres, located 1/2 mile west of Monument Road on South Camp Road. No zoning designation is requested at this time.

a. Accepting Petition

Resolution No. 88-06 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Fletcher Annexation, Located on South Camp Road ½ Mile West of Monument Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3929 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Fletcher Annexation, Approximately 144 Acres Located on South Camp Road ½ Miles West of Monument Road

®Action: Adopt Resolution No. 88-06 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3929

Staff presentation: Lori V. Bowers, Senior Planner

11. **Public Hearing – Hamilton Annexation, Located at 3124 D Road** [File #ANX-2006-105] [Attach 11](#)

Resolution for acceptance of petition to annex and to hold a public hearing and consider final passage of the annexation ordinance for the Hamilton Annexation, located at 3124 D Road. The 8.33 acre Hamilton Annexation consists of 1 parcel and is a 2 part serial annexation.

a. Accepting Petition

Resolution No. 89-06 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Hamilton Annexation, Located at 3124 D Road and Including a Portion of the D Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3930 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Hamilton Annexation #1, Approximately 0.15 Acres, Located at 3124 D Road and Including a Portion of the D Road Right-of-Way

Ordinance No. 3931 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Hamilton Annexation #2, Approximately 8.18 Acres, Located at 3124 D Road

®Action: Adopt Resolution No. 89-06 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 3930 and 3931

Staff presentation: Senta L. Costello, Associate Planner

12. **Public Hearing – Vodopich Annexation and Zoning, Located at 3023 F ½ Road** [File #ANX-2006-109] [Attach 12](#)

Acceptance of a petition to annex and consider the annexation and zoning for the Vodopich Annexation. The Vodopich Annexation is located at 3023 F ½ Road and consists of one parcel on 3.23 acres. The zoning being requested is RSF-4.

a. Accepting Petition

Resolution No. 90-06 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Vodopich Annexation, Located at 3023 F ½ Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3932 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Vodopich Annexation, Approximately 3.23 Acres Located at 3023 F ½ Road

c. Zoning Ordinance

Ordinance No. 3933 – An Ordinance Zoning the Vodopich Annexation to RSF-4, Located at 3023 F ½ Road

®Action: Adopt Resolution No. 90-06 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 3932 and 3933

Staff presentation: Faye Hall, Associate Planner

13. **Public Hearing – Hoffmann II Annexation and Zoning, Located at 565 22 ½ Road** [File #ANX-2006-117] [Attach 13](#)

Acceptance of a petition to annex and consider the annexation and zoning for the Hoffmann II Annexation. The Hoffmann II Annexation is located at 565 22 ½ Road and consists of one parcel on 1.12 acres. The zoning being requested is RSF-2.

a. Accepting Petition

Resolution No. 91-06 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Hoffmann II Annexation Located at 565 22 ½ Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3934 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Hoffmann II Annexation, Approximately 1.12 Acres, Located at 565 22 ½ Road

c. Zoning Ordinance

Ordinance No. 3935 – An Ordinance Zoning the Hoffmann II Annexation to RSF-2, Located at 565 22 ½ Road

®Action: Adopt Resolution No. 91-06 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 3934 and 3935

Staff presentation: Faye Hall, Associate Planner

14. **Public Hearing – Traynor Annexation and Zoning, Located at 748 and 749 24 ¾ Road** [File #ANX-2006-111] [Attach 14](#)

Acceptance of a petition to annex and consider the annexation and zoning for the Traynor Annexation. The Traynor Annexation is located at 748 & 749 24 ¾ Road and consists of two parcels on 10.71 acres. The zoning being requested is RMF-8.

a. Accepting Petition

Resolution No. 92-06 – A Resolution Accepting a Petition for Annexation for Annexation, Making Certain Findings, Determining that Property Known as the Traynor Annexation #1 and #2, Located at 748 and 749 24 ¾ Road and Portions of the Grand Valley Canal and 24 ¾ Road Rights-of-Way is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3936 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Traynor Annexation #1, Approximately .24 Acres Located at 748 and 749 24 ¾ Road and a Portion of the Grand Valley Canal

Ordinance No. 3937 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Traynor Annexation #2, Approximately 10.47 Acres, Located at 748 and 749 24 ¾ Road and a Portion of the 24 ¾ Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 3938 – An Ordinance Zoning the Traynor Annexation to RMF-8, Located at 748 and 749 24 ¾ Road

®Action: Adopt Resolution No. 92-06 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 3936, 3937, and 3938

Staff presentation: Faye Hall, Associate Planner

15. **Public Hearing – Bekon Annexation and Zoning, Located at 2250 Railroad Avenue** [File #ANX-2006-143] [Attach 15](#)

Acceptance of a petition to annex and consider the annexation and zoning for the Bekon Annexation. The 7.21 acre Bekon Annexation is located at 2250 Railroad Avenue and consists of one (1) parcel of land and associated rights-of-way of Railroad Avenue & Railroad Boulevard. The zoning being requested is I-1, Light Industrial.

a. Accepting Petition

Resolution No. 93-06 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Bekon Annexation, Located at 2250 Railroad Avenue and including a Portion of the Railroad Avenue and Railroad Boulevard Rights-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3939 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Bekon Annexation, Approximately 7.21 Acres, Located at 2250 Railroad Avenue and Including a Portion of the Railroad Avenue and Railroad Boulevard Rights-of-Way

c. Zoning Ordinance

Ordinance No. 3940 – An Ordinance Zoning the Bekon Annexation to I-1, Light Industrial, Located at 2250 Railroad Avenue

®Action: Adopt Resolution No. 93-06 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 3939 and 3940

Staff presentation: Scott D. Peterson, Senior Planner

16. **Non-Scheduled Citizens & Visitors**

17. **Other Business**

18. **Adjournment**

Attach 1

Minutes from Previous Meeting

GRAND JUNCTION CITY COUNCIL MINUTES OF THE REGULAR MEETING

July 5, 2006

The City Council of the City of Grand Junction convened into regular session on the 5th day of July 2006, at 7:03 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Bruce Hill, Gregg Palmer, Jim Spehar, Doug Thomason, and President of the Council Jim Doody. Also present were Interim City Manager David Varley, City Attorney John Shaver, and City Clerk Stephanie Tuin.

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

Presentations of Certificates of Appointment

To the Parks and Recreation Advisory Board

Lenna Watson and Dr. William Findlay were present to receive their certificates for the Parks and Recreation Advisory Board.

Appointments

To the Downtown Development Authority/Downtown Grand Junction Business Improvement District Board of Directors

Councilmember Beckstein moved to appoint Stephen Thoms and Bill Keith to the Downtown Development Authority/Downtown Grand Junction Business Improvement District for a four year term until June, 2010. Councilmember Coons seconded the motion.

Councilmember Hill moved to exchange Stephen Thoms' appointment with PJ McGovern. Councilmember Palmer seconded.

Councilmember Hill said that Mr. McGovern brings a wealth of knowledge and business experience to the DDA especially in the area of financing mechanisms. He noted there have been a number of important issues relative to financing that have come forward and there will be possible legislative changes in the TIF financing coming up.

Councilmember Palmer agreed with Councilmember Hill. He said there are a number of projects coming up and said the DDA Board would benefit from Mr. McGovern's expertise and experience.

Councilmember Beckstein said on behalf of the committee they based their decision on the enthusiasm and desire to serve expressed by the applicants. The two being recommended expressed their desire to serve. She said that was not the interpretation received from the other candidates and the decision was based on the interviews of the candidates.

Councilmember Coons, who also served on the interview team, advised they had a great group of candidates and said there is no question as to Mr. McGovern's service, experience and knowledge. She said during the interview it was Mr. McGovern's desire not to serve and to give up the position for a new candidate. She said that Stephen Thoms has good knowledge of the Business Improvement District (BID) and would be a good candidate for the board.

Councilmember Spehar said that he was not on the selection committee, but was at City Hall the night of the interviews. He agreed that Mr. McGovern was an incredible member of the board. He said Council should be careful about not rotating positions and getting new ideas from new candidates on the boards. He said that Mr. McGovern expressed to him his willingness to step aside for another qualified candidate. Councilmember Spehar noted this was Council's first time ever to question a recommendation. He said Council always relied on the selection committee's judgment and he supports their recommendation.

Councilmember Beckstein said that she is sure that Mr. McGovern will still be involved and said there will also be two more businessmen on the board.

Motion to amend failed with Councilmembers Coons, Spehar, Thomason, Beckstein and Council President Doody voting NO.

Vote on original motion to appoint Stephen Thoms and Bill Keith carried unanimously.

To the Avalon Theatre Advisory Committee

Councilmember Hill moved to appoint Marianne North, André van Schaften, Alan Friedman, Ron Beach, Avalon Theatre Foundation Board Representative Edward Lipton, Downtown Development Authority Representative Harold Stalf, and Cinema at the Avalon Board Representative Stephan Schweissing to the Avalon Theatre Advisory Committee. Councilmember Spehar seconded the motion. Motion carried.

Terms were then decided by blind draw by the City Council with the following result: Marianne North – 1 year, André van Schaften – 1 year, Alan Friedman – 3 years, Ron Beach – 3 years, Avalon Theatre Foundation Board Representative Edward Lipton – 2 years, Downtown Development Authority Representative Harold Stalf – 2 years, Cinema at the Avalon Board Representative Stephan Schweissing – 3 years.

Citizen Comments

There were none.

CONSENT CALENDAR

Councilmember Coons read the list of items on the Consent Calendar.

Councilmember Hill asked that the ethical standards for volunteer board members item be moved to the first item on individual consideration.

Councilmember Palmer noted a correction to the minutes regarding the vote on the motion to reconsider the ambulance fees.

It was moved by Councilmember Beckstein, seconded by Councilmember Thomason and carried by roll call vote to approve Consent Calendar items #1 and #3 through #10 with a correction to the minutes of June 19, 2006 regular meeting regarding the vote for reconsideration of the ambulance fee schedule.

1. **Minutes of Previous Meetings**

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

2. **Revised Ethical Standards for Board Members**

A resolution governing ethics for members of the various City volunteer boards, commissions, and authorities. MOVED TO INDIVIDUAL CONSIDERATION

3. **Rename Sundstrand Way and Sundstrand Court to Printers Way and Printers Court** [File # MSC-2006-142]

A request from Colorado Printing Company, who purchased the Sundstrand building, is being made to rename Sundstrand Way and Sundstrand Court to Printers Way and Printers Court.

Resolution No. 80-06 – A Resolution Renaming Sundstrand Court and Sundstrand Way to Printers Court and Printers Way

Action: Adopt Resolution No. 80-06

4. **Setting a Hearing on the Coop/Myers Annexation Located at 2997 D Road** [File #ANX-2006-137]

Resolution referring a petition for annexation and introduction of a proposed ordinance. The 5.48 acre Coop/Myers Annexation consists of 2 parcels.

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

Resolution No. 81-06 – 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, Coop/Myers Annexation, Located at 2997 D Road

Action: Adopt Resolution No. 81-06

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Coop/Myers Annexation, Approximately 5.48 Acres, Located at 2997 D Road

Action: Introduction of Proposed Ordinance and Set a Hearing for August 16, 2006

5. **Setting a Hearing on the Clymer Annexation, Located at 182 27 Road** [File #VR-2006-153]

Request to annex 4.58 acres, located at 182 27 Road. The Clymer Annexation consists of two parcels and is a two part serial annexation.

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

Resolution No. 82-06 – 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, Clymer Annexation No. 1 and Clymer Annexation No. 2, Located at 182 27 Road Including a Portion of the 27 Road Right-of-Way

Action: Adopt Resolution No. 82-06

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Clymer Annexation No. 1, Approximately .13 Acres, Located at 182 27 Road Including a Portion of the 27 Road Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Clymer Annexation No. 2, Approximately 4.45 Acres, Located at 182 27 Road Including a Portion of the 27 Road Right-of-Way

Action: Introduction of Proposed Ordinances and Set a Hearing for August 16, 2006

6. **Setting a Hearing on the Schroeder Annexation, Located at 527 Reed Mesa Drive** [File #ANX-2006-139]

Request to annex 0.81 acres, located at 527 Reed Mesa Drive. The Schroeder Annexation consists of 1 parcel and includes portions of the Broadway (Hwy 340) and Reed Mesa Drive rights-of-way.

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

Resolution No. 83-06 – 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, Schroeder Annexation, Located at 527 Reed Mesa Drive Including Portions of the Broadway (Hwy 340) and Reed Mesa Drive Rights-of-Way

Action: Adopt Resolution No. 83-06

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Schroeder Annexation, Approximately 0.81 Acres, Located at 527 Reed Mesa Drive Including Portions of the Broadway (Hwy 340) and Reed Mesa Drive Rights-of-Way

Action: Introduction of Proposed Ordinance and Set a Hearing for August 16, 2006

7. **Setting a Hearing on Zoning the Bekon Annexation, Located at 2250 Railroad Avenue** [File #ANX-2006-143]

Request to zone the Bekon Annexation, located at 2250 Railroad Avenue, to I-1, Light Industrial Zoning District.

Proposed Ordinance Zoning the Bekon Annexation to I-1, Light Industrial, Located at 2250 Railroad Avenue

Action: Introduction of a Proposed Ordinance and Set a Hearing for July 19, 2006

8. **Setting a Hearing on Zoning the Traynor Annexation, Located at 748 and 749 24 ¾ Road** [File #ANX-2006-111]

Introduction of a proposed ordinance to zone the Traynor Annexation located at 748 and 749 24 ¾ Road to RMF-8 (Residential Multi Family, 8 units per acre).

Proposed Ordinance Zoning the Traynor Annexation to RMF-8 (Residential Multi Family, 8 Units per Acre), Located at 748 and 749 24 ¾ Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for July 19, 2006

9. **Setting a Hearing on Zoning the Hoffmann II Annexation, Located at 565 22 ½ Road** [File #ANX-2006-117]

Introduction of a proposed ordinance to zone the Hoffmann II Annexation located at 565 22 ½ Road to RSF-2 (Residential Single Family, 2 units per acre).

Proposed Ordinance Zoning the Hoffmann II Annexation to RSF-2 (Residential Single Family, 2 Units per Acre), Located at 565 22 ½ Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for July 19, 2006

10. **Setting a Hearing on Zoning the Vodopich Annexation, Located at 3023 F ½ Road** [File #ANX-2006-109]

Introduction of a proposed ordinance to zone the Vodopich Annexation located at 3023 F ½ Road to RSF-4 (Residential Single Family, 4 units per acre).

Proposed Ordinance Zoning the Vodopich Annexation to RSF-4 (Residential Single Family, 4 Units per Acre), Located at 3023 F ½ Road

Action: Introduction of a Proposed Ordinance and Set a Hearing for July 19, 2006

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Revised Ethical Standards for Board Members

A resolution governing ethics for members of the various City volunteer boards, commissions, and authorities.

Councilmember Hill referred to the original resolution that included examples (scenarios). He suggested a summary of things that would be considered a conflict written in layman's terms that a prospective or current board member would read.

City Attorney John Shaver agreed and stated although he felt it would be better if folks come and ask if they have specific questions. A historical library of advisory opinions will be developed and housed in the City Clerk's office.

Councilmember Hill said he is content with the resolution and said a summary should be attached to the applications that will give people an opportunity to realize what conflicts could arise. City Attorney Shaver said he will follow up with that.

Councilmember Hill suggested that besides the ethical conflicts there are other matters such as open records and open meetings that might be of value to volunteer board members, perhaps hosting a session just prior to the annual luncheon.

Councilmember Coons suggested that each sitting board member get a copy of the revised standards.

Council President Doody questioned if the City has by-laws now for all boards. City Attorney Shaver said there are by-laws for most of the boards at this time.

Councilmember Spehar said Council should provide the by-laws to all members appointed when presented with their certificate.

Resolution No. 79-06 – A Resolution Establishing Ethical Standards for Members of the City's Boards, Commissions and Similar Groups and Repealing Resolution No. 84-02.

Councilmember Hill moved to adopt Resolution No. 79-06. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Reconsideration of Ambulance Fee Schedule

On February 13, 2006, City Council recommended that the GJFD expand services to include ambulance service for the Grand Junction Ambulance Service Area. Mesa County Commissioners subsequently approved that recommendation at their February 27, 2006 meeting.

The ambulance fee schedule recommended in this report will result in charges at or below those of the private ambulance providers prior to July 1st.

An integral component of this expansion of services is setting the ambulance fee schedule with the objective of balancing system revenues to meet incremental costs of providing the ambulance transport services and to do so within the requirements of the Mesa County EMS Resolution. This includes the ability to negotiate contractual arrangements in specific situations in the non-emergent segment of the business.

Jim Bright, Interim Fire Chief, reviewed this item. He said that he is back before Council from the June 19th Council meeting and said there is not a lot of new information except one additional piece. He clarified the financial impact if the current rates remain.

Councilmember Palmer inquired when the last time the fees were adjusted.

Mr. Bright said the current fees were established in the late 1980's.

Councilmember Spehar questioned if all of the rates in other parts of the County set their rates at the maximum amounts, specifically with AMR.

Chief Bright said that he does not know how AMR submitted their proposal.

Councilmember Spehar questioned if an analysis was completed of the private provider rates.

Chief Bright said they are in the neighborhood of \$880 per transport which is higher than the Mesa County allowable rate.

Councilmember Palmer said previously itemized rates were allowed and said the County has decided to go with the bundled rate.

Councilmember Hill said Council had not seen these numbers and pointed out how the projection is a \$4.5 million subsidy with existing rates.

Chief Bright concurred that if the rates are left the same, there would be an estimated \$4.5 million subsidy.

Council President Doody confirmed that the rates were not ever adopted by City Council resolution.

Interim City Manager David Varley said that is correct. The Fire Department's plan to provide EMS service was always based on the new rates; that issue should have been brought forward earlier.

Resolution No. 84-06 – A Resolution Authorizing the 2006 Ambulance Transport Fees

Councilmember Spehar moved to adopt Resolution No. 84-06. Councilmember Palmer seconded the motion.

Councilmember Coons asked to say a few words. She said on the surface, Council needs to balance the budget; however, there are concerns of raising the cost of the health care delivery system. She is aware that any private ambulance service provider will raise fees to the maximum allowable by the County; such action is prudent for private business as it is necessary to stay in business. However, she having difficulty with the City functioning as a business. She said the City has decided this service is a necessary service and questioned if the cost of this service should be spread over all of the taxpayers and not just those that have insurance. She said this is a necessary City service and she feels that the City should absorb the deficit by reducing other services. She said that she consulted with other insurance providers to find out what the impact

would be and Medicare fixed rates will result in the burden being shifted to the businesses and employers that provide good health care for their employees. She said that will impact other benefits for their employees. She said the other providers agreed that the cost shift is an unavoidable part of the United States health care system. She feels that there is a dilemma and there is no good solution.

Councilmember Spehar agreed with Councilmember Coons. He said the health care services provision is problematic and said it is not Council's directive to balance the budget tonight, but to provide service; however, tripling the deficit will impact all citizens so it is prudent to approve the new rate structure.

Councilmember Palmer agreed and said this is something that he has looked at and dealt with for several years. He said it is important to note that the City already provides first responder service at no cost to the citizens. He does not see that there will be an increase burden on those who use the transport service and feels paying a fair and equitable rate for this service is prudent. He said the County recognizes that even these rates are low and said the citizens that use the service will pay for the service and the insurance companies will be billed accordingly.

Councilmember Thomason noted the rates have not changed for twenty plus years, so the new rates are necessary and are appropriate.

Councilmember Hill said Council has seen three different sets of numbers and said there is no history to say that the City should maximize the rates. He said that he can't support this request.

Councilmember Palmer said it is not about maximizing the rates; it is about adopting the approved rates set by Mesa County for all providers.

Councilmember Spehar said not adopting the new rates will triple the subsidy and he does not want that to happen.

Council President Doody said that he supports it and would like to see data in a year and revisit the issue.

Motion carried by roll call vote with Councilmembers Hill and Beckstein voting NO.

Public Hearing – Amendment to the Downtown Grand Junction Business Improvement District Assessments

Additional information has been received from property owners at 359 Colorado Avenue (St. Regis) that requires a correction to the special assessment billing that was approved in December, 2005. Proper notice to the affected property owners has been given. The resolution approves the assessments and orders the preparation of the assessment roll. If the resolution is approved following the hearing, then the corrected Special Assessments will be certified to the County Treasurer for immediate collection.

The public hearing was opened at 7:58 p.m.

Stephanie Tuin, City Clerk, reviewed this item. She advised that information came forward after the tax bills went out this year that allowed the special assessment to be reapportioned among the other condominium owners. This includes owners on the second and third floors.

John Shaver, City Attorney, concurred with Ms. Tuin's presentation adding that Staff has worked closely with the Mesa County Assessor and Treasurer's offices regarding the legal end of the assessment.

There were no public comments.

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

Resolution No. 85-06 – A Resolution Approving the Amended Assessment and Ordering the Preparation of an Amended Assessment Roll for Properties at 359 Colorado Avenue

Councilmember Hill moved to adopt Resolution No. 85-06. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

Public Hearing – Formation of the State Leasing Authority, Inc., Appoint Directors and Authorize Issuance of Revenue Bonds

This is a request to authorize the establishment of a new non-profit corporation, the "Grand Junction Colorado, State Leasing Authority, Inc."; approve the form of the Articles of Incorporation and Bylaws for the entity; appoint the original directors of the entity; and approve the issuance by the entity of up to \$18,000,000 in revenue bonds. This financing authority will be established to fund the construction of a building for the Colorado Bureau of Investigation (CBI) in accordance with the Memorandum of Understanding (MOU) already executed by the Grand Junction Economic Partnership (GJEP) and others.

The public hearing was opened at 8:02 p.m.

Sheryl Trent, Assistant to the City Manager, reviewed this item. The request is to establish an entity to issue bonds in order to build the facility for CBI. There will not be any financial obligation for the City. She said there are proposed articles of incorporation and by-laws attached to the proposed ordinance. The documents suggest that the City Manager sit on that board.

Councilmember Palmer asked if the property tax question has been resolved. Ms. Trent responded that tax free bonds are the intention which is more highly marketable. She said in order to be tax free, the corporation would have to meet certain qualifications but she is not sure the corporation will qualify although the GJEP's legal counsel feels that it will.

Interim City Manager David Varley said there was a preliminary meeting this afternoon and their legal counsel is comfortable with this being the case.

Councilmember Coons questioned what would be the fall back position if other information or deliberations were to come up.

Ms. Trent said GJEP would pursue legislation to ensure that these are tax free bonds.

City Attorney Shaver said real property tax is also a question, but their attorney feels that question can be resolved.

Councilmember Beckstein said one of the board members on the entity being created is an owner of the firm she works for. City Attorney Shaver questioned Councilmember Beckstein to ensure that there is no conflict of interest. City Council did not object to her participation.

Ms. Driggers, GJEP President and CEO, described the recent site selection process with CBI and gave a brief history. She introduced Greg Keller with FCI Construction, who will be the project manager, Mike Archibald with Blythe Design & Company, who will be the architect, Norm Franke, chair of GJEP, and the representative for IDI, Kirk Rider, the bond counsel for the project, Steve Jefferies, the finance director/underwriter, Arne Ray, the site selection consultant for the project, and Pete Mang, the Deputy Director of CBI.

Mr. Mang thanked Council and commended Ms. Driggers on her work on the project. He said they feel that they can deliver a state of the art criminal justice facility for the City of Grand Junction. He said they are looking out for the future and their vision is to build a premier law enforcement facility not only for the City of Grand Junction but for it to be the best in the State and in the nation.

Council President Doody questioned Mr. Mang if they plan on partnering with local law enforcement.

Mr. Mang said they are looking at forming partnerships with all agencies and not just with the Western Slope but across the State as well.

Councilmember Palmer questioned the construction costs.

Mr. Jeffries said it is projected at \$3 million towards hard construction and \$1 million in design.

Councilmember Palmer questioned who will own the entity.

Ms. Driggers said the entity being formed will lease the building back to the State, starting with a 25 year lease.

Councilmember Palmer noted this will be a wonderful addition to community.

Councilmember Hill commended Ms. Driggers and thanked her for all of her hard work.

Councilmember Spehar said this is a great project and said it is wonderful to have GJEP, IDI, and the City partner and work together to build such a wonderful facility. He said it is a tremendous plus for the community to have such a resource for all of Western Colorado. He questioned City Attorney John Shaver on the structure for the financing. City Attorney Shaver said it is not unusual to form a non-profit entity to finance and own a facility. For example, Matchett Park and the Grand Junction Public Finance Corporation were put together for that purpose.

Councilmember Spehar confirmed that there would not be any financial obligation to the City of Grand Junction. City Attorney Shaver said that is correct, that the State Leasing Authority will collect rent and pay off the debt.

Councilmember Spehar questioned if CBI will be responsible for all maintenance, etc. of the facility. City Attorney Shaver said that is correct.

Council President Doody clarified that there are five members on the board and the City Manager is one of them. Ms. Driggers said that is correct.

Council President Doody questioned how the board was chosen. Ms. Driggers stated they received recommendations of civic minded people in the community that have certain expertise and qualifications.

Council President Doody inquired if the board will dissolve once the bonds are paid off. City Attorney Shaver said the corporation exists for the sole purpose of issuing debt and administering the repayment of the debt. He said it could have continuing life for other projects, but this consideration is for this purpose only.

Councilmember Spehar confirmed that any additional projects for this new entity would have to be approved by the City Council.

City Attorney Shaver affirmed that to be correct.

Interim City Manager David Varley noted that if CBI wants to pay off the debt early, the Corporation could cease at that time too.

There were no public comments.

The public hearing was closed 8:24 p.m.

Ordinance No. 3926 – An Ordinance Establishing the Grand Junction, Colorado, State Leasing Authority, Inc., Prescribing Certain Requisite Terms for its Operation and Governance, and Authorizing it to Construct and Lease a Facility to the Colorado Department of Public Safety and to Issue Revenue Bonds to Defray the Costs Thereof

Councilmember Spehar moved to adopt Ordinance No. 3926 on Second Reading and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Council President Doody called a recess at 8:25 p.m.

The meeting reconvened at 8:36 p.m.

Public Hearing – Zoning the Charlesworth Annexation Located at 248 28 Road [File #GPA-2006-062]

Request to zone the 10.85 acre Charlesworth Annexation, located at 248 28 Road, to RMF-5 (Residential Multi-family with a maximum of five units per acre) zone district.

Ordinance No. 3927 – An Ordinance Zoning the Charlesworth Annexation to RMF-5 (Residential Multi-Family – 5 Units per Acre), Located at 248 28 Road

The public hearing was opened at 8:37 p.m.

David Thornton, Principal Planner, reviewed this item. He said the property previously went through a Growth Plan Amendment and Annexation. He described the surrounding zoning and land use designation.

Councilmember Palmer questioned if this is going to create an enclave. Mr. Thornton said the annexation did create an enclave.

Mr. Thornton then reviewed the rezone criteria and felt that it did meet the criteria. The findings and conclusions of the Planning Commission was that the zoning is consistent with the intent of the surrounding area.

Joe Carter, Ciavonne, Roberts, and Associates was present representing the applicant. He had nothing to add but was available for questions.

There were no public comments.

Councilmember Beckstein said Ciavonne, Roberts, and Associates is a client of her employer. City Attorney Shaver said that disclosure has been made before and asked if the relationship has changed to compromise her review of the project. Councilmember Beckstein assured him that nothing had changed. City Council did not object to Councilmember Beckstein participating.

The public hearing was closed at 8:41 p.m.

Councilmember Coons moved to adopt Ordinance No. 3927 on Second Reading and ordered it published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Public Hearing – Growth Plan Amendment (Text) – Residential Density in Downtown Commercial Core [File #GPA-2006-066]

The Grand Junction Downtown Development Authority is requesting a revision to the text of the Growth Plan to eliminate the maximum residential density requirement for downtown developments/properties.

The public hearing was opened at 8:43 p.m.

Kristen Ashbeck, Senior Planner, reviewed this item. She pointed out that this Growth Plan Amendment is to the text of the Growth Plan rather than to the map as usual. She explained the purpose and reason for the request. If approved, Staff will bring back amendments to the Zoning and Development Code in order to implement the change. The maximum density would not be applicable to properties in the downtown area, defined as the areas zoned B-1 and possibly B-2, for properties bordering the DDA boundaries. She reviewed the Growth Plan Amendment criteria concluding that all were met. Ms. Ashbeck said the Planning Commission recommended approval of the request.

Councilmember Spehar asked if there are other guidelines that will provide some parameters for development such as height restrictions. City Attorney Shaver said there are. Ms. Ashbeck added that there are restrictions for both the floor area ratio (FAR) and height restriction.

Councilmember Coons asked if there are minimal livable areas for such units. Ms. Ashbeck said there are no minimums to her knowledge.

Councilmember Palmer questioned if 24 is the maximum density now. Ms. Ashbeck said it is currently stated in the Growth Plan that it would not exceed 24.

Council President Doody questioned if all of the guidelines will be considered for any development. Ms. Ashbeck answered affirmatively. She said DDA and the Housing Authority are looking at models that may have 40 or 50 units per acre that would work.

Harold Stalf, Executive Director of DDA, said the City starting working with the Housing Authority a few years ago, looking to create work force housing in the downtown area. He said, for example, a building the size of Home Loan would only allow a small number of units. He said creating a building of that size would not create the mix of housing units that is needed and said their goal is to have people live and work downtown.

Councilmember Palmer explained that the housing downtown may not necessarily be on Main Street. He said there are a number of properties off of Main Street that could be utilized.

Councilmember Coons asked for more clarification of the different types of units that have been discussed.

Jody Kole, Housing Authority Director, said it has been difficult to assemble sufficient land in the downtown area to develop housing development under the current Code. She said the vision is to build a mix in rate and type of units that will take advantage of the infill opportunities of the area.

Gi Moon, 885 Hall Avenue, Board Chair for the Housing Authority, noted the primary funding vehicle is to use tax credits. She said the project will need more than 24 units and be more flexible than what the current Code allows to qualify for those tax credits.

There were no other comments.

The public hearing was closed at 8:58 p.m.

Councilmember Palmer said the downtown is very unique and is evolving constantly. He said the work force housing is needed as part of the Strategic Plan and said this could be one possible solution to the shortage of affordable housing.

Councilmember Hill said that as part of the City's goal for the community is to maximize the current infrastructure. He said this is an example of live, work, and play where a resident might not have to move their car for a couple of weeks. He said this is what the City is trying to accomplish and feels with this step, the City is moving in the right direction for the downtown area.

Councilmember Spehar is also supportive. He said this will create more opportunities for the downtown area.

Councilmember Coons said she is a member of the Grand Junction Housing Authority. She said there is a need for the work force housing and said the City needs to support this and feels that it will make a difference for the downtown area.

Resolution No. 86-06 – A Resolution Amending the Text of the Growth Plan to Eliminate the Maximum Residential Density Requirement in the Downtown Area

Councilmember Coons moved to adopt Resolution No. 86-06. Councilmember Thomason seconded the motion. Motion carried by roll call vote with Councilmember Beckstein voting NO.

Public Hearing – Vacating Portions of Hoesch Street and West Grand Avenue, East of River Road and Designation of the Remainder of Hoesch Street as an Alley [File #VR-2006-114]

An ordinance to vacate portions of Hoesch Street and West Grand Avenue east of River Road. The vacation request is in conjunction with the design of the Riverside Parkway with these sections of right-of-way no longer being necessary or usable. The applicant is also requesting that the remainder of Hoesch Street be designated an alley.

The public hearing was opened at 9:03 p.m.

Sheryl Trent, Interim Community Development Director, reviewed this item. She noted that the City is the applicant; the vacation is for the benefit of the Riverside Parkway. The applicant's representative, Jim Shanks, was not present. She said the street was originally dedicated for a subdivision back in 1894. Ms. Trent said the vacated property will be dedicated back to WDD Properties who will then rededicate a right-of-way for an alley to the Riverside Parkway.

There were no public comments.

The public hearing was closed at 9:10 p.m.

Ordinance No. 3928 – An Ordinance Vacating Rights-of-Way for Portions of Hoesch Street and West Grand Avenue

Councilmember Spehar moved to adopt Ordinance No. 3928 on Second Reading and ordered it published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none but League of Women Voters representative Patrene Rice was present.

Other Business

There was none.

Adjournment

The meeting adjourned at 9:11 p.m.

Stephanie Tuin, MMC
City Clerk

Attach 2

**Setting a Hearing on Zoning the Hamilton Annexation, Located at 3124 D Road
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
Subject	Zoning the Hamilton Annexation, located at 3124 D Road					
Meeting Date	July 19, 2006					
Date Prepared	July 13, 2006				File #ANX-2006-105	
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: Request to zone the 8.33 acres Hamilton Annexation located at 3124 D Road to RMF-5 (Residential Multi-Family 5 du/ac).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed zoning ordinance and set a public hearing for August 2, 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. PC Minutes (to be provided with 2nd reading)
5. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION			
Location:		3124 D Road	
Applicants:		Owner: Sharon A. Hamilton Developer: VnE, LLC, Jenette Stanley Representative: Rhino Engineering, John E. Kornfeld	
Existing Land Use:		Residential/Agriculture	
Proposed Land Use:		Residential	
Surrounding Land Use:	North	Agriculture	
	South	Residential	
	East	Residential	
	West	Agriculture	
Existing Zoning:		RSF-R	
Proposed Zoning:		RMF-5	
Surrounding Zoning:	North	RSF-R	
	South	RSF-R	
	East	RMF-5	
	West	RSF-R	
Growth Plan Designation:		Residential Medium (4-8 du/ac)	
Zoning within density range?		X	Yes
			No

Staff Analysis:

Zone of Annexation: The Future Land Use Designation for this property is Residential Medium 4-8 du/ac. The existing County Zoning is RSF-R. Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County Zoning.

The original request from the applicant was for the RMF-8 zone district. With this request in mind, staff reviewed the site, and the densities of surrounding developed properties. Based on this analysis staff determined that the RMF-5 zone district was the most appropriate zoning for the property due to the densities and lot sizes of the surrounding developments. The applicant requested to proceed to Planning Commission with their request of the RMF-8 zone district.

On June 27, 2006, the Planning Commission, after reviewing the staff report and discussing adjacent lot sizes/densities and a concern by neighbors regarding to potential of multi-family, determined that the RSF-4 zone district was more consistent with adjacent developments.

On June 28, 2006, the applicant, after re-evaluating the zone districts that could be applied to the property in relation to their development plans, changed their requested zone district to the RMF-5 district.

On June 29, 2006, City Staff made a request to the Planning Commission for a rehearing of the proposed zoning for the property, feeling that information had changed or been added since their decision on the 27th and that some of the information regarding the bulk standards and allowed uses in regards to the RSF-4 and RMF-5 zone districts were not entirely clear at previous meeting.

The rehearing request was heard and granted on July 11, 2006 with the rehearing immediately following. The Planning Commission re-evaluated the requested RMF-5 versus the RSF-4, heard testimony again from the City staff, the applicant, and neighboring property owners. The Commission then made a recommendation to the City Council of the RMF-5 zone district instead of the RSF-4 as they had at the June 27th hearing.

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.A.3, 4, 5 as follows:

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

Response: Staff is recommending a zone district of RMF-5 for this property due to the pattern developed by property sizes/densities of other subdivided properties in the area. To the northeast of the site, a County zoned PD has a density of 3.75 du/ac and an average lot size of 7,405 sq. ft. Directly to the east is a subdivision which is zoned RMF-5 in the County and has an overall density of 4.2 du/ac with lots ranging in size from 6,804 sq. ft. to 12,632 sq. ft. Zoning to the north and west is County RSF-R. The minimum lot sizes allowed in the RMF-5 are 6,500 sq. ft. The lot sizes found in the neighboring developments are slightly larger than the 6,500 sq. ft. minimum as called out in the RMF-5 zone district and the densities of the surrounding subdivisions are still slightly lower than the 5 du/ac as allowed with RMF-5.

- 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 RMF-5 zone district is more in conformance with the following goals and policies of the Growth Plan and the Pear Park Plan than the other potential zone districts. It provides for higher density opportunities while maintaining compatibility with the surrounding neighborhoods:

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.

Growth Plan 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.

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

Pear Park Plan Land Use and Growth Goal 3: Establish areas of higher density to allow for a mix in housing options.

- 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.

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

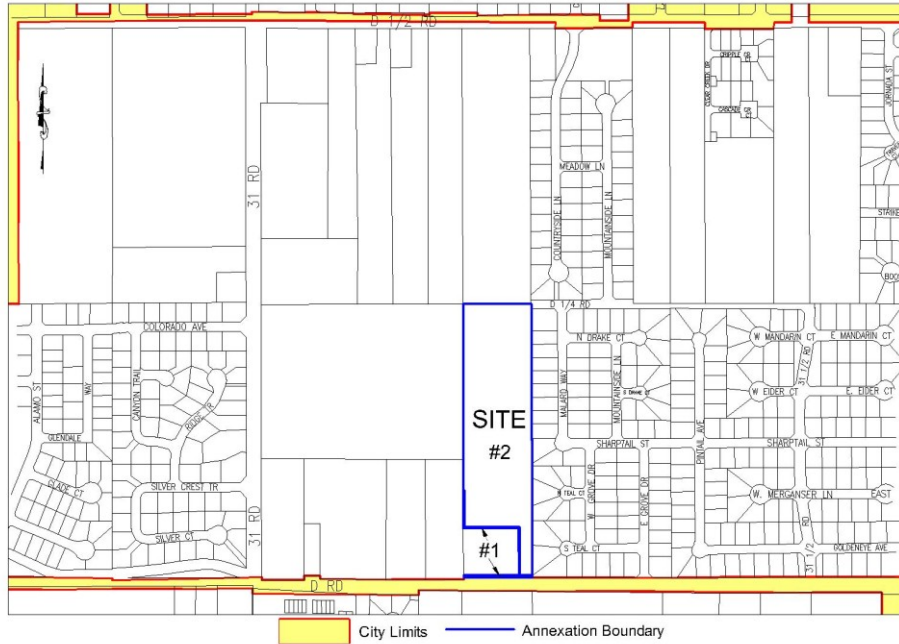
- a. RSF-4
- b. RMF-8

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended the RMF-5 zone to the City Council, finding the zoning to the RMF-5 district to be consistent with the Growth Plan, the Pear Park Plan, adjacent development and Sections 2.6 and 2.14 of the Zoning and Development Code.

Site Location Map

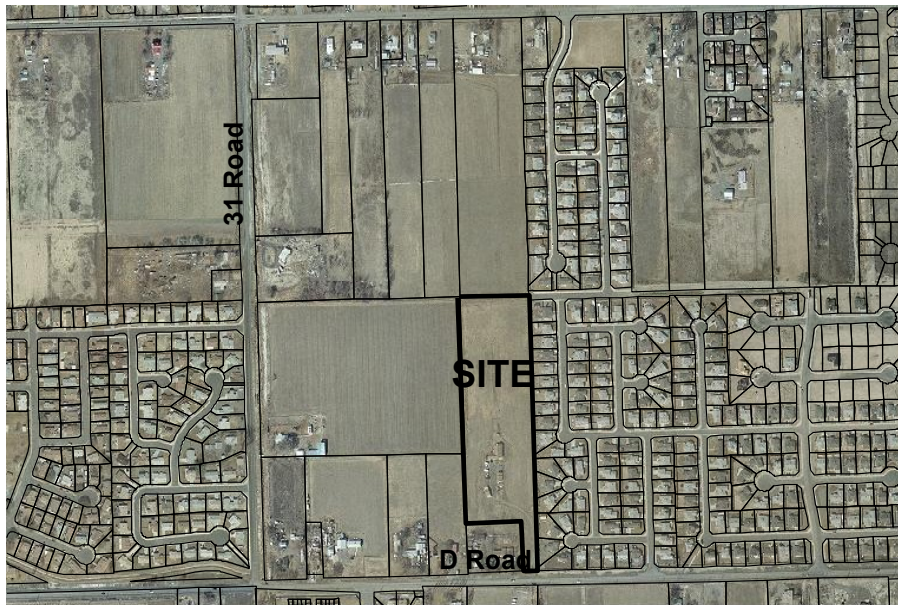
Figure 1

Hamiton Annexation
Figure 5



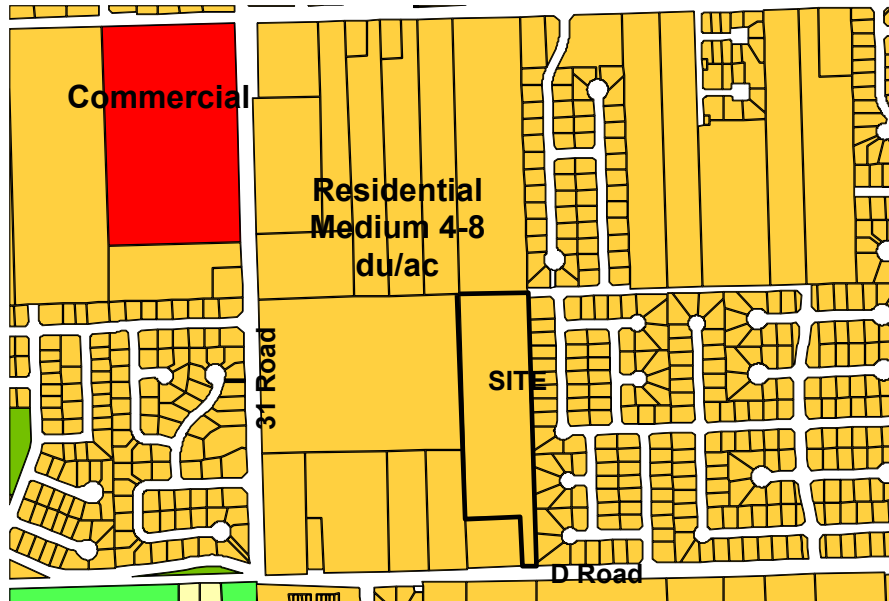
Aerial Photo Map

Figure 2



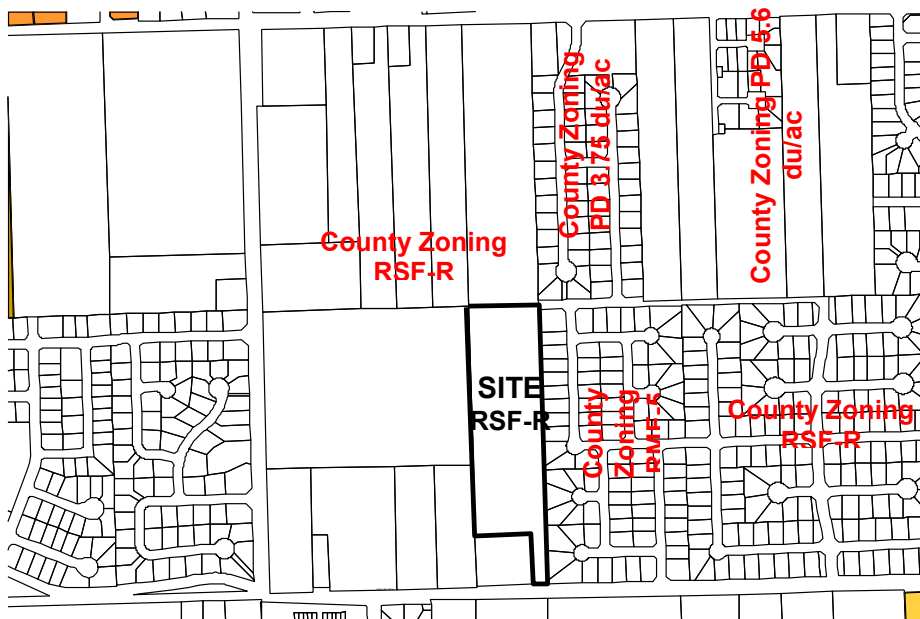
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE HAMILTON ANNEXATION TO
RMF-5**

LOCATED AT 3124 D ROAD

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Hamilton Annexation to the RMF-5 zone district finding that it conforms with 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 is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After the public notice and public hearing before the Grand Junction City Council, City Council finds that the RMF-5 zone 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 be zoned RMF-5 with a density not to exceed 5 units per acre.

HAMILTON ANNEXATION

A certain parcel of land located in the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section 15, 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 Southeast corner of the SW1/4 SW1/4 of said Section 15, and assuming the East line of the SW1/4 SW1/4 of said Section 15 to bear N00°01'26"W with all bearings contained herein relative thereto; thence N00°01'26"W, along the East line of the SW1/4 SW1/4 of said Section 15, a distance of 30.00 feet to the POINT OF BEGINNING; thence N89°53'26"W along a line 30.00 feet north of and parallel with the south line of the SW 1/4 SW 1/4 of said section 15, a distance of 328.12 feet; thence N00°00'40"W, a distance of 10.00 feet to a point being the Southwest corner of lot One, Bailey Minor Subdivision, as Recorded in Plat Book 13, page 480 of the Mesa County, Colorado, Public Records; thence S89°53'26"E along the South line of said Lot One, a distance of 264.12 feet to the Southeast corner of said Lot; thence N00°01'26"W, along the East line of said Lot One, a distance of 228.00 feet to a point being the Northeast corner of said Lot One; thence N89°53'26"W, along the North line of said Lot One, a distance of 264.06 feet to a point being the Northwest

corner of said lot One; thence N00°00'40"W, along the West line of Lot Two, a distance of 180.00 feet; thence S89°53'26"E, a distance of 5.00 feet; thence S00°00'40"E along a line being 5.00 feet East of and parallel with the West line of said Lot Two, a distance of 175.00 feet; thence S89°53'26"E along a line being 5.00 feet North of and parallel with the North line of said Lot One a distance of 264.06 feet; thence S00°01'26"E along a line being 5.00 feet East of and parallel with the East line of said Lot One a distance of 233.00 feet, to a point on the North right of way of D Road; thence along said right of way S89°53'26"E a distance of 59.00 feet to a point on the East line of the SW1/4 SW1/4 of said Section 15; thence S00°01'26"E along said East line a distance of 10.00 feet, more or less, to the POINT OF BEGINNING. Said parcel contains 0.15 acres (6642 square feet), more or less, as described.

AND ALSO: A certain parcel of land located in the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section 15, 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 Southeast corner of the SW1/4 SW1/4 of said Section 15, and assuming the East line of the SW1/4 SW1/4 of said Section 15 to bear N00°01'26"W with all bearings contained herein relative thereto; thence N00°01'26"W, along the East line of the SW 1/4 SW 1/4 of said Section 15, a distance of 40.00 feet to the POINT OF BEGINNING; thence N89°53'26"W, a distance of 59.00 feet; thence N00°01'26"W, a distance of 233.00 feet; thence N89°53'26"W a distance of 264.06 feet; thence N00°00'40"W, a distance of 175.00 feet; thence N89°53'26"W, a distance of 5.00 to a point on the West line of Lot Two of Bailey Minor Subdivision, as same is shown on the plat of Bailey Minor Subdivision, as Recorded in Plat Book 13, page 480 of the Mesa County, Colorado, Public Records; thence N00°00'40"W along said West line, a distance of 872.02 feet to a point being the Northwest corner of said lot two; thence S89°53'43"E along the North line of said Lot Two, a distance of 327.83 feet to the Northeast corner of the SW1/4 SW1/4 of said section 15; thence S00°01'26"E along the East line of the SW1/4 SW1/4 of said section 15 a distance of 1280.04 feet; more or less to the POINT OF BEGINNING. Said parcel contains 8.18 acres (356,244 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.

ATTEST:

President of the Council

City Clerk

Attach 3

**Setting a Hearing on Zoning the Harris Annexation, Located at 2730 B Road
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA							
Subject	Zoning the Harris Annexation, located at 2730 B Road.						
Meeting Date	July 19, 2006						
Date Prepared	July 7, 2006				File #ANX-2006-125		
Author	Faye Hall		Associate Planner				
Presenter Name	Faye Hall		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 zone the Harris Annexation located at 2730 B Road, to the RSF-4 (Residential Single Family, 4 units per acre) zone district.

Budget: N/A

Action Requested/Recommendation: Introduce a proposed zoning ordinance and set a public hearing for August 2, 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:		2730 B Road		
Applicants:		Owner: Jerry Harris Representative: Rhino Engineering – Brynn Vasboe		
Existing Land Use:		Residential		
Proposed Land Use:		Residential		
Surrounding Land Use:	North	Residential		
	South	Residential		
	East	Residential		
	West	Residential		
Existing Zoning:		RSF-4		
Proposed Zoning:		RSF-4		
Surrounding Zoning:	North	County & City RSF-4		
	South	County RSF-4		
	East	County RSF-4		
	West	County RSF-4		
Growth Plan Designation:		Residential Medium Low 2-4 du/ac		
Zoning within density range?	X	Yes		No

Staff Analysis:

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

In order for the zoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6.A.3, 4, 5 as follows:

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

Response: The proposed zone is compatible with the neighborhood and will not create adverse impacts. The zone district being requested is the same density as it was in the county. The surrounding densities are primarily 4 units per acre. Any issues will be addressed at the development phase.

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

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

- 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.

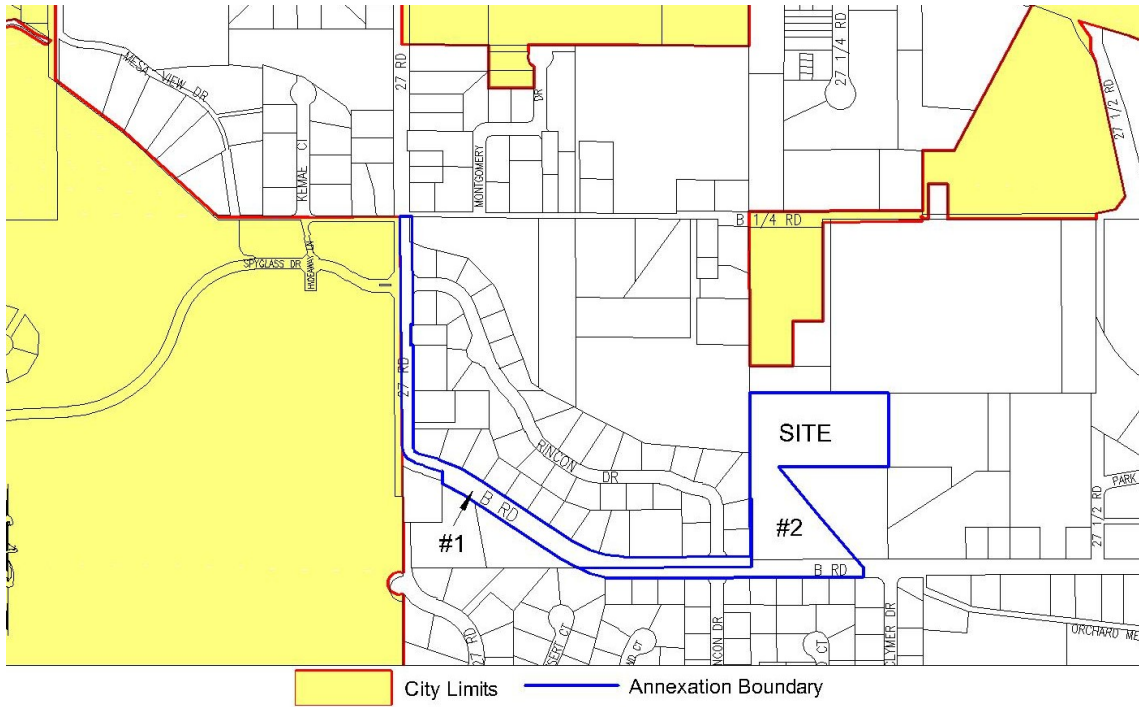
Alternatives: In addition to the zoning that the petitioner has requested, the following zone districts would also be consistent with the Growth Plan designation for the subject property.

- c. RSF-2

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

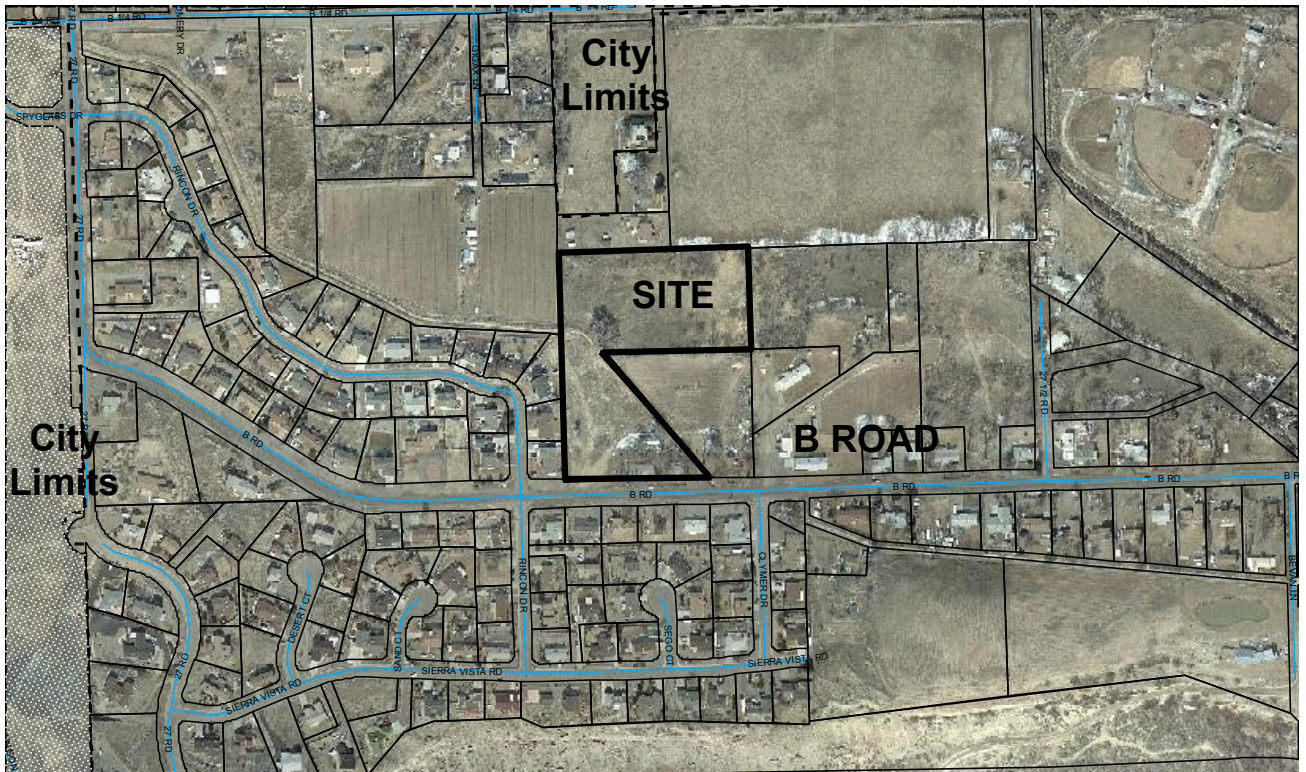
Site Location Map

Figure 1



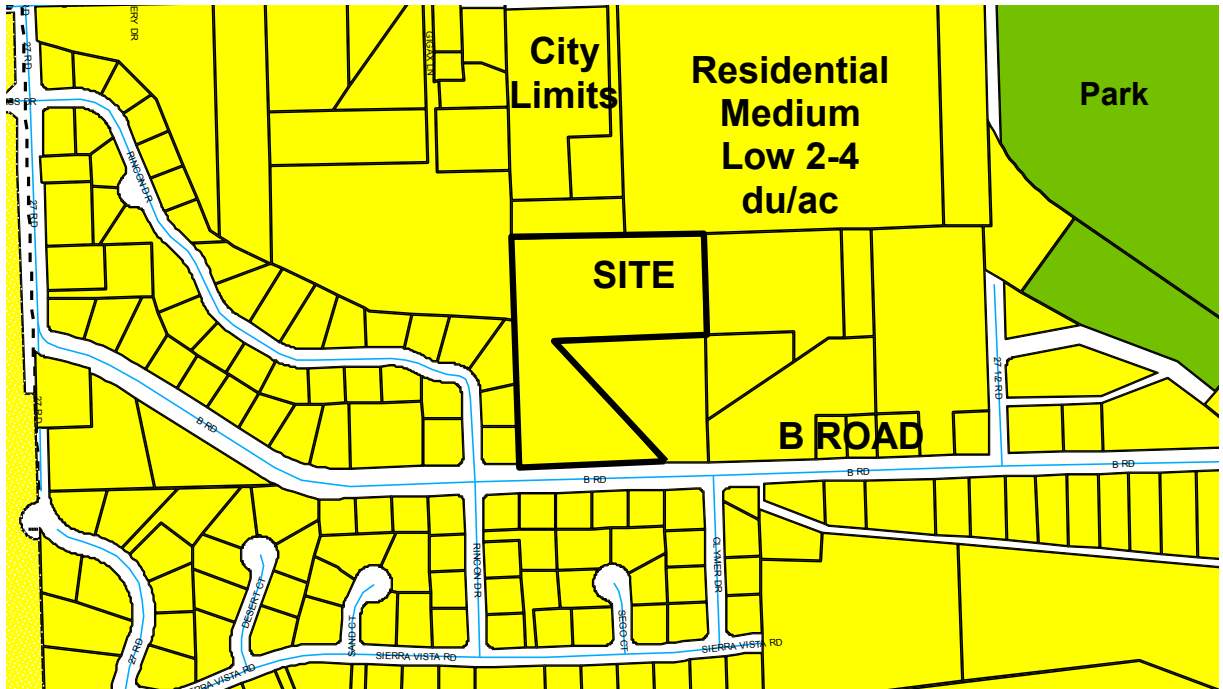
Aerial Photo Map

Figure 2



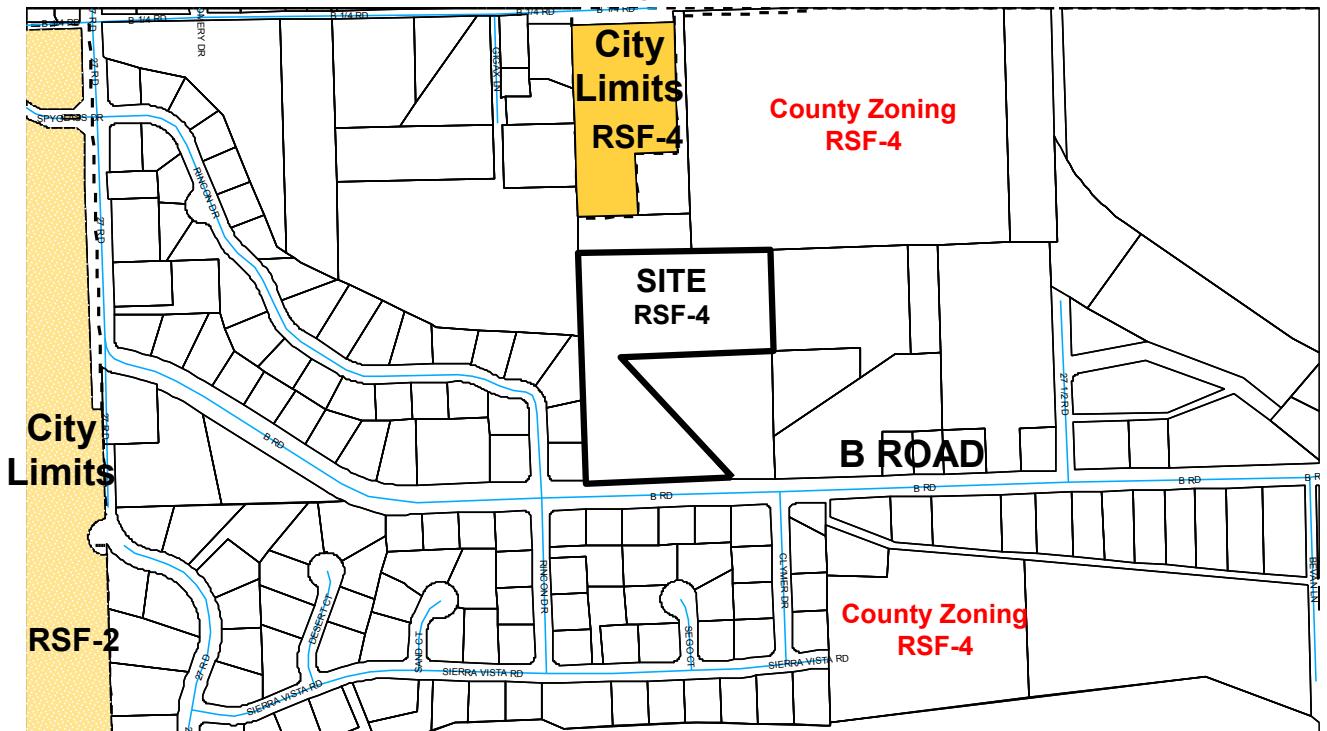
Future Land Use Map

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 HARRIS ANNEXATION TO
RSF-4**

LOCATED AT 2730 B ROAD

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Harris Annexation to the RSF-4 zone district finding that it conforms with 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 is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-4 zone district 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 be zoned Residential Single Family with a density not to exceed 4 units per acre.

HARRIS ANNEXATION #1

A certain parcel of land located in the South half Quarter (S 1/2) of Section 25, and the Northwest Quarter (NW 1/4) of Section 36, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northwest corner of the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of said Section 25 and assuming the West line of the SW1/4 SW1/4 of said Section 25 bears N00°04'22"W with all other bearings contained herein being relative thereto; thence S89°56'01"E along the North line of the SW1/4 SW1/4 of said Section 25 a distance of 40.00 feet; thence S00°04'22"E along the Westerly line of Copper Hills Subdivision, as same is recorded in Plat Book 11, Page 281, Public Records of Mesa County, Colorado, and being the East right of way of 27 Road, a distance of 398.25 feet; thence S89°55'14"W a distance of 10.00 feet; thence S00°04'22"E along said right of way, a distance of 75.00 feet; thence N89°55'14"E a distance of 10.00 feet; thence S00°04'22"E along said right of way a distance of 391.59

feet; thence 26.38 feet along the arc of a 20.00 foot radius curve concave Northeast, having a central angle of 75°34'32" and a chord bearing S37°52'30"E a distance of 24.51 feet; thence S75°39'46"E along the Southerly line of Block Two of Rincon Subdivision, as same is recorded in Plat Book 11, Page 282, Public Records of Mesa County, Colorado, and being the North right of way of B Road, a distance of 39.61 feet; thence along said right of way 206.84 feet along the arc of a 613.00 foot radius curve concave Southwest, having a central angle of 19°20'00" and a chord bearing S65°59'46"E a distance of 205.86 feet; thence S56°19'46"E along said right of way, a distance of 441.30 feet; thence along said right of way 202.97 feet along the arc of a 345.09 foot radius curve concave Northeast, having a central angle of 33°42'00" and a chord bearing S73°10'46"E a distance of 200.06 feet; thence N89°58'14"E along said right of way, a distance of 481.43 feet to a point on the East line of the SW1/4 SW1/4 of said Section 25; thence N00°06'39"W along said East line, a distance of 219.33 feet to the Northeast corner of Lot 10, Block three of said Rincon Subdivision; thence N89°58'14"E a distance of 5.00 feet; thence S00°06'39"E along a line being 5.00 feet East of and parallel with the East line of the SW1/4 SW1/4 of said Section 25 a distance of 259.93 feet to a point on the South line of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of said Section 25; thence S89°58'14"W a distance of 5.00 feet to the Southwest corner of the SE1/4 SW1/4 of said Section 25; thence S89°58'14"W along the South line of the SW1/4 SW1/4 of said Section 25 a distance of 661.51 feet to a point on the Northerly line of Sierra Vista Subdivision, as same is recorded in Plat Book 12, Page 115, Public Records of Mesa County, Colorado, and being the South right of way of B Road; thence along said right of way, 64.14 feet along the arc of a 425.09 foot radius curve concave Northeast, having a central angle of 08°38'42" and a chord bearing N60°39'07"W a distance of 64.08 feet; thence N56°19'46"W along said right of way, a distance of 441.30 feet; thence along said right of way 98.99 feet along the arc of a 533.00 foot radius curve concave Southwest, having a central angle of 10°38'29" and a chord bearing N61°39'01"W a distance of 98.85 feet; thence N00°04'46"W along said right of way, a distance of 43.22 feet; thence along said right of way 69.96 feet along the arc of a 573.00 foot radius curve concave Southwest, having a central angle of 06°59'44" and a chord bearing N72°09'54"W a distance of 69.92 feet; thence N75°39'46"W along said right of way, a distance of 39.61 feet; thence along said right of way 79.14 feet along the arc of a 60.00 foot radius curve concave Northeast, having a central angle of 75°34'32" and a chord bearing N37°52'30"W a distance of 73.53 feet to a point on the West line of the SW1/4 SW1/4 of said Section 25; thence N00°04'22"W along said West line a distance of 864.95 feet, more or less, to the Point of Beginning.

Said parcel contains 2.73 acres (119,127 square feet), more or less, as described.

HARRIS ANNEXATION #2

A certain parcel of land located in the Southwest Quarter (SW1/4) of Section 25, and the Northwest Quarter (NW 1/4) of Section 36, Township 1 South, Range 1 West of the

Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Southwest corner of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of said Section 25, and assuming the South line of the SW1/4 SE1/4 of said Section 25 bears N89°58'14"E with all other bearings contained herein being relative thereto; thence N89°58'14"E along the South line of the SE1/4 SW1/4 of said Section 25 a distance of 5.00 feet; thence N00°06'39"W along a line being 5.00 feet East of and parallel with the West line of the SE1/4 SW1/4 of said Section 25 a distance of 259.93 feet; thence N89°58'14"W distance of 5.00 feet to the Northeast corner of Lot 10, Block Three, of Rincon Subdivision, as same is recorded in Plat Book 11, Page 282, Public Records of Mesa County, Colorado, and being a point on the West line of the SW1/4 SE1/4 of said Section 25; thence N00°06'39"W along said West line, a distance of 399.35 feet to the Northwest corner of that certain parcel of land as described in book 3937, page 864, Public Records of Mesa County, Colorado; thence N89°56'56"E a distance of 528.66 feet to the Northeast corner of said parcel; thence S00°01'46"E a distance of 280.00 feet; thence S89°56'44"W a distance of 419.71 feet; thence S40°16'43"E a distance of 394.41 feet; thence S33°52'09"E a distance of 58.13 feet; thence S49°47'58"E a distance of 46.43 feet to a point on the South line of the SE1/4 SW1/4 of said Section 25; thence S00°01'46"E a distance of 40.00 feet to a point on the Northerly line of Sierra Vista Subdivision, as same is recorded in Plat Book 12, Page 115, Public Records of Mesa County, Colorado, and being the South right of way of B Road; thence S89°58'14"W along said right of way, a distance of 912.17 feet; thence along said right of way 185.89 feet along the arc of a 425.09 foot radius curve concave Northeast, having a central angle of 25°03'18" and a chord bearing N77°30'07"W a distance of 184.41 feet to a point on the South line of the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of said Section 25; thence N89°58'14"E along said South line a distance of 661.51 feet, more or less, to the Point of Beginning.

Said parcel contains 6.65 acres (289,667 square feet), more or less, as described.

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

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

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

ATTEST:

President of the Council

City Clerk

Attach 4
Setting a Hearing on Zoning the Pine Industrial No. 1 Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Zoning the Pine Industrial No.1 Annexation, located at 2769 D Road.					
Meeting Date	July 19, 2006					
Date Prepared	July 7, 2006				File #ANX-2006-124	
Author	Faye Hall		Associate Planner			
Presenter Name	Faye Hall		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 zone the Pine Industrial No.1 Annexation located at 2769 D Road, to the I-2 (General Industrial) zone district.

Budget: N/A

Action Requested/Recommendation: Introduce a proposed zoning ordinance and set a public hearing for August 2, 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:		2769 D Road		
Applicants:		Owner: 39 Development, LLC – Pam Pine Representative: Development Construction Services, Inc. – Tracy Moore		
Existing Land Use:		Industrial		
Proposed Land Use:		Industrial		
Surrounding Land Use:	North	Railroad Humpyard		
	South	Vacant Industrial		
	East	Industrial salvage yard		
	West	Residential & Industrial		
Existing Zoning:		I-2		
Proposed Zoning:		I-2		
Surrounding Zoning:	North	City I-1 & I-2		
	South	City I-1		
	East	County I-2		
	West	County RSF-R		
Growth Plan Designation:		Industrial		
Zoning within density range?	X	Yes		No

Staff Analysis:

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

In order for the zoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6.A.3, 4, 5 as follows:

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

Response: The proposed zone is compatible with the neighborhood and will not create adverse impacts as the areas adjacent to this parcel are primarily Industrial zones and uses. Any issues that arise will be addressed at the time of the development of the property.

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

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

- 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.

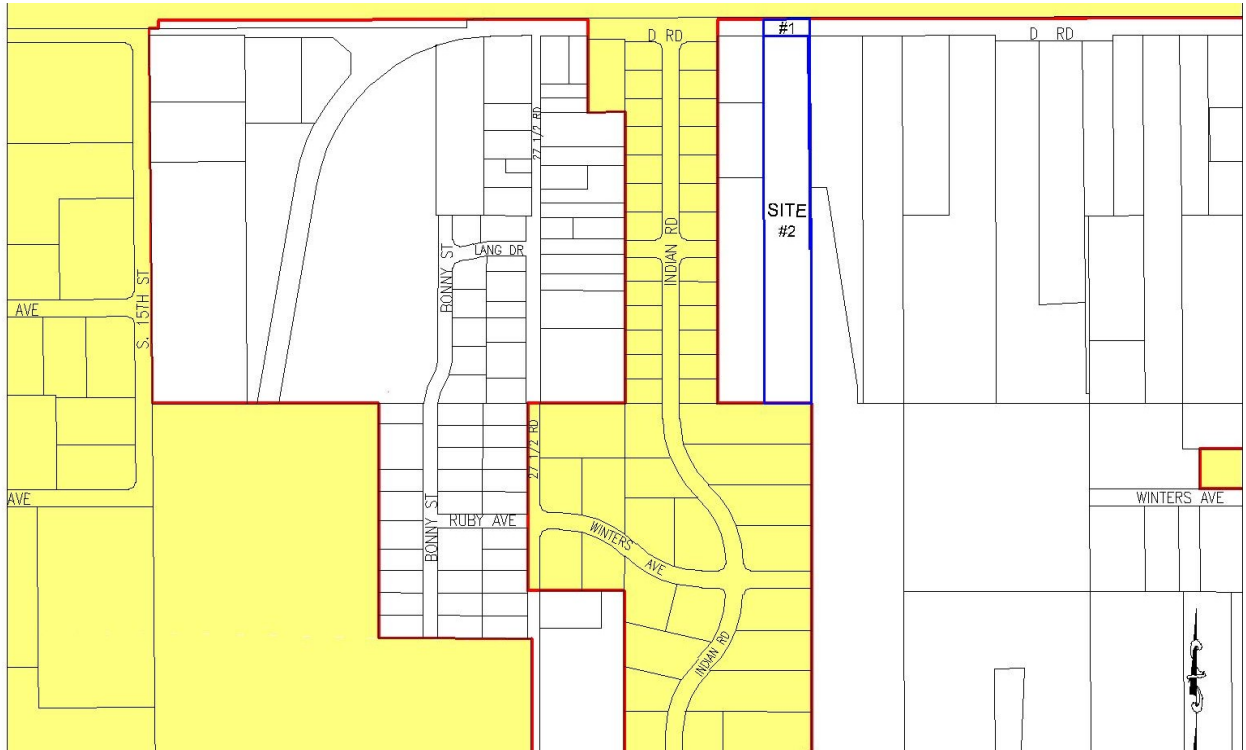
Alternatives: In addition to the zoning that the petitioner has requested, the following zone districts would also be consistent with the Growth Plan designation for the subject property.

- d. I-O
- e. I-1
- f. M-U

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

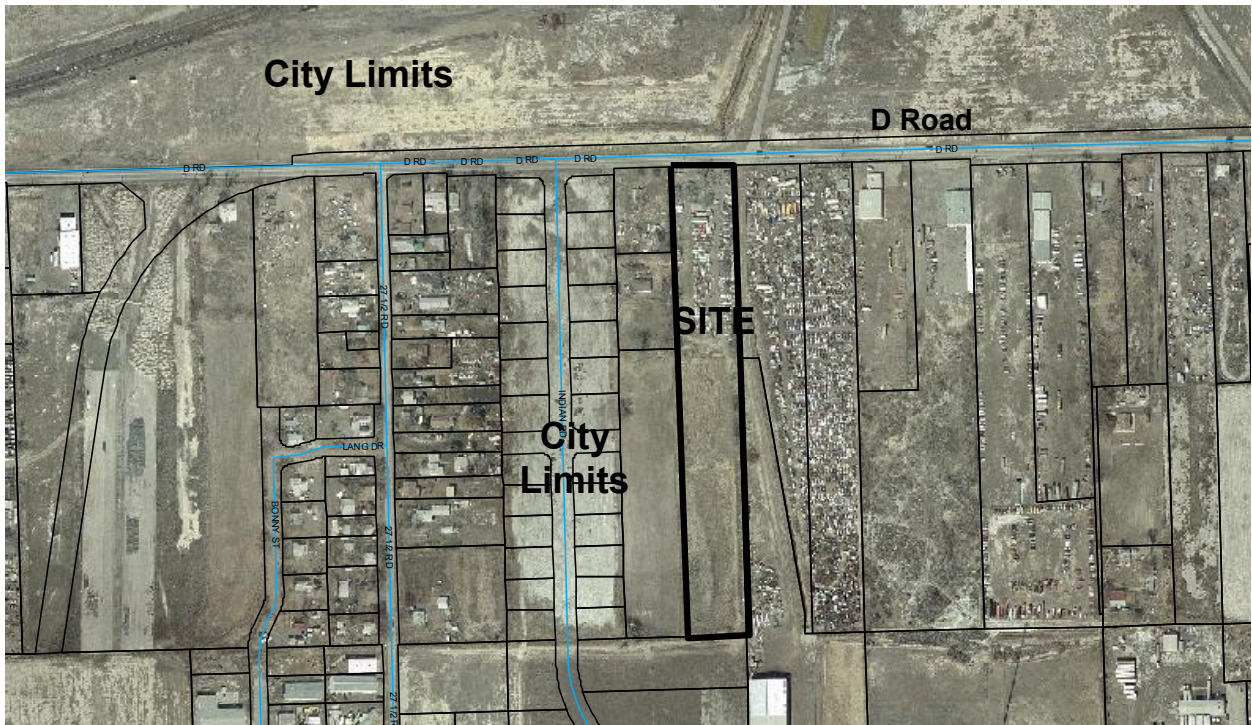
Site Location Map

Figure 1



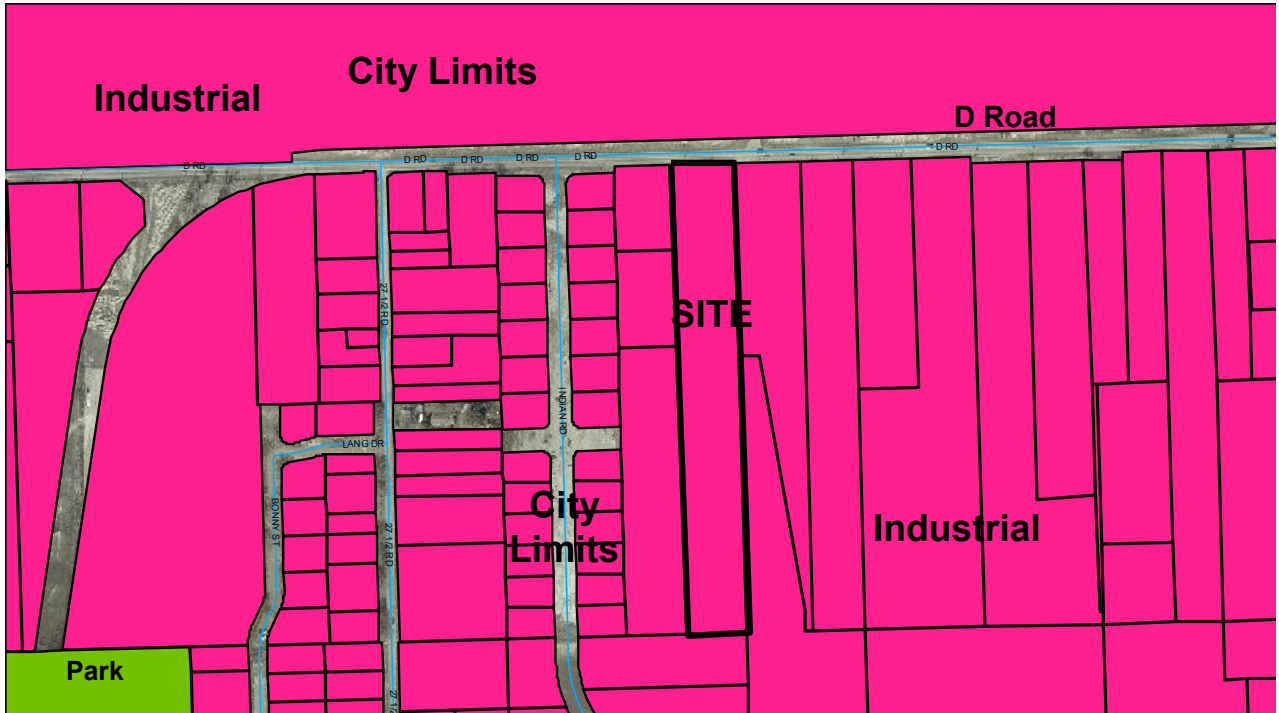
Aerial Photo Map

Figure 2



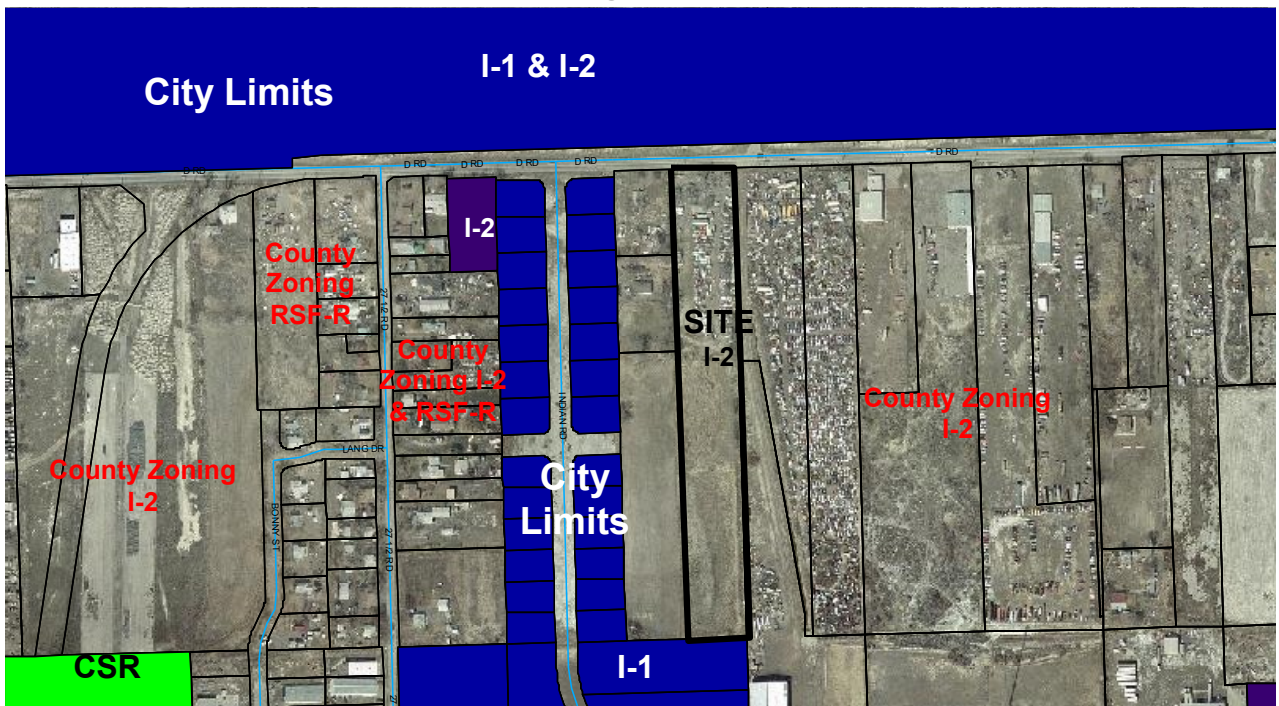
Future Land Use Map

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 PINE INDUSTRIAL NO.1 ANNEXATION TO
I-2**

LOCATED AT 2769 D ROAD

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Pine Industrial No.1 Annexation to the I-2 zone district finding that it conforms with 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 is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the I-2 zone district 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 to be zoned I-2 (General Industrial).

PINE INDUSTRIAL NO.1 ANNEXATION #1

A certain parcel of land lying in the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 24, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northeast corner of Section 24 and assuming the North line of the NE 1/4 of said Section 24 bears N89°59'19"W with all other bearings contained herein being relative thereto; thence N89°59'19"W along said North line of Section 24 to a point on the East line of that certain parcel of land described in Book 4017, Page 424, Public Records of Mesa County, Colorado, a distance of 1638.80 feet to the POINT OF BEGINNING; thence S00°00'42"W along the East line of said parcel a distance of 780.00 feet; thence N89°59'19"W a distance of 5.00 feet; thence N00°00'42"E along a line being 5.00 feet West and parallel with said East line, a distance of 750.00 feet; thence N89°59'19"W along a line being 30.00 feet South of and parallel with the North line of the NE 1/4 of said Section 24 to a point on the West line of said parcel, a distance of 158.89 feet; thence N00°02'07"E along the West line of said parcel, a distance of 58.00 feet to a point on the south line of the Darren Davidson Annexation, as same is recorded with the City of Grand Junction, Ordinance Number

3205; thence S89°59'19"E along a line 28.00 feet North of and parallel with, the North line of the NE 1/4 of said Section 24, a distance of 163.87 feet; thence S00°00'42"W a distance of 28.00 feet, more or less, to the Point of Beginning.

Said parcel contains 0.30 acres (13,256 square feet), more or less, as described.

PINE INDUSTRIAL NO. 1 ANNEXATION # 2

A certain parcel of land lying in the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 24, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

COMMENCING at the Northeast corner of Section 24 and assuming the North line of the NE 1/4 of said Section 24 bears N89°59'19"W with all other bearings contained herein being relative thereto; thence N89°59'19"W along said North line of Section 24 to a point on the East line of that certain parcel of land described in Book 4017, Page 424, Public Records of Mesa County, Colorado, a distance of 1638.80 feet; thence S00°00'42"W along the East line of said parcel a distance of 780.00 feet to the POINT OF BEGINNING; thence S00°00'42"W along the East line of said parcel a distance of 780.00 feet; thence S00°00'42"W along the East line of said parcel a distance of 541.47 feet to a point on the North line of Lot 7, Block Three of Indian Road Industrial Subdivision, as same is recorded in Plat Book 12, Page 43, Public Records of Mesa County, Colorado; thence N89°52'24"W along said North line of said Lot 7, Block Three a distance of 164.42 feet to the Southwest corner of said parcel; thence N00°02'07"E along the West line of said parcel a distance of 1291.14 feet to the Northwest corner; thence S89°59'19"E along a line being 30.00 feet South of and parallel with, the North line of the NE 1/4 of said Section 24, a distance of 158.89 feet; thence S00°00'42"W along a line being 5.00 feet West of and parallel with the East line of said parcel, a distance of 750.00 feet; thence S89°59'19"E a distance of 5.00 feet, more or less, to the Point of Beginning.

Said parcel contains 4.78 acres (208,229 square feet), more or less, as described.

Housing type, density and bulk standards shall be for the I-2 zone district.

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

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

ATTEST:

President of the Council

City Clerk

Attach 5

**Setting a Hearing on the Burkey Park II Annexation, Located at 179 28 ½ Road
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA								
Subject		Burkey Park II Annexation - Located at 179 28 ½ Road						
Meeting Date		July 19, 2006						
Date Prepared		July 13, 2006				File #ANX-2006-179		
Author		Adam Olsen		Associate Planner				
Presenter Name		Adam Olsen		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 annex 9.68 acres, located at 179 28 ½ Road. The Burkey Park II Annexation consists of 1 parcel.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution referring the petition for the Burkey Park II Annexation and introduce the proposed Ordinance and set a hearing for September 6, 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:		179 28 ½ Road		
Applicants:		City of Grand Junction, Owner		
Existing Land Use:		Vacant/Agriculture		
Proposed Land Use:		City Park		
Surrounding Land Use:	North	Residential		
	South	Residential/Agriculture		
	East	Residential		
	West	Residential		
Existing Zoning:		RSF-4		
Proposed Zoning:		CSR		
Surrounding Zoning:	North	RSF-4		
	South	RSF-4		
	East	RSF-4		
	West	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 9.68 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 Burkey Park II Annexation is eligible to be annexed because of compliance with the following:

- a) A proper petition has been signed by more than 50% of the owners and more than 50% of the property described;
- b) Not less than one-sixth of the perimeter of the area to be annexed is contiguous with the existing City limits;
- c) A community of interest exists between the area to be annexed and the City. This is so in part because the Central Grand Valley is essentially a single

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

The following annexation and zoning schedule is being proposed.

<i>ANNEXATION SCHEDULE</i>	
July 19, 2006	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
July 25, 2006	Planning Commission considers Zone of Annexation
August 16, 2006	Introduction Of A Proposed Ordinance on Zoning by City Council
September 6, 2006	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
October 8, 2006	Effective date of Annexation and Zoning

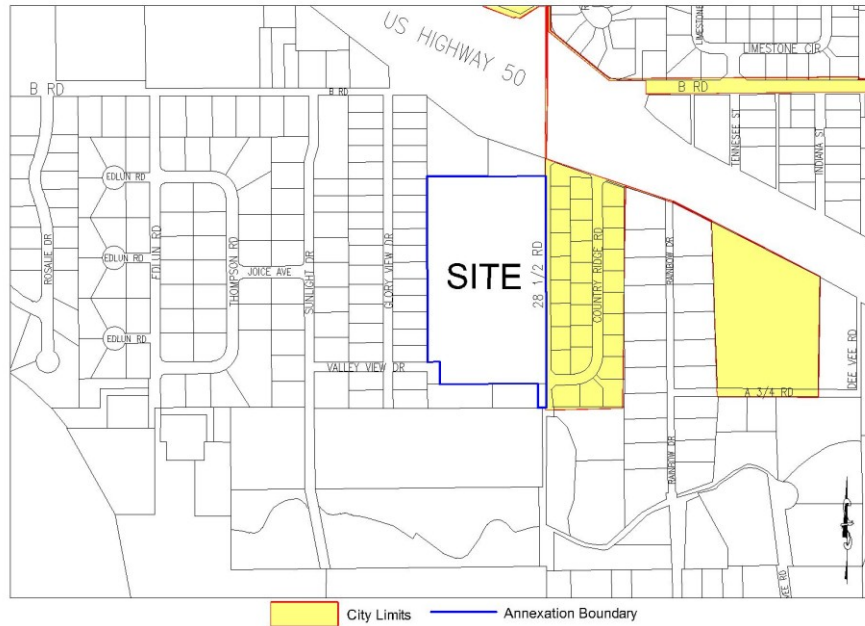
BURKEY PARK II ANNEXATION SUMMARY

File Number:	ANX-2006-179	
Location:	179 28 ½ Road	
Tax ID Number:	2943-312-00-944	
Parcels:	1	
Estimated Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	9.68	
Developable Acres Remaining:	9.68	
Right-of-way in Annexation:	3,300 ft. (.075 ac)	
Previous County Zoning:	RSF-4	
Proposed City Zoning:	CSR	
Current Land Use:	Vacant/Agriculture	
Future Land Use:	Residential Medium Low (2-4 du/ac)	
Values:	Assessed:	\$28,480
	Actual:	\$98,220
Address Ranges:	179 to 193 28 ½ Road (odd only)	
Special Districts:	Water:	Ute Water
	Sewer:	Orchard Mesa
	Fire:	GJ Rural
	Irrigation/ Drainage:	Orchard Mesa
	School:	District 51
	Pest:	Grand River Mosquito

Site Location Map

Figure 1

BURKEY PARK II Annexation



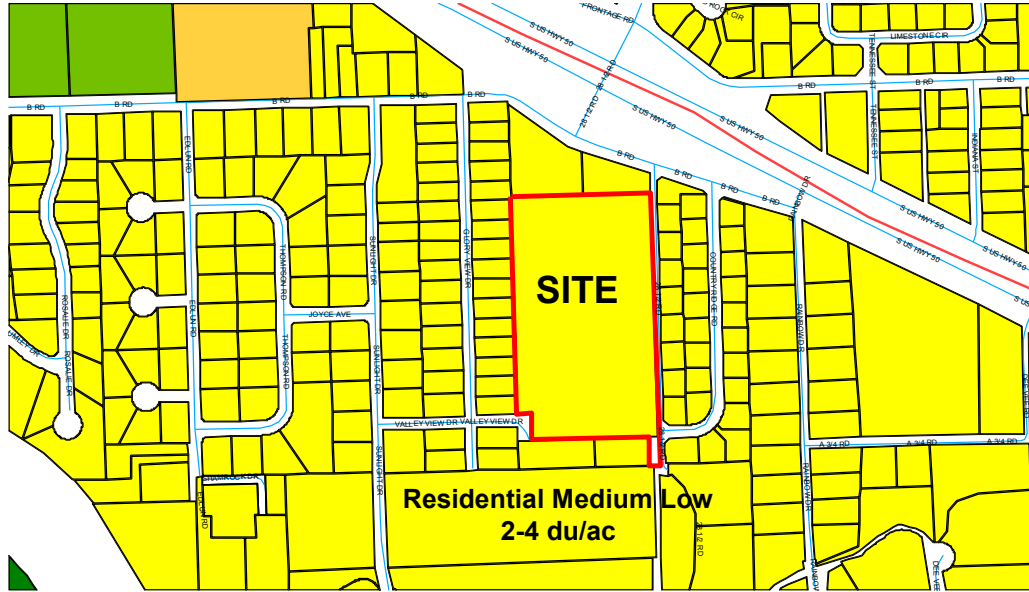
Aerial Photo Map

Figure 2



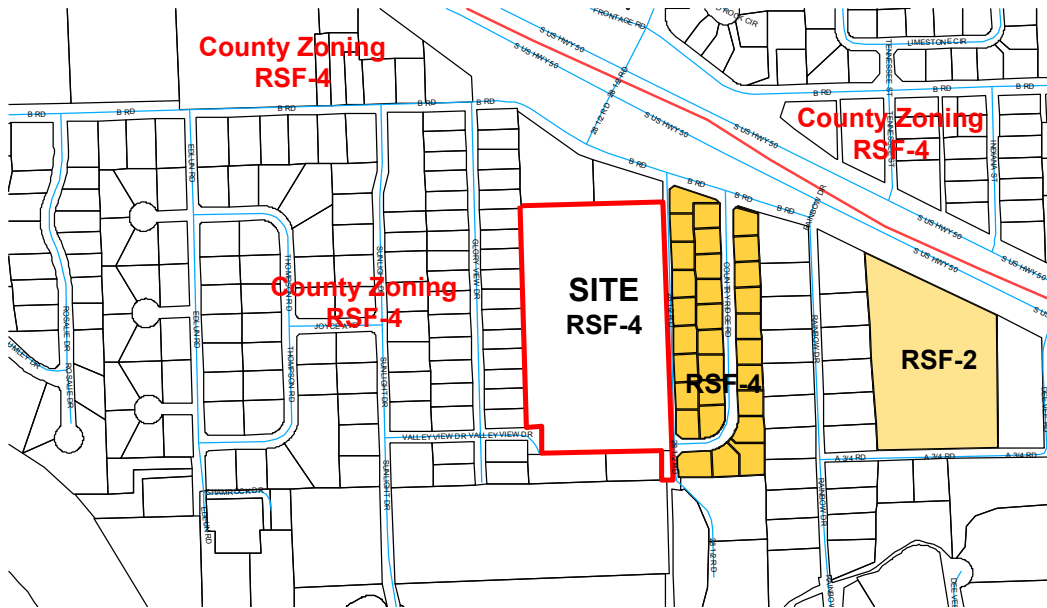
Future Land Use Map

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 19th of July, 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**

BURKEY PARK II ANNEXATION

LOCATED AT 179 28 ½ ROAD.

WHEREAS, on the 19th day of July, 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:

BURKEY PARK II ANNEXATION

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

Beginning at the Northeast corner of the SE 1/4 NW 1/4 of said Section 31, and assuming the North line of the SE 1/4 NW 1/4 of said Section 31 to bear S89°57'24"W with all bearings contained herein relative thereto; thence S89°57'24"W along the North line of the SE 1/4 NW 1/4 of said Section 31 a distance of 33.00 feet to the Southeast Corner of Lot 1 of Beezley - Hall Subdivision, as recorded in Plat Book 13, Page 149 of the Mesa County, Colorado Public Records; thence N00°00'45"W along the East line of said Lot 1 a distance of 100.00 feet to the Northeast corner of said Lot 1; thence S89°57'19"W along the North line of Lots 1 and 2 of said Beezley - Hall Subdivision, a distance of 411.51 feet to a point on the East line of a road right of way recorded in Book 1166, Page 859, Mesa County, Colorado Public Records; thence N00°00'45"W along the East line of said road right of way a distance of 91.00 feet to a point on the North line of said road right of way; thence S89°57'19"W along the North line of said road right of way a distance of 50.00 feet to a point on the East line of Alpine Acres Subdivision, recorded in Plat Book 8, Page 23, of the Mesa County, Colorado Public Records; thence N00°00'45"W along the East line of said Alpine Acres Subdivision, a distance of 764.31 feet; thence N89°57'54"E along the South line of two(2) quit claim deeds, recorded in Book 3097, Page 261 and Book 3123, Page 804, Mesa County, Colorado Public Records a distance of 494.51 feet to a point on the East line of the NE 1/4 NW 1/4 of said Section 31; thence S00°00'45"E along the East line of the SE 1/4 NW 1/4 of said Section 31 a distance of 955.23 feet to the Point of Beginning.

Said parcel contains 9.68 acres (421,689 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 6th day of September, 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>
July 21, 2006
July 28, 2006
August 4, 2006
August 11, 2006

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

BURKEY PARK II ANNEXATION

APPROXIMATELY 9.68 ACRES

LOCATED AT 179 28 ½ ROAD

WHEREAS, on the 19th day of July, 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 6th day of September, 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:

BURKEY PARK II ANNEXATION

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

Beginning at the Northeast corner of the SE 1/4 NW 1/4 of said Section 31, and assuming the North line of the SE 1/4 NW 1/4 of said Section 31 to bear S89°57'24"W with all bearings contained herein relative thereto; thence S89°57'24"W along the North line of the SE 1/4 NW 1/4 of said Section 31 a distance of 33.00 feet to the Southeast Corner of Lot 1 of Beezley - Hall Subdivision, as recorded in Plat Book 13, Page 149 of the Mesa County, Colorado Public Records; thence N00°00'45W along the East line of said Lot 1 a distance of 100.00 feet to the Northeast corner of said Lot 1; thence S89°57'19"W along the North line of Lots 1 and 2 of said Beezley - Hall Subdivision, a

distance of 411.51 feet to a point on the East line of a road right of way recorded in Book 1166, Page 859, Mesa County, Colorado Public Records; thence N00°00'45"W along the East line of said road right of way a distance of 91.00 feet to a point on the North line of said road right of way; thence S89°57'19"W along the North line of said road right of way a distance of 50.00 feet to a point on the East line of Alpine Acres Subdivision, recorded in Plat Book 8, Page 23, of the Mesa County, Colorado Public Records; thence N00°00'45"W along the East line of said Alpine Acres Subdivision, a distance of 764.31 feet; thence N89°57'54"E along the South line of two(2) quit claim deeds, recorded in Book 3097, Page 261 and Book 3123, Page 804, Mesa County, Colorado Public Records a distance of 494.51 feet to a point on the East line of the NE 1/4 NW 1/4 of said Section 31; thence S00°00'45"E along the East line of the SE 1/4 NW 1/4 of said Section 31 a distance of 955.23 feet to the Point of Beginning.

CONTAINING 9.68 Acres (421,689 Sq. Ft.), more or less, as described

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

INTRODUCED on first reading on the ____ day of _____, 200__ and ordered published.

ADOPTED on second reading this ____ day of _____, 200__.

Attest:

President of the Council

City Clerk

Attach 6
Change Order #1 for 2006 Asphalt Overlays
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Change Order No. 1 for 2006 Asphalt Overlays					
Meeting Date		July 19, 2006					
Date Prepared		July 13, 2006		File # - N/A			
Author		Justin J. Vensel		Project Manager			
Presenter Name		Mark Relph		Public Works and Utilities Director			
Report results back to Council		X	No		Yes	When	
Citizen Presentation			Yes	X	No	Name	
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: CDOT has requested that the following streets be added to the City's current 2006 Asphalt Overlay Contract:

- 1) HWY 50 from South St to Ute Ave
- 2) I-70B from Grand Ave to North Ave
- 3) HWY 340 from Mulberry to I-70B

This additional work will add 13,500 square yards of asphalt milling and 3,650 tons of hot mix asphalt grading SX binder 76-28.

Budget: Project No.: 2011-F00400

Project costs:

Construction contract (Original Contract amount)	\$1,837,251.15
Change Order No 1	<u>\$318,051.80</u>
Revised Contract Amount	\$2,155,302.95

Project funding for Change Order No. 1:

CDOT Reimbursement	\$318,051.80
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CDOT will also reimburse the City for construction inspection and administrative cost estimated to be \$6900.00

Action Requested/Recommendation: Authorize the Interim City Manager to sign Change Order No. 1 to **Elam Construction Inc.** in the amount of \$318,051.80 and a Memorandum of Agreement between CDOT and the City for overlay of State highways within the City and reimbursement for those costs.

Attachments: none

Background Information:

In 2005 the City participated with CDOT Maintenance Division to overlay a section of I-70B from Grand Avenue south to Second Street. The City was reimbursed for all costs associated with this work.

The overlay of State highways is scheduled to begin on July 25, 2006 and be completed by August 11, 2006.

Attach 7
Software Purchase for Fire and EMS Records Management
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject	Software Purchase for Fire and EMS Records Management							
Meeting Date	July 19, 2006							
Date Prepared	July 7, 2006							
Author	Susan J. Hyatt		Senior Buyer					
Presenter Name	Jim Bright Jim Finlayson		Interim Fire Chief Information Systems 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: As a result of a cooperative effort between Mesa County and the City, the Grand Junction Fire Department is seeking authorization to purchase software from High Plains Information Systems to replace the current Fire and Emergency Medical Services (EMS) Records Management System. The Fire Records Management System (Fire Manager) includes three modules: Incident Reporting, Life Safety and Human Resource Management.

Budget: A state grant for the purchase and installation of the system has been obtained by the County from the Department of Local Affairs, Energy and Mineral Impact Grants Program (\$90,209). The grant will provide 15 concurrent licenses for use by City employees. Funding for the remaining modules is budgeted in the Fire Department's Building/Facility Improvement account.

Action Requested/Recommendation: Authorize the Purchasing Division to purchase two High Plains software modules from High Plains Information Systems, Inc. in Centennial, CO in the amount of \$104,040.

Background Information: Beginning in 2004 local Fire agencies, in conjunction with the Mesa County Office of Emergency Management, began looking at an automated system which would coordinate Fire and EMS data collection, facilitate quality assurance oversight by the Medical Director for the EMS systems, and enable electronic record keeping for all of the County's Fire agencies. The Fire Manager (Fire Records Management system) developed by High Plains was selected through a Mesa County RFP process in 2005. The GJ Fire Department participated fully with the county effort and has concluded that the Incident Reporting modules of the High Plains system, when used in conjunction with the Life Safety and Human Resource Management modules would provide an excellent replacement system. It is fully

compatible with the county-wide Incident Reporting System and can be purchased at a significant savings, since only two of the three modules will have to be purchased by the city. Compatibility with the new county-wide Records Management System is very beneficial to the GJFD. As a participant in the county system, the city will be able to take advantage of the county purchased licenses for no additional cost (approximately 1/3 of the total cost of the system). The ability to integrate the Life Safety and Human Resource Management modules with the Incident Reporting module greatly increases the efficiency and effectiveness of the overall system and clearly establishes that the purchase of software from High Plains Information Systems is in the best interest of the city.

Attach 8

Change Order to Professional Services Contract for the Horizon Drive/I-70 Interchange Improvements Project to Include the 24 Road/I-70 Interchange Landscaping

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA									
Subject		Change Order to Professional Services Contract for the Horizon Drive/I-70 Interchange Improvements Project to Include the 24 Road/I-70 Interchange Landscaping							
Meeting Date		July 19, 2006							
Date Prepared		July 13, 2006				File #			
Author		Don Newton			Engineering Projects Manager				
Presenter Name		Mark Relph			Public Works and Utilities Director				
Report results back to Council		X	No		Yes	When			
Citizen Presentation			Yes	X	No	Name			
	Workshop	X	Formal Agenda				Consent	X	Individual Consideration

Summary: The City has budgeted funds to install landscaping and artistic features in the new interchange at 24 Road and I-70. To design and coordinate the landscape improvements with artistic features, staff proposes an amendment to the contract with Carter-Burgess for design of the Horizon Drive/I-70 Interchange Improvement Project.

Budget:

Project Costs:

Professional Services for Landscape/Irrigation Design (Carter-Burgess)	\$27,800
Fee for Artist solicitation and coordination (Carter-Burgess)	\$2,820
Travel and Expenses (Carter-Burgess)	<u>\$4,600</u>
Subtotal for Professional Services:	\$35,220
Construction of Landscaping and Artistic Features (est.)	\$625,000
City Engineering and Administration Costs(est.)	<u>\$14,780</u>
Total Project Cost (estimate)	\$675,000

Project Funding:

Funding

2006 Budget for 24 Rd/I-70 Interchange (2011-F44400)	\$800,000
Transfer to Horizon Dr/I-70 Interchange (2011-F47500)	<u>(\$125,000)</u>
Total funding available	\$675,000

Action Requested/Recommendation: Authorize the Interim City Manager to amend the Professional Services Contract with Carter-Burgess for the Horizon Dr/I-70 Improvement Project. This amendment will include landscaping design and coordination of landscaping and art features to be installed at the 24 Rd/I-70 Interchange. The cost of the additional services is \$35,200. This amendment will increase the Carter- Burgess Contract amount from \$102,400 to \$137,600.

Attachments: None.

Background Information: On September 26, 2005, the City entered into an agreement with Carter-Burgess of Denver, Colorado to provide Professional Services for design and coordination of landscaping and artistic features for the Horizon Drive/I-70 Interchange Improvement Project. Carter-Burgess was selected for this project by a committee consisting of representatives from the City's Public Works, Parks, Planning, and Purchasing Departments as well as two members of the Horizon Drive Business Improvement District's Board of Directors. This committee reviewed proposals from six firms and interviewed three before recommending Carter-Burgess as best qualified to provide the required landscaping design and other professional services.

Construction of the new interchange at 24 Road and I-70 is scheduled to be completed by the end of August, 2006. The City has budgeted funds to install landscaping and art features within the roundabouts and on the terraced abutment walls at each end of the new overpass. In order maintain continuity of design elements and complete the design so that the landscaping can be installed this fall, staff recommends an amendment to the Professional Services Agreement with Carter-Burgess for design of the Horizon Drive/I-70 Interchange Improvements. Carter-Burgess has completed the design of the Horizon Drive Interchange improvements and is available to begin working on the 24 Road/I-70 Interchange immediately. The proposed schedule is to complete the landscaping design by September 8, and award a landscaping construction contract on October 4, 2006.

Attach the Technical Proposal, Fee Schedule, and Project Schedule prepared by Carter Burgess (the final version of this should be available on Tuesday, 9/13.

DRAFT VERSION:

Attach 9

Construction and Maintenance Agreement with GVIC for Storm Drainage Improvements to the Ranchmen’s Ditch Drainage System

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject	Construction and Maintenance Agreement with the Grand Valley Irrigation Company for Storm Drainage Improvements to the Ranchmen’s Ditch Drainage system.							
Meeting Date	July 19, 2006							
Date Prepared	July 13, 2006				File # - N/A			
Author	Bret Guillory, Utility Engineer							
Presenter Name	John Shaver, City Attorney							
Report results back to Council	X	No		Yes	When			
Citizen Presentation		Yes	X	No	Name			
	Workshop	X	Formal Agenda				X	Individual Consideration

Summary: This is a proposed agreement to be entered into by the City of Grand Junction with the Grand Valley Irrigation Company (GVIC). The agreement will allow for construction and maintenance of piped infrastructure that will convey storm water and irrigation supply water for the Ranchmen’s Ditch Drainage.

Action Requested/Recommendation: Authorize the Interim City Manager to sign a Maintenance and Construction agreement with the construction and maintenance of the Ranchmen’s Ditch storm drainage project also known as the Big Pipe.

Attachments: Draft Construction and Maintenance Agreement

Background Information:

The "Big Pipe" project will reduce the potential for flooding and remove large commercial areas, including Grand Mesa Center, Valley Plaza Shopping Center, and restaurant row along the south side of Mesa Mall, from the 100 year flood plain. The project will include construction of detention basins in the upper reaches of the basin and improved conveyance systems through the lower portions of the basin. The improved conveyance will be accomplished by installation of large diameter pipe that will replace the existing open ditch and pipe system located along Patterson Road from 26 Road to 24½ Road, and along the south side of the Mesa Mall property to the confluence with Leach Creek.

The existing system, which conveys irrigation water and storm drainage, is operated and maintained by GVIC. GVIC has asked that the City maintain the new system once construction is complete. GVIC will retain maintenance and operation responsibilities of irrigation system control structures, valves, and irrigation and the City will operate and maintain the piped conveyance system for the water flows during the months of April through October.

Staff is in support of this agreement acknowledging that the City, as manager of the FEMA regulated flood plain, is more fitted for maintenance of this large piped infrastructure that will safely convey storm water through the urbanized area of the drainage basin.

This agreement is modeled on the recent crossing agreement between the GVIC and the City.

CONSTRUCTION AND MAINTENANCE AGREEMENT

THIS CONSTRUCTION AND MAINTENANCE AGREEMENT (Agreement) is made this _____ day of _____, 2006 and is between the **GRAND VALLEY IRRIGATION COMPANY**, a Colorado nonprofit corporation (GVIC), whose address is 688 26 Road, Grand Junction, Colorado 81506, and the **CITY OF GRAND JUNCTION**, a home rule municipality (City), whose address is 250 N. 5th Street, Grand Junction, Colorado 81501. Collectively GVIC and the City shall be referred to as "Parties."

RECITALS

- A. GVIC is the owner and operator of a system of irrigation canals and related facilities located in Mesa County, Colorado (collectively referred to as the "Canal Facilities"). The Canal Facilities include the canal bed, banks, access roads and embankments, which collectively provide the structures for the delivery and containment of irrigation water.
- B. The City proposes to construct and maintain culvert(s) and appurtenant facilities (Improvements) of the Ranchmen's Ditch from 26 Road to Leach Creek.
- C. Because GVIC owns and operates the Ranchmen's Ditch the City must obtain from GVIC consent to construct the Improvements.
- D. Upon construction and final acceptance by the City of the Improvements, City will agree to be responsible for maintaining and repairing certain portions of the Improvements as more particularly defined herein.

NOW THEREFORE, in consideration of the Recitals above, and the mutual covenants and promises set forth below, GVIC and the City agree as follows:

1. Consent. Subject to the terms and conditions of this Agreement, GVIC consents to the City's installation, repair and maintenance of the Improvements, under and across the real property described on Exhibit A attached hereto and incorporated herein by this reference, which shall hereafter be referred to as the Big Pipe Project Area. The Parties acknowledge and agree that GVIC is giving its consent without warranty, express or implied, as to the suitability of the Big Pipe Project Area for any use or purpose permitted under this Agreement.
2. Use of the Big Pipe Project Area. The use of the Big Pipe Project Area shall be solely for the construction or installation and thereafter the repair and maintenance of the Improvements, which also may be known as "The Project" or "Project."

3. Construction of the Improvements.

a. Plans and Specifications.

i. Definition. The Plans and Specifications shall consist of the designs, drawings, plans and specifications prepared by _____ dated _____, 2006, attached hereto as Exhibit B, which shall hereafter be referred to as the "Plans and Specifications." The Plans and Specifications shall include any subsequently developed designs, drawings, plans or specifications, including change orders, approved by the City.

ii. City's Warranty of Plans and Specifications. City warrants the accuracy and suitability of the Plans and Specifications for the construction or installation of the Improvements and related facilities.

4. GVIC Review. GVIC anticipates that it will incur costs and expenses in reviewing and approving the Plans and Specifications for the Project. The City agrees to reimburse GVIC up to \$10,000 for costs it incurs to review and comment on the Plans and Specifications, and to provide construction-related consultation if such consultation is requested by the City for the Project.

a. The Project The Project shall be and constitutes all labor, materials, equipment, supplies and permits or licenses, including the fees and costs of any subcontractors or suppliers, reasonable or necessary for the commencement and completion of the Project in accordance with the Plans and Specifications.

b. Commencement, Completion and Construction Schedule. The Project shall commence as soon as possible, and be completed on or before June ____, 2008. The timing, sequence and staging of the work shall be coordinated by the City with GVIC, and shall be subject to GVIC approval, to assure that all work does not interfere with GVIC's use, operation and maintenance of the Canal Facilities, and that the Improvements shall be completed by the completion dates set forth herein.

c. Conditions of Construction.

i. All construction shall be strictly in conformance with the Plans and Specifications, shall be pursued with diligence and in a good and workmanlike manner and shall comply with all laws, ordinances, rules, regulations and orders of any applicable governmental authority bearing on the performance of the work, including any applicable building or construction codes of the City. Any work not conforming thereto shall be corrected by the City at its sole expense.

- ii. The City shall pay all costs, expense, fees, or other disbursements which are reasonable or necessary for the performance of the work.
 - iii. The City and its contractor shall be solely responsible for all construction means, methods, techniques and sequences and procedures, subject to the City's obligation to coordinate with GVIC, and to complete the Project in accordance with this Agreement. The City shall further be solely responsible for obtaining or contracting for all labor, materials, equipment, tools, machinery, utilities, transportation and other services necessary for the proper execution and completion of the work, and shall be solely and absolutely obligated to pay any costs or expenses therefor.
 - iv. The City shall insure that all employees, contractors or subcontractors performing the Work shall at all times observe and conduct themselves in a disciplined and professional manner. The City shall not employ any person, contractor or subcontractor, or suffer or permit the employment of any employee of any contractor or subcontractor that is unfit or not skilled for the task assigned to him/her. The City shall furthermore be responsible for initiating, maintaining and supervising reasonable safety precautions and programs in connection with the Work to prevent bodily injury, death or property damage to any employees, subcontractors or members of the general public.
 - v. The City shall not cause or suffer any mechanic's lien or other encumbrance to be placed upon the Project or the Big Pipe Project Area, in connection with the performance of the work or any operation, repair and maintenance of the Improvements thereafter. In the event any mechanic's lien or other encumbrance is asserted or filed on the Project, the City shall immediately cause a removal thereof by bond under the Colorado Mechanic's Lien Act.
 - vi. At all time during performance of the work, the City shall keep the Improvements and the Big Pipe Project Area free from the accumulation of waste materials or rubbish. Upon completion of the Improvements, the City shall remove all waste materials and rubbish from the Big Pipe Project Area as well as all tools, construction equipment, and machinery and surplus machinery and, to the extent that the Owner disturbs and facilities adjacent to the Improvements to restore the land adjacent to the Improvements to the condition existing prior to the commencement of construction.
- d. Contractor and Subcontractors.
- i. Prior to commencement of the work, the City shall submit to GVIC a list of all contractors and subcontractors proposed for performance of

the work. The City shall not employ any contractor or subcontractor to whom GVIC has made an objection.

ii. The City shall cause each contractor and subcontractor to maintain insurance against claims and liabilities arising under the laws of the State of Colorado pertaining to workers' compensation, unemployment compensation and occupational diseases. Prior to the commencement of the work, the City shall provide to GVIC certificates of insurance showing such coverage in effect and also providing that such insurance will not be canceled or modified except upon thirty (30) days' written notice to GVIC.

5. City's Obligation to Maintain and Repair. The City shall, at its sole cost and expense, maintain and repair the Improvements, including all features, facilities and structural components thereof, so that they perform and function according to their intended use(s) and according to the Plans and Specifications, and in such a manner that they do not interfere with GVIC's use, operation, control and enjoyment of the Ranchmen's Ditch, including any seasoning, testing and correction work related thereof. The City's obligation to keep, repair and maintain the Improvements shall continue so long as the Improvements are used for the use and benefit of the public. All repairs, maintenance, seasoning, testing and correction work performed by the City shall be coordinated with GVIC, shall be completed or undertaken during the non-irrigation season, and shall not interfere with GVIC's operation, maintenance, control or use of the Canal Facilities.
6. No unreasonable Interference. The City's operation, maintenance and repair of the Improvements shall not unreasonably interfere with GVIC's use of the Big Pipe Project Area for the operation, maintenance and repair of other canal facilities. GVIC shall have ready access to any and all water control structures and valves. In further explanation of this subparagraph, the Parties agree as follows:
 - a. Irrigation Season. During the irrigation season (April 1st to October 31st), the parties agree that it shall be an unreasonable interference for the City's operation, maintenance and repair of the Improvements to stop water from flowing in the Improvements, or to involve the excavation or penetration of the Improvements, in, under or upon the Big Pipe Project Area, or to block or obstruct or close the passage of equipment, personnel or vehicles upon the canal access road for any period in excess of eight (8) hours per day or for more than one (1) day per week or to cause structural failure or instability of Improvements, except for emergency situations defined below.
 - b. Non-irrigation Season. During the non-irrigation season (November 1st through March 31st), GVIC and the City shall coordinate their respective operations, maintenance or repairs to the Improvements so as to avoid any

conflict in the respective activities of the City and GVIC in regard to the operation, repairs or maintenance of the Improvements. All repair or maintenance work performed in the non-irrigation season shall be completed on or before March 15th of such year.

- c. Emergency Situations. An emergency situation shall be deemed to mean any event, including a break, leak or failure for any reason in the Improvements that creates a danger to persons, property and/or the environment as reasonably determined by the City, any governmental entity or agency having or asserting jurisdiction thereof or GVIC. In the event of an emergency situation, the City and/or GVIC and/or other governmental entity or agency shall immediately undertake such action as is reasonable or necessary to commence repair of the Improvements as the case may be, and to diligently pursue repair efforts so as to eliminate, minimize and reduce the actual or threat of loss or damage to persons, property and/or the environment.
- d. Disagreements. In the event there is a disagreement as to whether or not the City's operation, maintenance or repair of the Improvements is or is not an unreasonable interference with the GVIC's use, operation and maintenance of the Canal Facilities, then either party may petition the Mesa County, Colorado District Court for a declarative determination of such issue.
- e. Indemnity. To the extent authorized by law the City shall indemnify and hold GVIC harmless from any and all loss, liability, claim or damage arising from or in connection with the negligence of the City in the repair or maintenance of the Improvements.

7. Default and Remedies.

- a. Default. A default on the part of the City shall be deemed to have occurred in the event the City shall fail or refuse to perform the maintenance or repair of the Improvements, or any other obligation of the City pursuant to this Agreement following GVIC's giving thirty (30) days' written notice of such failure or refusal, specifying with reasonable particularity the acts or omissions constituting such failure and refusal.
- b. Remedies. Without limitation of any other remedy available to GVIC, in the event the City shall fail or refuse to cure any nonperformance or noncompliance or other breach of this Agreement following thirty (30) days' written notice thereof, then GVIC may undertake the following remedies:
 - i. Undertake such actions as GVIC determines reasonable and necessary to cure any nonperformance or noncompliance, including the

undertaking of emergent or non-emergent repairs and/or maintenance to the Improvements;

- ii. Commence legal proceedings against the City for the recovery of all costs, expenses or other damages resulting from the City's breach of this Agreement, including but not limited to, any costs, expenses or other fees paid or incurred by GVIC in curing any nonperformance or noncompliance by the City, including the cost of GVIC's use of equipment, personnel and administrative expenses; and/or
- iii. Commence legal proceedings for injunction or specific performance as is appropriate in the circumstances.
- c. Attorneys' Fees. In the event the City or GVIC seeks to enforce any term or provision hereof by legal proceedings, the prevailing party in such legal proceeding shall be entitled to recover its reasonable attorneys' fees and costs for the same.

8. Indemnity, Insurance and Security. To the extent authorized by law, the City shall indemnify and hold GVIC harmless against any and all loss, liability, claim or damage, including but not limited to claims for bodily injury, property damage or death, arising out of or resulting from construction, installation, seasoning, testing, maintenance or repair of the Improvements, including but not limited to, any loss or liability resulting from demonstrated errors, omissions or defects in the Plans or Specifications. This indemnity shall include GVIC's reasonable attorneys' fees paid or incurred to investigate, negotiate, mediate, litigate or settle any claim, whether pending or threatened, indemnified hereunder. This indemnity shall further specifically include any claims brought by members of the general public or adjoining property owners.

9. Default and Remedies – City. Time is of the essence for the performance of the City's obligations pursuant to this Agreement. A default shall be deemed to have occurred on the part of the City in the event the City shall fail or refuse to perform any obligation pursuant to this Agreement following seven (7) business days' written notice of such failure or refusal. Without limitation on any other remedy available to GVIC, in the event the City shall fail or refuse to cure any nonperformance, noncompliance or other breach of this Agreement within seven (7) business days' notice thereof, then GVIC may, in its sole and absolute discretion, and without limitation on any other remedies available, to GVIC, undertake the following action:

- a. Terminate and/or suspend use of the Big Pipe Project Area;
- b. Undertake such actions as GVIC determines reasonable and necessary to cure any nonperformance or noncompliance by the City, including restoration of the Big Pipe Project Area, including the undertaking of

seasoning, testing and corrective work to the Improvements, or the undertaking or repairs and/or maintenance thereto, all of the foregoing to be exercised in whole or in part in GVIC's sole and absolute discretion;

- c. To commence legal proceedings for the recovery of damages and/or for injunction or specific performance as is appropriate in the circumstances, resulting from City's breach of this Agreement, including but not limited to, any costs, expenses or other fees paid or incurred by GVIC in exercising its remedies hereunder, including GVIC's use of equipment, personnel and the administrative expenses for the same.

10. Miscellaneous.

- a. Benefit. The terms of this Agreement shall inure to the benefit of and be binding upon the Parties and their successors, legal representatives and assigns.
- b. Notice. Whenever required hereunder, notice shall be deemed sufficiently given if in writing, upon mailing, United States mail, postage prepaid, certified and return receipt requested, to the Parties' addresses set forth below.

GVIC: 688 26 Road, Grand Junction, Colorado 81506
City: 250 N. 5th Street, Grand Junction, Colorado 81501
With a copy to the City Attorney at the same address

- c. Integration. This Agreement is intended to be the full, complete and integrated expression of the Parties' agreements in regard to the subject matter hereof, all prior agreements, negotiations and discussions being merged herein.

DATED the year and date first above written.

GRAND VALLEY
IRRIGATION COMPANY,
A Colorado nonprofit corporation

CITY OF GRAND JUNCTION
a home rule municipality

By: _____

By: _____

Attach 10
Public Hearing – Fletcher Annexation
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Fletcher Annexation, Located 1/2 mile west of Monument Road on South Camp Road					
Meeting Date	July 19, 2006					
Date Prepared	July 12, 2006				File #ANX-2006-108	
Author	Lori V. Bowers		Senior Planner			
Presenter Name	Lori V. Bowers		Senior Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary: Request to annex 144 acres, located 1/2 mile west of Monument Road on South Camp Road. No zoning designation is requested at this time.

Budget: N/A

Action Requested/Recommendation: 1) Adopt Resolution accepting the petition for the Fletcher Annexation, and Hold a Public Hearing to Consider final Passage of Annexation Ordinance.

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 Accepting Petition
5. Annexation Ordinance

STAFF REPORT / BACKGROUND INFORMATION					
Location:		South Camp Road, ½ mile west of Monument Rd.			
Applicants:		Owner - Eugene Fletcher; Developer – Redlands Valley Cache LLC; Representative: LANDesign Consulting Eng.			
Existing Land Use:		Vacant land			
Proposed Land Use:		Residential			
Surrounding Land Use:	North	Single Family Residential			
	South	Single Family Residential			
	East	Vacant land			
	West	Single Family Residential			
Existing Zoning:		County PUD (3 units per acre – 1979)			
Proposed Zoning:		RSF-2			
Surrounding Zoning:	North	PD			
	South	County PUD			
	East	RSF-E			
	West	County PUD			
Growth Plan Designation:		Residential Low (½ to 2 ac/du)			
Zoning within density range?		X	Yes		No

Staff Analysis:

ANNEXATION:

This annexation area consists of 144 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 Fletcher 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>	
June 7, 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
July 19, 2006	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
Aug 20, 2006	Effective date of Annexation and Zoning

ZONING:

The annexation is not being zoned at this time. A zoning request will come forward at a later date.

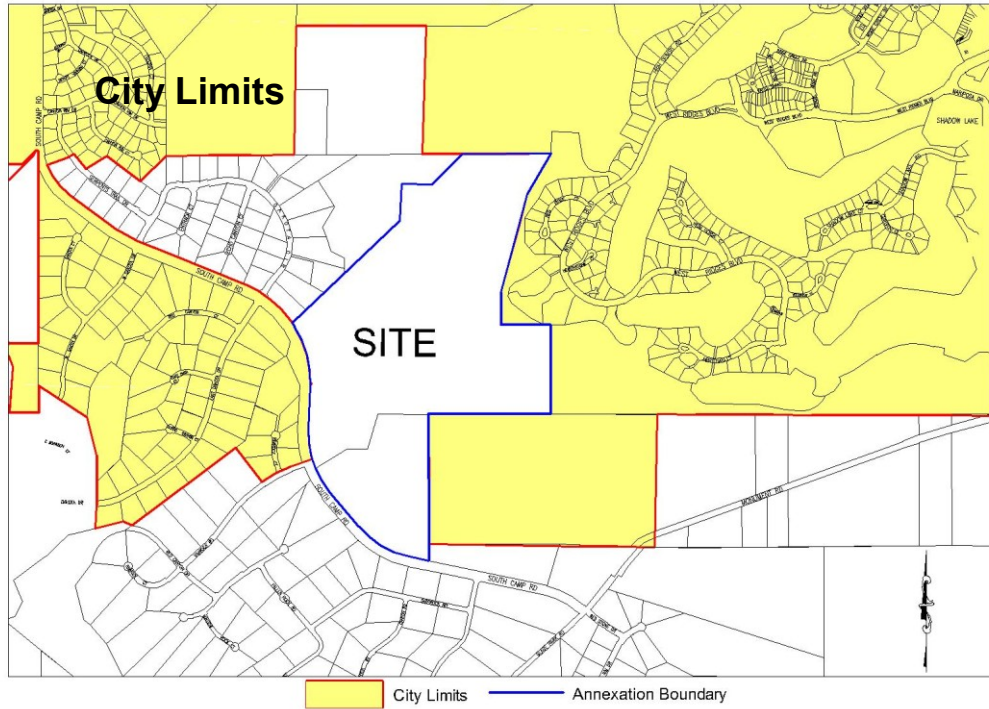
FLETCHER ANNEXATION SUMMARY

File Number:	ANX-2006-108	
Location:	South Camp Rd. ½ mile west of Monument Road	
Tax ID Numbers:	2945-194-11-001 / 2945-301-12-001	
Parcels:	2	
Estimated Population:	520	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	144 acres	
Developable Acres Remaining:	139 acres	
Right-of-way in Annexation:	5 acres, along South Camp Road	
Previous County Zoning:	PUD	
Proposed City Zoning:	RSF-2	
Current Land Use:	Vacant land	
Future Land Use:	Residential Subdivision	
Values:	Assessed:	= \$101,340
	Actual:	= \$349,460
Address Ranges:		
Special Districts:	Water:	Ute Water
	Sewer:	City of Grand Junction
	Fire:	Grand Junction Rural
	Irrigation/Drainage :	Redlands Water and Power (irrigation)
	School:	Mesa County School District #51
	Pest:	N/A

Site Location Map

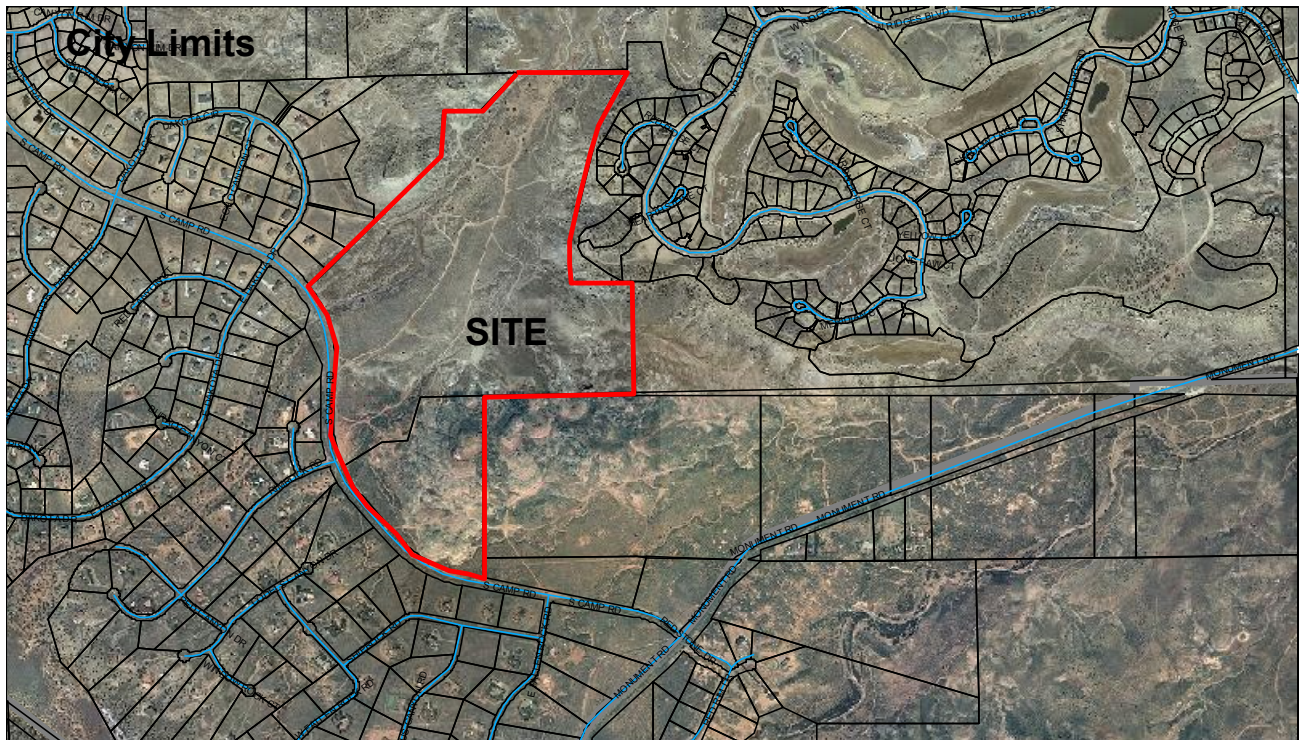
Fletcher Annexation

Fletcher Annexation
Figure 5



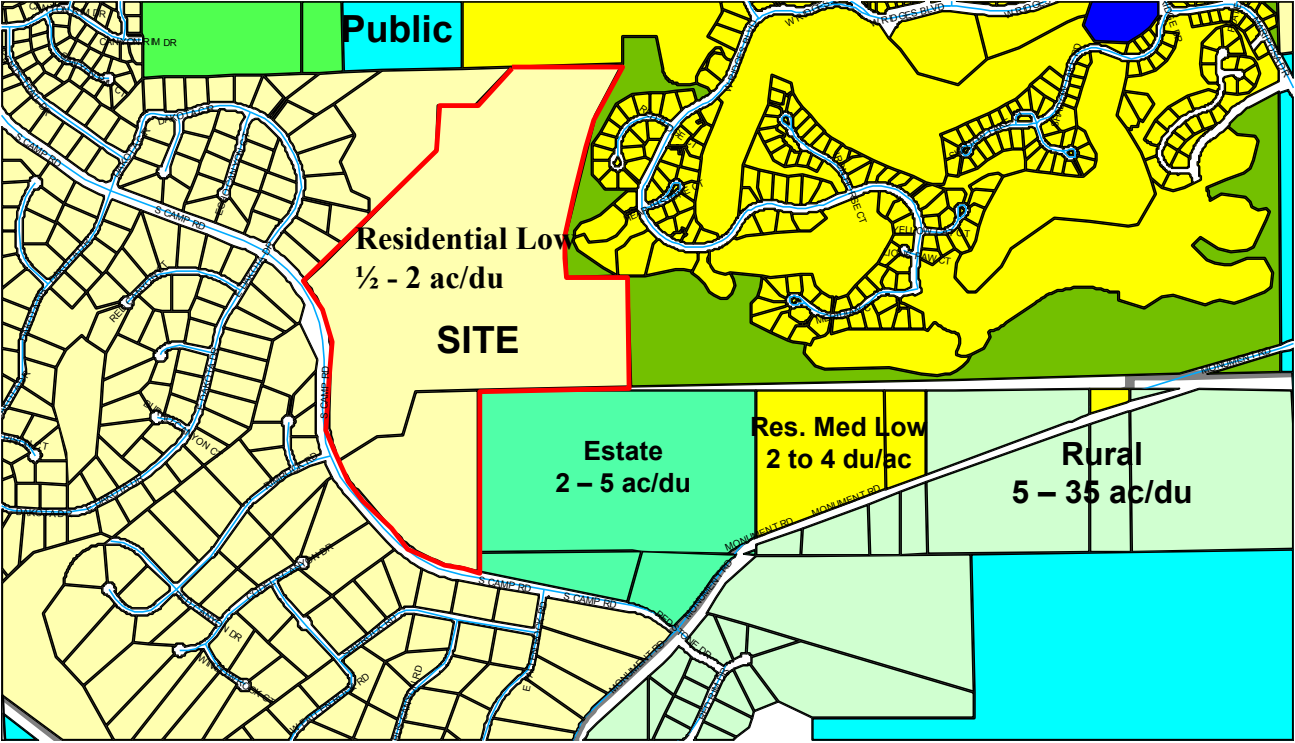
Aerial Photo Map

Fletcher Annexation



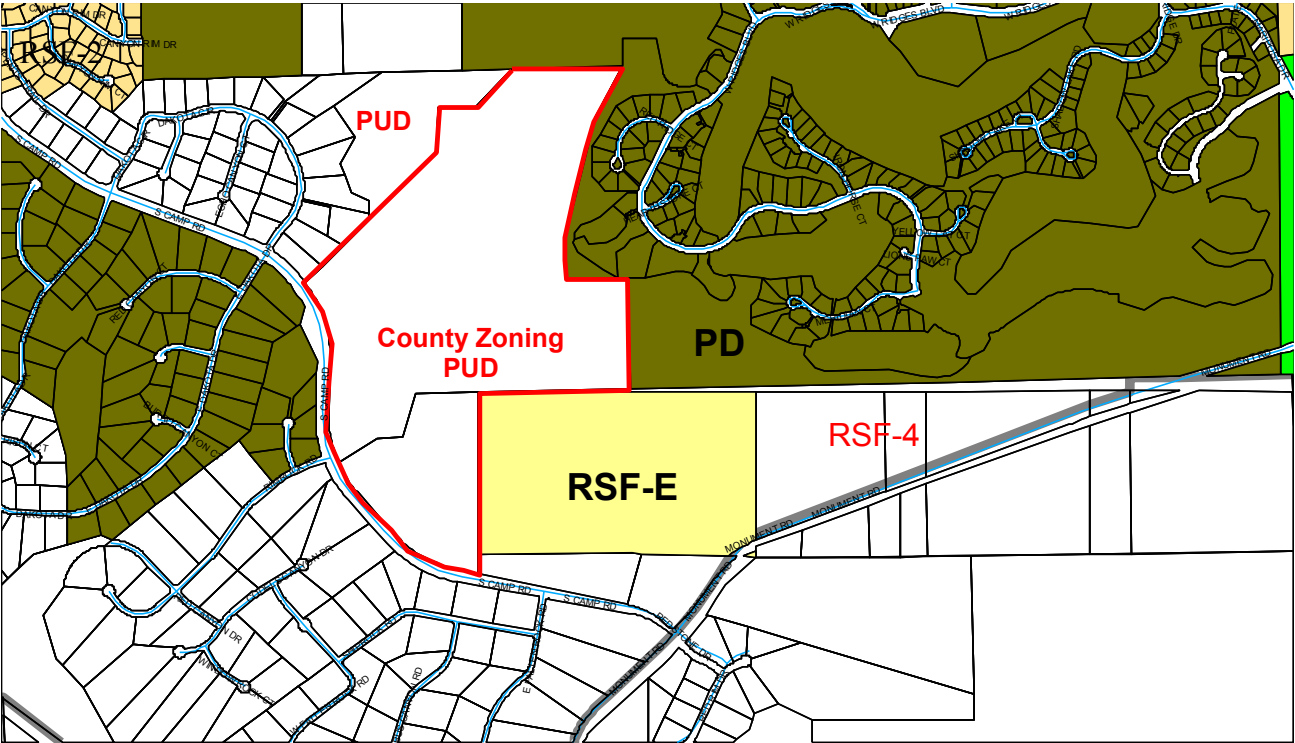
Future Land Use Map

Fletcher Annexation



Existing City and County Zoning

Fletcher Annexation



RESOLUTION NO. ____

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

FLETCHER ANNEXATION

LOCATED ON SOUTH CAMP ROAD ½ MILE WEST OF MONUMENT ROAD

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 7TH day of June, 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:

FLETCHER ANNEXATION

2945-194-11-001 & 2945-301-12-001

A certain parcel of land located in the Southeast Quarter (SE1/4) of Section 19 and the Northeast Quarter (NE1/4) of Section 30, 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 Southeast corner of Block D, Monument Valley Subdivision, as same is recorded in Plat Book 16, page 269-270, Public Records of Mesa County, Colorado, and assuming the East line of the NW1/4 NE1/4 of said Section 30 bears S00°00'15"W with all other bearings contained herein being relative thereto; thence from said Point of Beginning; S11°52'16"W to a point on the South right of way line of South Camp Road, as same is recorded in Book 997, pages 945-946, a distance of 100.00 feet; thence along said right of way N78°07'44"W a distance of 204.77 feet; thence 662.69 feet along the arc of a 1004.93 foot radius curve concave Northeast, having a central angle of 37°46'59" and a chord bearing N59°14'14"W a distance of 650.75 feet; thence N40°20'44"W a distance of 457.15 feet; thence 390.46 feet along the arc of a 1004.93 foot radius curve concave Northeast, having a central angle of 22°15'42" and a chord bearing N29°12'52"W a distance of 388.01 feet to a point on the centerline of Rimrock Drive, as same is shown on the plat of Monument Valley Subdivision Filing No. 5, as same is recorded in Plat Book 14, Pages 212-214, Public Records of Mesa County, Colorado; thence N71°52'16"E a distance of 50.00 feet to a point on the East line of the Monument Valley Annexation, City of Grand Junction Ordinance No. 2850, and the centerline of said South Camp Road; thence 353.46 feet along the arc of a 954.93 foot radius curve concave East, having a central angle of 21°12'28" and a chord bearing N07°28'38"W a distance of 351.45 feet; thence N03°07'36"E along a line 429.61 feet; thence 602.38 feet along the arc of a 954.93 foot radius curve concave West, having a central angle of 36°08'35" and a chord bearing N14°55'27"W a distance of 592.44 feet; thence N57°08'32"E a distance of 50.00 feet to

a point on the North right of way of said South Camp Road; thence S32°59'44"E a distance of 45.59 feet; thence 633.56 feet along the arc of a 1004.93 foot radius curve concave West, having a central angle of 36°07'20" and a chord bearing S14°56'04"E a distance of 623.12 feet; thence S03°07'36"W a distance of 429.95 feet; thence 686.60 feet along the arc of a 904.93 foot radius curve concave Northeast, having a central angle of 43°28'20" and a chord bearing S18°36'34"E a distance of 670.25 feet; thence S40°20'44"E a distance of 457.15 feet; thence 596.27 feet along the arc of a 904.93 foot radius curve concave Northeast, having a central angle of 37°45'09" and a chord bearing S59°13'19"E a distance of 585.54 feet; thence S78°07'44"E a distance of 205.25 feet; more or less to the Point of Beginning, TOGETHER WITH Block C and Block D, of said Monument Valley Subdivision.

Said parcel contains 144.43 acres (6,291,761 square feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 19th day of July, 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**

FLETCHER ANNEXATION

APPROXIMATELY 144 ACRES

LOCATED ON SOUTH CAMP ROAD ½ MILE WEST OF MONUMENT ROAD

WHEREAS, on the 7th day of June, 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 19th day of July, 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:

FLETCHER ANNEXATION

2945-194-11-001 & 2945-301-12-001

A certain parcel of land located in the Southeast Quarter (SE1/4) of Section 19 and the Northeast Quarter (NE1/4) of Section 30, 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 Southeast corner of Block D, Monument Valley Subdivision, as same is recorded in Plat Book 16, page 269-270, Public Records of Mesa County, Colorado, and assuming the East line of the NW1/4 NE1/4 of said Section 30 bears S00°00'15"W with all other bearings contained herein being relative thereto; thence from said Point of Beginning; S11°52'16"W to a point on the South right of way line of South Camp Road, as same is recorded in Book 997, pages 945-946, a distance of 100.00 feet; thence along said right of way N78°07'44"W a distance of 204.77 feet;

thence 662.69 feet along the arc of a 1004.93 foot radius curve concave Northeast, having a central angle of 37°46'59" and a chord bearing N59°14'14"W a distance of 650.75 feet; thence N40°20'44"W a distance of 457.15 feet; thence 390.46 feet along the arc of a 1004.93 foot radius curve concave Northeast, having a central angle of 22°15'42" and a chord bearing N29°12'52"W a distance of 388.01 feet to a point on the centerline of Rimrock Drive, as same is shown on the plat of Monument Valley Subdivision Filing No. 5, as same is recorded in Plat Book 14, Pages 212-214, Public Records of Mesa County, Colorado; thence N71°52'16"E a distance of 50.00 feet to a point on the East line of the Monument Valley Annexation, City of Grand Junction Ordinance No. 2850, and the centerline of said South Camp Road; thence 353.46 feet along the arc of a 954.93 foot radius curve concave East, having a central angle of 21°12'28" and a chord bearing N07°28'38"W a distance of 351.45 feet; thence N03°07'36"E along a line 429.61 feet; thence 602.38 feet along the arc of a 954.93 foot radius curve concave West, having a central angle of 36°08'35" and a chord bearing N14°55'27"W a distance of 592.44 feet; thence N57°08'32"E a distance of 50.00 feet to a point on the North right of way of said South Camp Road; thence S32°59'44"E a distance of 45.59 feet; thence 633.56 feet along the arc of a 1004.93 foot radius curve concave West, having a central angle of 36°07'20" and a chord bearing S14°56'04"E a distance of 623.12 feet; thence S03°07'36"W a distance of 429.95 feet; thence 686.60 feet along the arc of a 904.93 foot radius curve concave Northeast, having a central angle of 43°28'20" and a chord bearing S18°36'34"E a distance of 670.25 feet; thence S40°20'44"E a distance of 457.15 feet; thence 596.27 feet along the arc of a 904.93 foot radius curve concave Northeast, having a central angle of 37°45'09" and a chord bearing S59°13'19"E a distance of 585.54 feet; thence S78°07'44"E a distance of 205.25 feet; more or less to the Point of Beginning, TOGETHER WITH Block C and Block D, of said Monument Valley Subdivision.

Said parcel contains 144.43 acres (6,291,761 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 7th day of June, 2006 and ordered published.

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

Attest:

President of the Council

City Clerk

Attach 11
Public Hearing – Hamilton Annexation, Located at 3124 D Road
CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	A hearing for the Hamilton Annexation located at the 3124 D Road					
Meeting Date	July 19, 2006					
Date Prepared	July 13, 2006				File #ANX-2006-105	
Author	Senta L. Costello		Associate Planner			
Presenter Name	Senta L. Costello		Associate Planner			
Report results back to Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	When	
Citizen Presentation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		<input type="checkbox"/>	Consent
					<input checked="" type="checkbox"/>	Individual Consideration

Summary: Resolution for acceptance of petition to annex and to hold a public hearing and consider final passage of the annexation ordinance for the Hamilton Annexation, located at 3124 D Road. The 8.33 acre Hamilton Annexation consists of 1 parcel and is a 2 part serial annexation.

Budget: N/A

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

Background Information: See attached Staff Report/Background Information

Attachments:

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

STAFF REPORT / BACKGROUND INFORMATION			
Location:		3124 D Road	
Applicants:		Owner: Sharon A. Hamilton Developer: VnE, LLC Representative: Rhino Engineering	
Existing Land Use:		Residential/Agriculture	
Proposed Land Use:		Residential	
Surrounding Land Use:	North	Agriculture	
	South	Residential	
	East	Residential	
	West	Agriculture	
Existing Zoning:		RSF-R	
Proposed Zoning:		RMF-5	
Surrounding Zoning:	North	RSF-R	
	South	RSF-R	
	East	RMF-5	
	West	RSF-R	
Growth Plan Designation:		Residential Medium (4-8 du/ac)	
Zoning within density range?		X	Yes
			No

Staff Analysis:

ANNEXATION:

This annexation area consists of 8.33 acres of land and is comprised of 1 parcel and is a two part serial annexation. 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 Hamilton Annexation is eligible to be annexed because of compliance with the following:

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

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

The following annexation and zoning schedule is being proposed.

<i>ANNEXATION SCHEDULE</i>	
June 7, 2006	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
June 27, 2006	Planning Commission considers Zone of Annexation
July 11, 2006	Planning Commission rehearing of Zone of Annexation
July 19, 2006	Introduction Of A Proposed Ordinance on Zoning by City Council
July 19, 2006	Acceptance of Petition and Public Hearing on Annexation by City Council
August 2, 2006	Public Hearing on Zoning by City Council
August 20, 2006	Effective date of Annexation

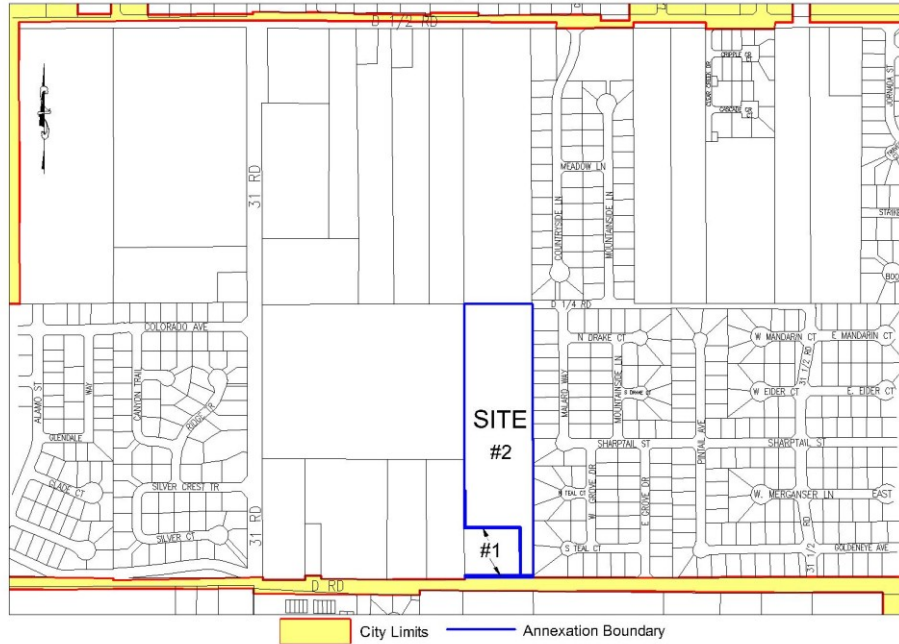
HAMILTON ANNEXATION SUMMARY

File Number:	ANX-2006-105	
Location:	3124 D Road	
Tax ID Number:	2943-153-48-002	
Parcels:	1	
Estimated Population:	2	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	1	
Acres land annexed:	8.33 acres	
Developable Acres Remaining:	8.0 acres	
Right-of-way in Annexation:	3,281 sq. ft. D Road right-of-way	
Previous County Zoning:	RSF-R	
Proposed City Zoning:	RMF-5	
Current Land Use:	Residential/Agriculture	
Future Land Use:	Residential	
Values:	Assessed:	= \$19,220
	Actual:	= \$241,380
Address Ranges:	3124 D Road	
Special Districts:	Water:	Clifton Water District
	Sewer:	Central Grand Valley Sanitation District
	Fire:	Clifton Fire District
	Irrigation/ Drainage:	Grand Junction Drainage District
	School:	Mesa County School District 51
	Pest:	Grand River Pest and Upper Grand Valley Pest

Site Location Map

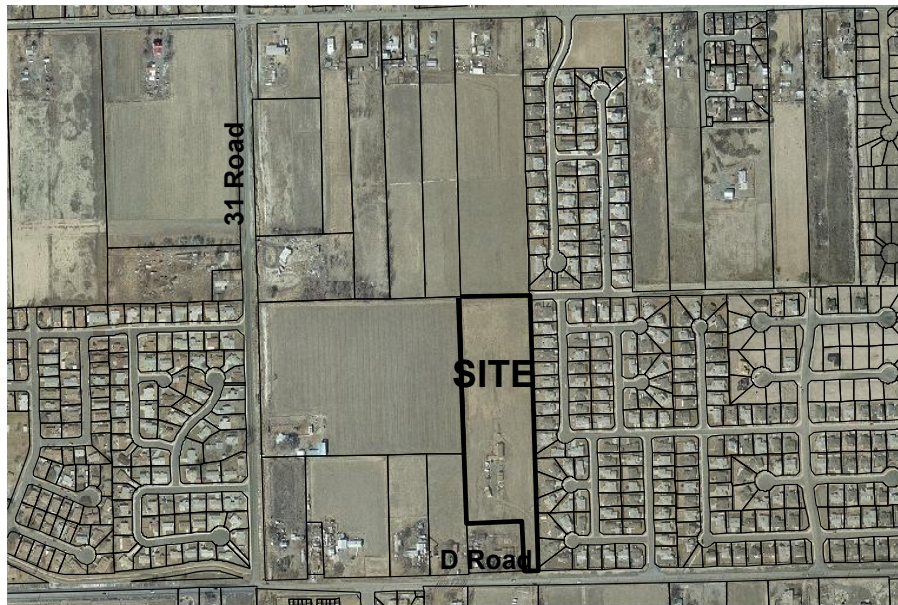
Figure 1

Hamiton Annexation
Figure 5



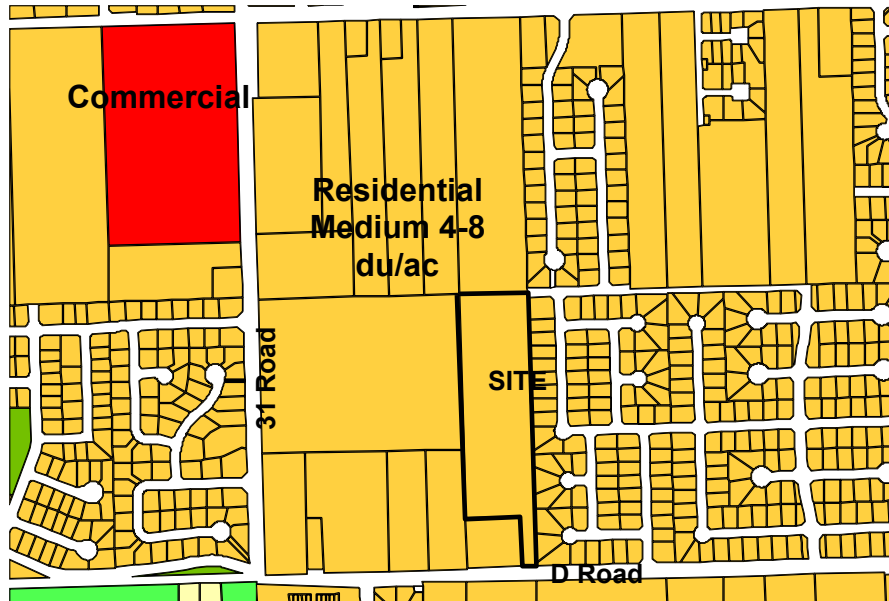
Aerial Photo Map

Figure 2



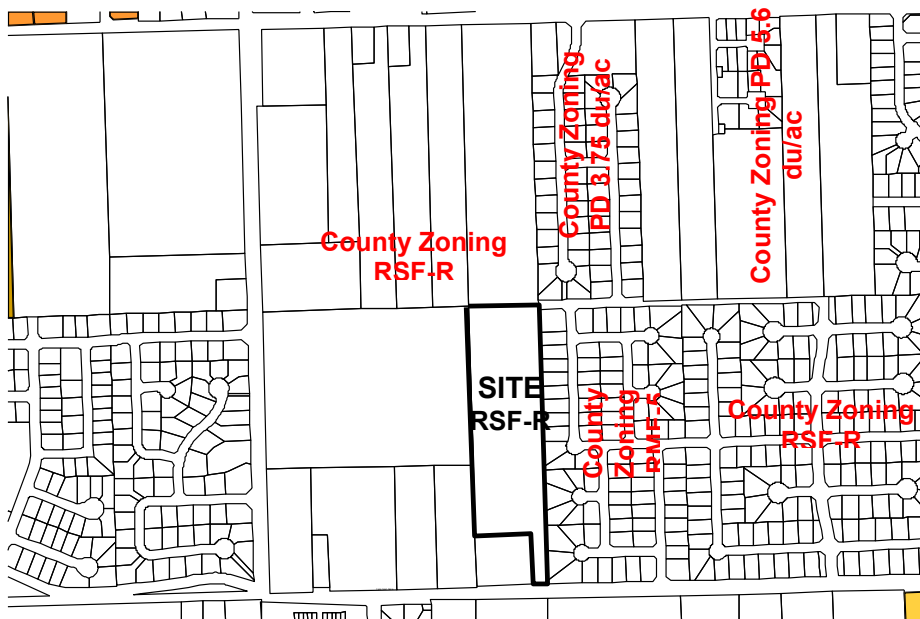
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

RESOLUTION NO. ____

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

HAMILTON ANNEXATION

**LOCATED AT 3124 D ROAD AND INCLUDING A PORTION OF THE D ROAD RIGHT-
OF-WAY**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 7th day of June, 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:

HAMILTON ANNEXATION NO. 1

A certain parcel of land located in the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section 15, 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 Southeast corner of the SW1/4 SW1/4 of said Section 15, and assuming the East line of the SW1/4 SW1/4 of said Section 15 to bear N00°01'26"W with all bearings contained herein relative thereto; thence N00°01'26"W, along the East line of the SW1/4 SW1/4 of said Section 15, a distance of 30.00 feet to the POINT OF BEGINNING; thence N89°53'26"W along a line 30.00 feet north of and parallel with the south line of the SW 1/4 SW 1/4 of said section 15, a distance of 328.12 feet; thence N00°00'40"W, a distance of 10.00 feet to a point being the Southwest corner of lot One, Bailey Minor Subdivision, as Recorded in Plat Book 13, page 480 of the Mesa County, Colorado, Public Records; thence S89°53'26"E along the South line of said Lot One, a distance of 264.12 feet to the Southeast corner of said Lot; thence N00°01'26"W, along the East line of said Lot One, a distance of 228.00 feet to a point being the Northeast corner of said Lot One; thence N89°53'26"W, along the North line of said Lot One, a distance of 264.06 feet to a point being the Northwest corner of said lot One; thence N00°00'40"W, along the West line of Lot Two, a distance of 180.00 feet; thence S89°53'26"E, a distance of 5.00 feet; thence S00°00'40"E along a line being 5.00 feet East of and parallel with the West line of said Lot Two, a distance of 175.00 feet; thence S89°53'26"E along a line being 5.00 feet North of and parallel with the North line of said Lot One a distance of 264.06 feet; thence S00°01'26"E along a line being 5.00 feet East of and parallel with the East line of said Lot One a distance of 233.00 feet, to a point on the North right of way of D Road; thence along said right of way S89°53'26"E a distance of 59.00 feet to a point on the East line of the SW1/4 SW1/4 of said Section

15; thence S00°01'26"E along said East line a distance of 10.00 feet, more or less, to the POINT OF BEGINNING.

Said parcel contains 0.15 acres (6642 square feet), more or less, as described.

HAMILTON ANNEXATION NO. 2

A certain parcel of land located in the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section 15, 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 Southeast corner of the SW1/4 SW1/4 of said Section 15, and assuming the East line of the SW1/4 SW1/4 of said Section 15 to bear N00°01'26"W with all bearings contained herein relative thereto; thence N00°01'26"W, along the East line of the SW 1/4 SW 1/4 of said Section 15, a distance of 40.00 feet to the POINT OF BEGINNING; thence N89°53'26"W, a distance of 59.00 feet; thence N00°01'26"W, a distance of 233.00 feet; thence N89°53'26"W a distance of 264.06 feet; thence N00°00'40"W, a distance of 175.00 feet; thence N89°53'26"W, a distance of 5.00 to a point on the West line of Lot Two of Bailey Minor Subdivision, as same is shown on the plat of Bailey Minor Subdivision, as Recorded in Plat Book 13, page 480 of the Mesa County, Colorado, Public Records; thence N00°00'40"W along said West line, a distance of 872.02 feet to a point being the Northwest corner of said lot two; thence S89°53'43"E along the North line of said Lot Two, a distance of 327.83 feet to the Northeast corner of the SW1/4 SW1/4 of said section 15; thence S00°01'26"E along the East line of the SW1/4 SW1/4 of said section 15 a distance of 1280.04 feet; more or less to the POINT OF BEGINNING.

Said parcel contains 8.18 acres (356,244 square feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 19th day of July, 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**

HAMILTON ANNEXATION #1

APPROXIMATELY 0.15 ACRES

**LOCATED AT 3124 D ROAD AND INCLUDING A PORTION OF THE D ROAD RIGHT-
OF-WAY**

WHEREAS, on the 7th day of June, 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 19th day of July, 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:

HAMILTON ANNEXATION NO. 1

A certain parcel of land located in the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section 15, 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 Southeast corner of the SW1/4 SW1/4 of said Section 15, and assuming the East line of the SW1/4 SW1/4 of said Section 15 to bear N00°01'26"W with all bearings contained herein relative thereto; thence N00°01'26"W, along the East line of the SW1/4 SW1/4 of said Section 15, a distance of 30.00 feet to the POINT OF BEGINNING; thence N89°53'26"W along a line 30.00 feet north of and parallel with the south line of the SW 1/4 SW 1/4 of said section 15, a distance of 328.12 feet; thence

N00°00'40"W, a distance of 10.00 feet to a point being the Southwest corner of lot One, Bailey Minor Subdivision, as Recorded in Plat Book 13, page 480 of the Mesa County, Colorado, Public Records; thence S89°53'26"E along the South line of said Lot One, a distance of 264.12 feet to the Southeast corner of said Lot; thence N00°01'26"W, along the East line of said Lot One, a distance of 228.00 feet to a point being the Northeast corner of said Lot One; thence N89°53'26"W, along the North line of said Lot One, a distance of 264.06 feet to a point being the Northwest corner of said lot One; thence N00°00'40"W, along the West line of Lot Two, a distance of 180.00 feet; thence S89°53'26"E, a distance of 5.00 feet; thence S00°00'40"E along a line being 5.00 feet East of and parallel with the West line of said Lot Two, a distance of 175.00 feet; thence S89°53'26"E along a line being 5.00 feet North of and parallel with the North line of said Lot One a distance of 264.06 feet; thence S00°01'26"E along a line being 5.00 feet East of and parallel with the East line of said Lot One a distance of 233.00 feet, to a point on the North right of way of D Road; thence along said right of way S89°53'26"E a distance of 59.00 feet to a point on the East line of the SW1/4 SW1/4 of said Section 15; thence S00°01'26"E along said East line a distance of 10.00 feet, more or less, to the POINT OF BEGINNING.

Said parcel contains 0.15 acres (6642 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 7th day of June, 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**

HAMILTON ANNEXATION #2

APPROXIMATELY 8.18 ACRES

LOCATED AT 3124 D ROAD

WHEREAS, on the 7th day of June, 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 19th day of July, 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:

HAMILTON ANNEXATION NO.2

A certain parcel of land located in the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section 15, 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 Southeast corner of the SW1/4 SW1/4 of said Section 15, and assuming the East line of the SW1/4 SW1/4 of said Section 15 to bear N00°01'26"W with all bearings contained herein relative thereto; thence N00°01'26"W, along the East line of the SW 1/4 SW 1/4 of said Section 15, a distance of 40.00 feet to the POINT OF BEGINNING; thence N89°53'26"W, a distance of 59.00 feet; thence N00°01'26"W, a distance of 233.00 feet; thence N89°53'26"W a distance of 264.06 feet; thence N00°00'40"W, a distance of 175.00 feet; thence N89°53'26"W, a distance of 5.00 to a point on the West line of Lot Two of Bailey Minor Subdivision, as same is shown on the

plat of Bailey Minor Subdivision, as Recorded in Plat Book 13, page 480 of the Mesa County, Colorado, Public Records; thence N00°00'40"W along said West line, a distance of 872.02 feet to a point being the Northwest corner of said lot two; thence S89°53'43"E along the North line of said Lot Two, a distance of 327.83 feet to the Northeast corner of the SW1/4 SW1/4 of said section 15; thence S00°01'26"E along the East line of the SW1/4 SW1/4 of said section 15 a distance of 1280.04 feet; more or less to the POINT OF BEGINNING.

Said parcel contains 8.18 acres (356,244 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 7th day of June, 2006 and ordered published.

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

Attest:

President of the Council

City Clerk

Attach 12

**Public Hearing – Vodopich Annexation and Zoning, Located at 3023 F ½ Road
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
Subject	Annexation and zoning of the Vodopich Annexation located at 3023 F ½ Road					
Meeting Date	July 19, 2006					
Date Prepared	July 6, 2006				File #ANX-2006-109	
Author	Faye Hall		Associate Planner			
Presenter Name	Faye Hall		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 type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		<input type="checkbox"/>	Consent
					<input checked="" type="checkbox"/>	Individual Consideration

Summary: Acceptance of a petition to annex and consider the annexation and zoning for the Vodopich Annexation. The Vodopich Annexation is located at 3023 F ½ Road and consists of one parcel on 3.23 acres. The zoning being requested is RSF-4.

Budget: N/A

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

Background Information: See attached Staff Report/Background Information

Attachments:

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

STAFF REPORT/BACKGROUND INFORMATION			
Location:		3023 F ½ Road	
Applicants:		Owner: JBB Corporation – Jurgen Denk Developer: Jurgen Denk Representative: Troy Nesheim	
Existing Land Use:		Residential	
Proposed Land Use:		Residential	
Surrounding Land Use:	North	Residential	
	South	Residential	
	East	Residential	
	West	Residential	
Existing Zoning:		RSF-R	
Proposed Zoning:		RSF-4	
Surrounding Zoning:	North	County RSF-R	
	South	County RMF-5	
	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 3.23 acres of land and is comprised of one 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 Vodopich 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>	
June 7, 2006	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
June 27, 2006	Planning Commission considers Zone of Annexation
July 5, 2006	Introduction Of A Proposed Ordinance on Zoning by City Council and Acceptance of Petition and Public Hearing on Annexation
July 19, 2006	Zoning by City Council
August 20, 2006	Effective date of Annexation and Zoning

<u>VODOPICH ANNEXATION SUMMARY</u>		
File Number:	ANX-2006-109	
Location:	3023 F ½ Road	
Tax ID Number:	2943-043-00-047	
Parcels:	1	
Estimated Population:	0	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	1	
Acres land annexed:	3.23	
Developable Acres Remaining:	3.23	
Right-of-way in Annexation:	None	
Previous County Zoning:	RSF-R	
Proposed City Zoning:	RSF-4	
Current Land Use:	Residential	
Future Land Use:	Residential	
Values:	Assessed:	\$9,370
	Actual:	\$117,750
Address Ranges:	3015 thru 3025 F ½ Road (odd only)	
Special Districts:	Water:	Clifton Water
	Sewer:	Cental Grand Valley
	Fire:	Clifton Fire
	Irrigation/Drainage:	Grand Valley Irrigation Grand Junction Drainage
	School:	District 51

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

In order for the zoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6.A.3, 4, 5 as follows:

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

Response: The proposed zone district is compatible with the neighborhood and will not create adverse impacts. The Lauradale Subdivision in the county located Southwest of this property, across the canal, is zoned RMF-5. The Stonegate Subdivision in the county located approximately ¼ mile East is zoned PD with a density of 5 units per acre. The Monarch Glen Subdivision located to the south is zoned RSF-4. The properties that are directly adjacent, have not yet been developed and have a county zoning of RSF-R, but have the potential of being developed at a density of 4 units per acre. The properties that are located on the north side of F ½ Road are restricted to a density of 1 unit per 5 acres due to the Critical Zone of the airport, which is the approach and departure path of the airport where accidents are more apt to happen due to the takeoff and landing of aircraft.

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

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

- 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.

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

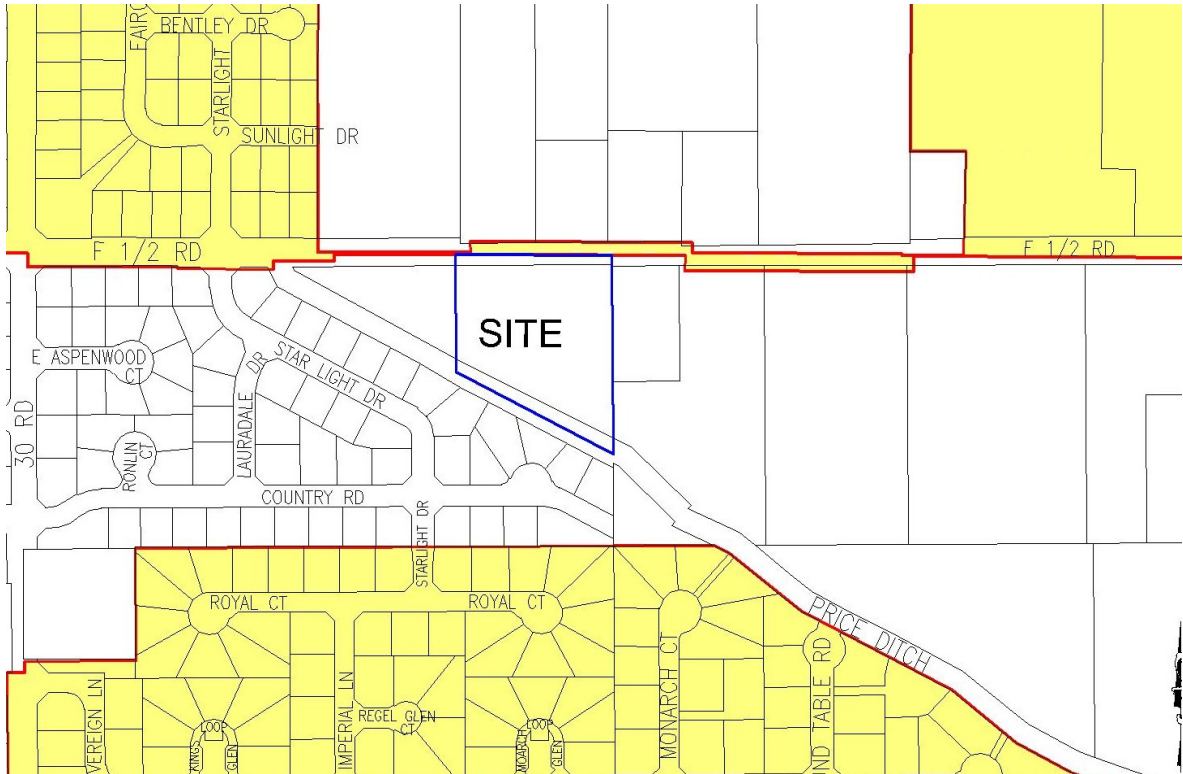
- g. RSF-2

PLANNING COMMISSION RECOMMENDATION:

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

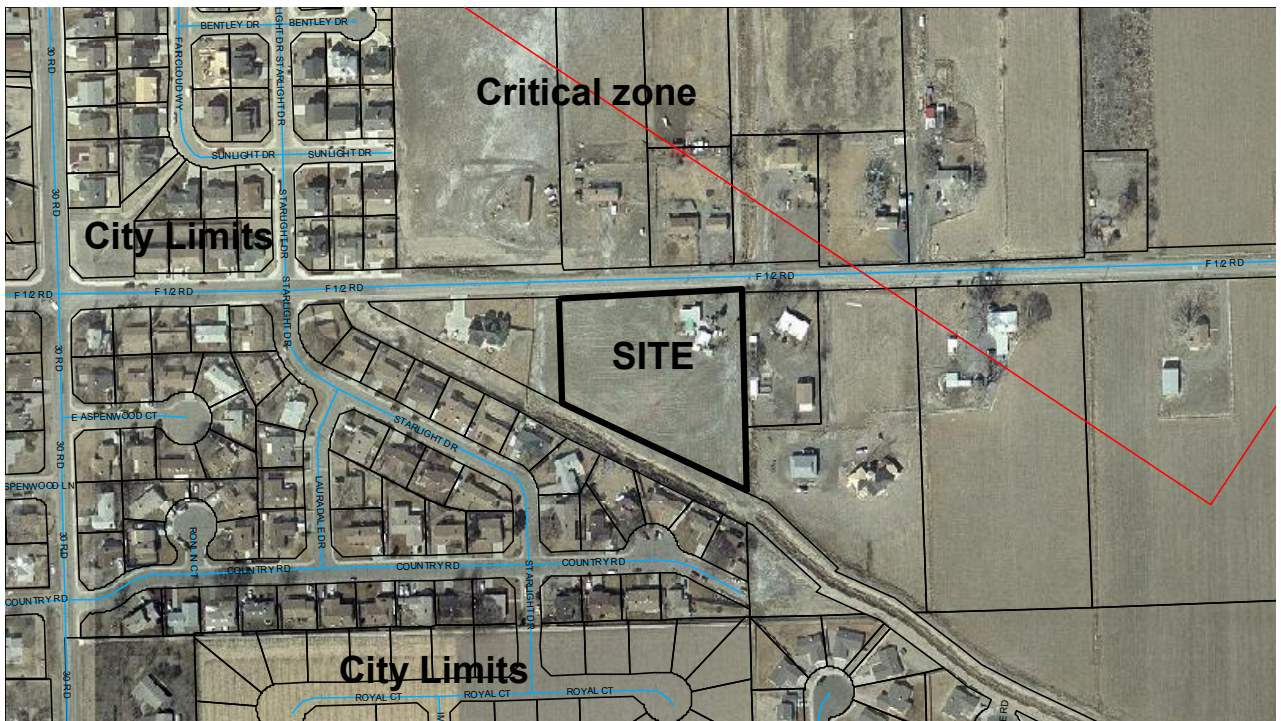
Site Location Map

Figure 1



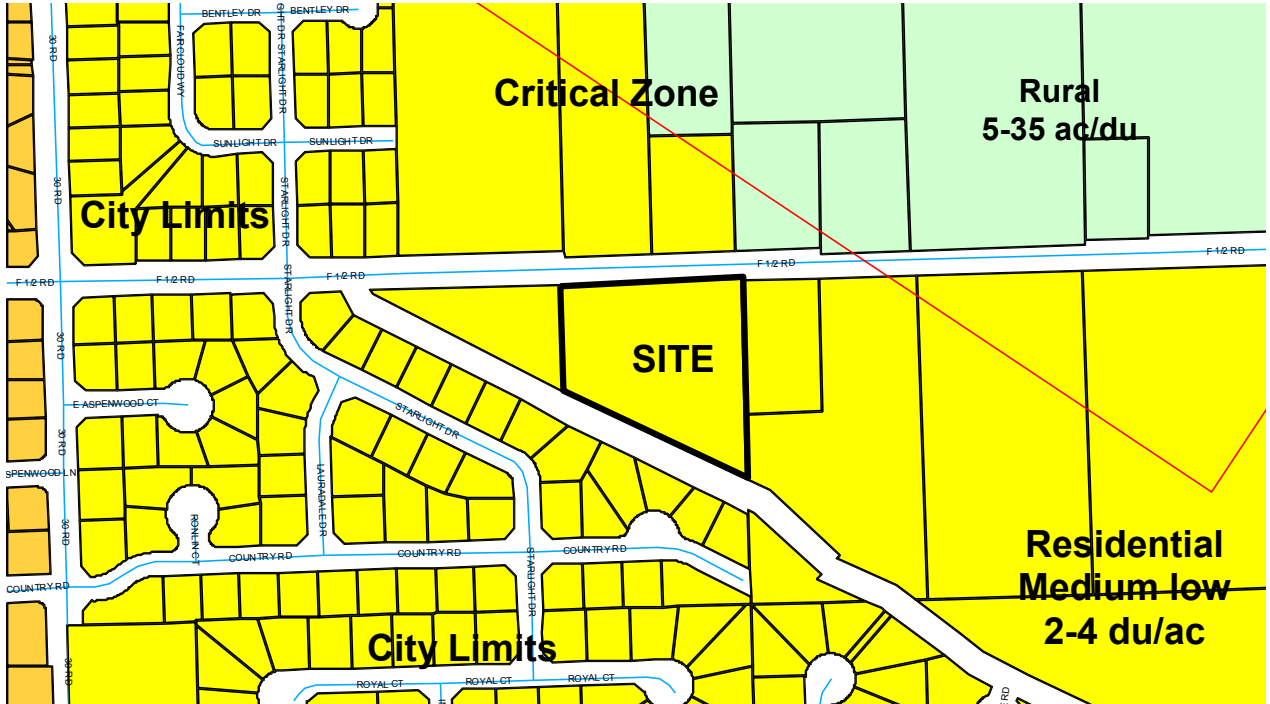
Aerial Photo Map

Figure 2



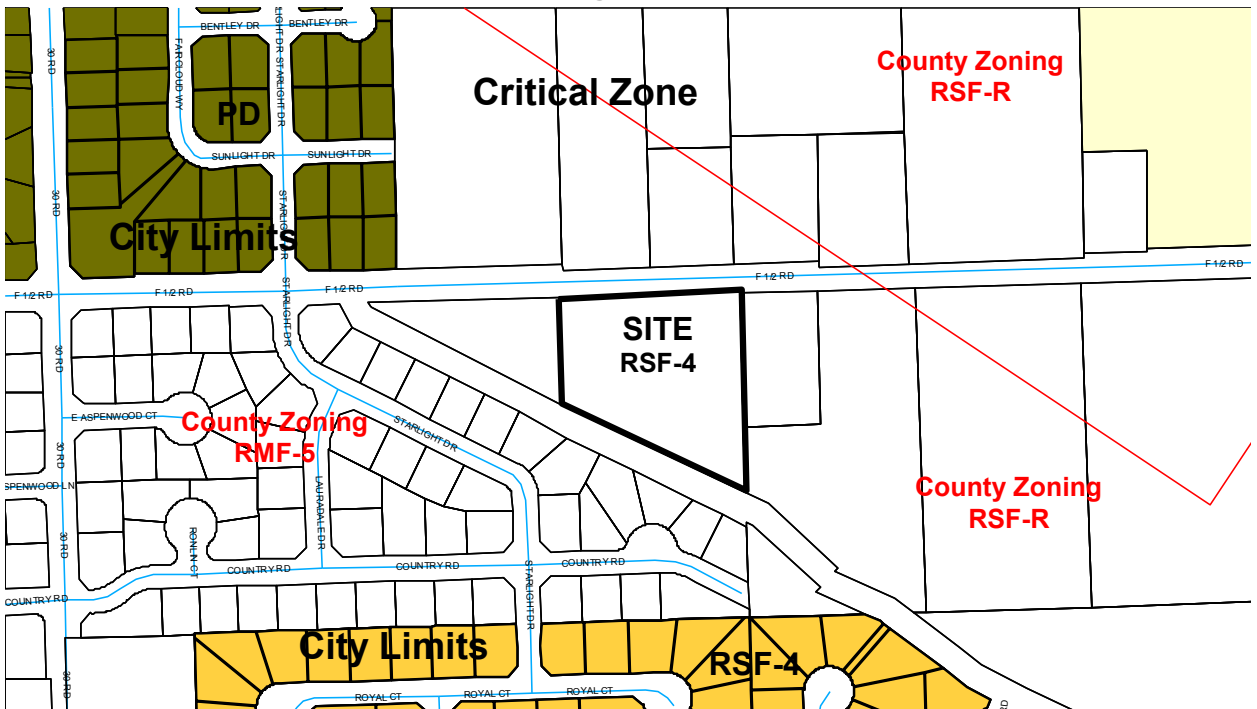
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



RESOLUTION NO. ____

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

VODOPICH ANNEXATION

LOCATED AT 3023 F ½ ROAD

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 7th day of June, 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:

VODOPICH ANNEXATION

A certain parcel of land located in the Northwest Quarter of the Southwest Quarter (NW1/4 SW1/4) 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 SW1/4 of said Section 4 and assuming the East line of the NW1/4 SW1/4 of said Section 4 bears S00°10'25"E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S00°10'25"E along the East line of the NW1/4 SW1/4 of said Section 4 a distance of 453.62 feet to the Price Ditch, as described in Book 2266, Page 760 of the Mesa County, Colorado Public Records; thence N62°01'59"W along said Price Ditch a distance of 461.46; thence N00°01'57"W a distance of 236.96 feet to a point on the North line of the NW1/4 SW1/4 of said Section 4; thence N89°57'52"E along the North line of the NW1/4 SW1/4 of said Section 4, a distance of 406.33, more or less to the POINT OF BEGINNING.

Said parcel contains 3.23 acres (140,707 square feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 19th day of July, 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**

VODOPICH ANNEXATION

APPROXIMATELY 3.23 ACRES

LOCATED AT 3023 F ½ ROAD

WHEREAS, on the 7th day of June, 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 19th day of July, 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:

Vodopich Annexation

A certain parcel of land located in the Northwest Quarter of the Southwest Quarter (NW1/4 SW1/4) 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 SW1/4 of said Section 4 and assuming the East line of the NW1/4 SW1/4 of said Section 4 bears S00°10'25"E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S00°10'25"E along the East line of the NW1/4 SW1/4 of said Section 4 a distance of 453.62 feet to the Price Ditch, as described in Book 2266, Page 760 of the Mesa County, Colorado Public Records; thence N62°01'59"W along said Price Ditch a distance of 461.46; thence N00°01'57"W a distance of 236.96 feet to a point on the North line of the NW1/4 SW1/4 of said Section 4; thence N89°57'52"E along the North

line of the NW1/4 SW1/4 of said Section 4, a distance of 406.33, more or less to the POINT OF BEGINNING.

Said parcel contains 3.23 acres (140,707 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 7th day of June, 2006 and ordered published.

ADOPTED this _____ day of _____, 2006.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE VODOPICH ANNEXATION TO
RSF-4**

LOCATED AT 3023 F ½ ROAD

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Vodopich Annexation to the RSF-4 zone district finding that it conforms with 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 is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-4 zone district 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 be zoned Residential Single Family with a density not to exceed 4 units per acre.

VODOPICH ANNEXATION

A certain parcel of land located in the Northwest Quarter of the Southwest Quarter (NW1/4 SW1/4) 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 SW1/4 of said Section 4 and assuming the East line of the NW1/4 SW1/4 of said Section 4 bears S00°10'25"E with all other bearings contained herein being relative thereto; thence from said Point of Beginning, S00°10'25"E along the East line of the NW1/4 SW1/4 of said Section 4 a distance of 453.62 feet to the Price Ditch, as described in Book 2266, Page 760 of the Mesa County, Colorado Public Records; thence N62°01'59"W along said Price Ditch a distance of 461.46; thence N00°01'57"W a distance of 236.96 feet to a point on the North line of the NW1/4 SW1/4 of said Section 4; thence N89°57'52"E along the North line of the NW1/4 SW1/4 of said Section 4, a distance of 406.33, more or less to the POINT OF BEGINNING.

Said parcel contains 3.23 acres (140,707 square feet), more or less, as described.

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

Introduced on first reading this 7th day of June, 2006 and ordered published.

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

ATTEST:

President of the Council

City Clerk

Attach 13

**Public Hearing – Hoffmann II Annexation and Zoning, Located at 565 22 ½ Road
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA									
Subject		Annexation and zoning of the Hoffmann II Annexation located at 565 22 ½ Road							
Meeting Date		July 19, 2006							
Date Prepared		July 7, 2006			File #ANX-2006-117				
Author		Faye Hall		Associate Planner					
Presenter Name		Faye Hall		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 checked="" type="checkbox"/>	<input type="checkbox"/>	Name			
<input type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Formal Agenda			<input type="checkbox"/>	Consent	<input checked="" type="checkbox"/>	Individual Consideration

Summary: Acceptance of a petition to annex and consider the annexation and zoning for the Hoffmann II Annexation. The Hoffmann II Annexation is located at 565 22 ½ Road and consists of one parcel on 1.12 acres. The zoning being requested is RSF-2.

Budget: N/A

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

Background Information: See attached Staff Report/Background Information

Attachments:

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

STAFF REPORT/BACKGROUND INFORMATION			
Location:		565 22 ½ Road	
Applicants:		Leonard & Kathleen Hoffmann	
Existing Land Use:		Residential	
Proposed Land Use:		Residential	
Surrounding Land Use:	North	Residential	
	South	Residential	
	East	Residential	
	West	Residential	
Existing Zoning:		RSF-4	
Proposed Zoning:		RSF-2	
Surrounding Zoning:	North	County RSF-4	
	South	City RSF-2	
	East	County RSF-4	
	West	County RSF-4	
Growth Plan Designation:		Residential Medium Low 2-4 du/ac	
Zoning within density range?		X	Yes
			No

Staff Analysis:

ANNEXATION:

This annexation area consists of 1.12 acres of land and is comprised of one 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 Hoffmann II Annexation is eligible to be annexed because of compliance with the following:

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

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

The following annexation and zoning schedule is being proposed.

<u>ANNEXATION SCHEDULE</u>	
June 7, 2006	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
June 27, 2006	Planning Commission considers Zone of Annexation
July 5, 2006	Introduction Of A Proposed Ordinance on Zoning by City Council and Acceptance of Petition and Public Hearing on Annexation
July 19, 2006	Zoning by City Council
August 20, 2006	Effective date of Annexation and Zoning

HOFFMANN II ANNEXATION SUMMARY		
File Number:	ANX-2006-117	
Location:	565 22 ½ Road	
Tax ID Number:	2945-072-05-007	
Parcels:	1	
Estimated Population:	4	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	1	
Acres land annexed:	1.12	
Developable Acres Remaining:	1.12	
Right-of-way in Annexation:	None	
Previous County Zoning:	RSF-4	
Proposed City Zoning:	RSF-2	
Current Land Use:	Residential	
Future Land Use:	Residential	
Values:	Assessed:	\$16,9000
	Actual:	\$212,230
Address Ranges:	565 22 ½ Rd & 2250 Perona Ct	
Special Districts:	Water:	Ute
	Sewer:	City
	Fire:	Grand Junction Rural
	Irrigation/Drainage:	Redlands Water and Power
	School:	Grand River Mosquito

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.A.3, 4, 5 as follows:

- The proposed zone is compatible with the neighborhood and will not create adverse impacts such as: capacity or safety of the street network, parking

problems, storm water or drainage problems, water, air or noise pollution, excessive nighttime lighting, or nuisances;

Response: The proposed zone is compatible with the surrounding neighborhood and will not create adverse impacts. The surrounding densities range from 1 to 3 units per acre.

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

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

- 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.

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

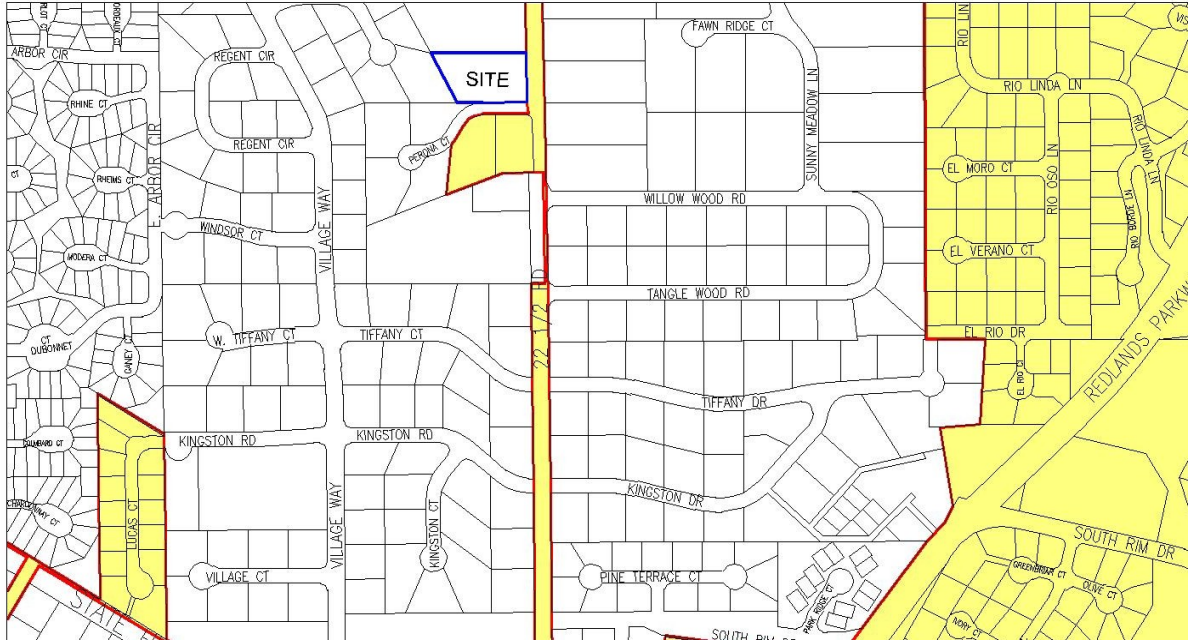
h. RSF-4

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.

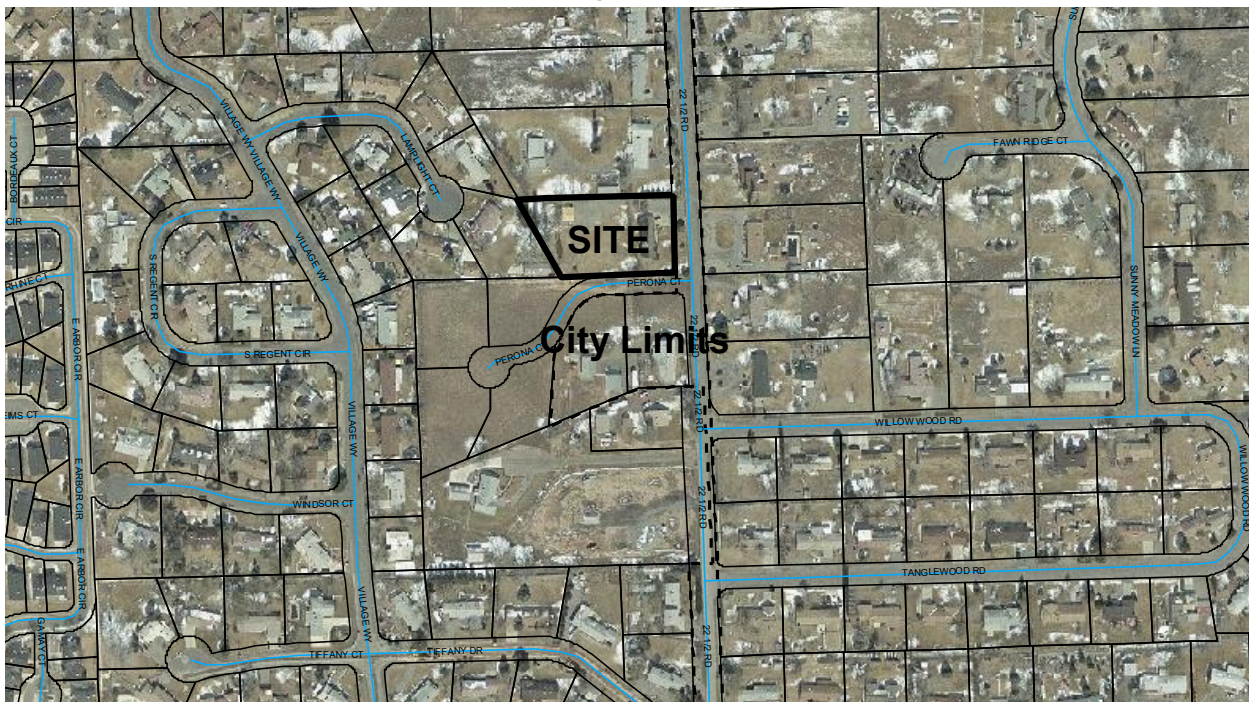
Site Location Map

Figure 1



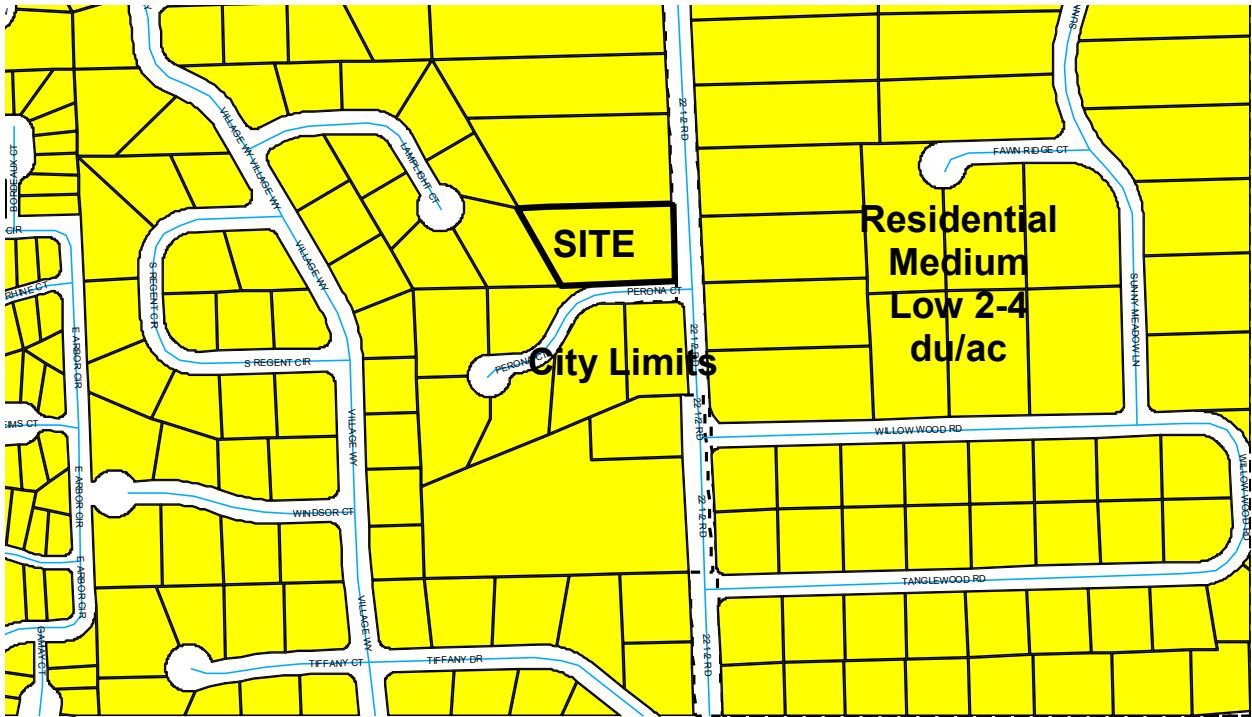
Aerial Photo Map

Figure 2



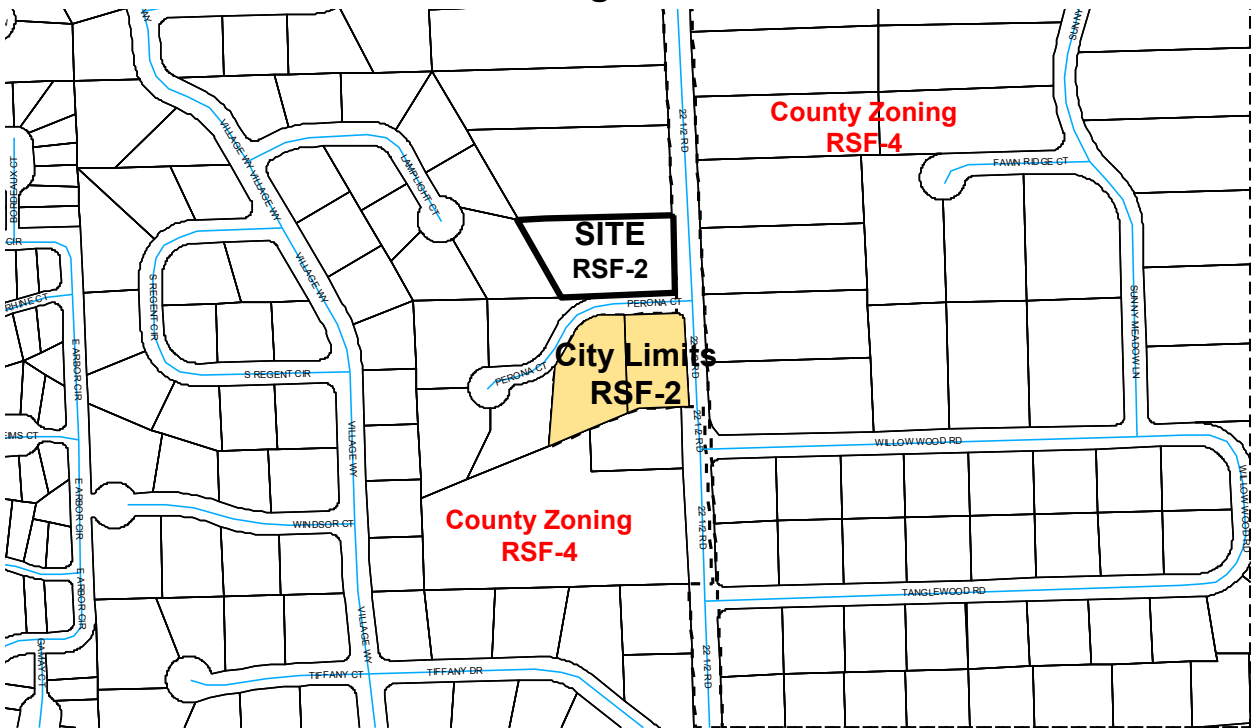
Future Land Use Map

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."

RESOLUTION NO. ____

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

HOFFMANN II ANNEXATION

LOCATED AT 565 22 ½ ROAD

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 7th day of June, 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:

HOFFMANN II ANNEXATION

A certain parcel of land located in the Northwest Quarter (NW1/4) of Section 7, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Lot 1 in Block 8 of Redlands Village Subdivision Filing No. 4, Mesa County, Colorado.

Said parcel contains 1.12 acres (48971 square feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 19th day of July, 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**

HOFFMANN II ANNEXATION

APPROXIMATELY 1.12 ACRES

LOCATED AT 565 22 ½ ROAD

WHEREAS, on the 7th day of June, 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 19th day of July, 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:

HOFFMANN II ANNEXATION

A certain parcel of land located in the Northwest Quarter (NW1/4) of Section 7, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Lot 1 in Block 8 of Redlands Village Subdivision Filing No. 4, Mesa County, Colorado.

Said parcel contains 1.12 acres (48971 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 7th day of June, 2006 and ordered published.

ADOPTED this _____ day of _____, 2006.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE HOFFMANN II ANNEXATION TO
RSF-2**

LOCATED AT 565 22 ½ ROAD

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Hoffmann II Annexation to the RSF-2 zone district finding that it conforms with 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 is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RSF-2 zone district 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 be zoned Residential Single Family with a density not to exceed 2 units per acre.

HOFFMANN II ANNEXATION

A certain parcel of land located in the Northwest Quarter (NW1/4) of Section 7, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

Lot 1 in Block 8 of Redlands Village Subdivision Filing No. 4, Mesa County, Colorado.

Said parcel contains 1.12 acres (48971 square feet), more or less, as described.

Housing type, density and bulk standards shall be for the RSF-2 zone district.

Introduced on first reading this 7th day of June, 2006 and ordered published.

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

ATTEST:

President of the Council

City Clerk

Attach 14

**Public Hearing – Traynor Annexation and Zoning, Located at 748 & 749 24 ¾ Road
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA								
Subject	Annexation and zoning of the Traynor Annexation located at 748 & 749 24 ¾ Road							
Meeting Date	July 19, 2006							
Date Prepared	July 6, 2006					File #ANX-2006-111		
Author	Faye Hall			Associate Planner				
Presenter Name	Faye Hall			Associate Planner				
Report results back to Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	When		
Citizen Presentation		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda				Consent	<input checked="" type="checkbox"/>
							Individual Consideration	

Summary: Acceptance of a petition to annex and consider the annexation and zoning for the Traynor Annexation. The Traynor Annexation is located at 748 & 749 24 ¾ Road and consists of two parcels on 10.71 acres. The zoning being requested is RMF-8.

Budget: N/A

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

Background Information: See attached Staff Report/Background Information

Attachments:

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

STAFF REPORT/BACKGROUND INFORMATION			
Location:		748 & 749 24 ¾ Road	
Applicants:		Owner: Ronald Abeloe Developer: Chaparall West, Inc. – Ron Abeloe Representative: Vista Engineering – Paco Larsen	
Existing Land Use:		Residential	
Proposed Land Use:		Residential	
Surrounding Land Use:	North	Agricultural	
	South	Residential	
	East	Residential	
	West	Residential	
Existing Zoning:		County RSF-R	
Proposed Zoning:		City RMF-8	
Surrounding Zoning:	North	County AFT	
	South	City Planned Development (8 units per acre)	
	East	County RSF-R	
	West	County RSF-R	
Growth Plan Designation:		Residential Medium 4-8 du/ac	
Zoning within density range?		X	Yes
			No

Staff Analysis:

ANNEXATION:

This annexation area consists of 10.71 acres of land and is comprised of two 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 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 Traynor 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>	
June 7, 2006	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
June 27, 2006	Planning Commission considers Zone of Annexation
July 5, 2006	Introduction Of A Proposed Ordinance on Zoning by City Council and Acceptance of Petition and Public Hearing on Annexation
July 19, 2006	Zoning by City Council
August 20, 2006	Effective date of Annexation and Zoning

TRAYNOR ANNEXATION SUMMARY		
File Number:	ANX-2006-111	
Location:	748 & 749 24 ³ / ₄ Road	
Tax ID Number:	2701-334-00-110 & 111	
Parcels:	2	
Estimated Population:	2	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	1	
Acres land annexed:	10.71	
Developable Acres Remaining:	10.03	
Right-of-way in Annexation:	.68 acres (29,440 sq ft)	
Previous County Zoning:	RSF-R	
Proposed City Zoning:	RMF-8	
Current Land Use:	Residential	
Future Land Use:	Residential	
Values:	Assessed:	\$13,260
	Actual:	\$155,970
Address Ranges:	748 & 749 24 ³ / ₄ Road	
Special Districts:	Water:	Ute Water
	Sewer:	City of Grand Junction
	Fire:	Grand Junction Rural Fire
	Irrigation/Drainage:	Grand Junction Drainage Grand Valley Irrigation
	School:	District 51

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

In order for the zoning to occur, the following questions must be answered and a finding of consistency with the Zoning and Development Code must be made per Section 2.6.A.3, 4, 5 as follows:

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

Response: The proposed zone district is compatible with the neighborhood and will not create any adverse impacts as the densities of the surrounding developed properties are in the 5-8 du/ac range. Any issues that arise with any proposal to develop the property will be addressed through the review of that project.

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

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

- 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.

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

- i. RSF-4
- j. RMF-5

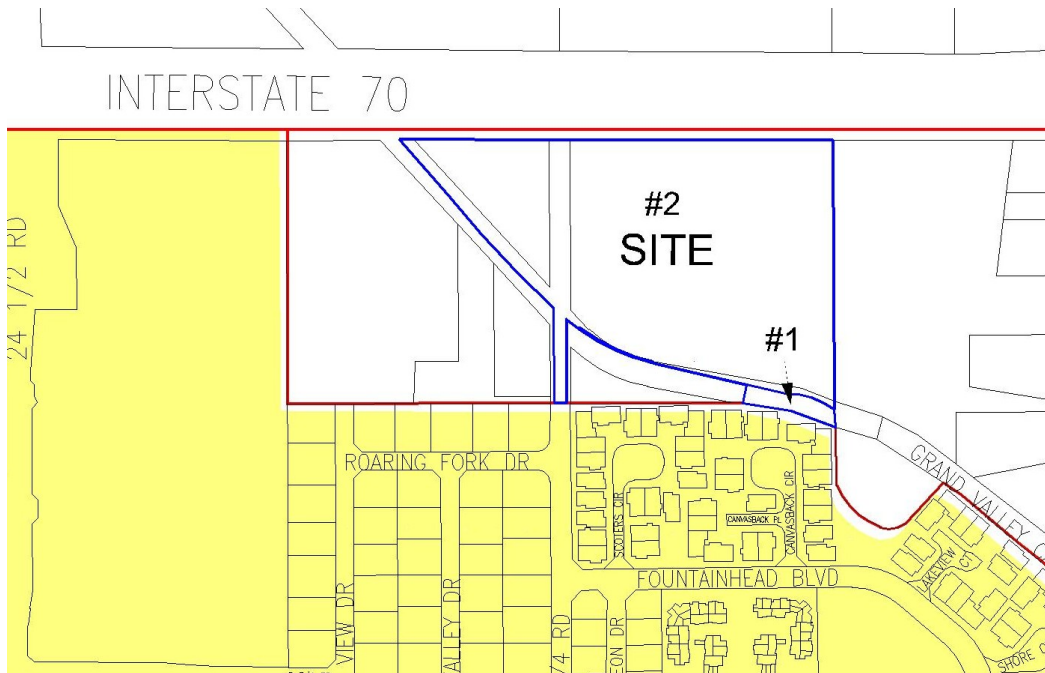
Attached is a letter from a neighbor that was presented to the Planning Commission, however, the concerns are more directed towards a subdivision application and not for zoning and annexation.

PLANNING COMMISSION RECOMMENDATION:

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

Site Location Map

Figure 1



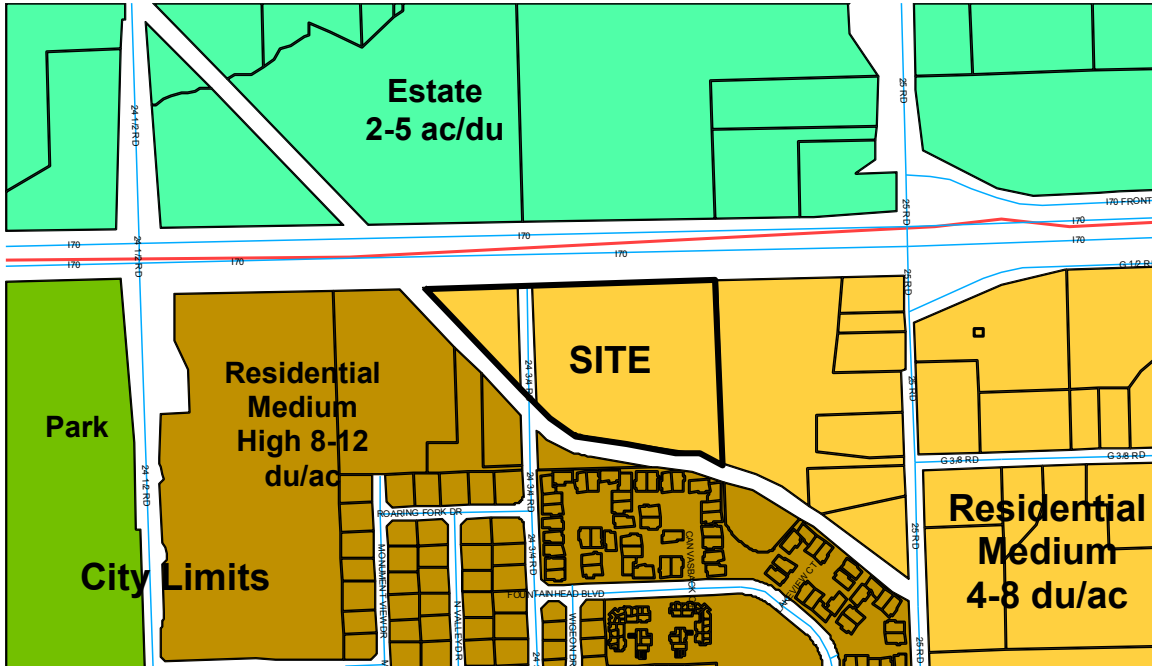
Aerial Photo Map

Figure 2



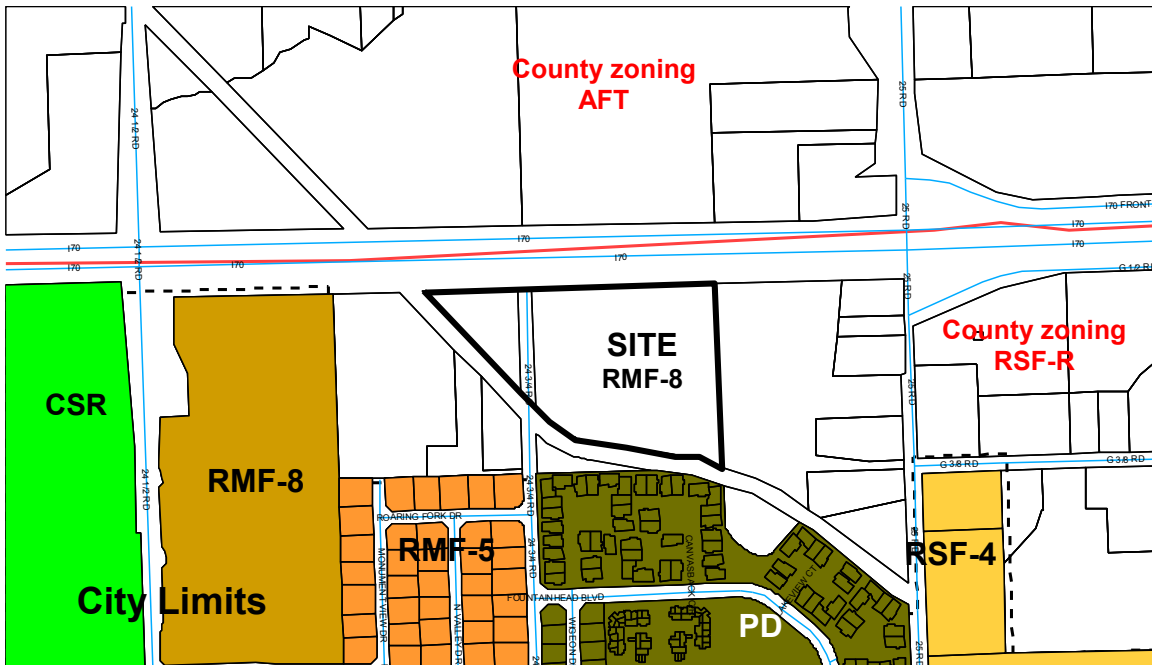
Future Land Use Map

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."

June 27, 2006

Att; Mesa County Planning Commission

From; Marilyn and Maurice Sieckert
733 24 3/4 rd

Bill and Alice Coates
731 1/2 24 2/4 rd.

Re: Anx - 2006-111 Traylor Annexation

748, 749 24 3/4 rd.

Comments; Regarding proposed annexation.

We would like to express our concerns regarding the amount of traffic this annexation will generate on 24 3/4 rd. There appears to be no other access to this property other than 24 3/4 rd. This will place a huge traffic burden on a residential street. (Fountain Green subdivision has 3 access roads.) Therefore, we request denial of this annexation.

Regards:

Maurice + Marilyn Sieckert
Alice & William Coates

RECEIVED
RECEIVED
JUN 27 2006
COMMUNITY DEVELOPMENT
DEPT.
COMMUNITY DEVELOPMENT
DEPT.

RECEIVED
JUN 27 2006
COMMUNITY DEVELOPMENT
DEPT.

RESOLUTION NO. ____

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

TRAYNOR ANNEXATION #1 AND #2

**LOCATED AT 748 AND 749 24 ³/₄ ROAD AND PORTIONS OF THE GRAND VALLEY
CANAL AND 24 ³/₄ ROAD RIGHTS-OF-WAY**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 7th day of June, 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:

TRAYNOR ANNEXATION #1

A certain parcel of land lying NE 1/4 of the SE 1/4 and the NW 1/4 of the SE 1/4 of section 33, Township 1 South, Range 1 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 Fountain Greens Subdivision, Filing No. Three, as same is recorded in Plat Book 19, Pages 181-184, Public Records of Mesa County, Colorado and assuming the North line of said Filing No. Three bears S89°54'05"E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S89°54'05"E a distance of 413.45 feet to the Point of Beginning; thence from said Point of Beginning N13°20'58"E a distance of 44.08 feet to a point on the centerline of the Grand Valley Canal; thence N76°39'02"W along said centerline a distance of 231.65 feet; thence 198.94 feet along said centerline and the arc of a 500.00 foot radius curve concave Northeast, having a central angle of 22°47'50" and a chord bearing N65°15'08"W a distance of 197.63 feet; thence N36°08'48"E a distance of 2.00 feet; thence 198.15 feet along the arc of a 498.00 foot radius curve concave Northeast, having a central angle of 22°47'50" and a chord bearing S65°15'08"E a distance of 196.84 feet; thence S76°39'02"E a distance of 326.69 feet; thence 122.56 feet along the arc of a 831.00 foot radius curve concave Southwest, having a central angle of 08°27'01" and a chord bearing S72°25'31"E a distance of 122.45 feet; thence S00°09'16"E a distance of 2.16 feet; thence S08°31'58"E to the North line of said Fountain Greens Subdivision, Filing No. Three a distance of 46.32 feet; thence along said North line N69°15'09"W a distance of 115.14 feet; thence N79°52'31"W a distance of 120.94 feet, more or less, to the Point of Beginning.

Said parcel contains 0.24 acres (10,410 square feet), more or less, as described.

TRAYNOR ANNEXATION #2

A certain parcel of land lying NE 1/4 of the SE 1/4 and the NW 1/4 of the SE 1/4 of section 33, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northeast corner of Lot 24 of Pomona Park Subdivision, as same is recorded in Plat Book 1, Page 24, Public Records of Mesa County, Colorado and assuming the East line of said Lot 24 bears S00°09'16"E with all other bearings contained herein being relative thereto; thence from said Point of Beginning S00°09'16"E along the East line of said Lot 24 a distance of 647.66 feet; thence 122.56 feet along the arc of a 831.00 foot radius curve concave Southwest, having a central angle of 08°27'01" and a chord bearing N72°25'31"W a distance of 122.45 feet; thence N76°39'02"W a distance of 326.69 feet; thence 198.15 feet along the arc of a 498.00 foot radius curve concave Northeast, having a central angle of 22°47'50" and a chord bearing N65°15'08"W a distance of 196.84 feet; thence S36°08'48"W a distance of 2.00 feet; thence 38.25 feet along the arc of a 500.00 foot radius curve concave Northeast, having a central angle of 04°23'01" and a chord bearing N51°39'42"W a distance of 38.24 feet to a point on the East right of way of 24 3/4 Road as shown on said Pomona Park Subdivision; thence S00°06'56"E along said right of way line a distance of 202.08 feet; thence N89°48'34"W to a point on the West line of right of way of said 24 3/4 Road a distance of 30.00 feet; thence N00°06'56"W along said right of way line a distance of 229.27 feet to a point on the centerline of the Grand Valley Canal; thence 373.01 feet along said centerline and the arc of a 2805.00 foot radius curve concave Northeast, having a central angle of 07°23'09" and a chord bearing N43°10'51"W a distance of 372.74 feet; thence 177.63 feet along said centerline and the arc of a 3089.00 foot radius curve concave Southwest, having a central angle of 03°17'41" and a chord bearing N41°01'07"W a distance of 177.61 feet to a point on the North line of Lot 25 of said Pomona Park Subdivision; thence S89°53'28"E along a line 25 feet South of and parallel with the North line of NW 1/4 SE 1/4 of Section 33 a distance of 385.78 feet to a point on the East line of NW 1/4 SE 1/4; thence S89°51'33"E along a line 25 feet South of and parallel with the North line of NE 1/4 SE 1/4 of Section 33 a distance of 658.71 feet, more or less, to the Point of Beginning.

Said parcel contains 10.47 acres (456,036 square feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 19th day of July, 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**

TRAYNOR ANNEXATION #1

APPROXIMATELY .24 ACRES

**LOCATED AT 748 AND 749 24 3/4 ROAD AND A PORTION OF THE GRAND VALLEY
CANAL**

WHEREAS, on the 7th day of June, 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 19th day of July, 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:

TRAYNOR ANNEXATION #1

A certain parcel of land lying NE 1/4 of the SE 1/4 and the NW 1/4 of the SE 1/4 of section 33, Township 1 South, Range 1 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 Fountain Greens Subdivision, Filing No. Three, as same is recorded in Plat Book 19, Pages 181-184, Public Records of Mesa County, Colorado and assuming the North line of said Filing No. Three bears S89°54'05"E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S89°54'05"E a distance of 413.45 feet to the Point of Beginning; thence from said Point of Beginning N13°20'58"E a distance of 44.08 feet to

a point on the centerline of the Grand Valley Canal; thence N76°39'02"W along said centerline a distance of 231.65 feet; thence 198.94 feet along said centerline and the arc of a 500.00 foot radius curve concave Northeast, having a central angle of 22°47'50" and a chord bearing N65°15'08"W a distance of 197.63 feet; thence N36°08'48E a distance of 2.00 feet; thence 198.15 feet along the arc of a 498.00 foot radius curve concave Northeast, having a central angle of 22°47'50" and a chord bearing S65°15'08"E a distance of 196.84 feet; thence S76°39'02"E a distance of 326.69 feet; thence 122.56 feet along the arc of a 831.00 foot radius curve concave Southwest, having a central angle of 08°27'01" and a chord bearing S72°25'31"E a distance of 122.45 feet; thence S00°09'16"E a distance of 2.16 feet; thence S08°31'58"E to the North line of said Fountain Greens Subdivision, Filing No. Three a distance of 46.32 feet; thence along said North line N69°15'09"W a distance of 115.14 feet; thence N79°52'31"W a distance of 120.94 feet, more or less, to the Point of Beginning.

Said parcel contains 0.24 acres (10,410 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 7th day of June, 2006 and ordered published.

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**

TRAYNOR ANNEXATION #2

APPROXIMATELY 10.47 ACRES

**LOCATED AT 748 AND 749 24 ¾ ROAD AND A PORTION OF 24 ¾ ROAD RIGHT-OF-
WAY**

WHEREAS, on the 7th day of June, 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 19th day of July, 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:

TRAYNOR ANNEXATION #2

A certain parcel of land lying NE 1/4 of the SE 1/4 and the NW 1/4 of the SE 1/4 of section 33, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northeast corner of Lot 24 of Pomona Park Subdivision, as same is recorded in Plat Book 1, Page 24, Public Records of Mesa County, Colorado and assuming the East line of said Lot 24 bears S00°09'16"E with all other bearings contained herein being relative thereto; thence from said Point of Beginning S00°09'16"E along the East line of said Lot 24 a distance of 647.66 feet; thence 122.56 feet along the arc of a 831.00 foot radius curve concave Southwest, having a central

angle of 08°27'01" and a chord bearing N72°25'31"W a distance of 122.45 feet; thence N76°39'02"W a distance of 326.69 feet; thence 198.15 feet along the arc of a 498.00 foot radius curve concave Northeast, having a central angle of 22°47'50" and a chord bearing N65°15'08"W a distance of 196.84 feet; thence S36°08'48"W a distance of 2.00 feet; thence 38.25 feet along the arc of a 500.00 foot radius curve concave Northeast, having a central angle of 04°23'01" and a chord bearing N51°39'42"W a distance of 38.24 feet to a point on the East right of way of 24 3/4 Road as shown on said Pomona Park Subdivision; thence S00°06'56"E along said right of way line a distance of 202.08 feet; thence N89°48'34"W to a point on the West line of right of way of said 24 3/4 Road a distance of 30.00 feet; thence N00°06'56"W along said right of way line a distance of 229.27 feet to a point on the centerline of the Grand Valley Canal; thence 373.01 feet along said centerline and the arc of a 2805.00 foot radius curve concave Northeast, having a central angle of 07°23'09" and a chord bearing N43°10'51"W a distance of 372.74 feet; thence 177.63 feet along said centerline and the arc of a 3089.00 foot radius curve concave Southwest, having a central angle of 03°17'41" and a chord bearing N41°01'07"W a distance of 177.61 feet to a point on the North line of Lot 25 of said Pomona Park Subdivision; thence S89°53'28"E along a line 25 feet South of and parallel with the North line of NW 1/4 SE 1/4 of Section 33 a distance of 385.78 feet to a point on the East line of NW 1/4 SE 1/4; thence S89°51'33"E along a line 25 feet South of and parallel with the North line of NE 1/4 SE 1/4 of Section 33 a distance of 658.71 feet, more or less, to the Point of Beginning.

Said parcel contains 10.47 acres (456,036 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 7th day of June, 2006 and ordered published.

ADOPTED this _____ day of _____, 2006.

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

LOCATED AT 748 AND 749 24 ³/₄ ROAD

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Traynor Annexation to the RMF-8 zone district finding that it conforms with 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 is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RMF-8 zone district 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 be zoned Residential Multi-Family with a density not to exceed 8 units per acre.

TRAYNOR ANNEXATION

A certain parcel of land lying NE 1/4 of the SE 1/4 and the NW 1/4 of the SE 1/4 of section 33, Township 1 South, Range 1 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 Fountain Greens Subdivision, Filing No. Three, as same is recorded in Plat Book 19, Pages 181-184, Public Records of Mesa County, Colorado and assuming the North line of said Filing No. Three bears S89°54'05"E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S89°54'05"E a distance of 413.45 feet to the Point of Beginning; thence from said Point of Beginning N13°20'58"E a distance of 44.08 feet to a point on the centerline of the Grand Valley Canal; thence N76°39'02"W along said centerline a distance of 231.65 feet; thence 198.94 feet along said centerline and the arc of a 500.00 foot radius curve concave Northeast, having a central angle of

22°47'50" and a chord bearing N65°15'08"W a distance of 197.63 feet; thence N36°08'48"E a distance of 2.00 feet; thence 198.15 feet along the arc of a 498.00 foot radius curve concave Northeast, having a central angle of 22°47'50" and a chord bearing S65°15'08"E a distance of 196.84 feet; thence S76°39'02"E a distance of 326.69 feet; thence 122.56 feet along the arc of a 831.00 foot radius curve concave Southwest, having a central angle of 08°27'01" and a chord bearing S72°25'31"E a distance of 122.45 feet; thence S00°09'16"E a distance of 2.16 feet; thence S08°31'58"E to the North line of said Fountain Greens Subdivision, Filing No. Three a distance of 46.32 feet; thence along said North line N69°15'09"W a distance of 115.14 feet; thence N79°52'31"W a distance of 120.94 feet, more or less, to the Point of Beginning.

Said parcel contains 0.24 acres (10,410 square feet), more or less, as described.

And also

A certain parcel of land lying NE 1/4 of the SE 1/4 and the NW 1/4 of the SE 1/4 of section 33, Township 1 South, Range 1 West of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northeast corner of Lot 24 of Pomona Park Subdivision, as same is recorded in Plat Book 1, Page 24, Public Records of Mesa County, Colorado and assuming the East line of said Lot 24 bears S00°09'16"E with all other bearings contained herein being relative thereto; thence from said Point of Beginning S00°09'16"E along the East line of said Lot 24 a distance of 647.66 feet; thence 122.56 feet along the arc of a 831.00 foot radius curve concave Southwest, having a central angle of 08°27'01" and a chord bearing N72°25'31"W a distance of 122.45 feet; thence N76°39'02"W a distance of 326.69 feet; thence 198.15 feet along the arc of a 498.00 foot radius curve concave Northeast, having a central angle of 22°47'50" and a chord bearing N65°15'08"W a distance of 196.84 feet; thence S36°08'48"W a distance of 2.00 feet; thence 38.25 feet along the arc of a 500.00 foot radius curve concave Northeast, having a central angle of 04°23'01" and a chord bearing N51°39'42"W a distance of 38.24 feet to a point on the East right of way of 24 3/4 Road as shown on said Pomona Park Subdivision; thence S00°06'56"E along said right of way line a distance of 202.08 feet; thence N89°48'34"W to a point on the West line of right of way of said 24 3/4 Road a distance of 30.00 feet; thence N00°06'56"W along said right of way line a distance of 229.27 feet to a point on the centerline of the Grand Valley Canal; thence 373.01 feet along said centerline and the arc of a 2805.00 foot radius curve concave Northeast, having a central angle of 07°23'09" and a chord bearing N43°10'51"W a distance of 372.74 feet; thence 177.63 feet along said centerline and the arc of a 3089.00 foot radius curve concave Southwest, having a central angle of 03°17'41" and a chord bearing N41°01'07"W a distance of 177.61 feet to a point on the North line of Lot 25 of said Pomona Park Subdivision; thence S89°53'28"E along a line 25 feet South of and parallel with the North line of NW 1/4 SE 1/4 of Section 33 a

distance of 385.78 feet to a point on the East line of NW 1/4 SE 1/4; thence S89°51'33"E along a line 25 feet South of and parallel with the North line of NE 1/4 SE 1/4 of Section 33 a distance of 658.71 feet, more or less, to the Point of Beginning.

Said parcel contains 10.47 acres (456,036 square feet), more or less, as described.

Housing type, density and bulk standards shall be for the RMF-8 zone district.

Introduced on first reading this 7th day of June, 2006 and ordered published.

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

ATTEST:

President of the Council

City Clerk

Attach 15

**Public Hearing – Bekon Annexation and Zoning, Located at 2250 Railroad Avenue
CITY OF GRAND JUNCTION**

CITY COUNCIL AGENDA						
Subject	Annexation and Zoning of the Bekon Annexation located at 2250 Railroad Avenue					
Meeting Date	July 19, 2006					
Date Prepared	July 10, 2006				File #ANX-2006-143	
Author	Scott D. Peterson		Senior Planner			
Presenter Name	Scott D. Peterson		Senior Planner			
Report results back to Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	When	
Citizen Presentation		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		<input type="checkbox"/>	Consent
					<input checked="" type="checkbox"/>	Individual Consideration

Summary: Acceptance of a petition to annex and consider the annexation and zoning for the Bekon Annexation. The 7.21 acre Bekon Annexation is located at 2250 Railroad Avenue and consists of one (1) parcel of land and associated rights-of-way of Railroad Avenue & Railroad Boulevard. The zoning being requested is I-1, Light Industrial.

Budget: N/A

Action Requested/Recommendation: 1) Approve Resolution accepting a petition for annexation, 2) Public Hearing to consider final passage of Annexation and Zoning Ordinances.

Background Information: See attached Staff Report/Background Information.

Attachments:

1. Staff Report/Background Information
2. Annexation – Site Location Map / Aerial Photo Map
3. Future Land Use Map / Zoning Map
4. Acceptance Resolution
5. Annexation Ordinance
6. Zoning Ordinance

STAFF REPORT/BACKGROUND INFORMATION					
Location:		2250 Railroad Avenue			
Applicants:		Bekon Properties LLC, Owner			
Existing Land Use:		Vacant land			
Proposed Land Use:		14,400 sq. ft. Office/Warehouse/Shop Building			
Surrounding Land Use:	North	Industrial			
	South	Industrial			
	East	Industrial			
	West	Industrial			
Existing Zoning:		PI, Planned Industrial (County)			
Proposed Zoning:		I-1, Light Industrial			
Surrounding Zoning:	North	I-2, General Industrial			
	South	PI, Planned Industrial (County)			
	East	PI, Planned Industrial (County)			
	West	I-1, Light Industrial			
Growth Plan Designation:		Commercial/Industrial			
Zoning within density range?		X	Yes		No

Staff Analysis:

ANNEXATION:

This annexation area consists of 7.21 acres of land and is comprised of one (1) parcel of land and associated rights-of-way of Railroad Avenue & Railroad Boulevard. The property owners have requested annexation into the City in anticipation of future industrial 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 Bekon 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>	
June 7, 2006	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
June 13, 2006	Planning Commission considers Zone of Annexation
July 5, 2006	Introduction Of A Proposed Ordinance on Zoning by City Council
July 19, 2006	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
August 20, 2006	Effective date of Annexation and Zoning

BEKON ANNEXATION SUMMARY		
File Number:	ANX-2006-143	
Location:	2250 Railroad Avenue	
Tax ID Number:	2945-062-05-003	
Parcels:	One (1)	
Estimated Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	7.21	
Developable Acres Remaining:	4.28	
Right-of-way in Annexation:	2.93	
Previous County Zoning:	PI, Planned Industrial	
Proposed City Zoning:	I-1, Light Industrial	
Current Land Use:	Vacant	
Future Land Use:	14,400 sq. ft. Office/Warehouse/Shop Building	
Values:	Assessed:	\$51,320
	Actual:	\$176,960
Address Ranges:	2250 Railroad Avenue	
Special Districts:	Water:	Ute
	Sewer:	City
	Fire:	GJ Rural
	Irrigation/Drainage:	Grand Junction Drainage
	School:	District 51

Zone of Annexation: The requested zone of annexation to the I-1, Light Industrial district is consistent with the Growth Plan density of Commercial/Industrial. The existing County zoning is PI, Planned Industrial. Section 2.14 F. of the Zoning &

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 & Development Code must be made per Section 2.6 A. 3, 4 & 5 as follows:

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

The proposed zoning of I-1 implements the commercial/industrial land use classification of the Growth Plan. City staff has determined that public infrastructure can address the impacts of any development consistent with the I-1 zoning district, therefore this criterion is met. The property is located in an area of existing industrial development with all public utilities available in the area.

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

The proposed zoning of I-1 is consistent with the goals and policies of the Growth Plan, the requirements of the Zoning & Development Code and other City regulations and guidelines.

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

Adequate public facilities are currently available or will be supplied at the time of further development of the property and can address the impacts of development consistent with the I-1 zoning district.

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

- k. I-O, Industrial/Office Park
- b. C-2, General Commercial

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommended approval of the requested zone of annexation to the City Council, finding the zoning to the I-1, Light Industrial district to be consistent with the Growth Plan, the existing County Zoning and Sections 2.6 and 2.14 of the Zoning & Development Code.

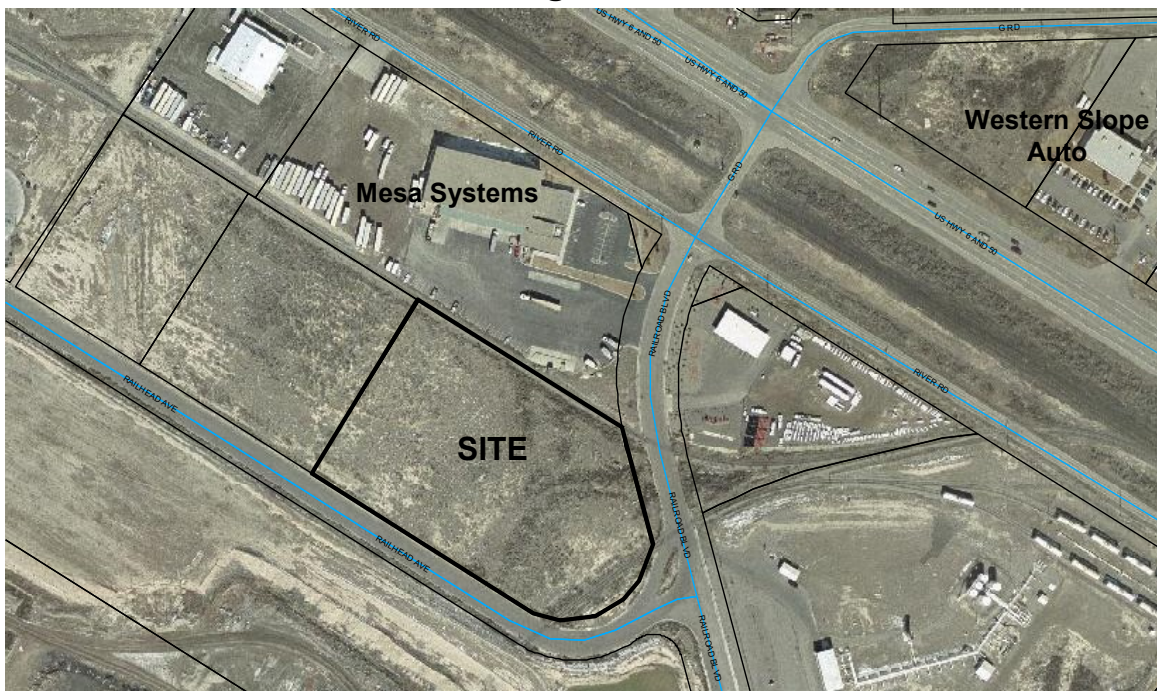
Site Location Map – Bekon Annexation

Figure 1



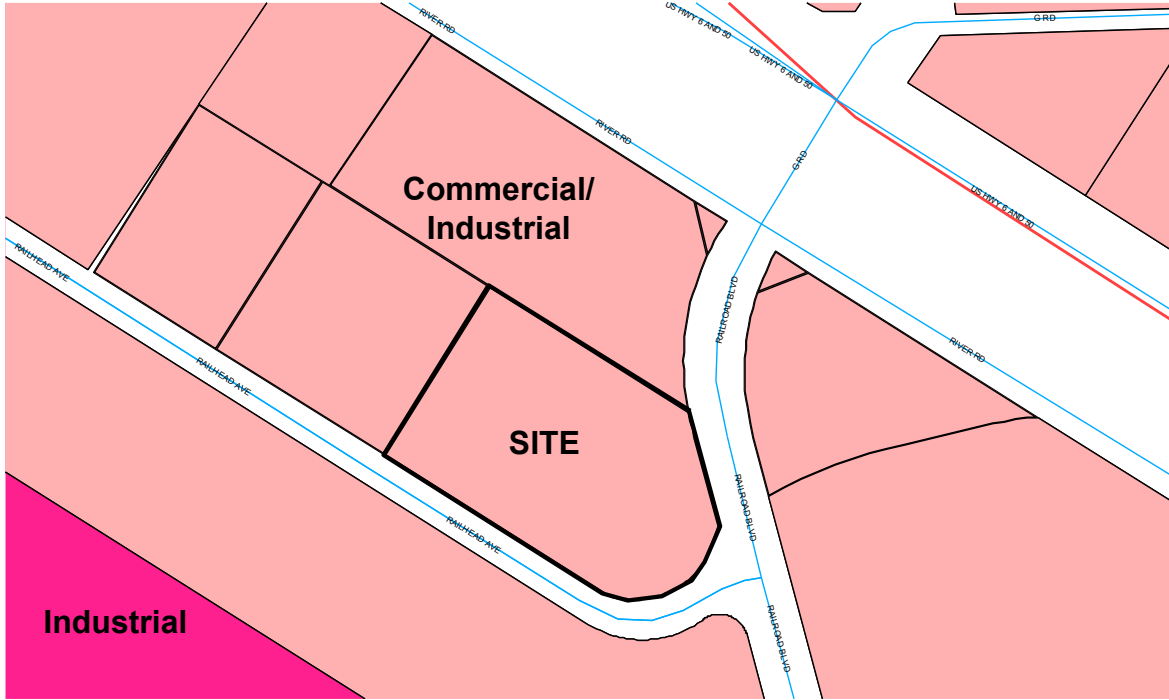
Aerial Photo Map – Bekon Annexation

Figure 2



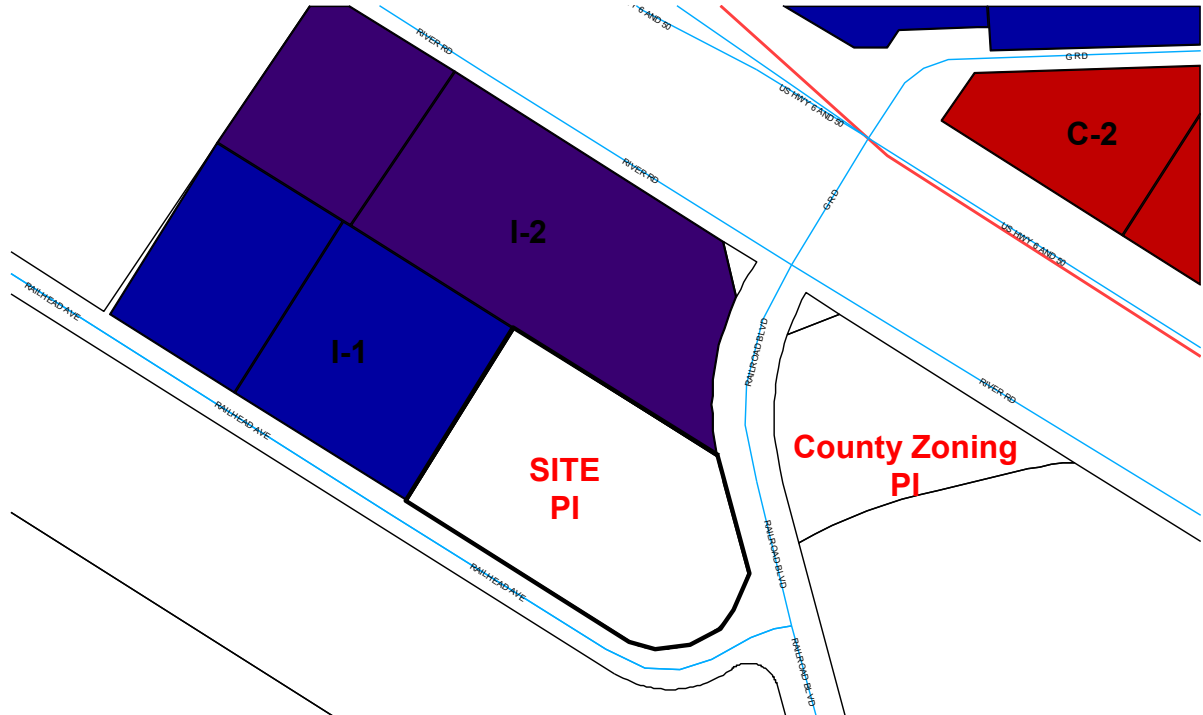
Future Land Use Map – Bekon Annex.

Figure 3



Existing City and County Zoning – Bekon

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
BEKON ANNEXATION**

**LOCATED AT 2250 RAILROAD AVENUE AND INCLUDING A PORTION OF
THE RAILROAD AVENUE AND RAILROAD BOULEVARD RIGHTS-OF-WAY**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 7th day of June, 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:

PERIMETER BOUNDARY LEGAL DESCRIPTION

BEKON ANNEXATION

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

Beginning at the Northeast corner of Block 2 in Railhead Industrial Park As Amended, Plat Book 13, Page 34, Mesa County Colorado records, and assuming the Northerly line of said Block 2 to bear N56°20'29"W with all bearings contained herein relative thereto; thence 349.17 feet along the arc of a 482.24 foot radius curve concave East, having a central angle of 41°29'11" and a chord that bears N12°54'57"E a distance 341.59 feet along the Westerly right of way of Railroad Boulevard as is shown on said plat of Railhead Industrial Park As Amended; thence S56°20'34"E along the Southerly right of way of River Road as is shown on said plat of Railhead Industrial Park As Amended, a distance of 100.00 feet to the East right of way of said Railroad Boulevard; thence along said right of way 313.55 feet along the arc of a 382.24 foot radius curve concave East, having a central angle of 47°00'01" and a chord that bears S10°09'31"W a distance 304.84 feet; thence S13°20'29"E along the East line of said right of way a distance of 358.97 feet; thence S76°39'31"W to a point on the Westerly right of way of said Railroad Boulevard a distance of 100.00 feet; thence 97.36 feet along the arc of a 50.00 foot radius curve concave South, having a central angle of 111°33'40" and a chord that bears N69°07'19"W a distance 82.69 feet to a point on the Southerly right of way of Railroad Avenue; thence along said right of way 214.43 feet along the arc of a 178.15 foot radius curve concave North, having a central angle of 68°57'53" and a

chord that bears S89°10'34"W a distance 201.72 feet; thence along said right of way N56°20'29"W a distance of 485.93 feet; thence N33°39'31"E along the East line of Loggains Subdivision, as same is recorded in Book 3977, Page 790 Public Records of Mesa County, Colorado; a distance of 410.00 feet to the Northeast corner of said Loggains Subdivision; thence S56°20'29"E along the Northerly line of said Block Two, a distance of 414.98 feet; thence along said North line, 22.97 feet along the arc of a 478.34 foot radius curve concave Northeast, having a central angle of 02°45'06" and a chord that bears S57°43'01"E a distance 22.97 feet more or less to the Point of Beginning.

Said parcel contains 7.21 acres (314,092 square feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 19th day of July, 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**

BEKON ANNEXATION

APPROXIMATELY 7.21 ACRES

**LOCATED AT 2250 RAILROAD AVENUE AND INCLUDING A PORTION OF
THE RAILROAD AVENUE AND RAILROAD BOULEVARD RIGHTS-OF-WAY**

WHEREAS, on the 7th day of June, 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 19th day of July, 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:

PERIMETER BOUNDARY LEGAL DESCRIPTION

BEKON ANNEXATION

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

Beginning at the Northeast corner of Block 2 in Railhead Industrial Park As Amended, Plat Book 13, Page 34, Mesa County Colorado records, and assuming the Northerly line of said Block 2 to bear N56°20'29"W with all bearings contained herein relative thereto; thence 349.17 feet along the arc of a 482.24 foot radius curve concave East,

having a central angle of 41°29'11" and a chord that bears N12°54'57"E a distance 341.59 feet along the Westerly right of way of Railroad Boulevard as is shown on said plat of Railhead Industrial Park As Amended; thence S56°20'34"E along the Southerly right of way of River Road as is shown on said plat of Railhead Industrial Park As Amended, a distance of 100.00 feet to the East right of way of said Railroad Boulevard; thence along said right of way 313.55 feet along the arc of a 382.24 foot radius curve concave East, having a central angle of 47°00'01" and a chord that bears S10°09'31"W a distance 304.84 feet; thence S13°20'29"E along the East line of said right of way a distance of 358.97 feet; thence S76°39'31"W to a point on the Westerly right of way of said Railroad Boulevard a distance of 100.00 feet; thence 97.36 feet along the arc of a 50.00 foot radius curve concave South, having a central angle of 111°33'40" and a chord that bears N69°07'19"W a distance 82.69 feet to a point on the Southerly right of way of Railroad Avenue; thence along said right of way 214.43 feet along the arc of a 178.15 foot radius curve concave North, having a central angle of 68°57'53" and a chord that bears S89°10'34"W a distance 201.72 feet; thence along said right of way N56°20'29"W a distance of 485.93 feet; thence N33°39'31"E along the East line of Loggains Subdivision, as same is recorded in Book 3977, Page 790 Public Records of Mesa County, Colorado; a distance of 410.00 feet to the Northeast corner of said Loggains Subdivision; thence S56°20'29"E along the Northerly line of said Block Two, a distance of 414.98 feet; thence along said North line, 22.97 feet along the arc of a 478.34 foot radius curve concave Northeast, having a central angle of 02°45'06" and a chord that bears S57°43'01"E a distance 22.97 feet more or less to the Point of Beginning.

Said parcel contains 7.21 acres (314,092 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 7th day of June, 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 ZONING THE BEKON ANNEXATION TO
I-1, LIGHT INDUSTRIAL**

LOCATED AT 2250 RAILROAD AVENUE

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended approval of zoning the Bekon Annexation to the I-1, Light Industrial Zoning District, finding that it conforms with 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 is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning & Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the I-1, Light Industrial Zoning District is in conformance with the stated criteria of Section 2.6 & 2.14 of the Grand Junction Zoning & Development Code.

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

The following property be zoned I-1, Light Industrial.

PERIMETER BOUNDARY LEGAL DESCRIPTION

BEKON ANNEXATION

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

Beginning at the Northeast corner of Block 2 in Railhead Industrial Park As Amended, Plat Book 13, Page 34, Mesa County Colorado records, and assuming the Northerly line of said Block 2 to bear N56°20'29"W with all bearings contained herein relative thereto; thence 349.17 feet along the arc of a 482.24 foot radius curve concave East, having a central angle of 41°29'11" and a chord that bears N12°54'57"E a distance 341.59 feet along the Westerly right of way of Railroad Boulevard as is shown on said plat of Railhead Industrial Park As Amended; thence S56°20'34"E along the Southerly right of way of River Road as is shown on said plat of Railhead Industrial Park As

Amended, a distance of 100.00 feet to the East right of way of said Railroad Boulevard; thence along said right of way 313.55 feet along the arc of a 382.24 foot radius curve concave East, having a central angle of 47°00'01" and a chord that bears S10°09'31"W a distance 304.84 feet; thence S13°20'29"E along the East line of said right of way a distance of 358.97 feet; thence S76°39'31"W to a point on the Westerly right of way of said Railroad Boulevard a distance of 100.00 feet; thence 97.36 feet along the arc of a 50.00 foot radius curve concave South, having a central angle of 111°33'40" and a chord that bears N69°07'19"W a distance 82.69 feet to a point on the Southerly right of way of Railroad Avenue; thence along said right of way 214.43 feet along the arc of a 178.15 foot radius curve concave North, having a central angle of 68°57'53" and a chord that bears S89°10'34"W a distance 201.72 feet; thence along said right of way N56°20'29"W a distance of 485.93 feet; thence N33°39'31"E along the East line of Loggains Subdivision, as same is recorded in Book 3977, Page 790 Public Records of Mesa County, Colorado; a distance of 410.00 feet to the Northeast corner of said Loggains Subdivision; thence S56°20'29"E along the Northerly line of said Block Two, a distance of 414.98 feet; thence along said North line, 22.97 feet along the arc of a 478.34 foot radius curve concave Northeast, having a central angle of 02°45'06" and a chord that bears S57°43'01"E a distance 22.97 feet more or less to the Point of Beginning.

Said parcel contains 7.21 acres (314,092 square feet), more or less, as described.

Introduced on first reading this 5th day of July, 2006 and ordered published.

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

ATTEST:

President of the Council

City Clerk