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

WEDNESDAY, AUGUST 2, 2006, 7:00 P.M.

Call to Order

Pledge of Allegiance

Invocation – Pastor Mike MacFarlane, New Day Ministries

Presentations of Certificates of Appointment

To the Avalon Theatre Advisory Committee

Appointments

Ratify Appointments to the Urban Trails Committee

Citizen Comments

***** CONSENT CALENDAR ***®**

1. **Minutes of Previous Meetings**

[Attach 1](#)

Action: Approve the Summary of the July 17, 2006 Workshop, the Minutes of the July 19, 2006 Regular Meeting, and the July 26, 2006 Special Meeting

2. **Setting a Hearing on Zoning and Development Code Amendments –
Downtown Residential Density** [File #TAC-2006-190]

[Attach 2](#)

*** Indicates New Item

® Requires Roll Call Vote

A request to amend the Zoning and Development Code to implement the recently-approved Growth Plan Amendment that eliminated the maximum residential density requirement for downtown properties/developments.

Proposed Ordinance Amending Sections 3.2 and 3.4.C. of the Zoning and Development Code Regarding Downtown Residential Density

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

Staff presentation: Kristen Ashbeck, Senior Planner

3. **Setting a Hearing on Zoning the Arbogast Annexation, Located at 785 24 Road** [File #GPA-2006-064] [Attach 3](#)

Request to zone the 18.05 acre Arbogast Annexation, located at 785 24 Road, to RSF-E (Residential Single Family Estate with a maximum of one unit per two acres) zone district.

Proposed Ordinance Zoning the Arbogast Annexation to RSF-E (Residential Single Family – Estate, 1 Unit per Two Acres), Located at 785 24 Road

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

Staff presentation: David Thornton, Principal Planner

4. **Setting a Hearing on Zoning the Clymer Annexation and Vacation of Right-of-Way, Located at 182 27 Road** [File #VR-2006-153] [Attach 4](#)

Introduction of a proposed zoning ordinance to zone the Clymer Annexation RSF-2 (Residential Single Family with a density not to exceed 2 du/ac) zone district, located at 182 27 Road and introduction of a proposed ordinance to vacate the south half of the cul-de-sac at the south end of 27 Road.

Proposed Ordinance Zoning the Clymer Annexation to Residential Single Family with a Density Not to Exceed Two Units per Acre (RSF-2), Located at 182 27 Road

Proposed Ordinance Vacating Right-of-Way, Located Adjacent to 182 27 Road

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

Staff presentation: Ronnie Edwards, Associate Planner

5. **Setting a Hearing on Zoning the Coop/Myers Annexation, Located at 2997 D Road** [File #ANX-2006-137] [Attach 5](#)

Request to zone the 5.48 acre Coop/Myers Annexation, located at 2997 D Road, to RMF-8 (Residential Multi Family, 8 units per acre).

Proposed Ordinance Zoning the Coop/Myers Annexation to RMF-8, Located at 2997 D Road

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

Staff presentation: Adam Olsen, Associate Planner

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

Request to zone the 0.81 acre Schroeder Annexation, located at 527 Reed Mesa Drive to RSF-4 (Residential Single Family 4 du/ac).

Proposed Ordinance Zoning the Schroeder Annexation to RSF-4, Located at 527 Reed Mesa Drive

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

Staff presentation: Lori V. Bowers, Senior Planner

7. **Setting a Hearing on Rezoning Property Located at 510 Pear Street** [File #RZ-2006-172] [Attach 7](#)

Request to rezone 0.49 acres, located at 510 Pear Street from RMF-8, Residential Multi-Family – 8 units/acre to C-1, Light Commercial.

Proposed Ordinance Rezoning the Property Known as the Pear Street Rezone to C-1, Light Commercial, Located at 510 Pear Street

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

Staff presentation: Scott D. Peterson, Senior Planner

8. **Setting a Hearing on the Baldwin Annexation, Located at 2102 and 2108 Highway 6 & 50** [File #ANX-2006-182] [Attach 8](#)

Request to annex 3.23 acres, located at 2102 and 2108 Highway 6 & 50. The Baldwin 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. 94-06 – 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, Baldwin Annexation #1 and #2, Located at 2102 and 2108 Highway 6 & 50 and a Portion of the Highway 6 & 50 Right-of-Way

®Action: *Adopt Resolution No. 94-06*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Baldwin Annexation #1, (Located at 2102 and 2108 Highway 6 & 50), Approximately .10 Acres, which includes a Portion of the Highway 6 & 50 Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Baldwin Annexation #2, Approximately 3.13 Acres, Located at 2102 and 2108 Highway 6 & 50 and a Portion of the Highway 6 & 50 Right-of-Way

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

Staff presentation: Faye Hall, Associate Planner

9. **Setting a Hearing on the CGVSD Annexation, Located at 541 Hoover Drive** [File #ANX-2006-175] [Attach 9](#)

Request to annex 0.94 acres, located at 541 Hoover Drive. The CGVSD Annexation consists of 1 parcel.

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

Resolution No. 95-06 – 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, CGVSD Annexation, Located at 541 Hoover Drive

®Action: *Adopt Resolution No. 95-06*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, CGVSD Annexation, Approximately 0.94 Acres, Located at 541 Hoover Drive

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

Staff presentation: Senta L. Costello, Associate Planner

10. **Setting a Hearing on the Halliburton Annexation, Located at 3199 D Road**
[File #ANX-2006-210] [Attach 10](#)

Request to annex 48.4 acres, located at 3199 D Road. The Halliburton Annexation consists of 2 parcels and is a 2 part serial annexation.

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

Resolution No. 96-06 – 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, Halliburton Annexation #1 and #2, Located at 3199 D Road Including Portions of the D Road and 32 Road Rights-of-Way

®Action: *Adopt Resolution No. 96-06*

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Halliburton Annexation #1, Approximately 0.29 Acres, Located at 3199 D Road

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Halliburton Annexation #2, Approximately 48.11 Acres, Located at 3199 D Road Including Portions of the D Road and 32 Road Rights-of-Way

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

Staff presentation: Senta L. Costello, Associate Planner

11. **Setting a Hearing on Vacating the Alley at Mesa County Corrections and Treatment Facility, Located at 636 South Avenue** [File #VR-2006-076]

[Attach 11](#)

Request to amend and correct Ordinance No. 3898, vacating rights-of-way for an alleyway located at the eastern 250' of the east/west alley and the north/south alley between 6th and 7th Streets and Pitkin and South Avenues.

Proposed Ordinance Amending and Correcting Ordinance No. 3898 Vacating Rights-of-Way for an Alleyway, Located at the Eastern 250' of the East/West Alley and the North/South Alley Between 6th and 7th Streets and Pitkin and South Avenues, Mesa County Correction and Treatment Facility – 636 South Avenue

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

Staff presentation: Senta L. Costello, Associate Planner

12. **Agreement with CDOT for Rotomilling and Asphalt Overlay on I-70 B, S.H. 340, and U.S. 50**

[Attach 12](#)

The State has requested that the City perform rotomilling and asphalt overlays of I-70B between North Avenue to Grand Avenue, SH 340 between Mulberry to Grand Avenue, the frontage road connecting I-70B with SH 340, and US 50 from Ute Avenue to South Avenue. A Memorandum of Understanding was approved at the July 19, 2006 meeting. This resolution formalizes that approval.

Resolution No. 97-06 – A Resolution Authorizing an Agreement Between the City of Grand Junction and the State of Colorado Department of Transportation for the Rotomilling and Asphalt Overlay for I-70B from North Ave (MP 4.1) and Grand Ave (MP 4.9), SH340 Between Mulberry St (MP 13.2) and Grand Ave (MP 13.34), Frontage Road Connecting I-70B and SH 340, and 5th Street (US 50) Between Ute Ave (MP 32.0) and South Ave (MP 32.14)

®Action: Adopt Resolution No. 97-06

Staff presentation: Mark Relph, Public Works and Utilities Director

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

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

13. **Lincoln Park Golf Course Irrigation System Replacement**

[Attach 13](#)

This approval request is for the replacement of the Lincoln Park Golf Course irrigation system.

Action: Authorize the City Purchasing Division to Enter into a Contract, in the Amount of \$700,958, with Formost Construction, Murrieta, California for the Completion of the Irrigation System Replacement and Transfer \$22,558 from General Fund Contingency to Cover the Shortfall

Staff presentation: Joe Stevens, Parks and Recreation Director

14. **Public Hearing – Zoning the Hamilton Annexation, Located at 3124 D Road** [File #ANX-2006-105] [Attach 14](#)

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

Ordinance No. 3941 – An Ordinance Zoning the Hamilton Annexation to RMF-5, Located at 3124 D Road

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3941

Staff presentation: Senta L. Costello, Associate Planner

15. **Public Hearing – Abeyta-Weaver Growth Plan Amendment, Located at 432 30 ¼ Road** [File #GPA-2005-188] [Attach 15](#)

Request to change the Growth Plan designation of 8.42 acres, located at 432 30 ¼ Road from "Residential Medium 4-8 du/ac" to "Public".

Resolution No. 98-06 – A Resolution Amending the City of Grand Junction Growth Plan to Designate Approximately 8.42 Acres, Located at 432 30 ¼ Road, from Residential Medium 4-8 Du/Ac to Public, Abeyta-Weaver Growth Plan Amendment

®Action: Adopt Resolution No. 98-06

Staff presentation: Senta L. Costello, Associate Planner

16. **Public Hearing – Pine Industrial No. 1 Annexation and Zoning, Located at 2769 D Road** [File #ANX-2006-124] [Attach 16](#)

Request to annex and zone 5.08 acres, located at 2769 D Road, to I-2 (General Industrial). The Pine Industrial No.1 Annexation consists of one parcel and is a two part serial annexation.

a. Accepting Petition

Resolution No. 99-06 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Pine Industrial No. 1 Annexation #1 and #2, Located at 2769 D Road is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3942 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Pine Industrial No.1 Annexation #1, Approximately .30 Acres, Located at 2769 D Road Including a Portion of the D Road Right-of-Way

Ordinance No. 3943 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Pine Industrial No.1 Annexation #2, Approximately 4.78 Acres, Located at 2769 D Road

c. Zoning Ordinance

Ordinance No. 3944 – An Ordinance Zoning the Pine Industrial No.1 Annexation to I-2, Located at 2769 D Road

®Action: Adopt Resolution No. 99-06 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 3942, 3943, and 3944

Staff presentation: Faye Hall, Associate Planner

17. **Public Hearing – Harris Annexation and Zoning, Located at 2730 B Road**

[File #ANX-2006-125]

[Attach 17](#)

Request to annex and zone 9.38 acres, located at 2730 B Road, RSF-4 (Residential Single Family 4 du/ac). The Harris Annexation consists of one parcel and is a two part serial annexation.

a. Accepting Petition

Resolution No. 100-06 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Harris Annexation #1 and #2, Located at 2730 B Road Including a Portion of the B Road and 27 Road Rights-of-Way is Eligible for Annexation

b. Annexation Ordinances

Ordinance No. 3945 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Harris Annexation #1, Approximately 2.73 Acres, Located at 2730 B Road Including a Portion of the B Road and 27 Road Rights-of-Way

Ordinance No. 3946 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Harris Annexation #2, Approximately 6.65 Acres, Located at 2730 B Road Including a Portion of the B Road Right-of-Way

c. Zoning Ordinance

Ordinance No. 3947 – An Ordinance Zoning the Harris Annexation to RSF-4, Located at 2730 B Road

®Action: Adopt Resolution No. 100-06 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 3945, 3946, and 3947

Staff presentation: Faye Hall, Associate Planner

18. **Public Hearing – Merkel Annexation, Located at the Northwest Corner of I-70 and 24 ½ Road** [File #GPA-2006-126] [Attach 18](#)

Request to annex 27.11 acres, located at the northwest corner of I-70 and 24 ½ Road. The Merkel Annexation consists of 2 parcels.

a. Accepting Petition

Resolution No. 101-06 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Merkel Annexation, Located at the Northwest Corner of I-70 and 24 ½ Road Including a Portion of the 24 ½ Road Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3948 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Merkel Annexation , Approximately 27.11 Acres Located at the Northwest Corner of I-70 and 24 ½ Road Including a Portion of the 24 ½ Road Right-of-Way

®Action: Adopt Resolution No. 101-06 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3948

Staff presentation: David Thornton, Principal Planner

19. **Non-Scheduled Citizens & Visitors**
20. **Other Business**
21. **Adjournment**

Attach 1

Minutes July 17, 2006 Workshop, July 19, 2006 Regular Meeting and July 26, 2006 Special Meeting

**GRAND JUNCTION CITY COUNCIL
WORKSHOP SUMMARY
July 17, 2006**

The City Council of the City of Grand Junction, Colorado met on Monday, July 17, 2006 at 7:01 p.m. in the City Hall Auditorium to discuss workshop items. Those present were Councilmember Teresa Coons, Bruce Hill, Gregg Palmer, Doug Thomason, and Council President Pro Tem Bonnie Beckstein. Those absent were Councilmember Jim Spehar and Council President Jim Doody.

Summaries and action on the following topics:

1. **DISCUSSION OF RIDGES OPEN SPACE:** A developer in the Ridges to address City Council regarding fees in lieu of and dedication of open space in the Ridges in relation to his future development. Council President Pro Tem Beckstein recused herself from this discussion due to a conflict of interest. She turned the meeting over to Acting President of the Council Bruce Hill. The requestors were allowed to present their argument first.

Mike Stubbs, President of the Dynamic Investments and the property owner, and Rich Krohn, attorney, 744 Horizon Court, representing Dynamic Investments, addressed the City Council. A brief history of the property was given by Mr. Krohn. The paperwork drafted during the annexation in 1992 represented that the 28% of open space which was dedicated was the full obligation for the full build out of the Ridges. The bulk of the open space was dedicated to the Ridges Metro District which is now the City of Grand Junction. They did not agree additional open space or fees in lieu should be exacted for current developments. Large parcels were sold for development into smaller parcels. The school parcel of 6.8 acres is now owned by the City and has been rezoned residential and could be developed into twenty-five lots. Mark Fenn, a realtor, purported those undeveloped lots (raw land) could sell for \$35,000 each. Mr. Krohn concluded that by law the additional request should not be made nor should it be made under the rules of fairness.

Mike Stubbs, 205 Little Park Road, President of Dynamic Investments, said they agree with the premise of the Zoning and Development Code regarding open space. However, there are unique situations. Open Space has already been dedicated on behalf of these lots. The thought was to dedicate a quantity of land rather than have little parcels of open space within each development. There exists 28% open space in Ridges 1 through 6 plus another 30% is the golf

course which is effectively open space. If 10% of open space dedication is the requirement, it has been met. These last pieces to be developed are infill pieces. He asked that Council recognize what has been done. It was his contention that when amendments are made to a Planned Development, they should not be required to comply with all new dedications.

Mr. Fenn who represents two development groups developing in the Ridges, said he was formerly on the Planning Commission, and was involved in the development of the Code. It was his recollection that the intent was that there is no additional fee or open space expected from these additional developments.

City Attorney John Shaver advised that this discussion has gone on for a number of years and he commended Mr. Krohn and Mr. Stubbs for their cooperation and professionalism. He reviewed the history of the discussion from the City's perspective. The City Council approved an amended plan for the Ridges in 1994, which made all developments coming forward to be subject to the new Zoning and Development Code. For many years, parcels were sold with deeded densities. The 1994 plan gave some control over the final build out and made the development realistic. Many of the densities assigned were wholly unrealistic. Much of open space acreage dedicated was private and only came to the City through the Ridges Metropolitan District (RMD) in order to dissolve the debt. The previous debt was stifling (44 mills). The City restructured the debt and has been paying off the debt through a much lower mill levy to the Ridges property owners. The acquisition of the school site was a land exchange with the School District and was not open space dedication to the City.

Kathy Portner, Assistant Community Development Director, stated that under Mesa County's PUD, a minimum of 20% open space was required. For the City to approve a Planned Development, the development must go beyond the minimum standards in order to provide a community benefit; the minimum open space dedication for the City is 10%.

Acting Council President Hill pointed out that the dedications were well above the County's minimum of 20% and the City's 10% requirement. Ms. Portner noted that a large portion of the property being counted by the developer is undevelopable land which would not suffice for neighborhood park purposes. City Attorney Shaver added that the Code specifically exempts undesirable property from being counted in open space calculations.

Ms. Portner advised the 10% came into effect in 2000 for the sole purpose of neighborhood park development. A minimum of 3 acres in any subdivision or else a fee in lieu of is required.

Councilmember Coons asked about trail systems and if they count against the open space requirement. Ms. Portner replied that it can be considered as a

public benefit but cannot be accepted in order to meet the 10% open space requirement.

Councilmember Palmer asked for additional clarification. Ms. Portner stated that if the development was not previously platted and includes more than ten units, a 10% land dedication or 10% of appraised land value is required. The City is asking for fees in lieu of because the current developments aren't big enough for land dedication. Councilmember Palmer asked if there were discussions at the time that the previous dedications would be counted. City Attorney Shaver advised they did a search and found nothing that reflected such discussions. The understanding when they amended the plan in 1994 is that they would comply with the new rules.

Councilmember Hill asked if fees in lieu of are collected from this developer, where would the City provide a neighborhood park. Ms. Portner stated that a park would not have to be constructed in that subdivision. The process is such that when the Parks Department reviews a subdivision proposal, they comment on whether they want land dedication if the parcel is in an area where a neighborhood park is needed and if it is a usable size or fees in lieu of a dedication.

Acting Council President Hill and Councilmember Palmer questioned why, if the Planned Development had already gone through the County review process, it was considered a new development. Mr. Shaver noted that is part of the argument - is the new development the Amended Planned Development or each newly platted subdivision.

Acting Council President Hill agreed that staff has demonstrated the basis of their response to the developer as contained within the Code. However, he felt that the Ridges are unique. He questioned if the interpretation in 1994 was an accurate one, that is, to apply the Code in this specific case when there was a different interpretation as to what is open space.

Councilmember Palmer added that the County requirement was not specific in what type of land could be considered open space. He did disagree that the golf course should be counted.

In response to Councilmember Palmer's inquiry, Mr. Stubbs said in 1994 they were in land bank period; they could have sold it off but held out. He said their land dedication wasn't all unusable open space. He referred to a letter between the County and the original developer which stated that all the requirements were met. Mr. Stubbs acquired property in 1987. When he was told he would have to comply with current standards in 1994, he thought that meant they had to develop to City standards not dedicate additional open space. He contended that he was told by the then City Attorney Dan Wilson that all land dedication requirements were met. He feels the intent of the Code has been met.

Councilmember Palmer asked staff if the decision will affect other parcels. City Attorney Shaver responded that there are no others like this. He displayed the 1994 Planned Development plan that was adopted that specifically addressed that new development would have the new regulations applied. He advised he has done Planning and Zoning for the City since prior to 1994 and he is not aware of the discussion with Mr. Wilson that Mr. Stubbs is referring to.

Councilmember Coons noted there is clearly a lot of open space in the Ridges; she is concerned that there is no need and no place for a park in that area so the request is for a fee for open space to go in another area. She is struggling with the uniqueness of this area and questioned the sense of adhering to the letter of the law in this situation.

Councilmember Palmer said he feels they have met the open space requirements in good faith and they have not questioned the other requirements.

Councilmember Thomason said he would support amending or correcting an unfair situation.

Councilmember Coons said the intention has been satisfied so adhering to the letter of the law does not gain any benefit. She supports amending the 1994 agreement.

Acting Council President Hill stated that the direction has been given to staff to find exception and bring back an amendment to Council, although he agrees that the City stepped up and helped them with their debt.

City Attorney Shaver said he will bring back the direction given in the form of a resolution so that it is the adoption of a policy.

Tom Volkmann, an attorney representing Harvest Holdings, a current developer in the Ridges, questioned how Shadow Run will be affected as it is in final plat stage. City Attorney Shaver advised that can be worked out through the Development Improvements Agreement.

Action summary: Staff was directed to bring back a resolution, which will include a statement from the City Council that the Ridges has met open space requirements, for final consideration by the City Council. City Attorney Shaver was directed to work with Harvest Holdings to resolve their situation so they can move through the final plat process.

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

The meeting reconvened at 8:58 p.m. with Council President Pro Tem Bonnie Beckstein presiding over the rest of meeting.

2. **STRATEGIC PLAN:** An update and direction to proceed on the two year update. Interim City Manager David Varley reviewed the direction previously given, the development of the Strategic Plan, its relationship to the Vision 20/20 and the history of the various updates. A number of firms were approached for their assistance with the update and the original company, Kezziah Watkins, was the firm he was recommending. Mr. Varley discussed their proposal and how they would incorporate some of the ideas from the Vision 20/20 into the two year update.

Councilmembers Hill and Palmer were in favor of reconstituting the original Vision 20/20 group to refresh the Vision 20/20 plan. Interim City Manager Varley suggested bringing that group together once or twice for input. The additional community input would come from the focus groups. That will allow a more in-depth cross section opinion. Focus groups are more effective than telephone surveys although the telephone survey certainly still has value. Councilmember Hill agreed that the survey gives a baseline that he wants to maintain. He asked how the focus group members would be selected. Mr. Varley said a firm was hired when the City conducted the communications study to identify focus groups and they ensured a balanced demographic was designated.

Councilmember Palmer agreed with a blend of focus groups and the survey. He suggested that some additional questions be added to the survey. Mr. Varley said they could but the firm feels their questionnaire is close to reaching the number of maximum questions. The results from the Jerry Moorman service delivery survey conducted last year could be incorporated into the update since it was only last year. Another element would be the neighborhood meetings that have been conducted in previous updates.

Councilmember Hill said he likes the plan; it will dig deeper, bringing in the 20/20 group which can make some adjustments will be a benefit. He commended the consultants in their previous work with the Strategic Plan and was pleased with the specific direction they will be giving them.

Councilmember Coons asked if the economic surveys being done can somehow be incorporated. Mr. Varley responded that there is a connection and there may be a way to merge the two once both processes are complete.

Councilmember Hill noted the Council can use both documents when doing the next two-year budget.

Action summary: Staff was directed to go forward with the update plan as presented. Mr. Varley said he will start getting things scheduled. He anticipated it would be about a month to get it organized.

ADJOURN

The meeting adjourned at 9:30 p.m.

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

July 19, 2006

The City Council of the City of Grand Junction convened into regular session on the 19th day of July 2006, at 7:00 p.m. in the City Auditorium. Those present were Councilmembers Teresa Coons, Bruce Hill, Gregg Palmer, Doug Thomason, and Council President Pro Tem Bonnie Beckstein. Those absent were Councilmember Jim Spehar and Council President Jim Doody. Also present were Interim City Manager David Varley, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Pro Tem Beckstein called the meeting to order. Councilmember Coons led in the pledge of allegiance. The audience remained standing for the invocation by 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

Bill Keith and Stephen Thoms were present to receive their certificates for the Downtown Development Authority and Downtown Grand Junction Business Improvement District Board of Directors.

To the Avalon Theatre Advisory Committee

Alan Friedman, Edward Lipton, Harold Stalf, and André van Schaften were present to receive their certificates for the Avalon Theatre Advisory Committee

Appointments

To the Riverfront Commission

Councilmember Hill moved to re-appoint Dennis DeVore and Lesley Kibel to the Riverfront Commission for three year terms until July, 2009, appoint Bennett Boeschenstein and Tom Kenyon to the Riverfront Commission for three year terms until July, 2009, and appoint Ken Henry to the Riverfront Commission for an unexpired term

until July, 2007. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Citizen Comments

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

Bill Grant, 257 Martello Drive, thanked the City Council for the strong proactive stand they have taken to protect the City's watershed. He had a stack of comment cards from citizens who feel that the City Council should have every tool possible in their hand to protect the watershed. The petition his group is circulating is asking for protections to mitigate the drilling activities in the watershed areas.

Karen Schoenberg, with the Western Colorado Congress, represents Grand Valley Peace and Justice too, which supports the petition. They feel it is also a moral issue at stake. They are also supported by St. Joseph Parish here in Grand Junction.

CONSENT CALENDAR

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

It was moved by Councilmember Palmer, seconded by Councilmember Hill and carried by roll call vote to approve Consent Calendar items #1 through #6.

1. **Minutes of Previous Meeting**

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]

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

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

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

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

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

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

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

6. Change Order #1 for 2006 Asphalt Overlays

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

ITEMS NEEDING INDIVIDUAL CONSIDERATION**Software Purchase for Fire and EMS Records Management**

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.

Jim Bright, Interim Fire Chief, reviewed this item. He explained the purpose of the request which began as a cooperative effort with Mesa County in order to be able to share information between agencies. After reviewing the proposals, the proposal for High Plains Information Systems, Inc. was the best proposal out of three that were submitted.

Jim Finlayson, Information Systems Manager, stated that the big advantage to the recommended software is the usability. The new software will make the responder have the information much quicker as well as reports being available to the hospital faster. It

also has a Human Resources module that will identify the responder and his qualifications. It will be a significant improvement.

Councilmember Coons asked why the City isn't using the same software as the County. Mr. Finlayson advised that it is the same software but the City is purchasing two additional modules that will make reporting quicker.

Councilmember Hill asked for clarification on the cost. Interim Chief Bright explained that the amount shown in the staff report is the net amount to be paid by the City. The cost of the rest of the software was paid for with a grant.

Councilmember Palmer moved to 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. Councilmember Coons seconded the motion. Motion carried.

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

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.

Mark Relph, Public Works and Utilities Director, reviewed this item. He explained how this approval will amend the current contract with Carter Burgess to include the landscaping improvements at the new interchange at 24 Road and I-70.

Councilmember Palmer asked why this was not already considered. Mr. Relph explained a contractor was hired to design the concept. It was anticipated that a contract would then be bid to actually design the project.

Councilmember Hill commended the work that has been done so far by Carter Burgess for the various projects around town.

Councilmember Hill moved to 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. Councilmember Thomason seconded the motion. Motion carried.

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

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.

John Shaver, City Attorney, reviewed this item. He briefed the Council on the history of the contract and stated that it will create a cooperative relationship with the Grand Valley Irrigation Company due to the ongoing maintenance. The City will be responsible for the ditch. The City will be piping the canal along Patterson Road and then down through the Mesa Mall parking lot to Leach Creek.

Councilmember Coons asked how the work will take place along Patterson Road. Public Works and Utilities Director Mark Relph stated the City received a \$3 million grant from FEMA to help with this project. The Mall owners have been very cooperative. Two lanes will have to be closed on Patterson Road during the construction.

Councilmember Coons asked for the schedule. Mr. Relph said it will start up by the airport in the fall and at the same time they will start from Leach Creek coming up the other way. The Mesa Mall parking lot will not be under construction during holiday shopping. The project does have to be done in the winter when there is no water in the ditch. The Patterson Road section will probably be done the winter of 2007.

Councilmember Palmer asked for Mr. Relph to explain the purpose of the project. Mr. Relph stated the FEMA maps drawn in the 1980's established the flood plain incorrectly in the Mesa Mall area. When the error was discovered, it placed hundreds of properties in the floodplain along 25 Road, west to the Mall, and including many of the Mall properties. The new pipe will take those properties out of the floodplain. A few smaller properties will still be subject to the 100 year flood and the City is still working with those property owners.

Councilmember Hill commended the staff for getting the FEMA grant as they are difficult to get. Mr. Relph agreed noting that FEMA had high praises for the grant application, noting its completeness and detail.

Councilmember Hill moved to authorize the Interim City Manager to sign a maintenance and construction agreement for the construction and maintenance of the Ranchmen's Ditch Storm Drainage Project also known as the Big Pipe. Councilmember Palmer seconded the motion. Motion carried.

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

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.

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

Kathy Portner, Assistant Community Development Director, reviewed this item. She described the property and the location. She advised the request meets the State Statute requirements for annexation and the property is eligible for annexation.

Councilmember Coons inquired if the annexation will create an enclave. Ms. Portner said it does not, but very close to one.

Sid Squirrel, 289 W. Morrison Court, representing the applicant, was available for questions.

There were no public comments.

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

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

Councilmember Hill moved to adopt Resolution No. 88-06 and Ordinance No. 3929 on Second Reading and ordered it published. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Public Hearing – Hamilton Annexation, Located at 3124 D Road [File #ANX-2006-105]

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.

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

Kathy Portner, Assistant Community Development Director, reviewed this item. The zoning will be brought forward later. She described the property and the location.

Jenette Traynor, the applicant, 3185 D ½ Road, was present but had nothing to add.

Howard Walitt, 416 West Mallard Way, said the site is an ill advised project. It will impact the nearby Grove Creek subdivision. He said D ¼ Road is not much of a road. He was concerned about traffic.

George Wishman, 415 West Mallard Way, was also concerned about the development. He felt the proposed development will have adverse impacts on their property. The proposal was initially an RMF-8 zoning which would have taken away their privacy. That was recognized at Planning Commission who voted for RSF-4. The matter was then reheard and the Planning Commission approved RMF-5 zoning which will allow townhomes. He urged Council to approve something that will be compatible.

City Attorney Shaver reminded the City Council that only annexation is under consideration at this time, not the zoning.

Council President Pro Tem Beckstein asked about the zoning process. Ms. Portner advised that the hearing on the zoning is scheduled for the next meeting on August 2nd. Once the zoning is approved, there will also be a hearing before the Planning Commission for the Preliminary Plan.

Councilmember Palmer asked for clarification on the rehearing referred to by Mr. Wishman. Ms. Portner explained what happened. Councilmember Palmer asked why the City Council was not provided with those minutes. Ms. Portner responded that the minutes were not ready but will be provided when the Council is considering zoning at the next meeting.

Councilmember Thomason inquired how traffic impacts are reviewed. Ms. Portner advised that is considered during the subdivision process which is only reviewed by the Planning Commission.

Councilmember Hill thanked Mr. Walitt and Mr. Wishman for bringing their concerns forward and although the zoning was not being considered at this time, he encouraged them to stay involved as the process proceeds.

The public hearing was closed at 8:13 p.m.

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

Councilmember Coons moved to adopt Resolution No. 89-06 and Ordinance Nos. 3930 and 3931 on Second Reading and ordered them published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Council President Pro Tem Beckstein called a recess at 8:15 p.m.

The meeting reconvened at 8:25 p.m.

Public Hearing – Vodopich Annexation and Zoning, Located at 3023 F ½ Road [File #ANX-2006-109]

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.

The public hearing was opened at 8:26 p.m.

Kathy Portner, Assistant Community Development Director, reviewed this item. She described the location, the proximity to the airport critical zone, the zoning for the surrounding properties as well as the densities and land use designations. She stated the

request is consistent with the criteria of the Zoning and Development Code and both the Planning Commission and staff recommend approval.

Councilmember Coons questioned if there is any issue with the proximity to the critical zone. Ms. Portner said no, not since it is a distance away. Properties closer may cause some concern when they are developed.

Jurgen Denk, the developer from Denver, said he is already developing another property on 12th Street, the Fairmont Village. He is planning a nice development.

There were no public comments.

The public hearing was closed at 8:29 p.m.

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

Councilmember Palmer moved to adopt Resolution No. 90-06 and Ordinance Nos. 3932 and 3933 on Second Reading and ordered them published. Councilmember Thomason seconded the motion. Motion carried by roll call vote.

Public Hearing – Hoffmann II Annexation and Zoning, Located at 565 22 ½ Road

[File #ANX-2006-117]

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.

The public hearing was opened at 8:31 p.m.

Kathy Portner, Assistant Community Development Director, reviewed this item. She described the location and the site. She stated the Future Land Use designation and the requested zoning which is consistent with nearby zoning. There are properties zoned RSF-4 adjacent to the property but staff feels the RSF-2 is more compatible with the area. The Planning Commission and staff recommend approval.

The applicant was not present.

There were no public comments.

The public hearing was closed at 8:32 p.m.

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

Councilmember Thomason moved to adopt Resolution No. 91-06 and Ordinance Nos. 3934 and 3935 on Second Reading and ordered them published. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

Public Hearing – Traynor Annexation and Zoning, Located at 748 and 749 24 ¾ Road [File #ANX-2006-111]

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.

The public hearing was opened at 8:34 p.m.

Kathy Portner, Assistant Community Development Director, reviewed this item. She described the location and the site. The Future Land Use Designation is Residential Medium. She described the land use designation of the surrounding properties. She described surrounding zoning and densities. Staff finds the requests meet the annexation requirements and the criteria of the Zoning and Development Code and recommend approval. Planning Commission also recommends approval.

Ron Abeloe, the applicant, was present to answer questions.

There were no public comments.

The public hearing was closed at 8:36 p.m.

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 ³/₄ Road and Portions of the Grand Valley Canal and 24 ³/₄ 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 ³/₄ 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 ³/₄ Road and a Portion of the 24 ³/₄ 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 ³/₄ Road

Councilmember Hill moved to adopt Resolution No. 92-06 and Ordinance Nos. 3936, 3937, and 3938 on Second Reading and ordered them published. Councilmember Palmer seconded the motion. Motion carried by roll call vote.

Public Hearing – Bekon Annexation and Zoning, Located at 2250 Railroad Avenue
[File #ANX-2006-143]

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.

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

Scott Peterson, Senior Planner, reviewed this item. He described the request and the location. He stated the site plan includes the construction of an industrial building. The Future Land Use designation allows industrial and the request for zoning is consistent with the Zoning and Development Code. Staff recommends approval. Mr. Peterson noted the applicant's representative was present.

Rebecca Wilmarth, Sharper Engineering Services, representing the applicant, was present to answer questions but had nothing to add.

Councilmember Thomason asked if the proposed use will use the rail spur existing on the property. Ms. Wilmarth said they will not.

There were no public comments.

The public hearing was closed at 8:40 p.m.

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

Councilmember Palmer moved to adopt Resolution No. 93-06 and Ordinance Nos. 3939 and 3940 on Second Reading and ordered them published. Councilmember Hill seconded the motion. Motion carried by roll call vote.

Non-Scheduled Citizens & Visitors

There were none.

Other Business

There was none.

Adjournment

The meeting adjourned at 8:40 p.m.

Stephanie Tuin, MMC
City Clerk

GRAND JUNCTION CITY COUNCIL

SPECIAL SESSION MINUTES

JULY 26, 2006

The City Council of the City of Grand Junction, Colorado met in Special Session on Monday, July 26, 2006 at 11:30 a.m. in the Administration Conference Room, 2nd Floor of City Hall. 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 was Interim City Manager David Varley and City Attorney John Shaver.

Council President Doody called the meeting to order.

Councilmember Palmer moved to go into executive session to confer and receive legal advice from the City Attorney under Section 402(4) (b) of the Open Meetings Law regarding non-emergency ambulance service contracts and they will not be returning to open session. Councilmember Spehar seconded the motion. The motion carried.

The City Council convened into executive session at 11:39 a.m.

Stephanie Tuin, MMC
City Clerk

Attach 2

Setting a Hearing on Zoning and Development Code Amendments – Downtown Residential Density

CITY OF GRAND JUNCTION

<i>CITY COUNCIL AGENDA</i>							
Subject	Zoning and Development Code Text Amendments – Downtown Residential Density						
Meeting Date	August 2, 2006						
Date Prepared	July 25, 2006				File TAC-2006-190		
Author	Kristen Ashbeck		Senior Planner				
Presenter Name	Kristen Ashbeck		Senior Planner				
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: A request to amend the Zoning and Development Code to implement the recently-approved Growth Plan Amendment that eliminated the maximum residential density requirement for downtown properties/developments.

Budget: N/A

Action Requested/Recommendation: Introduce the proposed ordinance and set a Public Hearing for August 16, 2006.

Background Information: See attached Staff Report/Background Information

Attachments:

1. Existing Zoning Map – B-2 Zone District Areas
2. Planning Commission Minutes (to be provided with 2nd Reading)
3. Proposed Ordinance

BACKGROUND INFORMATION	
Location:	Downtown Area
Applicant:	City of Grand Junction – Community Development Department Staff
Existing Land Use:	Business/Commercial – Maximum Residential Density of 24 units per acre
Proposed Land Use:	Same with no limitation on maximum residential density

ANALYSIS/BACKGROUND:

The DDA is proposing to participate in and/or encourage developers to create residential and mixed-use commercial-residential projects in the downtown area. In order to facilitate this goal, it was recognized that the valley-wide residential density cap of 24 units per acre was an impediment to such projects. In response, the City recently approved a text amendment to the Growth Plan to allow for residential densities to exceed 24 units per acre in the downtown area. The intent of the amendment is that downtown projects would not be restricted to a maximum density provided they are in compliance with all other applicable plans and regulations in effect at the time of development.

For purposes of the change to the Growth Plan the “Downtown area” was generally regarded as the area currently zoned Downtown Business B-2. Thus, the proposed amendments to the Zoning and Development Code pertaining to the B-2 zone district are intended to implement the policy change in the Growth Plan.

In addition to the amendment to the residential density in the downtown area, it is appropriate to make adjustments to other Code requirements in the B-2 zone district to allow for and promote well-designed, functional urban developments. The majority of the other Code requirements such as landscaping and the provision of open space contemplate developments more suburban in character. Similar to the 24 unit per acre cap on residential density, such requirements are viewed as impediments to creating a downtown urban fabric.

In particular, the amendments propose to eliminate the requirement for 200 square feet of open space per bedroom in multifamily developments in the B-2 zone district. This requirement is appropriate in such a development in a suburban setting but is typically not part of a functional multifamily or mixed-use urban development. The Code already

recognizes this by the provision of section 5 in the B-2 zone district which states that the director may waive landscaping requirements for any property fronting certain streets in the downtown area. This amendment proposes to extend the boundaries of where this provision applies to include White Avenue, Ute Avenue and 8th Street to more directly correspond to the location of properties presently zoned B-2.

The Zoning and Development Code amendments to the B-2 zone district highlighted below address the elements discussed above: residential density, open space requirements and landscape requirements.

C. **B-2: Downtown Business**

1. **Purpose.** To provide concentrated downtown retail, service, office and mixed uses not including major/regional shopping centers or large outdoor sales areas. The B-2 District promotes the vitality of the Downtown Commercial Core Area as provided by the GROWTH PLAN. Thus, pedestrian circulation is encouraged as are common parking areas. This district implements the *commercial* future land use classification of the GROWTH PLAN.
2. **Authorized Uses.** Table 3.5 lists the authorized Uses in the B-2 District.
3. **Intensity/Density.** Subject to the density bonus provisions of this Code, and other development standards in this Code, the following Intensity/Density provisions shall apply:
 - a. **There shall be no maximum gross density within the B-2 zone district.**
 - b. Nonresidential intensity shall not exceed a floor area ratio (FAR) of 8.0; and
 - c. Minimum net density shall not be less than eight (8) dwellings per acre if the only uses are residential. Minimum density shall not apply to mixed use developments.
4. **Street Design.** Effective and efficient street design and access shall be considerations in the determination of project/district intensity.
5. **Performance Standards.**

B-2 Summary	
Primary Uses	Offices, Retail, Civic, Government, Services, Residential
Max. Intensity	8.0 FAR, No max residential density
Min. Density	8 units/acre

- a. **Landscaping.** Landscaping requirements may be waived by the Director for any property fronting on White Avenue, Rood Avenue, Main Street, Colorado Avenue, or Ute Avenue between 1st Street and 8th Street if street-scaping exists or will be provided in the right-of-way.
- b. **Service Entrances.** Service entrances, service yards and loading areas shall be located only in the rear or side yard. In a B-2 District a six-foot (6') high solid fence or wall of stone, wood or masonry shall screen: each service yard or area from adjoining single family residential zones and uses which are not separated by a street (not counting an alley or any easement).
- c. **Mixed Use.** There shall be no maximum residential density for Mixed Use projects in a B-2 zone district.
- d. **Outdoor Storage and Display.** Outdoor storage and permanent display areas shall only be allowed in the rear half of the lot, beside or behind the principal structure, except for automotive display lots, which shall require approval of a Conditional Use Permit. Portable display of retail merchandise may be permitted subject to this Code.

6.. **Open Space.**

- a. **Public Parks and Open Space Fee.** The owner of any residential or mixed use project in a B-2 zone district shall be subject to the required Parks Impact Fee .
- b. **Open Space Requirement.** Multifamily or mixed use developments in a B-2 zone district shall not be subject to the open space requirement of Section 6.3.B.7; but shall be required to pay 10% of the value of the raw land of the property as determined in Section 6.3.B.

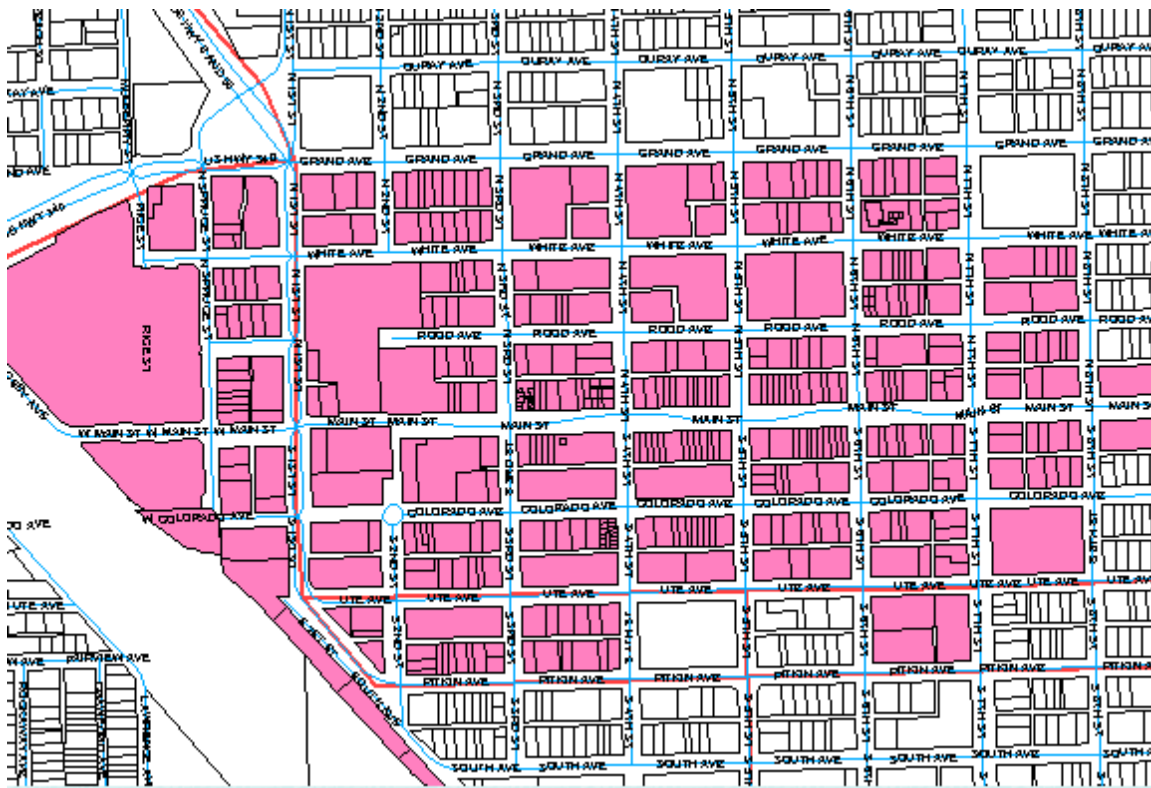
Also, the following amendment is proposed to revise note 7 in Table 3.2, Zoning and Dimensional Standards, deleting the wording with strikethrough.

7. Setbacks may be reduced to zero feet (0') by the Director. ~~if located within the downtown area.~~

FINDINGS OF FACT/CONCLUSIONS: After reviewing the proposed B-2 zone district amendments, staff and Planning Commission find that the proposed amendment is consistent with the purpose and intent of the Growth Plan.

PLANNING COMMISSION RECOMMENDATION (7/25/06 7-0): Planning Commission forwarded a recommendation of approval to City Council for the requested amendments (TAC-2006-190) to the Downtown Business (B-2) zone district in the Zoning and Development Code with the findings and conclusions listed in the staff report.

Existing B-2 Zoning



ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 3.2 and 3.4.C. OF THE ZONING AND DEVELOPMENT CODE REGARDING DOWNTOWN RESIDENTIAL DENSITY

Recitals

An amendment to the text of the Growth Plan was recently approved that eliminated restrictions on maximum residential density in mixed-use and residential density developments in the downtown area.

For purposes of the change to the Growth Plan the “Downtown area” was generally regarded as the area currently zoned Downtown Business B-2. Thus, the proposed amendments to the Zoning and Development Code pertaining to the B-2 zone district are intended to implement the policy change in the Growth Plan.

In addition to the amendment to the residential density in the downtown area, it is appropriate to make adjustments to other Code requirements in the B-2 zone district to allow for and promote well-designed, functional urban developments. The majority of the other Code requirements such as landscaping and the provision of open space contemplate developments more suburban in character. Similar to the 24 unit per acre cap on residential density, such requirements are viewed as impediments to creating a downtown urban fabric.

The Grand Junction Planning Commission, at its hearing on July 25, 2006 reviewed the proposed Zoning and Development Code amendments and determined them consistent with the purpose and intent of the Growth Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE ZONING AND DEVELOPMENT CODE BE AMENDED TO READ AS FOLLOWS (proposed new language **highlighted**, proposed deleted language in strikethrough):

B-2: Downtown Business

1. **Purpose.** To provide concentrated downtown retail, service, office and mixed uses not including major/regional shopping centers or large outdoor sales areas. The B-2 District promotes the vitality of the Downtown Commercial Core Area as provided by the GROWTH PLAN. Thus, pedestrian circulation is encouraged as are common parking areas. This district implements the *commercial* future land use classification of the GROWTH PLAN.
2. **Authorized Uses.** Table 3.5 lists the authorized Uses in the B-2 District.
3. **Intensity/Density.** Subject to the density bonus provisions of this Code, and other development standards in this Code, the following Intensity/Density provisions shall apply:
 - a. There shall be no maximum gross density within the B-2 zone district.
 - b. Nonresidential intensity shall not exceed a floor area ratio (FAR) of 8.0; and
 - c. Minimum net density shall not be less than eight (8) dwellings per acre if the only uses are residential. Minimum density shall not apply to mixed use developments.
4. **Street Design.** Effective and efficient street design and access shall be considerations in the determination of project/district intensity.
5. **Performance Standards.**
 - a. **Landscaping.** Landscaping requirements may be waived by the Director for any property fronting on White Avenue, Rood Avenue, Main Street, Colorado Avenue, or Ute Avenue between 1st Street and 8th Street if street-scaping exists or will be provided in the right-of-way.
 - b. **Service Entrances.** Service entrances, service yards and loading areas shall be located only in the rear or side yard. In a B-2 District a six-foot (6') high solid fence or wall of stone, wood or masonry shall screen: each service yard or area from adjoining single family residential zones and uses which are not separated by a street (not counting an alley or any easement).
 - c. **Mixed Use.** There shall be no maximum residential density for Mixed Use projects in a B-2 zone district.

B-2 Summary

Primary Uses	Offices, Retail, Civic, Government, Services, Residential
Max. Intensity	8.0 FAR, No max residential density
Min. Density	8 units/acre

- d. **Outdoor Storage and Display.** Outdoor storage and permanent display areas shall only be allowed in the rear half of the lot, beside or behind the principal structure, except for automotive display lots, which shall require approval of a Conditional Use Permit. Portable display of retail merchandise may be permitted subject to this Code.

6. **Open Space.**

- a. **Public Parks and Open Space Fee.** The owner of any residential or mixed use project in a B-2 zone district shall be subject to the required Parks Impact Fee .

- b. **Open Space Requirement.** Multifamily or mixed use developments in a B-2 zone district shall not be subject to the open space requirement of Section 6.3.B.7; but shall be required to pay 10% of the value of the raw land of the property as determined in Section 6.3.B.

Also, the following amendment is proposed to revise note 7 in Table 3.2, Zoning and Dimensional Standards, deleting the wording with strikethrough.

7. Setbacks may be reduced to zero feet (0') by the Director. ~~if located within the downtown area.~~

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

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

Mayor

ATTEST:

City Clerk

Attach 3

Setting a Hearing on Zoning the Arbogast Annexation, Located at 785 24 Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject		Zoning the Arbogast Annexation, located at 785 24 Road				
Meeting Date		August 2, 2006				
Date Prepared		July 24, 2006			File # GPA-2006-064	
Author		David Thornton		Principal Planner		
Presenter Name		David Thornton		Principal Planner		
Report results back to Council		X	No		Yes	When
Citizen Presentation			Yes	X	No	Name
	Workshop	X		Formal Agenda	X	Consent
						Individual Consideration

Summary: Request to zone the 18.05 acre Arbogast Annexation, located at 785 24 Road, to RSF-E (Residential Single Family Estate with a maximum of one unit per two acres) zone district.

Budget: N/A

Action Requested/Recommendation: Introduce a proposed zoning ordinance and set a public hearing for August 16, 2006.

Background Information: See attached Staff Report/Background Information

Attachments:

1. Staff report/Background information
2. Site Location Map / Aerial Photo Map
3. Future Land Use Map / Existing Zoning Map
4. May 8, 2003 letter on sewer capacity
5. Zoning Ordinance

ANALYSIS

1. Background

The property was recently annexed (Arbogast Annexation) into the City of Grand Junction pursuant to the Persigo Agreement. The property is shown as “Estate” on the Future Land Use Map. Surrounding properties in the area are generally 2 to 5 acres in size, reflective of the “Estate” land use designation. This property was previously zoned in Mesa County RSF-R (5+ acre lot sizes)

The 17 acre site is located along the west side of 24 Road between I-70 and H Road in the Appleton Area. The property is generally flat. Access to the property is from 24 Road and there is an existing single family home on the property.

The applicant recently requested a Growth Plan Amendment to change the land use designation from “Estate” to “Residential Medium Low”, which was denied by both the Planning Commission and City Council.

A neighborhood meeting was held on February 9, 2006 with twelve people attending the meeting. Many letters were received from the surrounding property owners in regards to opposition to the Growth Plan Amendment. However, generally in those letters property owners expressed their desire to maintain densities at two acres per dwelling unit in this area.

A letter dated May 8, 2003 (attached) from the City’s Utility Engineer discussing sewer capacity in this area supports densities at 2 acres per dwelling unit.

2. Consistency with the Growth Plan:

The requested zone district is consistent with the Future Land Use designation of Estate and is consistent with the North Central Valley Plan.

3. Section 2.6.A.3, 4, 5 of the Zoning and Development Code:

Zone of Annexation: The requested zone of annexation to the Estate district is consistent with the Growth Plan density of 2 to 5 acres per lot. The previous County zoning was Rural. 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 Estate zoning is compatible with the neighborhood. Surrounding residential lots are generally between 2 and 5 acres in size which conform to the Estate zoning. Infrastructure capacity will not be compromised nor create adverse impacts to surrounding development.

- 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 North Central Valley Plan and the requirements of the Zoning and Development Code and other City regulations and guidelines.

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

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

Policy 4.1: The City will place different priorities on growth depending on where growth is located...to locations...with adequate public facilities....

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 will encourage development that uses existing facilities and is compatible with existing development.

- 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 district would also be consistent with the Growth Plan designation for the subject property.

a. RSF-R

If the City Council chooses to approve the alternative zone designation, specific alternative findings must be made.

FINDINGS OF FACT/CONCLUSIONS:

After reviewing the Arbogast Annexation application, GPA-2006-064 for a Zone of Annexation, staff makes the following findings of fact and conclusions:

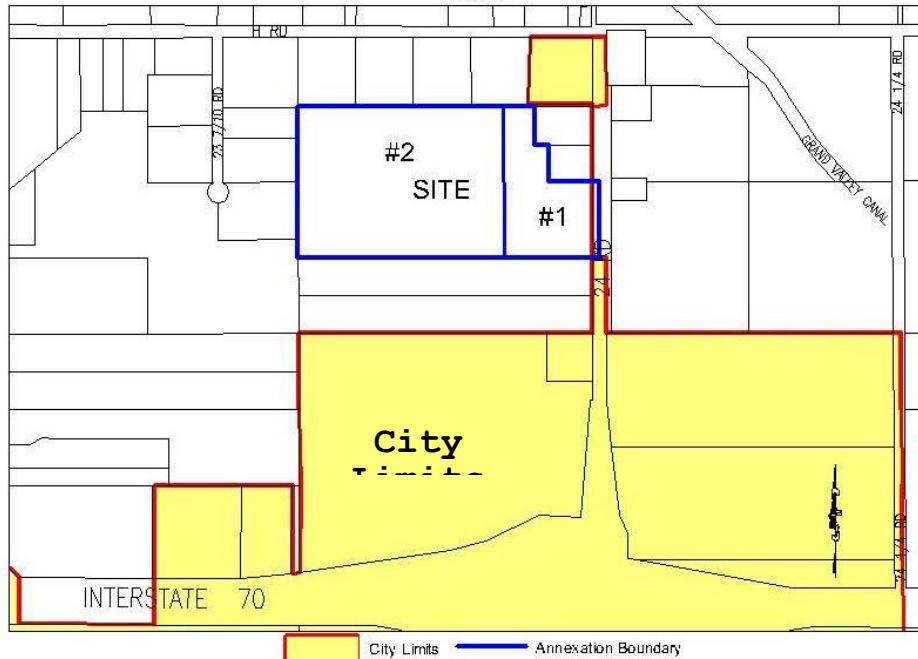
1. The requested zone is consistent with the Growth Plan
2. The review criteria in Section 2.6.A of the Zoning and Development Code have all been met.

PLANNING COMMISSION RECOMMENDATION:

Planning Commission recommended approval of the Estate zone district (GPA-2006-064) with the findings and conclusions listed above.

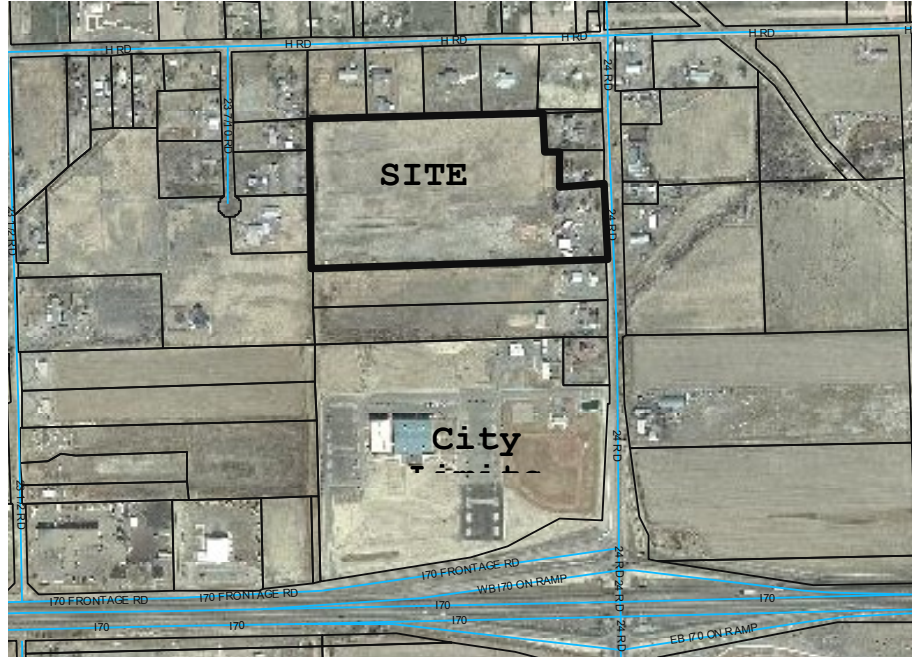
Site Location Map

Figure 1



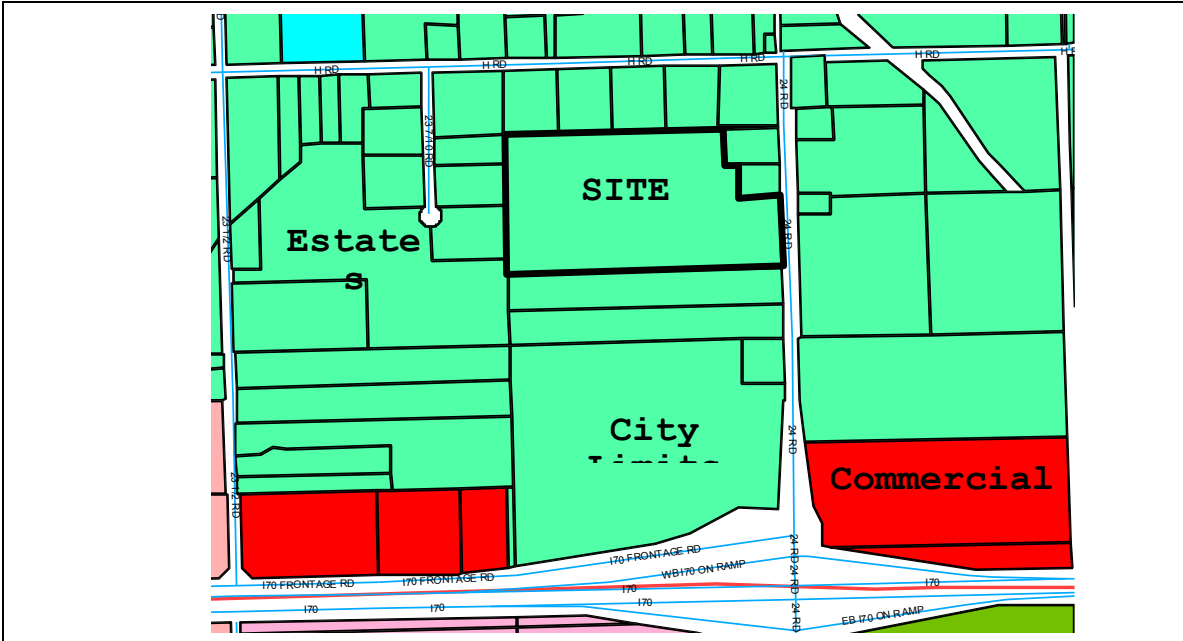
Aerial Photo Map

Figure 2



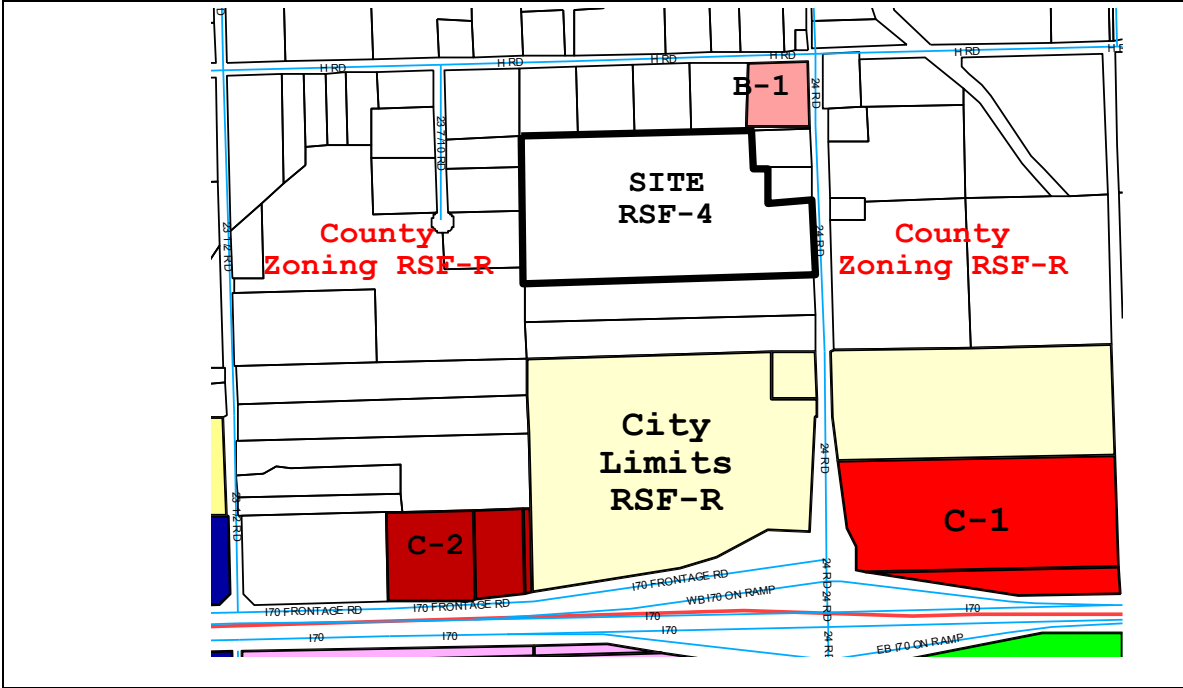
Future Land Use Map

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."

May 8, 2003

Allen Pennington
782 23 7/10 Rd
Grand Junction, CO 81505

Subject: Sewer Availability for proposed growth plan amendment

Location: Appleton Area – 23½ to 24 Rd south H Road

This letter is in response to your request for more information regarding sewer service in the above area and your proposal to amend the growth plan to allow a density between two and ½ units per acre.

As we discussed Wednesday, a significant amount of planning goes into a multi-million dollar piece of infrastructure such as a sewer treatment plant. The planning effort evaluates a particular area, the proposed uses based on zoning and then estimates the amount of flow that is proposed to be generated. The ultimate size of the sewer plant is based on the amount of flow that is planned. In 1979, the planning effort for the Persigo sewer treatment plant led to the pre-2000 service boundary. In 1984, the Persigo Wastewater Treatment Plant and intercepting sewer lines began serving that boundary. In managing this boundary, it is imperative that new development does not exceed planned development without making proper modifications to the overall 201 "plan".

A 1992 Sewer Basin Study conducted by HDR Engineering for the City looked at adding and deleting many areas to the Persigo 201. This was done to more accurately reflect how areas had actually developed since the original planning effort was completed 13 years earlier. Based on that study, the subject area was identified as an area that could be added to the 201, however overall densities would need to remain 0.5 units per acre (2 acres per unit) in order to maintain the "balance" of the 201 and assure adequate capacities for other property owners within the 201.

The subject area was added to the Persigo sewer service "201" boundary in 2000 in order to accommodate construction of sewer to Appleton Elementary school, and Fellowship of Excitement Church. The sewer was also made available to properties adjacent those sewer lines to resolve potential public health risks from failing septic systems which struggled due to the high groundwater table. Staff realized that the availability of sewer may lead to development, however the inclusion of this area was first to serve very large non-residential uses and secondly to serve those properties with septic system problems. This additional service area was intended to NOT be developed any denser than proposed in the 1992 HDR Study that specified an overall basin density of 0.5 units per acre.

As you pointed out yesterday there already are many existing properties within the basin that are less than 2 acres in size. Therefore, in keeping with the above goal of an **overall** basin density of 0.5 units per acre, any new development within the basin would then need to be even less dense than 0.5 units per acre. The February 18, 1998 joint City/County resolution adding the subject area to the Persigo 201 in fact limited new development in this area to only 0.42 units per acre.

In order to handle higher densities than proposed above, Community Development, the Planning Commission, and the City Council would first have to approve that the higher densities meet the overall planning goals such as those stated in the North Central Valley Plan. Once higher densities were approved, an engineering study would need to be completed on downstream infrastructure and recent development within the basin to assure that capacity is adequate for the amendment. Staff believes that capacity may be adequate in the collection and interceptor systems for the additional development, however the Railhead lift station may not have adequate capacity and therefore would have to be upgraded in order to accommodate the increased zoning. These upgrades may be accomplished with impact fees that would be determined only after City Council approval of the growth plan amendment.

One of the questions you posed Wednesday was in regards to the fairness of your development having to pay an impact fee for an upgrade that may not happen for 20 years. Please remember that the current system is sized, and capacity is reserved, for certain amount of flows to be generated from a given area. Anytime something is proposed over that reserved capacity an impact fee of some sort should apply in order to keep other beneficiaries, both existing and future, whole.

I hope the above information provides you an understanding for the issues that staff must consider when contemplating changes in our service delivery effort. If you have any questions regarding the above, please call me at 244-1590.

Sincerely,

Trent Prall
City Utility Engineer

cc: Greg Trainor, Utilities Manager
Kathy Portner, Community Development

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE ZONING THE ARBOGAST ANNEXATION TO RSF-E (RESIDENTIAL SINGLE FAMILY – ESTATE, 1 UNIT PER TWO ACRES)

LOCATED AT 785 24 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 Arbogast Annexation to RSF-E (Residential Single-family with a maximum of 1 unit per two acre), 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-E 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 RSF-E (Residential Single-Family- Estate, 1 unit per 2 acres).

ARBOGAST ANNEXATION

A Serial Annexation comprising Arbogast Annexation No. 1 and Arbogast Annexation No. 2

ARBOGAST ANNEXATION NO. 1

2701-321-00-027

A certain parcel of land located in the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section 32, Township One North, Range One West 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 NE 1/4 NE 1/4 of said Section 32 and assuming the East line of the NE 1/4 NE 1/4 of said Section 32 to bear N00°03'00"E with all bearings contained herein relative thereto; thence N00°03'00"E along the East line of said NE 1/4 NE 1/4 of said Section 32 a distance of 330.22 feet to the Point of Beginning; thence N89°57'56"W along the North line and the Easterly projection of Parcel A, Etcheverry Simple Land Division as recorded in Plat Book 16, Page 301 of the Mesa County, Colorado public records, a distance of 417.58 feet; thence N00°03'00"E a distance of 660.40 feet to a point on the South line of Appleton Ranchettes as recorded in Plat Book 13, Page 464 of the Mesa County, Colorado public records; thence S89°58'16"E along the South line of said Appleton Ranchettes a distance of 133.83 feet; thence S00°03'00"W along a line a distance of 170.00 feet, said line being a Boundary Agreement recorded in Book 4132, Pages 607 - 615 of the Mesa County, Colorado public records; thence S89°58'17"E a distance of 61.00 feet; thence S00°03'00"W a distance of 160.21 feet; thence S89°58'07"E a distance of 222.75 feet to a point on the East line of the NE 1/4 NE 1/4 of said Section 32; thence S00°03'00"W along the East line of the NE 1/4 NE 1/4 of said Section 32 a distance of 330.22 feet to the Point of Beginning.

Said parcel contains 4.40 acres (191,254 square feet), more or less, as described.

ARBOGAST ANNEXATION NO. 2

2701-321-00-027

A certain parcel of land located in the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section 32, Township One North, Range One West 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 NE 1/4 NE 1/4 of said Section 32 and assuming the East line of the NE 1/4 NE 1/4 of said Section 32 to bear N00°03'00"E with all bearings contained herein relative thereto; thence N00°03'00"E along the East line of said NE 1/4 NE 1/4 of said Section 32 a distance of 330.22 feet; thence N89°57'56"W along the North line and the Easterly projection of Parcel A, Etcheverry Simple Land Division as recorded in Plat Book 16, Page 301 of the Mesa County, Colorado public records, a distance of 417.58 feet to the Point of Beginning; thence N89°57'56"W continuing along the North line of said Parcel A, a distance of 900.49 feet to point on the West line of the NE 1/4 NE 1/4 of said Section 32; thence N00°04'03"E along the West line of the NE 1/4 NE 1/4 of said Section 32 a distance of 660.32 feet to the Southeast corner of Lot 1, Appleton Ranchettes as recorded in Plat Book 13, Page

464 of the Mesa County, Colorado public records; thence S89°58'16"E along the South line of said Appleton Ranchettes a distance of 900.29 feet; thence S00°03'00"W a distance of 660.40 feet to the Point of Beginning.

Said parcel contains 13.65 acres (594,584 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 4

Setting a Hearing on Zoning the Clymer Annexation and Vacation of ROW,
Located at 182 27 Road

**CITY COUNCIL AGENDA
CITY OF GRAND JUNCTION**

<i>CITY COUNCIL AGENDA</i>							
Subject	Clymer Zone of Annexation and Vacation of Right-of-Way – Located at 182 27 Road						
Meeting Date	August 2, 2006						
Date Prepared	July 17, 2006				File #VR-2006-153		
Author	Ronnie Edwards		Associate Planner				
Presenter Name	Ronnie Edwards		Associate Planner				
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Introduction of a proposed zoning ordinance to zone the Clymer Annexation RSF-2 (Residential Single Family with a density not to exceed 2 du/ac) zone district, located at 182 27 Road and introduction of a proposed ordinance to vacate the south half of the cul-de-sac at the south end of 27 Road.

Budget: N/A

Action Requested/Recommendation: Introduce a proposed zoning ordinance and a proposed right-of-way vacation ordinance and set a public hearing for August 16, 2006.

Background Information: See attached.

Attachments:

1. Site/Aerial Map

2. Future Land Use/Zoning Map
3. Annexation Map/Zoning Ordinance
4. Right-of-Way Vacation Ordinance/Exhibit Map

BACKGROUND INFORMATION				
Location:		182 27 Road		
Applicants:		Glynora B. Clymer		
Existing Land Use:		Residential Single Family		
Proposed Land Use:		Residential Single Family		
Surrounding Land Use:	North	Residential Single Family		
	South	Residential Single Family		
	East	Residential Single Family		
	West	Residential Single Family		
Existing Zoning:		County RSF-4		
Proposed Zoning:		City RSF-2		
Surrounding Zoning:	North	County RSF-4		
	South	County RSF-4		
	East	County RSF-4		
	West	City RSF-2		
Growth Plan Designation:		Residential Medium Low (2-4 du/ac)		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: The 4.58 acres Clymer Annexation is a serial annexation consisting of Clymer Annexation No. 1 and Clymer Annexation No. 2 and consists of two parcels located at 182 27 Road, including a portion of 27 Road right-of-way. The applicant is requesting a zone district of RSF-2 (Residential Single Family with a density not to exceed 2 du/ac). The applicant is also requesting to vacate the south half of the cul-de-sac at the south end of 27 Road. The cul-de-sac is no longer necessary due to a connection of 27 Road being created through a new adjacent subdivision.

ANALYSIS:

Background:

The subject property is zoned RSF-4 (Residential Single Family with a density of 4 du/ac) in Mesa County. The parcel is bordered to the south

by the Gunnison River, to the west by the approved Spyglass Ridge Filing #2 and to the east and north by Mesa County residential subdivisions. The adjacent subdivisions in Mesa County are zoned RSF-4 and the new Spyglass Ridge subdivision being developed in the City to the west is RSF-2.

Under the 1998 Persigo Agreement with Mesa County, the City shall zone newly annexed areas with a zone that is either identical to current County zoning or conforms to the City's Growth Plan Future Land Use Map. The proposed zoning of RSF-2 conforms to the recommended future land use on the Growth Plan Map, which is designated Residential Medium Low (2-4 du/ac). This annexation is being reviewed concurrently with a request to vacate a portion of a cul-de-sac at the end of 27 Road. The current cul-de-sac will no longer be necessary as the right-of-way is being extended to connect with the infrastructure in Spyglass Ridge Subdivision.

Consistency with the Growth Plan:

Policy 1.3 states that the City will use the Future Land Use Map in conjunction with other policies of the Growth Plan to guide zoning and development decisions.

The requested zone district is consistent with the Future Land Use designation of Residential Medium Low (2-4 du/ac) and therefore consistent with the Growth Plan.

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

The requested right-of-way vacation will benefit the neighborhood as the cul-de-sac will not be necessary with the right-of-way extension to the adjoining subdivision.

Section 2.6.A of the Zoning and Development Code:

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

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

3. *The proposed zone is compatible with the neighborhood, conforms to and furthers the goals and policies of the Growth Plan and other adopted plans and policies, the requirements of this Code and other City regulations;*

Response: The proposed zoning of RSF-2 is compatible with the neighborhood and conforms to the goals and policies of the Growth Plan. The surrounding zoning and uses are similar in comparison with RSF-2 to the west and RSF-4 to the north and east.

4. *Adequate public facilities and services are available or will be made available concurrent with the projected impacts of development allowed by the proposed zoning;*

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

5. *The supply of comparably zoned land in the surrounding area is inadequate to accommodate the community's needs, and*

Response: The subject property is being zoned with a City designation due to the annexation and is comparable with surrounding area.

Section 2.11.C of the Zoning and Development Code:

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

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

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

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

No parcel will be landlocked by the requested vacation as the property will continue to have direct access off of 27 Road, as the subject area is only the curved segment of a cul-de-sac.

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

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

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

There will be no adverse impacts to the general community and the quality of public facilities and services provided will not be reduced. The existing 60' of right-of-way will be extended from the adjacent subdivision to allow extension of public utilities.

5. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of the Zoning and Development Code.

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

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

The proposal provides a benefit to the City as the vacated area will become the responsibility of the owner of the abutting property for maintenance. The remaining right-of-way meets current street standards and will create another access to an adjacent subdivision, which improves traffic circulation.

STAFF RECOMMENDATION:

Staff recommends approval of the RSF-2 (Residential Single Family with a density not to exceed 2 du/ac) zone district with the finding that the proposed zoned district is consistent with the Growth Plan and with Sections 2.6 and 2.14 of the Zoning and Development Code.

Staff recommends approval of the Right-of-Way Vacation with the findings that the proposal is consistent with the Growth Plan and with Section 2.11.C of the Zoning and Development Code.

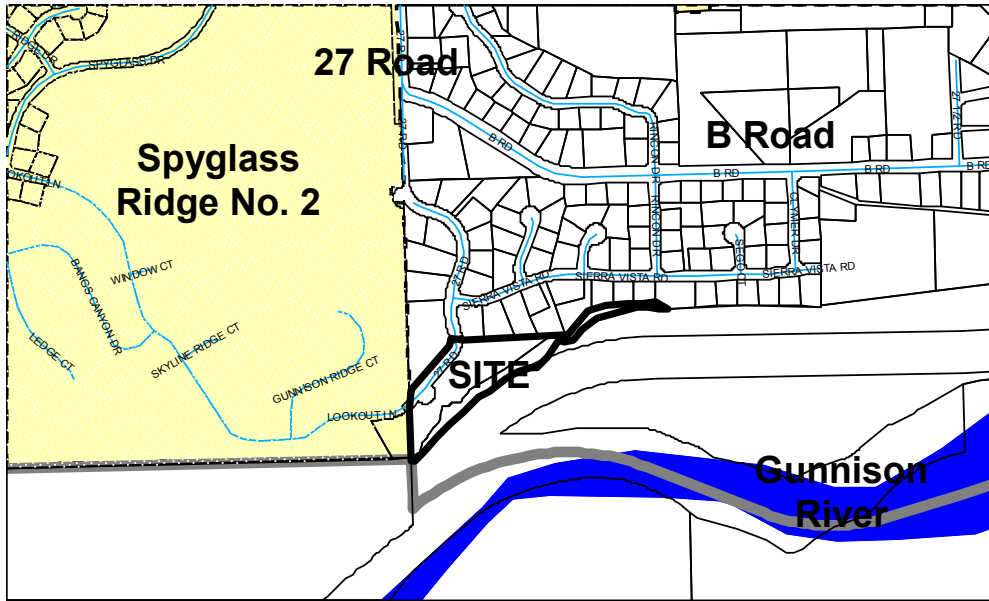
PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommended approval of the requested zone of annexation and right-of-way vacation to the City Council, finding the zoning of

RSF-2 zone district to be consistent with the Growth Plan, and Sections 2.6, 2.14 and 2.11.C of the Zoning and Development Code.

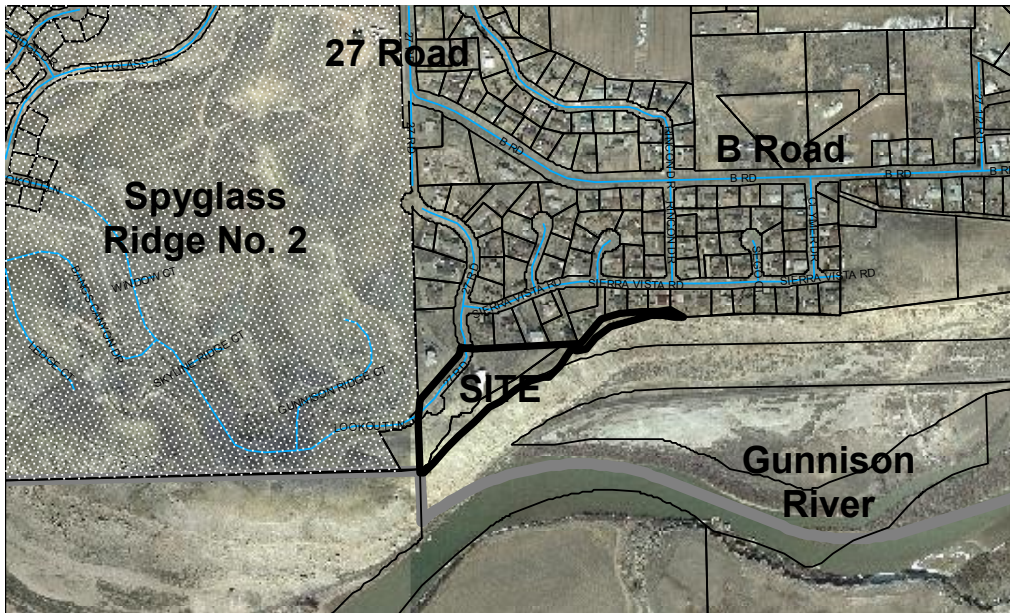
Site Location Map

Figure 1



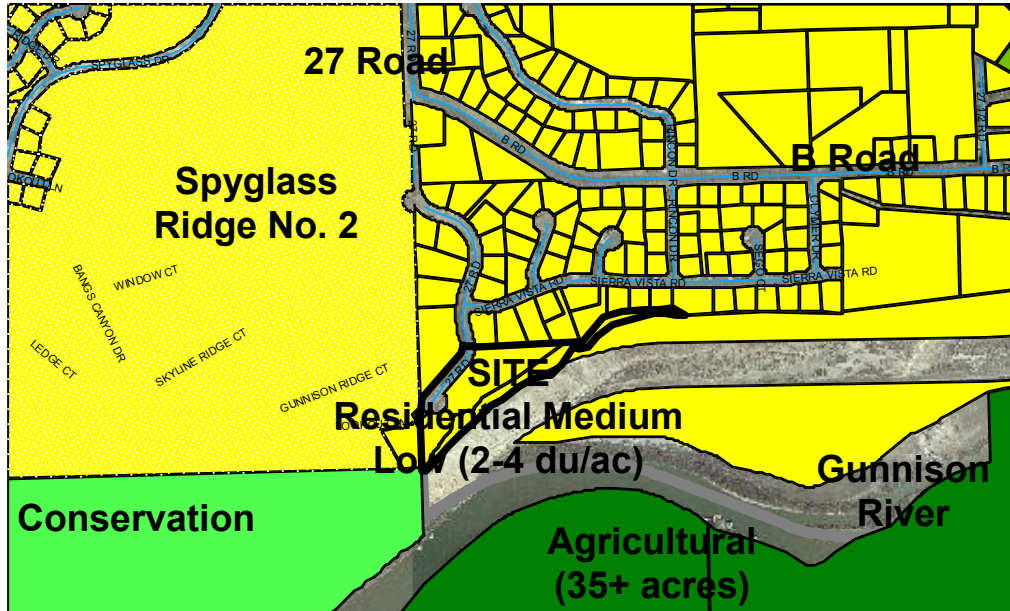
Aerial Photo Map

Figure 2



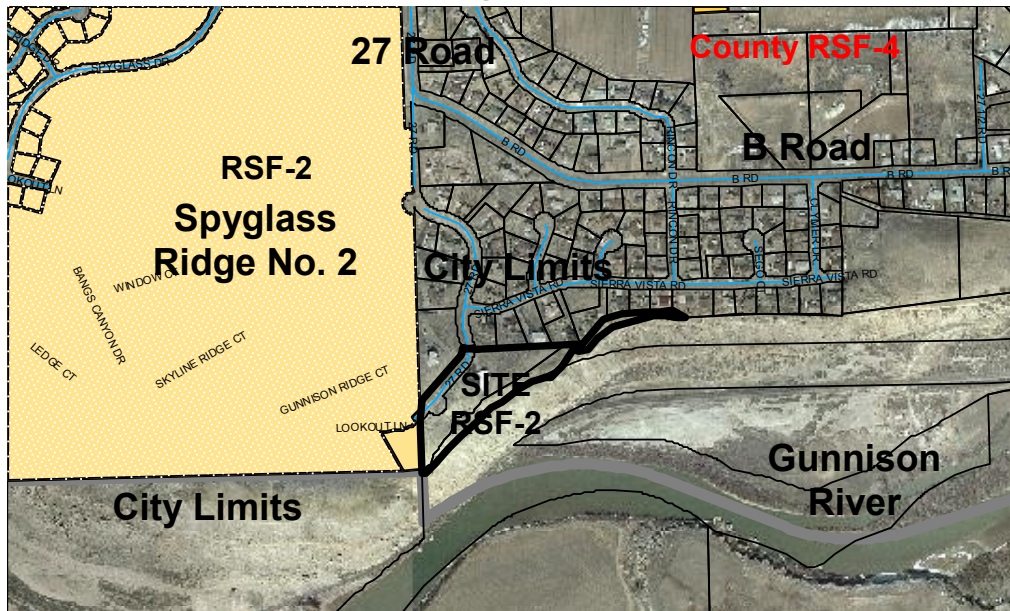
Future Land Use Map

Figure 3



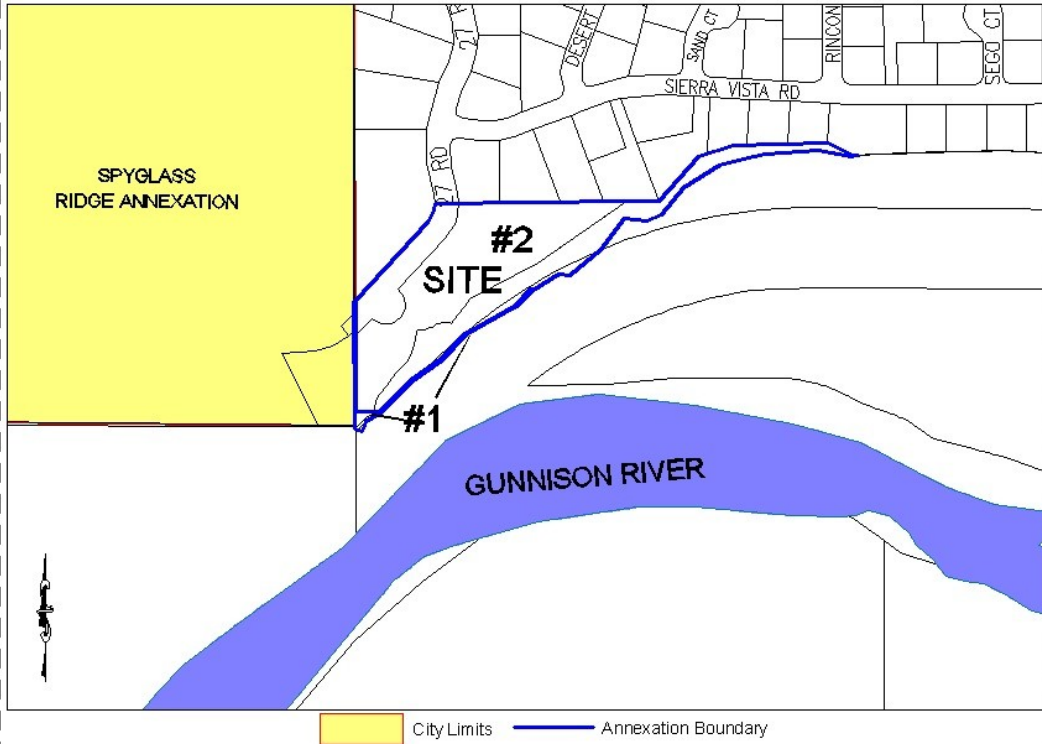
Existing City and County Zoning

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."

Clymer Annexations #1 & #2
Figure 5



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE CLYMER ANNEXATION TO
RESIDENTIAL SINGLE FAMILY WITH A DENSITY
NOT TO EXCEED TWO UNITS PER ACRE (RSF-2)**

LOCATED AT 182 27 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 Clymer Annexation to the Residential Single Family not to exceed two units per acre (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 two units per acre.

CLYMER ANNEXATION

A certain parcel of land located in the West Half of the Northwest Quarter (W 1/2 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 Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of said Section 36 and assuming the West line of the NW 1/4 NW 1/4 of said Section 36 to bear N00°07'02"W with all bearings contained herein relative

thereto; thence $N00^{\circ}07'02''W$ along the West line of the $N1/4$ NW $1/4$ of said Section 36, a distance of 308.98 feet; thence $N42^{\circ}40'16''E$ along the Northerly right of way of 27 Road, as shown on the plat of Sierra Vista Subdivision, recorded in Plat Book 12, Page 115 of the Mesa County, Colorado public records, a distance of 7.36 feet; thence $S00^{\circ}07'02''E$ along a line being 5.00 feet East of and parallel with the West line of the NW $1/4$ NW $1/4$ of said Section 36 a distance of 278.41 feet; thence $N90^{\circ}00'00''E$ a distance of 58.33 feet; thence $N44^{\circ}18'52''E$ a distance of 113.14 feet; thence $N56^{\circ}23'21''E$ a distance of 87.34 feet; thence $N43^{\circ}09'46''E$ a distance of 90.66 feet; thence $N60^{\circ}40'06''E$ a distance of 145.35 feet; thence $N42^{\circ}38'45''E$ a distance of 54.76 feet; thence $S47^{\circ}21'15''E$ a distance of 5.00 feet; thence $S42^{\circ}38'45''W$ a distance of 55.55 feet; thence $S60^{\circ}40'06''W$ a distance of 145.37 feet; thence $S43^{\circ}09'46''W$ a distance of 90.47 feet; thence $S56^{\circ}23'21''W$ a distance of 87.39 feet; thence $S44^{\circ}18'52''W$ a distance of 113.40 feet; thence $S62^{\circ}03'45''W$ a distance of 42.07 feet; thence $S20^{\circ}30'24''W$ a distance of 27.54 feet; thence $N75^{\circ}45'45''W$ a distance of 20.10 feet to a point on the West line of the Southwest Quarter of the Northwest Quarter (SW $1/4$ NW $1/4$) of said Section 36; thence $N00^{\circ}00'42''E$ along the West line of the SW $1/4$ NW $1/4$ of said Section 36 a distance of 8.63 feet to the Point of Beginning. Containing 0.13 Acres (5,620 Sq. Ft.), more or less, as described.

AND ALSO, A certain parcel of land located in the Northwest Quarter of the Northwest Quarter (NW $1/4$ 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:

Commencing at the Southwest corner of the Northwest Quarter of the Northwest Quarter (NW $1/4$ NW $1/4$) of said Section 36 and assuming the West line of the NW $1/4$ NW $1/4$ of said Section 36 to bear $N00^{\circ}07'02''W$ with all bearings contained herein relative thereto; thence $N00^{\circ}07'02''W$ along the West line of the $N1/4$ NW $1/4$ of said Section 36, a distance of 308.98 feet; thence $N42^{\circ}40'16''E$ along the Northerly right of way of 27 Road, as shown on the plat of Sierra Vista Subdivision, recorded in Plat Book 12, Page 115 of the Mesa County, Colorado public records, a distance of 7.36 feet to the Point of Beginning; thence continuing along the Northerly right of way of said 27 Road the following two (2) courses: $N42^{\circ}40'16''E$ a distance of 264.17 feet; thence 52.86 feet along the arc of a 70.00 foot radius curve concave Northwest, having a central angle of $43^{\circ}15'52''$ and a chord bearing $N21^{\circ}02'20''E$ a distance of 51.61 feet to a point on the Westerly extension of the North line of Lot 1, Block Five, of said Sierra Vista Subdivision; thence $N89^{\circ}28'13''E$ along said North line a distance of 477.26 feet; thence $S88^{\circ}31'07''E$ along a portion of the Southerly line of Lot 6, Block Five, a distance of 79.02 feet to the Southeast corner of said Lot 6; thence $N41^{\circ}38'28''E$ a distance of 151.01 feet; thence $N72^{\circ}20'40''E$ a distance of 91.08 feet; thence $N89^{\circ}03'03''E$ a

distance of 235.30 feet to the Southeast corner of Lot 11, of said Block Five; thence S64°17'24"E a distance of 66.70 feet; thence N88°26'22"E a distance of 18.62 feet; thence S79°56'48"W a distance of 19.98 feet; thence N80°18'40"W a distance of 82.51 feet; thence S86°57'37"W a distance of 132.74 feet; thence S75°24'03"W a distance of 55.73 feet; thence S76°51'17"W a distance of 60.59 feet; thence S57°58'10"W a distance of 104.70 feet; thence S38°44'10"W a distance of 89.12 feet; thence S70°30'23"W a distance of 41.01 feet; thence N84°25'46"W a distance of 56.20 feet; thence S37°53'33"W a distance of 96.62 feet; thence S49°19'20"W a distance of 98.31 feet; thence N89°17'51"W a distance of 29.69 feet; thence S59°57'41"W a distance of 75.71 feet; thence N47°21'15"W a distance of 5.00 feet; thence S42°38'45"W a distance of 54.76 feet; thence S60°40'06"W a distance of 145.35 feet; thence S43°09'46"W a distance of 90.66 feet; thence S56°23'21"W a distance of 87.34 feet; thence S44°18'52"W a distance of 113.14 feet; thence N90°00'00"W a distance of 58.33 feet; thence N00°07'02"W along a line being 5.00 feet East of and parallel with the West line of the NW 1/4 NW 1/4 of said Section 36 a distance of 278.41 feet to the Point of Beginning. Containing 4.45 Acres (194,012 Sq. Ft.), 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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE VACATING RIGHT-OF-WAY
LOCATED ADJACENT TO 182 27 ROAD**

RECITALS:

A request to vacate a portion of a cul-de-sac at the southerly side of 27 Road adjacent to 182 27 Road, which was dedicated with the platting of Sierra Vista Subdivision, has been submitted by the City of Grand Junction. The vacated area will become the responsibility of the owner of the abutting property owner.

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

The Planning Commission, having heard and considered the request, found the criteria of the Zoning Code to have been met, and recommends that the vacation be approved as requested.

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

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

A portion of 27 Road as shown and dedicated on the plat of Sierra Vista Subdivision, the plat of which is on file with the Mesa County Clerk and Recorder at Reception No. 1182500, in Mesa County, Colorado; said vacation being described as follows:

Beginning at a point on the southerly right-of-way line of 27 Road, being common with the westerly corner on the south line of Lot 1 Block Five of said Sierra Vista Subdivision; thence along said right-of-way line, 157.08 feet along the arc of a 50.00 foot radius curve to the right, through a central angle of 180°00'00" and a chord bearing South 42°40'16" West, a distance of 100.00 feet; thence

North 42°40'16" East, a distance of 100.00 feet to the Point of Beginning.

Containing 3927 square feet, more or less.

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

PASSED and ADOPTED this _____ day of _____, 2006

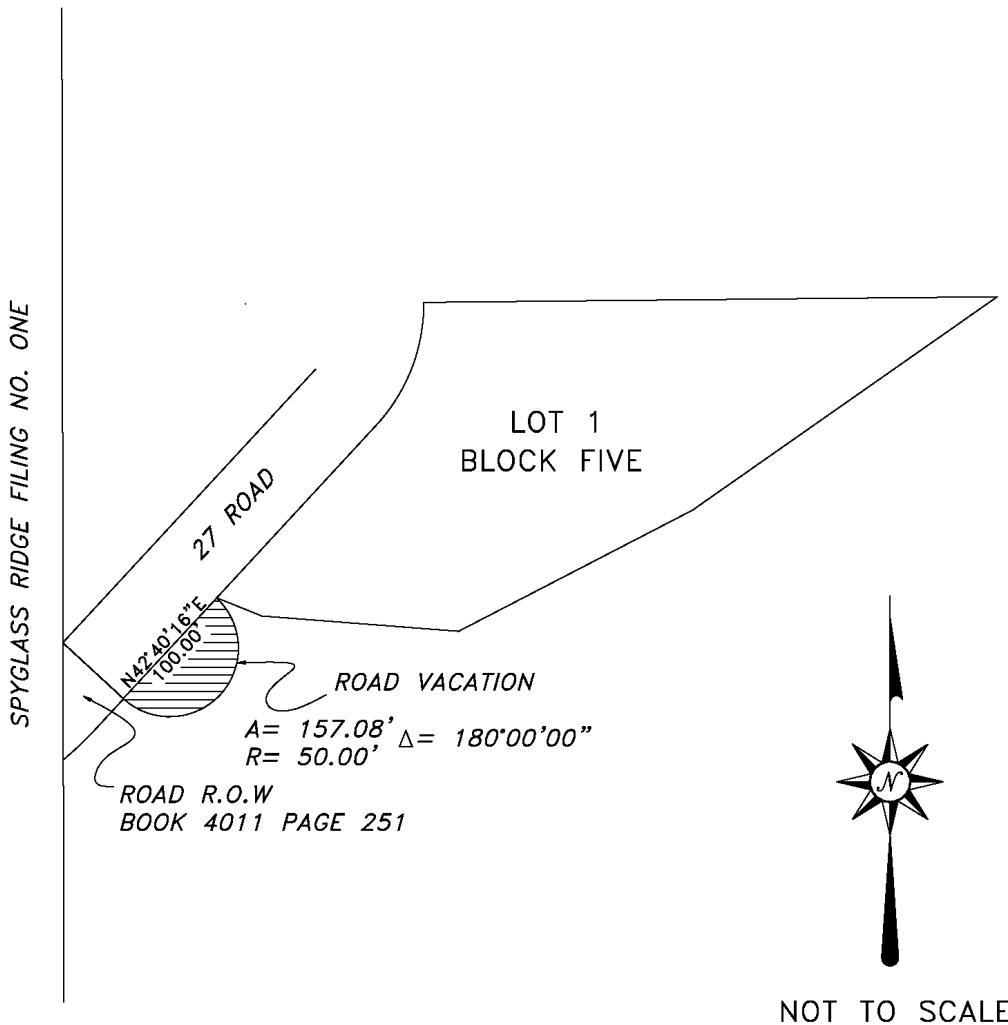
ATTEST:

President of City Council

City Clerk

Exhibit A

ROAD VACATION EXHIBIT



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

Attach 5

Setting a Hearing on Zoning the Coop/Myers Annexation, Located at 2997 D Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Zoning the Coop/Myers Annexation, located at 2997 D Road.						
Meeting Date	August 2, 2006						
Date Prepared	July 27, 2006				File #ANX-2006-137		
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 zone the 5.48 acre Coop/Myers Annexation, located at 2997 D Road, to RMF-8 (Residential Multi Family, 8 units per acre).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed zoning ordinance and set a public hearing for August 16, 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:		2997 D Road		
Applicants:		Owners: David M. Coop, Lydia Myers Representative: Robert Jones		
Existing Land Use:		Residential/Agricultural		
Proposed Land Use:		Residential		
Surrounding Land Use:	North	Commercial & Residential		
	South	Residential		
	East	Residential		
	West	Residential/Agricultural		
Existing Zoning:		RSF-R		
Proposed Zoning:		RMF-8		
Surrounding Zoning:	North	PD (Commercial) & RSF-4		
	South	PD-6.3 du/ac		
	East	RSF-4		
	West	RSF-R		
Growth Plan Designation:		RM (Residential Medium 4-8 du/ac)		
Zoning within density range?	x	Yes		No

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the RMF-8 district is consistent with the Growth Plan density of 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 RMF-8 zone district is compatible with the neighborhood and will not create adverse impacts. Directly to the north is a commercial PD consisting of a gas station, car wash and liquor store. To the south is a manufactured home PD with an overall density of 6.3 du/ac. The property is located at the intersection of D and 30 Roads, which are classified as major arterials and 30 Road south of D Road is classified as a minor collector. The RMF-8 zone district is therefore compatible with the neighborhood and surrounding land uses.

- 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-8 zone district is in conformance with the following goals and policies of the Growth Plan and the Pear Park Neighborhood 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.

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.

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

Goal 15: To achieve a mix of compatible housing types and densities dispersed throughout the community.

Goal 3, Pear Park Plan, Land Use & Growth: 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, the following zone districts would also be consistent with the Growth Plan designation for the subject property.

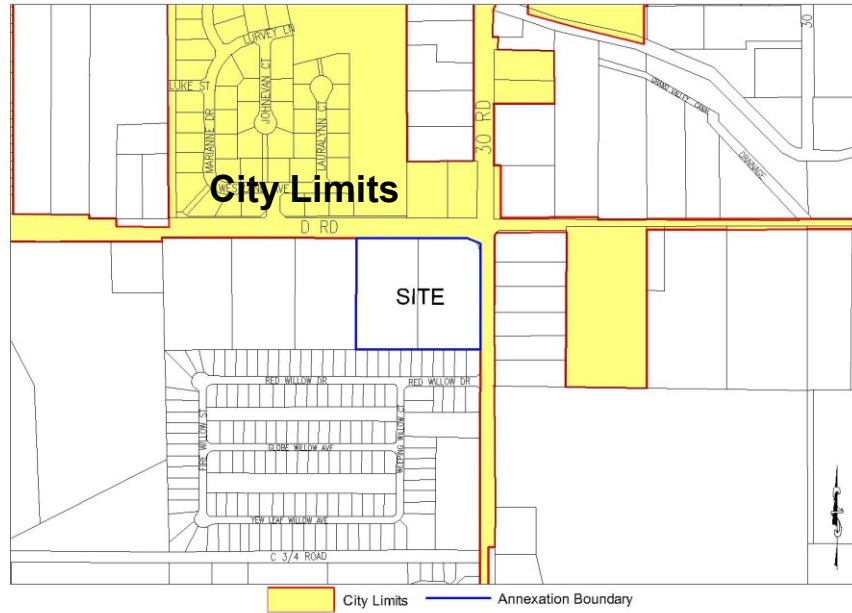
- b. RSF-4
- c. RMF-5

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

Coop/Myers Annexation
Figure 5



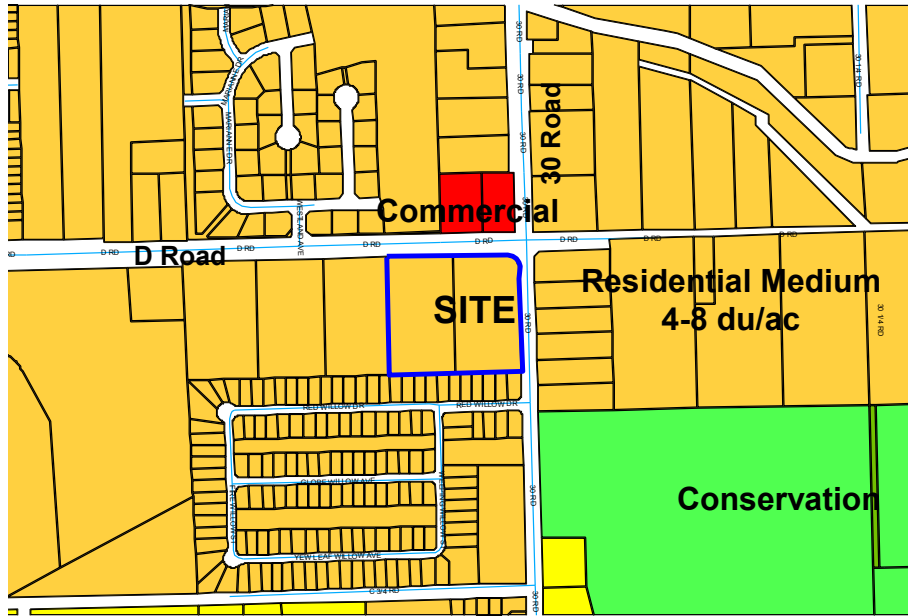
Aerial Photo Map

Figure 2



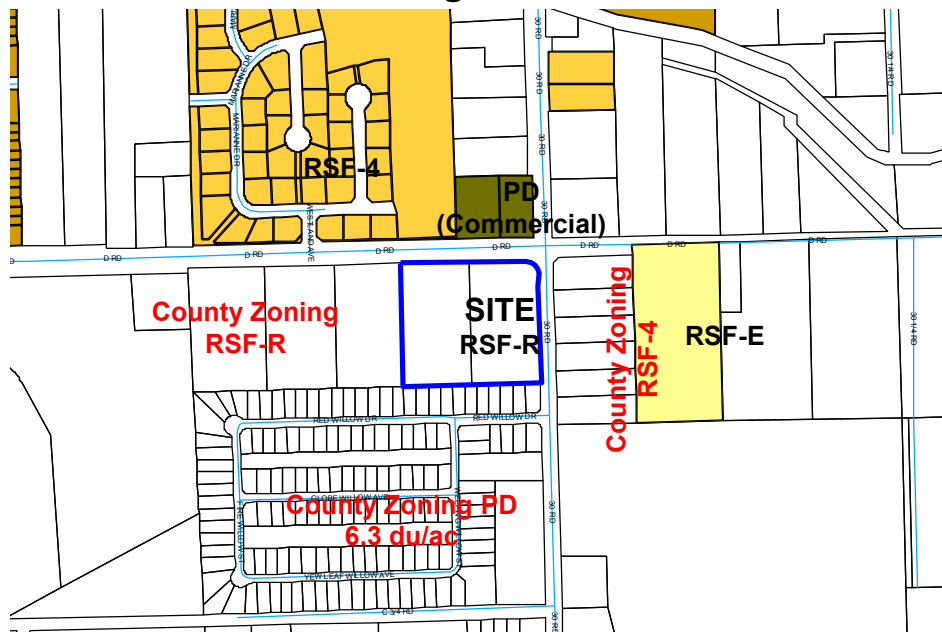
Future Land Use Map

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 COOP/MYERS ANNEXATION TO
RMF-8**

LOCATED AT 2997 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 Coop/Myers 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 Sections 2.6 and 2.14 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 Sections 2.6 and 2.14 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-8 with a density not to exceed 8 units per acre.

COOP/MYERS ANNEXATION

A certain parcel of land lying in the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section 20, 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 Northeast corner of said Section 20 and assuming the East line of the NE 1/4 of said Section 20 bears S00°03'01"E with all other bearings contained herein being relative thereto; thence from said Point of Commencement, S00°03'01"E along the East line of the NE 1/4 of said Section 20, a distance of 30.00 feet; thence S89°58'31"W a distance of 70.98 feet to a point on the Westerly right of way of 30 Road and also being the POINT OF BEGINNING; thence along said right of way line

S69°25'31"E a distance of 12.47 feet; thence S46°58'57"E a distance of 32.92 feet; thence S20°24'07"E a distance of 15.13 feet; thence S00°03'01"E a distance of 426.84 feet to the Northeast corner of Lot 1, Block One of Willowood Mobile Home Subdivision, as same is recorded in Plat Book 12, Page 415, Public Records of Mesa County, Colorado; thence S89°58'07"W along the North line of said Willowood Mobile Home Subdivision, a distance of 511.87 feet; thence N00°01'50"W a distance of 467.95 feet to a point on the Southerly right of way of D Road; thence N89°58'33"E along said South right of way, a distance of 470.74 feet, more or less, to the Point of Beginning.

CONTAINING 5.48 Acres (238,897 Sq. Ft.), 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 6

Setting a Hearing on Zoning the Schroeder Annexation, Located at 527 Reed Mesa Drive

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Zoning the Schroeder Annexation, located at 527 Reed Mesa Drive.					
Meeting Date	August 2, 2006					
Date Prepared	July 27, 2006				File #ANX-2006-139	
Author	Lori V. Bowers		Senior Planner			
Presenter Name	Lori V. Bowers		Senior Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda	X	Consent	Individual Consideration

Summary: Request to zone the 0.81 acre Schroeder Annexation, located at 527 Reed Mesa Drive to RSF-4 (Residential Single Family 4 du/ac).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed zoning ordinance and set a public hearing for August 16, 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:		527 Reed Mesa Drive	
Applicants:		Jim & Jane Ann Schroeder	
Existing Land Use:		Vacant	
Proposed Land Use:		Residential	
Surrounding Land Use:	North	Single Family Residential	
	South	Single Family Residential	
	East	Single Family Residential	
	West	Single Family Residential	
Existing Zoning:		County RSF-4	
Proposed Zoning:		City RSF-4	
Surrounding Zoning:	North	County RSF-4 / City RSF-4	
	South	County RSF-4	
	East	County RSF-4	
	West	County RSF-4	
Growth Plan Designation:		Residential Medium Low 2-4	
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. 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 district is compatible with the neighborhood and will not create any adverse impacts as the densities of the surrounding developed properties are in the 2-4 du/ac range or have the potential to be further subdivided into smaller lots. Properties directly adjacent to this site are approximately 1/3 of an acre in size and lots in the near vicinity range from 1/4 acres to 2 acres.

- 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.

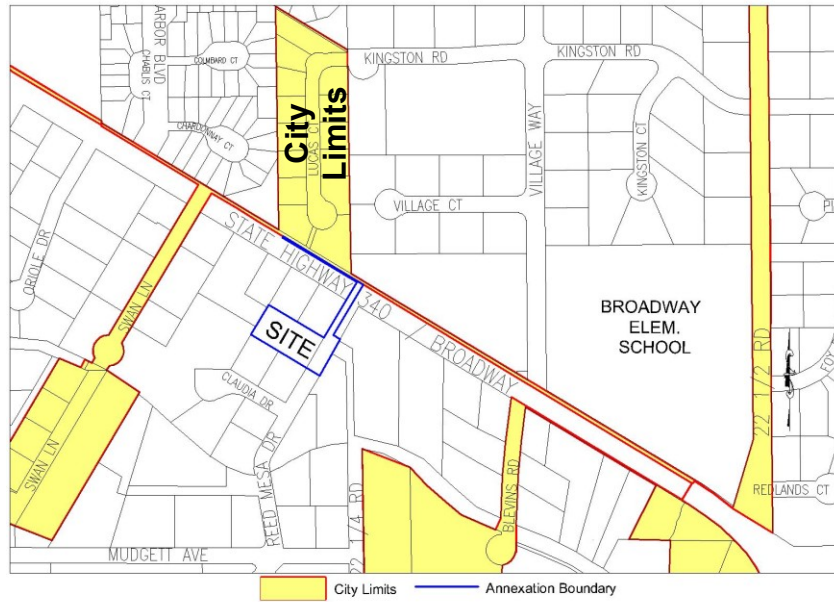
d. RSF-2

If the City Council chooses to recommend one of the alternative zone designations, specific alternative findings must be made.

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.

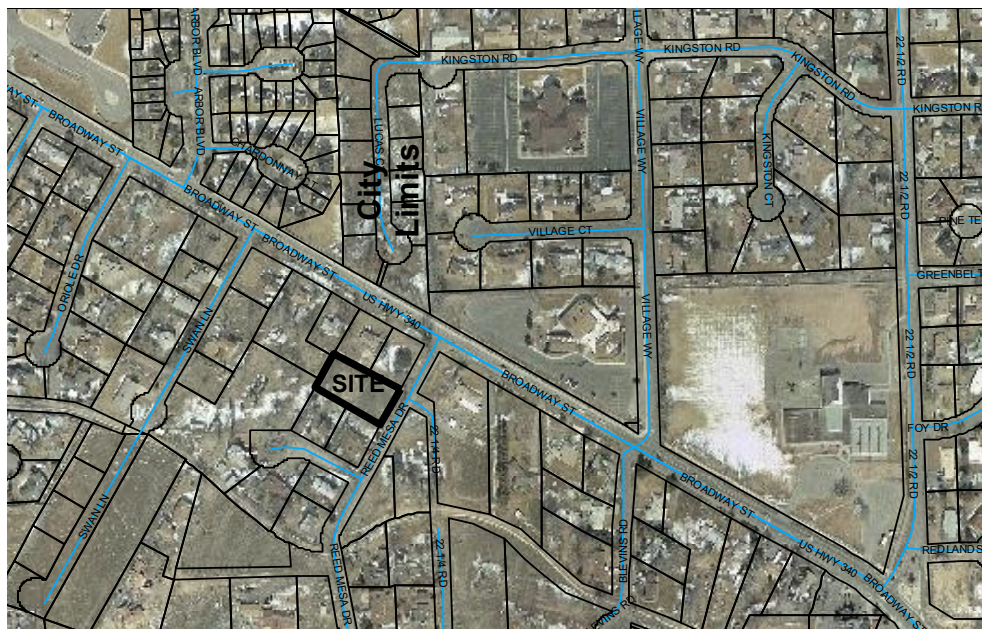
Site Location Map

Figure 1



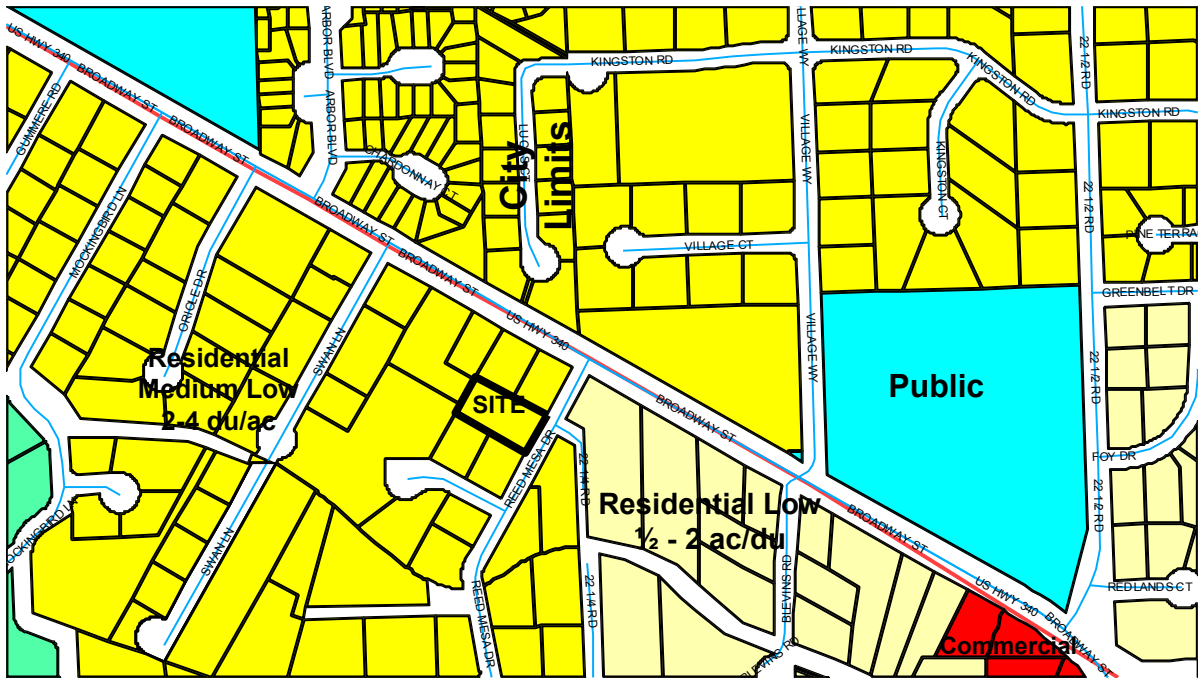
Aerial Photo Map

Figure 2



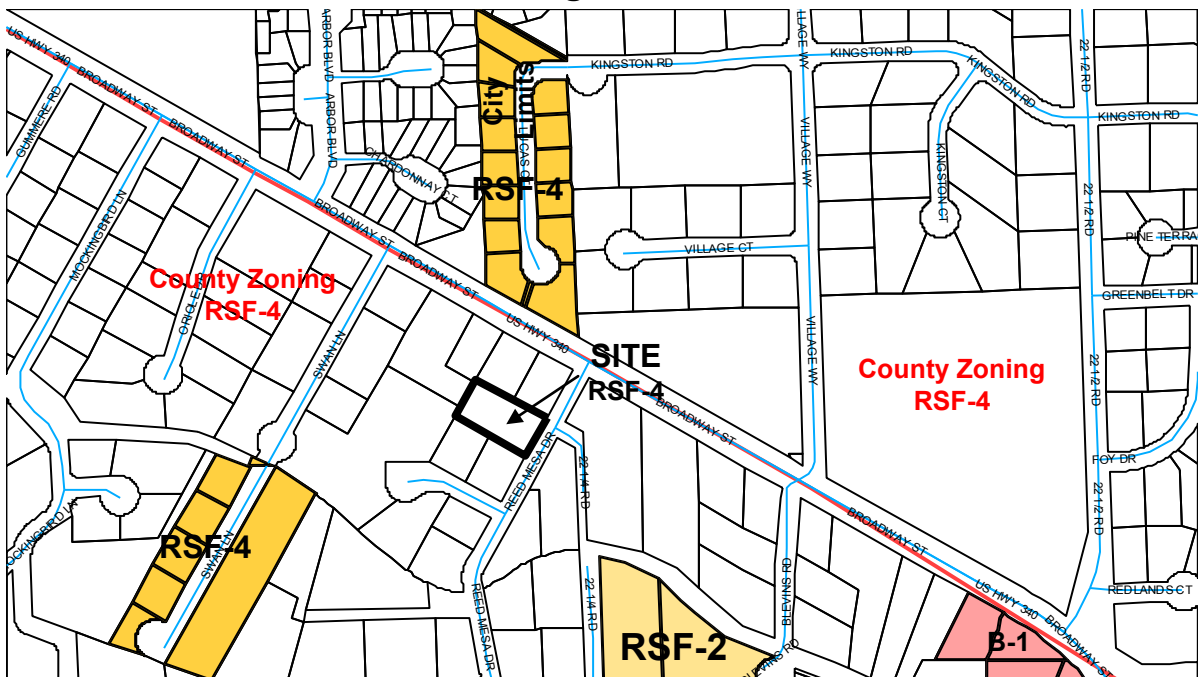
Future Land Use Map

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 SCHROEDER ANNEXATION TO
RSF-4**

LOCATED AT 527 REED MESA DRIVE

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Schroeder 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 RSF-4 with a density not to exceed 4 units per acre.

SCHROEDER ANNEXATION

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

Beginning at the Northwest corner of Lot 9, Block 8, Reed Mesa Subdivision Amended, as recorded in Plat Book 9, Page 62, public records of Mesa County, Colorado, and assuming the North line of said Lot 9 Block 8, to bear S59°08'46"E with all bearings contained herein relative thereto; thence S59°08'46"E along said North line a distance of 206.00 feet to the Northeast corner of said Lot 9 Block 8, and also being a point on the Westerly right of way of Reed Mesa Drive; thence N30°51'14"E along said Westerly

right of way, a distance of 203.00 feet to a point on a line being 5 feet South of and parallel with the Southerly line of Swan Lane Annexation, Ordinance No. 3784, City of Grand Junction; thence N59°08'46"W along said parallel line, a distance of 275.00 feet; thence N30°56'14"E a distance of 5.00 feet to a point on the Southerly line of said Swan Lane Annexation; thence S59°08'46"E along said Southerly line of said Swan Lane Annexation, a distance of 300.00 feet; thence S30°51'14"W along the center line of said Reed Mesa Drive, a distance of 188.00 feet; thence S59°08'46"E a distance of 25.00 feet to a point on the Easterly right of way of said Reed Mesa Drive; thence S30°51'14"W along said Easterly right of way, a distance of 130.00 feet; thence N59°08'46"W a distance of 256.16 feet to the Southwest corner of said Lot 9, Block 8; thence N30°56'14"E along the West line of said Lot 9, Block 8, a distance of 110.00 feet, more or less, to the POINT OF BEGINNING.

Said parcel contains 0.81 acres (35,244 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 7

Setting a Hearing on Rezoning Property Located at 510 Pear Street

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Pear Street Rezone, located at 510 Pear Street					
Meeting Date		August 2, 2006					
Date Prepared		July 26, 2006			File # RZ-2006-172		
Author		Scott D. Peterson		Senior Planner			
Presenter Name		Scott D. Peterson		Senior Planner			
Report results back to Council		X	No		Yes	When	
Citizen Presentation			Yes	X	No	Name	
	Workshop	X		Formal Agenda	X	Consent	Individual Consideration

Summary: Request to rezone 0.49 acres, located at 510 Pear Street from RMF-8, Residential Multi-Family – 8 units/acre to C-1, Light Commercial.

Budget: N/A

Action Requested/Recommendation: Introduce the proposed ordinance and set a hearing for August 16, 2006.

Background Information: See attached Staff Report/Background Information.

Attachments:

1. Staff Report/Background Information
2. Site Location Map / Aerial Photo Map
3. Future Land Use Map / Zoning Map
4. Zoning Ordinance

STAFF REPORT / BACKGROUND INFORMATION				
Location:		510 Pear Street		
Applicant:		Scotty Investments, LLC, Owner		
Existing Land Use:		Single Family Residential (vacant)		
Proposed Land Use:		Commercial development		
Surrounding Land Use:	North	Grand Mesa Little League (baseball fields)		
	South	Proposed commercial (vacant single-family home)		
	East	Single Family Residential		
	West	Commercial (Vacant lot)		
Existing Zoning:		RMF-8, Residential Multi-Family – 8 units/acre		
Proposed Zoning:		C-1, Light Commercial		
Surrounding Zoning:	North	CSR, Community Services & Recreation		
	South	C-1, Light Commercial		
	East	RMF-8, Residential Multi-Family – 8 units/acre		
	West	C-1, Light Commercial		
Growth Plan Designation:		Commercial		
Zoning within density range?		X	Yes	No

Staff Analysis:

The applicant, Scotty Investments LLC, is requesting to rezone an unplatted parcel of land (0.49 acres) located at 510 Pear Street to C-1, Light Commercial, in anticipation of developing the property and adjacent properties for commercial use. This parcel contains a vacant single family home that will be removed prior to development and was also part of the properties that were associated with the former Guyton's Fun Junction.

The City Council recently approved a Growth Plan Amendment for this property changing the Future Land Use designation from Residential Medium (4 – 8 DU/Ac.) to Commercial at the May 3, 2006 meeting (City file # GPA-2006-058).

In order for the rezoning 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. as follows:

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

The existing property is located in an area of existing commercial development (former Guyton's Fun Junction) and contains a single family home that will be removed prior to any development. The applicant wishes to develop this property and the adjacent commercial properties for commercial uses. The properties to the west and south are presently zoned C-1, with the Grand Mesa Little League baseball fields located to the north and zoned CSR. To the east is zoned RMF-8. Any future commercial development adjacent to a residential zone will require an eight foot (8') wide landscaping strip with trees and shrubs and the construction of a six foot (6') tall masonry wall to meet the screening and buffering requirements between commercial and residential zoning districts. The City Council recently approved a Growth Plan Amendment for this property to a Commercial designation.

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

The proposed zoning of C-1 is within the allowable density range recommended by the Growth Plan. This criterion must be considered in conjunction with criterion D which requires that public facilities and services are available when the impacts of any proposed development are realized. City staff has determined that public infrastructure can address the impacts of any development consistent with the C-1 Zoning District, therefore this criterion is met.

- c. **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 C-1 Zoning District implements the Commercial land use classification of the Growth Plan. The purpose of the C-1 District is to provide indoor retail service and office uses requiring direct or indirect arterial street access. This area is located at the intersection of North Avenue and 28 ¾ Road. Policy 13.2 from the Growth Plan is to

enhance the quality of development along key arterial street corridors. Goal 12 from the Growth Plan is to enhance the ability of neighborhood centers to compatibly serve the neighborhoods in which they are located. Goal 13 is to enhance the aesthetic appeal and appearance of the community's built environment along high visibility corridors and Goal 28 is the facilitation and promotion of infill and redevelopment within the urban growth area of the City.

d. 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 and can address the impacts of development consistent with the C-1 Zoning District. A Major Site Plan Review will be required at the time of development for compliance with Code requirements.

e. The supply of comparably zoned land in the surrounding area is inadequate to accommodate the community's needs.

The proposed C-1 zone district implements the Future Land Use Designation of Commercial and is consistent with the adjacent zoning. If this rezone is approved the applicant will request to vacate Pear Street and combine this property with the Guyton's Fun Junction former site and develop the entire area as a new commercial center. This will allow for better infill development opportunity in this area.

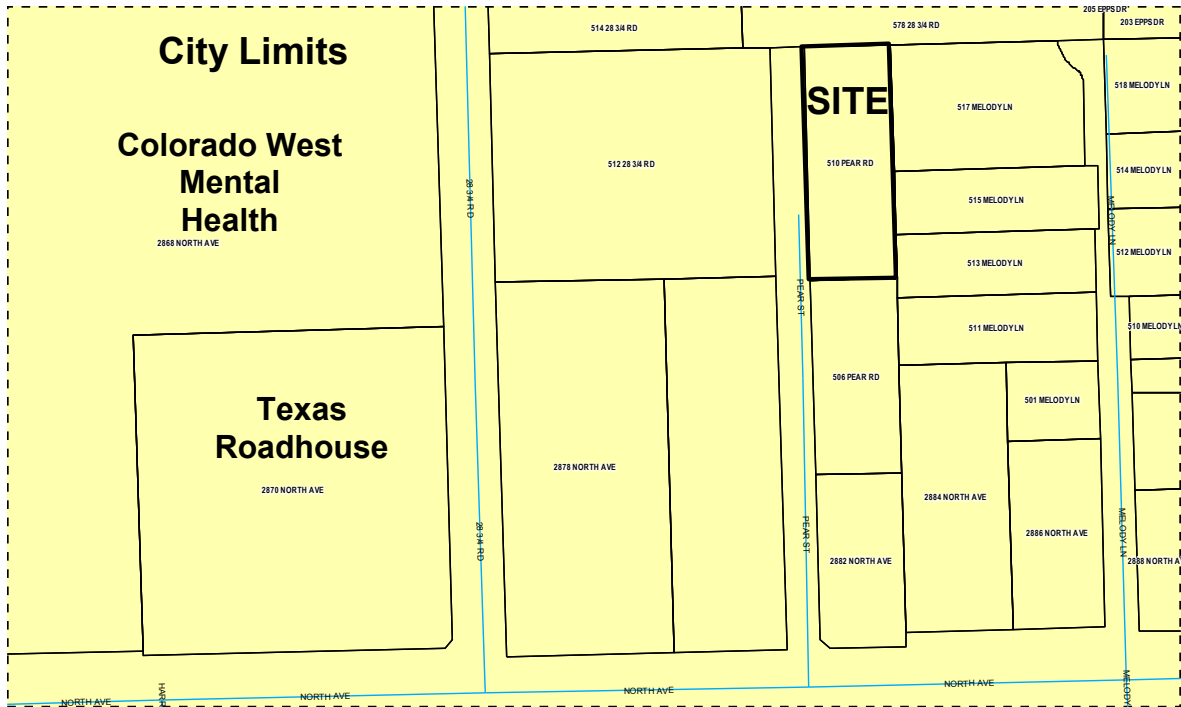
f. The community or neighborhood will benefit from the proposed zone.

Development of the property will result in appropriate infill consistent with the Growth Plan.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommended approval of the requested rezone to the City Council, finding the rezoning to the C-1 District to be consistent with the Growth Plan and Section 2.6 of the Zoning & Development Code.

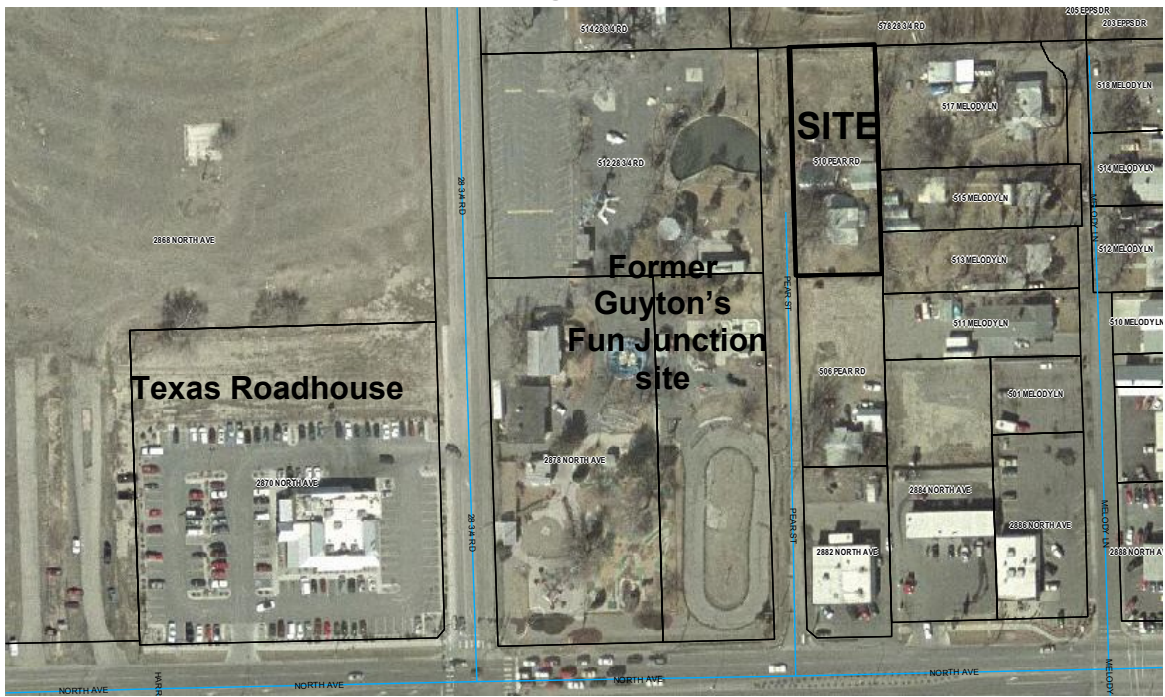
Site Location Map – 510 Pear Street

Figure 1



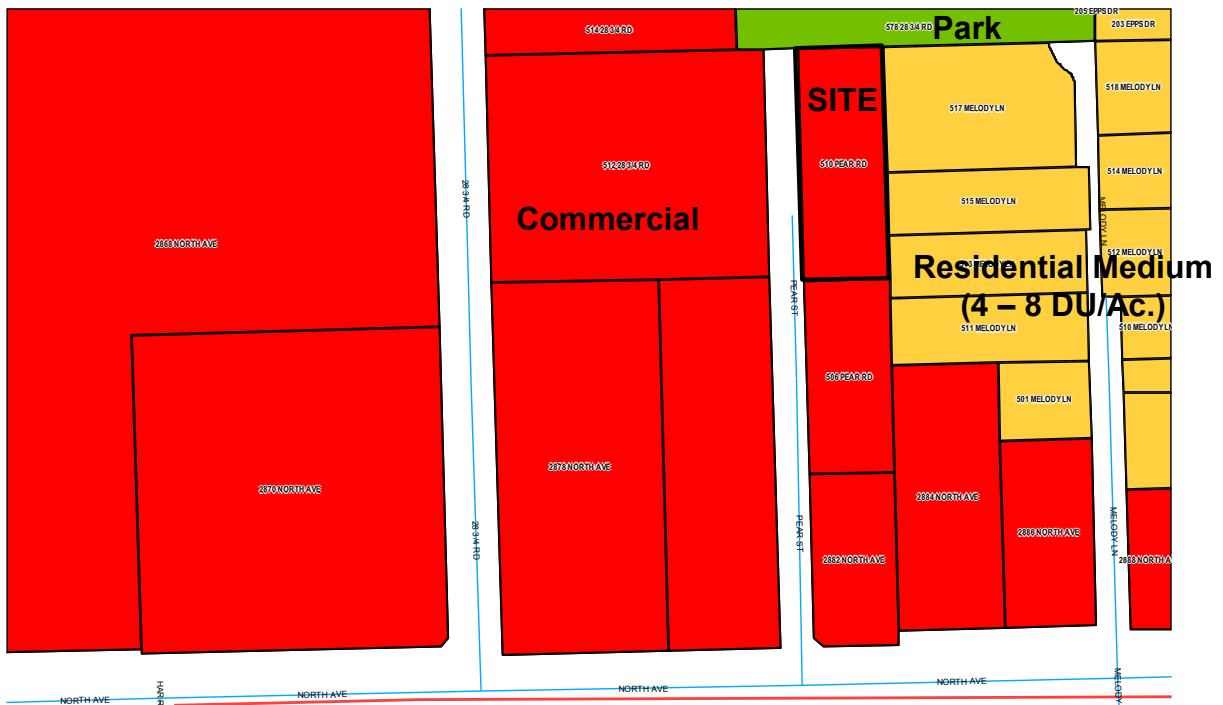
Aerial Photo Map – 510 Pear Street

Figure 2



Future Land Use Map – 510 Pear Street

Figure 3



Existing City Zoning – 510 Pear Street

Figure 4



CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO. _____

**AN ORDINANCE REZONING THE PROPERTY KNOWN AS THE
PEAR STREET REZONE TO
C-1, LIGHT COMMERCIAL**

LOCATED AT 510 PEAR STREET

Recitals.

After public notice and public hearing as required by the Grand Junction Zoning & Development Code, the Grand Junction Planning Commission recommended approval of rezoning the Pear Street Rezone to the C-1, Light Commercial 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 & Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the C-1, Light Commercial Zone District is in conformance with the stated criteria of Section 2.6 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 C-1, Light Commercial

The North 240 feet of the West 110 feet of the E ½ SW ¼ SE ¼ SE ¼ of Section 7, Township 1 South, Range 1 East of the Ute Meridian. EXCEPT the West 20 feet deeded to the City of Grand Junction, A Colorado Municipal Corporation in instrument recorded March 21, 1962 in Book 821 at Page 305.

CONTAINING 0.49 Acres (21,344 Sq. Ft.), 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 8

Setting a Hearing on the Baldwin Annexation, Located at 2102 and 2108 Highway 6 & 50

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Baldwin Annexation - Located at 2102 & 2108 Highway 6 & 50						
Meeting Date	August 2, 2006						
Date Prepared	July 25, 2006				File #ANX-2006-182		
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: Request to annex 3.23 acres, located at 2102 & 2108 Highway 6 & 50. The Baldwin Annexation consists of two parcels and is a two part serial annexation.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution referring the petition for the Baldwin 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:		2102 & 2108 Highway 6 & 50		
Applicants:		Mars, LLC – Samuel Baldwin		
Existing Land Use:		Residential & Commercial		
Proposed Land Use:		Commercial / Industrial		
Surrounding Land Use:	North	Residential		
	South	Residential / Lake		
	East	Auto Sales - Commercial		
	West	Commercial / Industrial		
Existing Zoning:		RSF-R		
Proposed Zoning:		I-1		
Surrounding Zoning:	North	County AFT		
	South	County AFT		
	East	County RSF-R		
	West	County PUD (Commercial)		
Growth Plan Designation:		Commercial / Industrial		
Zoning within density range?		X	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 3.23 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 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 Baldwin 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.

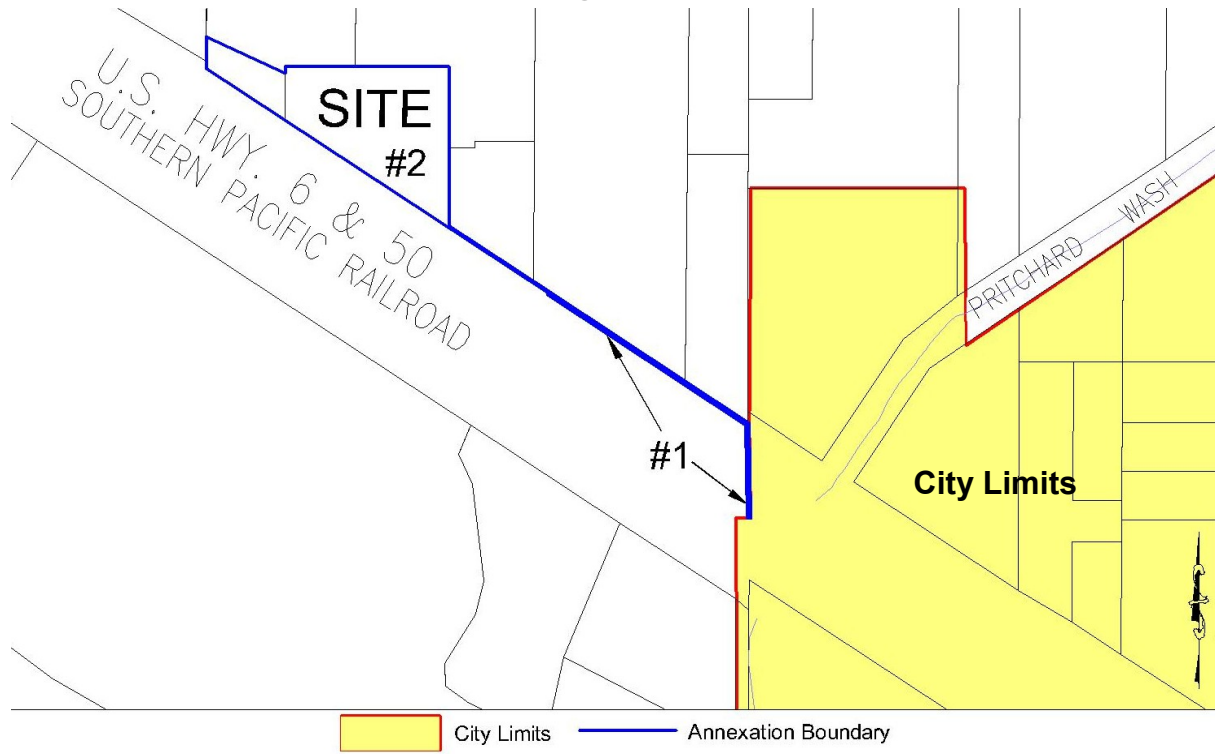
<i>ANNEXATION SCHEDULE</i>	
August 2, 2006	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
August 8, 2006	Planning Commission considers Zone of Annexation
August 16, 2006	Introduction Of A Proposed Ordinance on Zoning by City Council
September 6, 2006	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
October 8, 2006	Effective date of Annexation and Zoning

BALDWIN ANNEXATION SUMMARY

File Number:	ANX-2006-182	
Location:	2102 & 2108 Highway 6 & 50	
Tax ID Number:	2697-362-00-011 & 012	
Parcels:	2	
Estimated Population:	2	
# of Parcels (owner occupied):	2	
# of Dwelling Units:	1	
Acres land annexed:	3.23	
Developable Acres Remaining:	2.915	
Right-of-way in Annexation:	.315 ac (13,729 sq ft)	
Previous County Zoning:	RSF-R	
Proposed City Zoning:	I-1	
Current Land Use:	Residential / Commercial	
Future Land Use:	Commercial / Industrial	
Values:	Assessed:	\$19,130
	Actual:	\$167,460
Address Ranges:	2102 thru 2108 Highway 6 & 50 (even only)	
Special Districts:	Water:	Ute
	Sewer:	City of Grand Junction
	Fire:	Grand Junction Rural
	Irrigation/ Drainage:	Grand Junction Drainage Grand Valley Irrigation
	School:	District 51
	Pest:	N/A

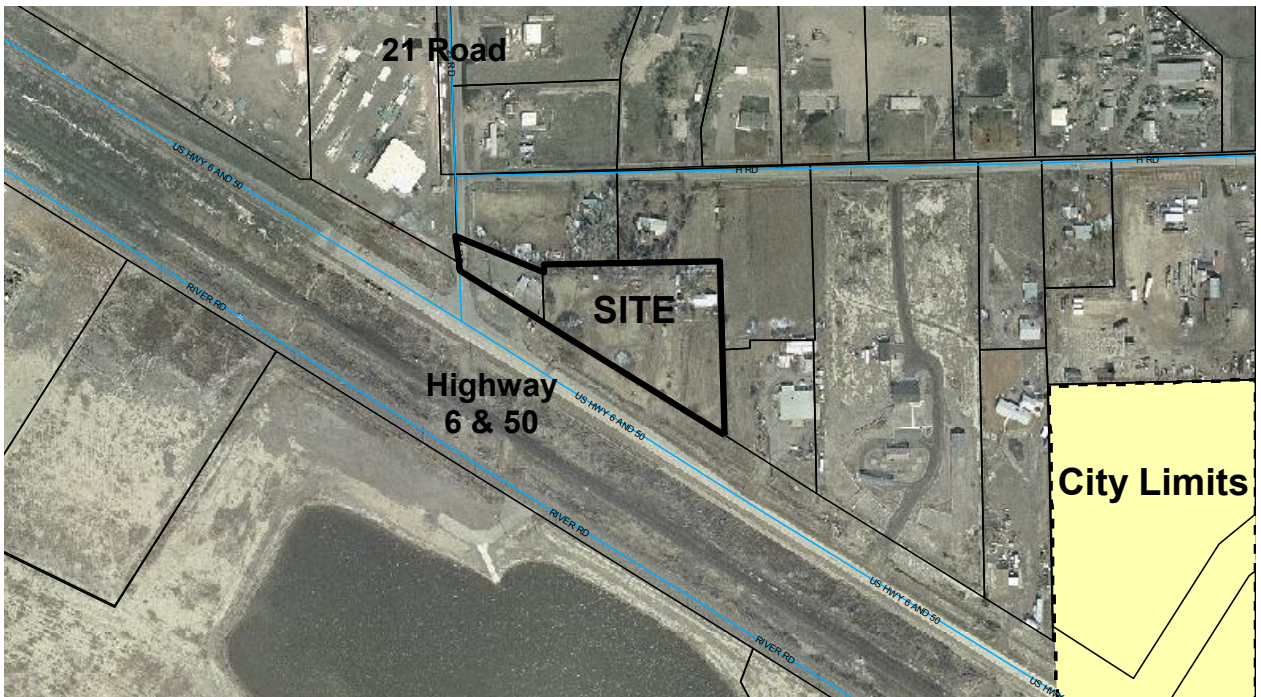
Site Location Map

Figure 1



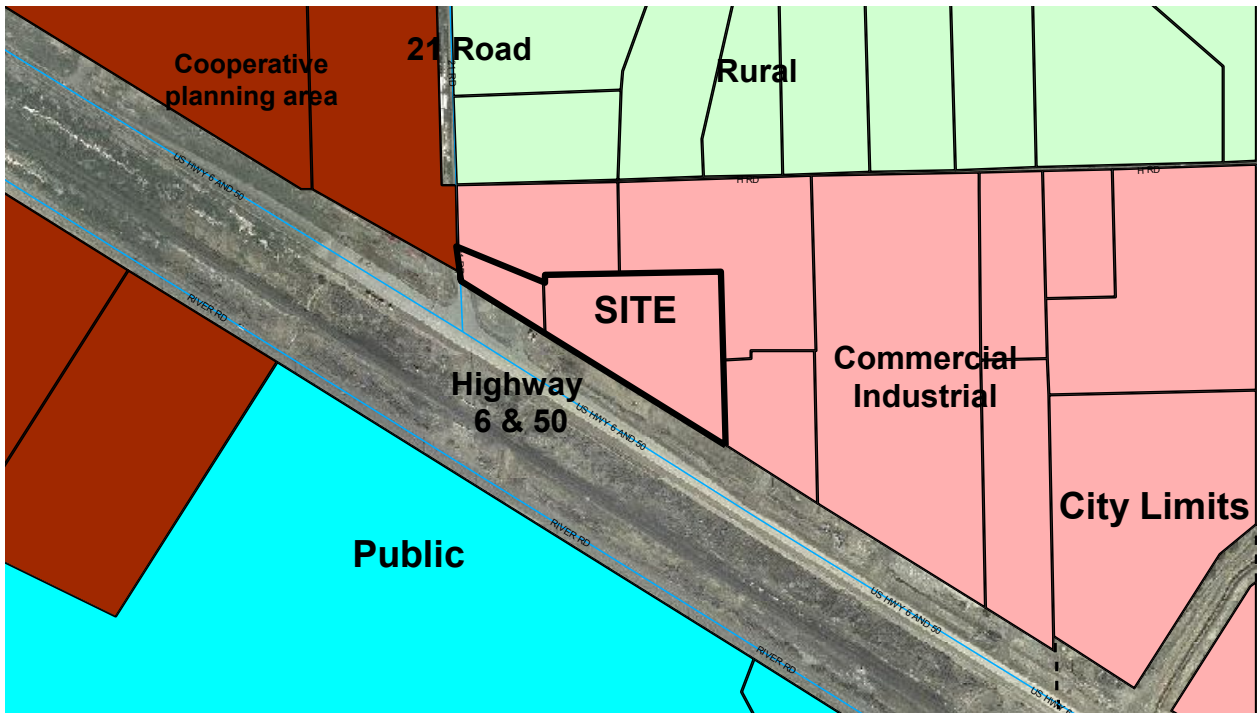
Aerial Photo Map

Figure 2



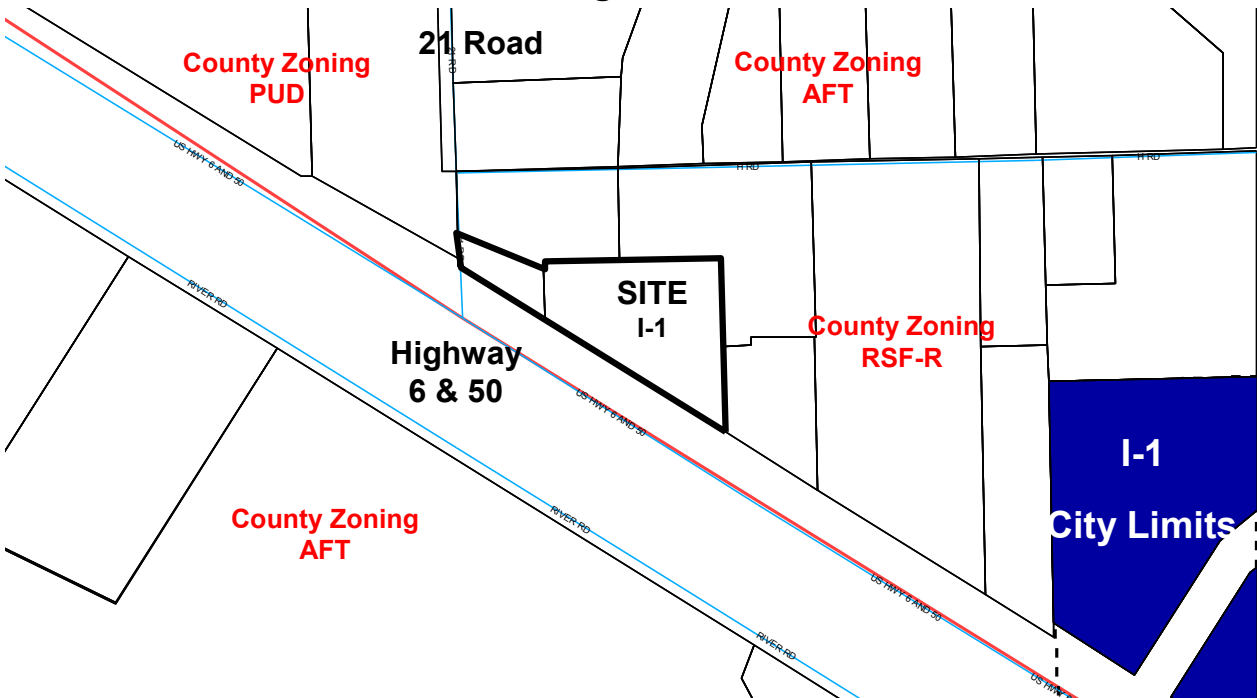
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



**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 2nd of August, 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**

BALDWIN ANNEXATION #1 & #2

**LOCATED AT 2102 AND 2108 HIGHWAY 6 & 50 AND A PORTION OF THE
HIGHWAY 6 & 50 RIGHT OF WAY**

WHEREAS, on the 2nd day of August, 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:

BALDWIN ANNEXATION #1

A certain parcel of land lying in the Northwest Quarter (NW 1/4) of Section 36, Township 1 North, Range 2 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 said Section 36 and assuming the West line of the NW 1/4 of said Section 36 bears S00°17'30"W with all other bearings contained herein being relative thereto; thence from said Point of Commencement S00°17'30"W along the West line of said Section 36 a distance of 214.15 feet to a point on the Northerly right of way of U.S. Highway 6& 50; thence S56°38'20"E along said right of way a distance of 1007.94 feet to the Point of Beginning; thence from said Point of Beginning, continue S56°38'20"E along said right of way, a distance of 577.70 feet to the Southeast corner of that certain parcel of land as described in Book 2008, Page 635, Public Records of Mesa County, Colorado and also being a point on the West line of Haremza Annexation, City of Grand Junction Ordinance No. 3654; thence S00°04'21"W along said West line a distance of 301.77 feet to a point on the South line of said Haremza Annexation; thence N89°55'39"W a distance of 5.00 feet; thence N00°04'21"E along a line 5.00 feet West of and parallel with said West line a distance of 299.08 feet; thence N56°38'20"W along a line 5.00 feet South of and parallel with

said North right of way a distance of 575.00 feet; thence N33°21'40"E a distance of 5.00 feet, more or less, to the Point of Beginning.

Said parcel contains 0.10 acres (4,382 square feet), more or less, as described.

BALDWIN ANNEXATION #2

A certain parcel of land lying in the Northwest Quarter (NW 1/4) of Section 36, Township 1 North, Range 2 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 said Section 36 and assuming the West line of the NW 1/4 of said Section 36 bears S00°17'30"W with all other bearings contained herein being relative thereto; thence from said Point of Commencement S00°17'30"W along the West line of the NW 1/4 said Section 36 a distance of 100.05 feet to the Northwest corner of that certain parcel of land as described in Book 4025, Page 675, Public Records of Mesa County, Colorado and also being the Point of Beginning; thence from said Point of Beginning S56°41'20"E a distance of 230.86 feet to the Northeast corner of said parcel; thence N00°07'20"W a distance of 16.00 feet to the Northwest corner of that certain parcel of land as described in Book 4009, Page 294, Public Records of Mesa County, Colorado; thence S89°59'23"E a distance of 400.00 feet to the Northeast corner of said parcel; thence S00°07'20"E a distance of 394.54 feet to the Southeast corner of said parcel and also being a point on the Northerly right of way of U.S. Highway 6 & 50; thence S56°38'20"E along said right of way a distance of 296.38 feet; thence S33°21'40"W a distance of 5.00 feet; thence S56°38'20"E along a line 5.00 feet South of and parallel with said North right of way a distance of 575.00 feet; thence S00°04'21"W along a line 5.00 feet West of and parallel with the West line of Haremza Annexation, City of Grand Junction Ordinance No. 3654; thence N89°55'39"W a distance of 5.00 feet; thence N00°04'21"E a distance of 296.38 feet; thence N56°38'20"W along a line 10.00 feet South of and parallel with said North right of way a distance of 577.30 feet; thence N33°21'40"E a distance of 5.00 feet to a point on a line 5.00 feet South of and parallel with said North right of way; thence N56°38'20"W along said parallel line a distance of 999.69 feet to the West line of the NW 1/4 of said Section 36; thence N00°17'30"E along said West line of the NW 1/4 of said Section 36, a distance of 120.07 feet, more or less, to the Point of Beginning.

Said parcel contains 3.13 acres (136,654 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>
August 4, 2006
August 11, 2006
August 18, 2006
August 25, 2006

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

**BALDWIN ANNEXATION #1,
(LOCATED AT 2102 AND 2108 HIGHWAY 6 & 50),**

APPROXIMATELY .10 ACRES

**WHICH INCLUDES A PORTION OF THE
HIGHWAY 6 & 50 RIGHT OF WAY**

WHEREAS, on the 2nd day of August, 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:

BALDWIN ANNEXATION #1

A certain parcel of land lying in the Northwest Quarter (NW 1/4) of Section 36, Township 1 North, Range 2 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 said Section 36 and assuming the West line of the NW 1/4 of said Section 36 bears S00°17'30"W with all other bearings contained herein being relative thereto; thence from said Point of Commencement S00°17'30"W along the West line of said Section 36 a distance of 214.15 feet to a point on the Northerly right of way of U.S. Highway 6 & 50; thence S56°38'20"E along said right of way a distance of 1007.94 feet to the Point of Beginning; thence from said Point of Beginning, continue S56°38'20"E along said right of way, a distance of 577.70 feet to the Southeast corner of that certain parcel of land as described in Book 2008, Page 635, Public Records of Mesa County, Colorado and also being a point on the West line of Haremza Annexation, City of Grand Junction Ordinance No. 3654; thence S00°04'21"W along said West line a distance of 301.77 feet to a point on the South line of said Haremza Annexation; thence N89°55'39"W a distance of 5.00 feet; thence N00°04'21"E along a line 5.00 feet West of and parallel with said West line a distance of 299.08 feet; thence N56°38'20"W along a line 5.00 feet South of and parallel with said North right of way a distance of 575.00 feet; thence N33°21'40"E a distance of 5.00 feet, more or less, to the Point of Beginning.

Said parcel contains 0.10 acres (4,382 square feet), more or less, as described.

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

INTRODUCED on first reading on the ____ day of _____, 2006 and ordered published.

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

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

BALDWIN ANNEXATION #2

APPROXIMATELY 3.13 ACRES

**LOCATED AT 2102 AND 2108 HIGHWAY 6 & 50 AND A PORTION OF THE
HIGHWAY 6 & 50 RIGHT OF WAY**

WHEREAS, on the 2nd day of August, 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:

BALDWIN ANNEXATION #2

A certain parcel of land lying in the Northwest Quarter (NW 1/4) of Section 36, Township 1 North, Range 2 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 said Section 36 and assuming the West line of the NW 1/4 of said Section 36 bears S00°17'30"W with all other bearings contained herein being relative thereto; thence from said Point of Commencement S00°17'30"W

along the West line of the NW 1/4 said Section 36 a distance of 100.05 feet to the Northwest corner of that certain parcel of land as described in Book 4025, Page 675, Public Records of Mesa County, Colorado and also being the Point of Beginning; thence from said Point of Beginning S56°41'20"E a distance of 230.86 feet to the Northeast corner of said parcel; thence N00°07'20"W a distance of 16.00 feet to the Northwest corner of that certain parcel of land as described in Book 4009, Page 294, Public Records of Mesa County, Colorado; thence S89°59'23"E a distance of 400.00 feet to the Northeast corner of said parcel; thence S00°07'20"E a distance of 394.54 feet to the Southeast corner of said parcel and also being a point on the Northerly right of way of U.S. Highway 6 & 50; thence S56°38'20"E along said right of way a distance of 296.38 feet; thence S33°21'40"W a distance of 5.00 feet; thence S56°38'20"E along a line 5.00 feet South of and parallel with said North right of way a distance of 575.00 feet; thence S00°04'21"W along a line 5.00 feet West of and parallel with the West line of Haremza Annexation, City of Grand Junction Ordinance No. 3654; thence N89°55'39"W a distance of 5.00 feet; thence N00°04'21"E a distance of 296.38 feet; thence N56°38'20"W along a line 10.00 feet South of and parallel with said North right of way a distance of 577.30 feet; thence N33°21'40"E a distance of 5.00 feet to a point on a line 5.00 feet South of and parallel with said North right of way; thence N56°38'20"W along said parallel line a distance of 999.69 feet to the West line of the NW 1/4 of said Section 36; thence N00°17'30"E along said West line of the NW 1/4 of said Section 36, a distance of 120.07 feet, more or less, to the Point of Beginning.

Said parcel contains 3.13 acres (136,654 square feet), more or less, as described.

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

INTRODUCED on first reading on the ____ day of _____, 2006 and ordered published.

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

Attest:

President of the Council

City Clerk

Attach 9

Setting a Hearing on the CGVSD Annexation, Located at 541 Hoover Drive

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject		CGVSD Annexation, Located at 541 Hoover Drive						
Meeting Date		August 2, 2006						
Date Prepared		July 27, 2006			File #ANX-2006-175			
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 annex 0.94 acres, located at 541 Hoover Drive. The CGVSD Annexation consists of 1 parcel.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution referring the petition for the CGVSD 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:		541 Hoover Drive		
Applicants:		Owner: Central Grand Valley Sanitation – Lori Cosslett; Representative: Merritt LS, LLC – Thomas W. Sylvester		
Existing Land Use:		Office		
Proposed Land Use:		Office		
Surrounding Land Use:	North	Residential		
	South	Commercial		
	East	Commercial		
	West	Vacant Commercial / Office		
Existing Zoning:		County B-2		
Proposed Zoning:		City C-1		
Surrounding Zoning:	North	City RSF-4; County RSF-4		
	South	City C-1		
	East	City C-1		
	West	City C-1		
Growth Plan Designation:		Commercial		
Zoning within density range?	X	Yes		No

Staff Analysis:

ANNEXATION:

This annexation area consists of 0.94 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 CGVSD 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>	
August 2, 2006	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
August 8, 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

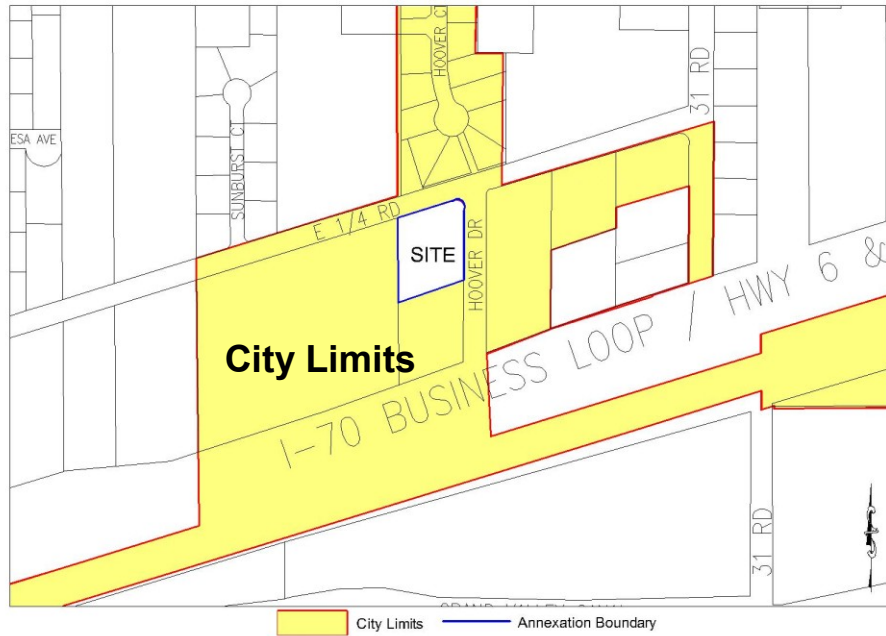
CGVSD ANNEXATION SUMMARY

File Number:	ANX-2006-175	
Location:	541 Hoover Drive	
Tax ID Number:	2943-094-77-944	
Parcels:	1	
Estimated Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	0.94 acres	
Developable Acres Remaining:	0.0 acres	
Right-of-way in Annexation:	0.0 acres	
Previous County Zoning:	B-2	
Proposed City Zoning:	C-1	
Current Land Use:	Office	
Future Land Use:	Office	
Values:	Assessed:	= \$27,790
	Actual:	= \$95,830
Address Ranges:	541 Hoover Drive	
Special Districts:	Water:	Clifton Water District
	Sewer:	Central Grand Valley Sanitation District
	Fire:	Clifton Fire District
	Irrigation/ Drainage:	Grand Valley Irrigation / Grand Junction Drainage District
	School:	Mesa County School District #51
	Pest:	Grand River Mosquito

Site Location Map

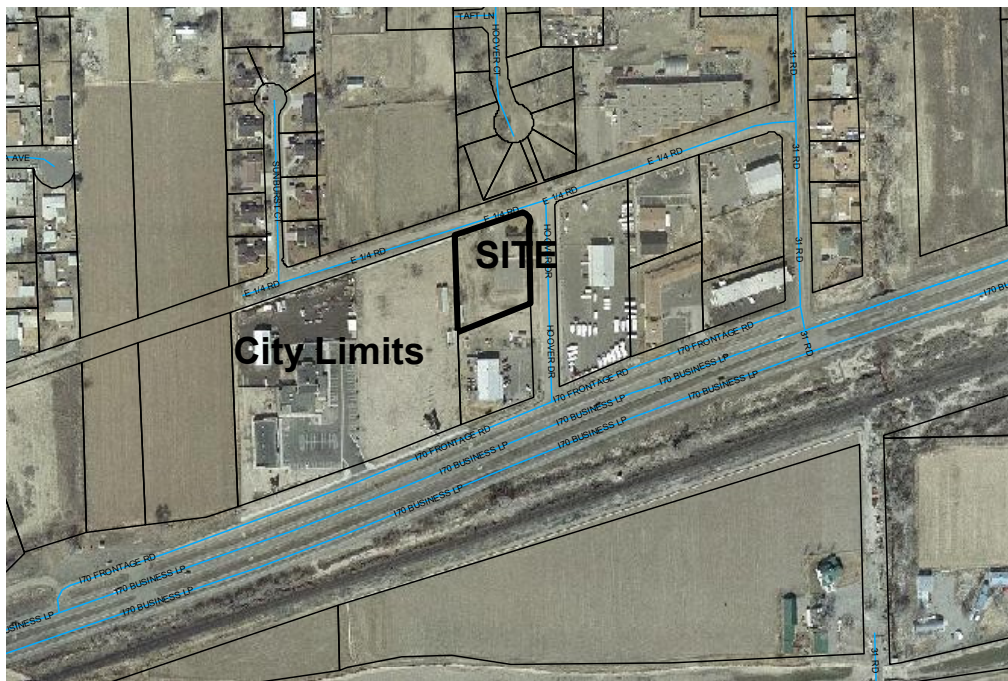
Figure 1

CGVSD Annexation



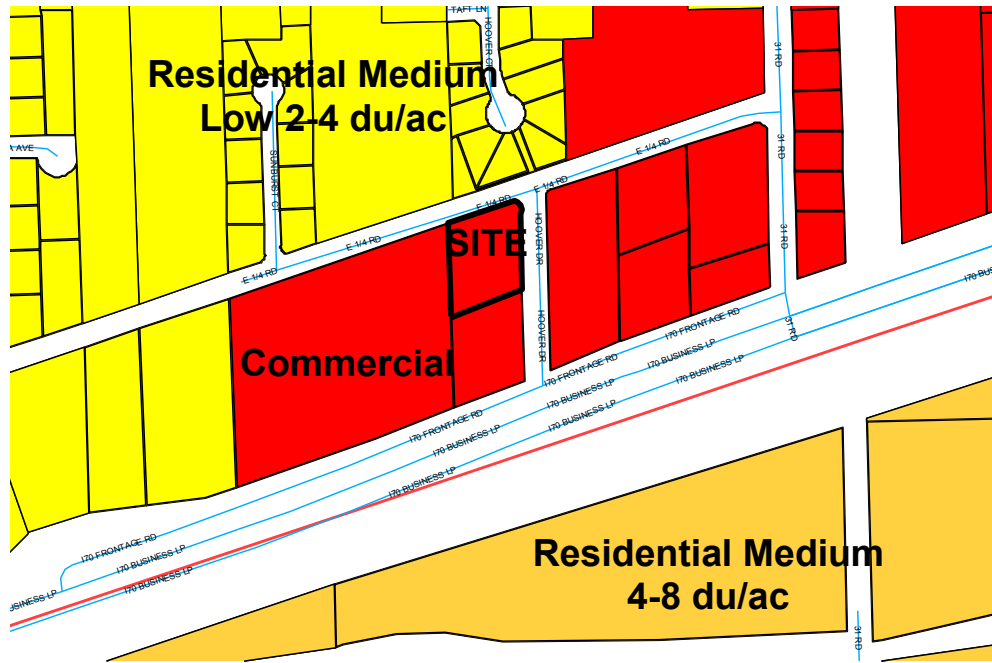
Aerial Photo Map

Figure 2



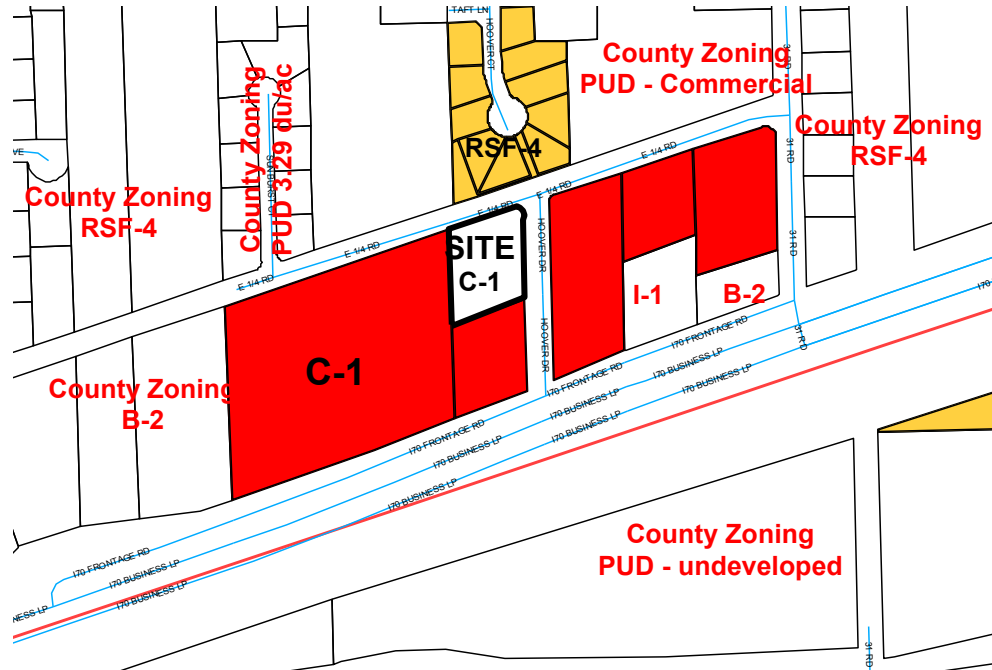
Future Land Use Map

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 2nd of August, 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**

CGVSD ANNEXATION

LOCATED AT 541 HOOVER DRIVE

WHEREAS, on the 2nd day of August, 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:

CGVSD ANNEXATION

A certain parcel of land lying in the Southeast Quarter (SE 1/4) of Section 9, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Lot 4 of 31 Road Business Park as same is recorded in Plat Book 12, Page 353, Public Records of Mesa County, Colorado

Said parcel contains 0.94 acres (41,162 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>
August 4, 2006
August 11, 2006
August 18, 2006
August 25, 2006

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

CGVSD ANNEXATION

APPROXIMATELY 0.94 ACRES

LOCATED AT 541 HOOVER DRIVE

WHEREAS, on the 2nd day of August, 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:

CGVSD ANNEXATION

A certain parcel of land lying in the Southeast Quarter (SE 1/4) of Section 9, Township 1 South, Range 1 East of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Lot 4 of 31 Road Business Park as same is recorded in Plat Book 12, Page 353, Public Records of Mesa County, Colorado

Said parcel contains 0.94 acres (41,162 square feet), more or less, as described.

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

INTRODUCED on first reading on the ____ day of _____, 2006 and ordered published.

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

Attest:

President of the Council

City Clerk

Attach 10

Setting a Hearing on the Halliburton Annexation, Located at 3199 D Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject		Halliburton Annexation - Located at 3199 D Road						
Meeting Date		August 2, 2006						
Date Prepared		July 27, 2006			File #ANX-2006-210			
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 annex 48.4 acres, located at 3199 D Road. The Halliburton Annexation consists of 2 parcels and is a 2 part serial annexation.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution referring the petition for the Hamilton 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:		3199 D Road		
Applicants:		Owner/Applicant: Halliburton Energy Services – Wayne Brookshire; Representative: John Galloway		
Existing Land Use:		Halliburton Energy Services		
Proposed Land Use:		Halliburton Energy Services		
Surrounding Land Use:	North	Vacant residential		
	South	Corn Lake State Park		
	East	Mesa County Sewer Ponds		
	West	Commercial/Industrial; Residential; Church		
Existing Zoning:		County PUD		
Proposed Zoning:		City I-1		
Surrounding Zoning:	North	County RMF-8		
	South	County PUD		
	East	County RSF-R		
	West	City C-2; RSF-4; County AFT		
Growth Plan Designation:		Commercial / Industrial		
Zoning within density range?		X	Yes	No

Staff Analysis:

ANNEXATION:

This annexation area consists of 48.4 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 Halliburton 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>	
August 2, 2006	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
August 8, 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

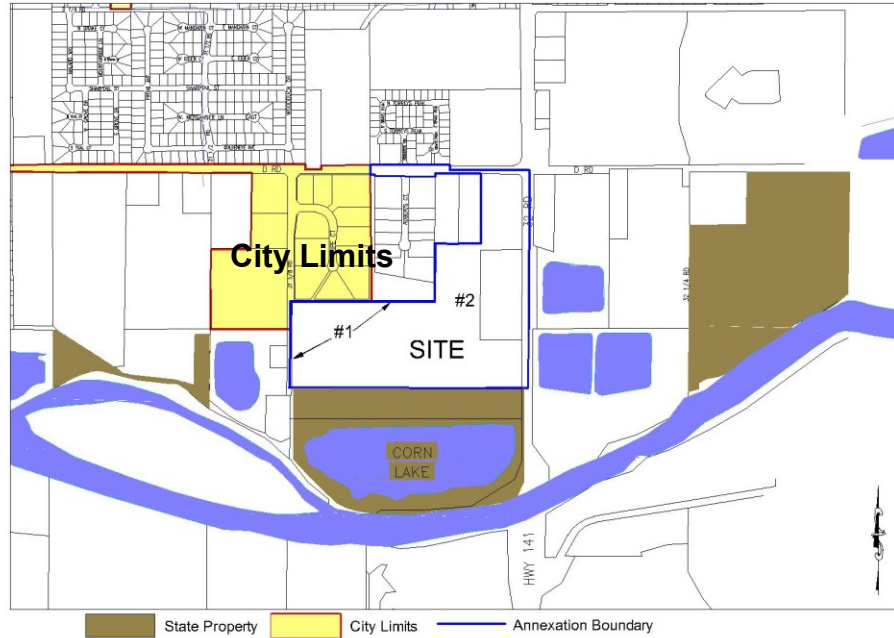
HALLIBURTON ANNEXATION SUMMARY

File Number:	ANX-2006-210	
Location:	3199 D Road	
Tax ID Number:	2943-221-01-003; 2943-221-01-004	
Parcels:	2	
Estimated Population:	0	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	0	
Acres land annexed:	48.4 acres	
Developable Acres Remaining:	44.45 acres	
Right-of-way in Annexation:	172,164 sq ft of D Road and 32 Road rights-of-way	
Previous County Zoning:	PUD	
Proposed City Zoning:	I-1	
Current Land Use:	Halliburton Energy Services	
Future Land Use:	Halliburton Energy Services	
Values:	Assessed:	= \$995,260
	Actual:	= \$3,431,930
Address Ranges:	3199 D Road, 363 – 399 32 Road (odd only); 368 – 384 31 5/8 Road (even only)	
Special Districts:	Water:	Clifton Water District
	Sewer:	Clifton Sanitation District
	Fire:	Clifton Fire District
	Irrigation/ Drainage:	Grand Junction Drainage
	School:	Mesa County School District #51
	Pest:	Grand River Mosquito

Site Location Map

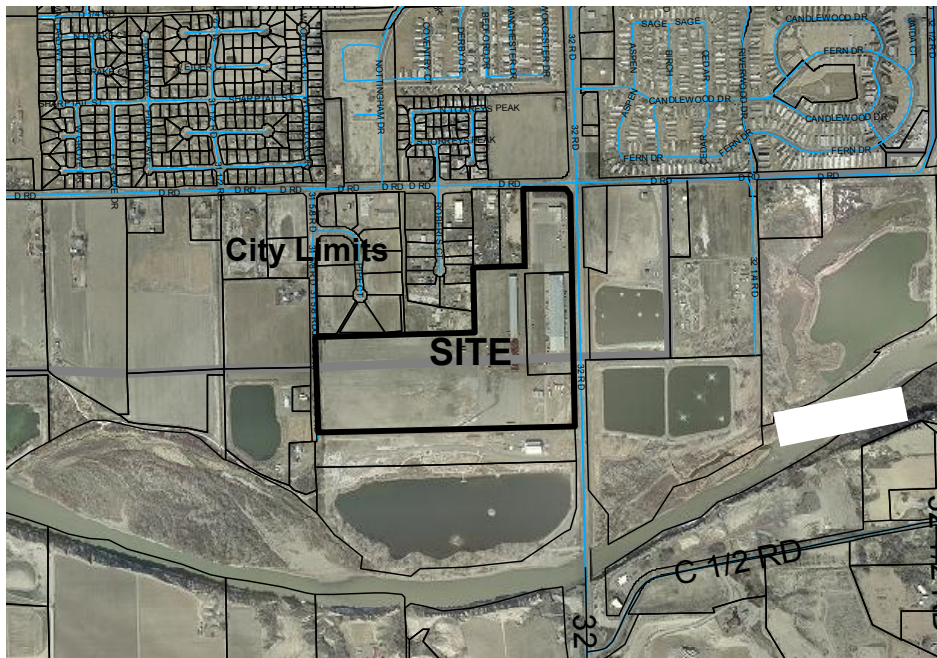
Figure 1

Halliburton Annexations #1 & #2



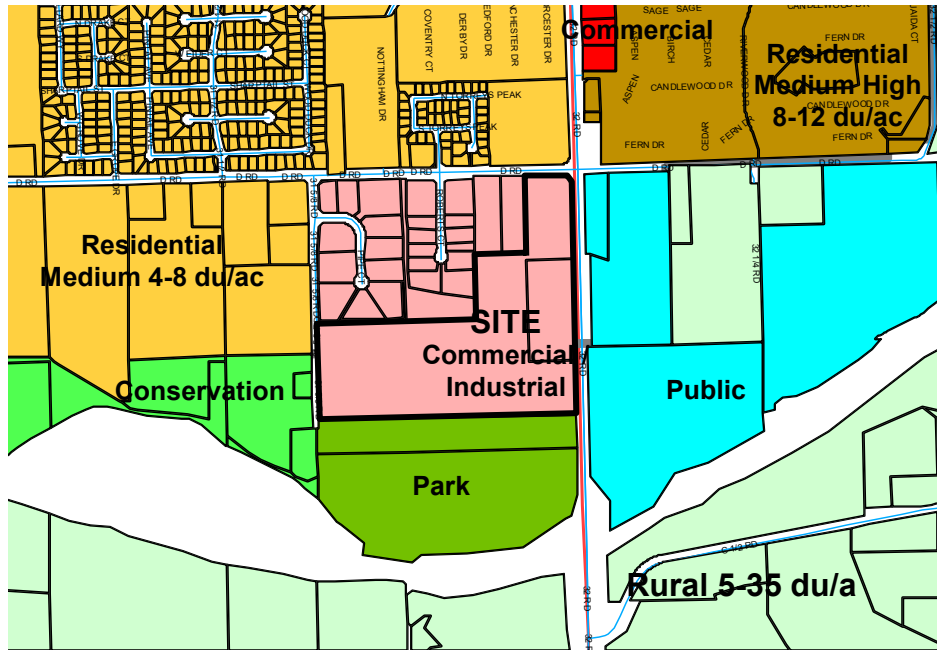
Aerial Photo Map

Figure 2



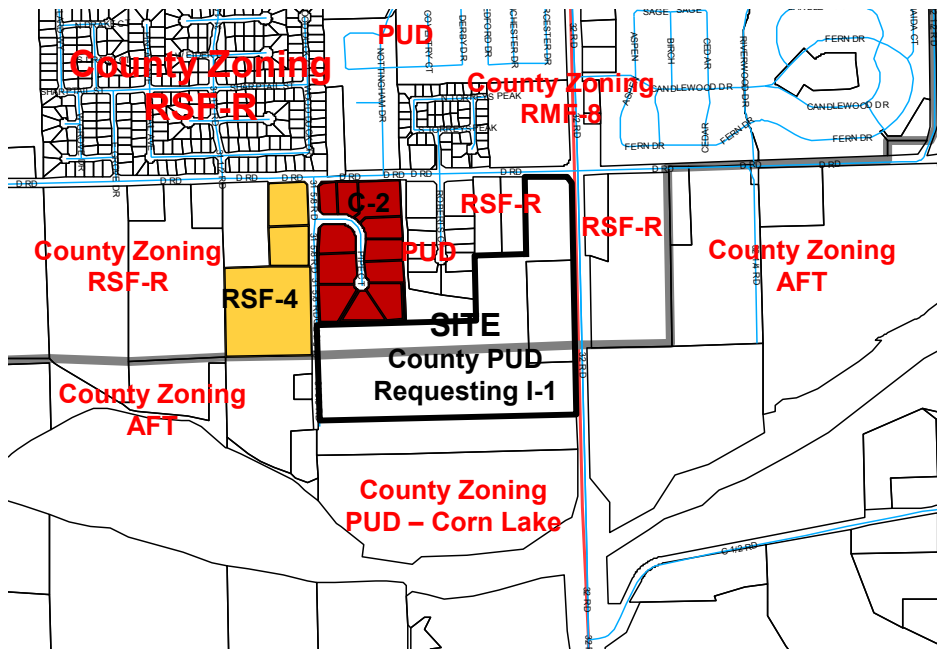
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 2nd of August, 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**

HALLIBURTON ANNEXATION #1 & #2

**LOCATED AT 3199 D ROAD INCLUDING PORTIONS OF THE D ROAD AND 32 ROAD
RIGHTS-OF-WAY**

WHEREAS, on the 2nd day of August, 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:

HALLIBURTON ANNEXATION #1

A certain parcel of land located in the Northeast Quarter of (NE 1/4) of Section 22, Township 1 South, Range 1 East, of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Southeast corner of Pipe Trades Subdivision, as same is recorded in Plat Book 18, Page 292, Mesa County, Colorado Public Records, and assuming the South line of said Pipe Trades Subdivision to bear S89°53'16"E with all bearings contained herein relative thereto; thence S89°53'16"E a distance of 523.39 feet to the Southeast corner of that certain parcel as described in Book 4076, Page 371, Mesa County, Colorado Public Records; thence N00°06'44"E a distance of 489.73 feet to the Southwest corner of that certain parcel as described in Book 4040, Page 954, Mesa County, Colorado Public Records; thence S89°53'16"E a distance of 207.25 feet to the Southeast corner of said parcel; thence S00°06'44"W a distance of 5.00 feet; thence N89°53'16"W along a line being 5.00 feet South of and parallel to the south line of said parcel, a distance of 202.25 feet; thence S00°06'44"W along a line being 5.00 feet East of and parallel with the East line of "D" Road Commercial Park, as same is recorded in Plat Book 13, Page 14, Mesa County, Colorado Public Records, and said parcel as described in Book 4076, Page 371, a distance of 489.73 feet; thence N89°53'16"W along a line being 5.00 feet South of and parallel with the South line of said parcel as

described in Book 4076, Page 371 and said Pipe Trades Subdivision, a distance of 1187.70 feet; thence S00°26'37"W along a line being 5.00 feet East of and parallel with the East right of way of 31-5/8 Court as described in Book 1280, Page 421, public records of Mesa County, Colorado, a distance of 717.72 feet; thence S89°59'52"W a distance of 5.00 feet to a point on the East line of said right of way; thence N00°26'37"W a distance of 722.73 feet to the Northwest corner of Corn Industrial Park Two, as same is recorded in Plat Book 4188, Pages 570 through 571, Mesa County, Colorado Public Records; thence S89°53'16"E along the South line of said Pipe Trades Subdivision a distance of 664.28 feet , more or less, to the Point of Beginning. All lying within said plat of Corn Industrial Park Two. Said parcel contains 0.29 acres (13,011 square feet), more or less, as described.

HALLIBURTON ANNEXATION #2

A certain parcel of land located in the Northeast Quarter of (NE 1/4) of Section 22, Township 1 South, Range 1 East, of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Northeast corner of Section 22 Twp. 1S, Rge. 1E, U.M. and assuming the East line of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE1/4) of said Section 22 to bear S00°22'24"W with all bearings contained herein relative thereto; thence S00°22'24"W along said East line a distance of 1319.84 feet to the Southeast corner of said NE 1/4 NE1/4 of Section 22; thence S00°21'54"W a distance of 494.03 feet to a point on the East line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4); thence S89°59'52"W along the South line of Lot 1(A), Block 1(A) of Corn Industrial Park Two, as same is recorded in Book 4188, Pages 570 and 571, Public Records of Mesa County, Colorado, a distance of 1966.22 feet, to a point on a line being 5.00 feet East of and parallel with the East right of way of 31-5/8 Court as described in Book 1280, Page 421, Mesa County, Colorado, Public Records; thence N00°26'37"E a distance of 717.72 feet along said parallel line, to a point on a line being 5.00 feet South of and parallel to the South line of Pipe Trades Subdivision, as same is recorded in Plat Book 18, Page 292, Mesa County, Colorado Public Records, and that certain parcel as described in Book 4076, Page 371, Mesa County, Colorado, Public Records; thence S89°53'16"E along said parallel line, a distance of 1187.70 feet to a point on a line being 5.00 feet East and parallel with the East line of "D" Road Commercial Park, as same is recorded in Plat Book 13, Page 14, Mesa County, Colorado Public Records, and said parcel as described in Book 4076, Page 371; thence N00°06'44"E a distance of 489.73 feet, to a point on a line being 5.00 feet South of and parallel to the South line of that certain parcel as described in Book 4040, Page 954, Mesa County, Colorado, Public Records; thence S89°53'16"E along said parallel

line, a distance of 202.25 feet; thence N00°06'44"E a distance of 5.00 feet to the Southeast corner of said parcel; thence S89°53'37"E a distance of 180.00 feet to the Southeast corner of that certain parcel as described in Book 3118, Page 323, Mesa County, Colorado, Public Records; thence N00°22'25"E a distance of 575.30 feet to the Northeast corner of said parcel; thence N89°53'30"W a distance of 389.88 feet, to the Northwest corner of said parcel as described in Book 4040, Page 954; thence S00°06'38"W a distance of 20.00 feet, to the Northeast corner of Lot 1 of said "D" Road Commercial Park; thence N89°53'30"W a distance of 492.44 feet to the Northwest corner of Lot 12 of said "D" Road Commercial Park; thence N00°06'30"E a distance of 10.00 feet to the Northeast corner of said parcel as described in Book 4076, Page 371; thence N00°06'30"E a distance of 10.00 feet to the Northeast corner of said Pipe Trades Subdivision; thence N00°03'11"W a distance of 80.00 feet to the Southwest corner of Outlot A of The Peaks, as same is recorded in Plat Book 16, Page 258, Mesa County, Colorado Public Records; thence S89°53'30"E a distance of 656.23 feet to the Southeast corner of Lot 7, Block One of said The Peaks; thence S00°09'18"E a distance of 40.00 feet to a point on the North line of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of said Section 22; thence S89°53'30"E along said North line a distance of 656.37 feet, more or less, to the Point of Beginning. Said parcel contains 48.11 acres (2,095,679 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>
August 4, 2006
August 11, 2006
August 18, 2006
August 25, 2006

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

HALLIBURTON ANNEXATION #1

APPROXIMATELY 0.29 ACRES

LOCATED AT 3199 D ROAD

WHEREAS, on the 2nd day of August, 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:

HALLIBURTON ANNEXATION #1

A certain parcel of land located in the Northeast Quarter of (NE 1/4) of Section 22, Township 1 South, Range 1 East, of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Southeast corner of Pipe Trades Subdivision, as same is recorded in Plat Book 18, Page 292, Mesa County, Colorado Public Records, and assuming the South line of said Pipe Trades Subdivision to bear S89°53'16"E with all bearings

contained herein relative thereto; thence S89°53'16"E a distance of 523.39 feet to the Southeast corner of that certain parcel as described in Book 4076, Page 371, Mesa County, Colorado Public Records; thence N00°06'44"E a distance of 489.73 feet to the Southwest corner of that certain parcel as described in Book 4040, Page 954, Mesa County, Colorado Public Records; thence S89°53'16"E a distance of 207.25 feet to the Southeast corner of said parcel; thence S00°06'44"W a distance of 5.00 feet; thence N89°53'16"W along a line being 5.00 feet South of and parallel to the south line of said parcel, a distance of 202.25 feet; thence S00°06'44"W along a line being 5.00 feet East of and parallel with the East line of "D" Road Commercial Park, as same is recorded in Plat Book 13, Page 14, Mesa County, Colorado Public Records, and said parcel as described in Book 4076, Page 371, a distance of 489.73 feet; thence N89°53'16"W along a line being 5.00 feet South of and parallel with the South line of said parcel as described in Book 4076, Page 371 and said Pipe Trades Subdivision, a distance of 1187.70 feet; thence S00°26'37"W along a line being 5.00 feet East of and parallel with the East right of way of 31-5/8 Court as described in Book 1280, Page 421, public records of Mesa County, Colorado, a distance of 717.72 feet; thence S89°59'52"W a distance of 5.00 feet to a point on the East line of said right of way; thence N00°26'37"W a distance of 722.73 feet to the Northwest corner of Corn Industrial Park Two, as same is recorded in Plat Book 4188, Pages 570 through 571, Mesa County, Colorado Public Records; thence S89°53'16"E along the South line of said Pipe Trades Subdivision a distance of 664.28 feet , more or less, to the Point of Beginning. All lying within said plat of Corn Industrial Park Two.

Said parcel contains 0.29 acres (13,011 square feet), more or less, as described.

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

INTRODUCED on first reading on the ____ day of _____, 2006 and ordered published.

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

Attest:

President of the Council

City Clerk

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

HALLIBURTON ANNEXATION #2

APPROXIMATELY 48.11 ACRES

**LOCATED AT 3199 D ROAD INCLUDING PORTIONS OF THE D ROAD AND 32 ROAD
RIGHTS-OF-WAY**

WHEREAS, on the 2nd day of August, 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:

HALLIBURTON ANNEXATION #2

A certain parcel of land located in the Northeast Quarter of (NE 1/4) of Section 22, Township 1 South, Range 1 East, of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Northeast corner of Section 22 Twp. 1S, Rge. 1E, U.M. and assuming the East line of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE1/4) of said

Section 22 to bear $S00^{\circ}22'24''W$ with all bearings contained herein relative thereto; thence $S00^{\circ}22'24''W$ along said East line a distance of 1319.84 feet to the Southeast corner of said NE 1/4 NE 1/4 of Section 22; thence $S00^{\circ}21'54''W$ a distance of 494.03 feet to a point on the East line of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4); thence $S89^{\circ}59'52''W$ along the South line of Lot 1(A), Block 1(A) of Corn Industrial Park Two, as same is recorded in Book 4188, Pages 570 and 571, Public Records of Mesa County, Colorado, a distance of 1966.22 feet, to a point on a line being 5.00 feet East of and parallel with the East right of way of 31-5/8 Court as described in Book 1280, Page 421, Mesa County, Colorado, Public Records; thence $N00^{\circ}26'37''E$ a distance of 717.72 feet along said parallel line, to a point on a line being 5.00 feet South of and parallel to the South line of Pipe Trades Subdivision, as same is recorded in Plat Book 18, Page 292, Mesa County, Colorado Public Records, and that certain parcel as described in Book 4076, Page 371, Mesa County, Colorado, Public Records; thence $S89^{\circ}53'16''E$ along said parallel line, a distance of 1187.70 feet to a point on a line being 5.00 feet East and parallel with the East line of "D" Road Commercial Park, as same is recorded in Plat Book 13, Page 14, Mesa County, Colorado Public Records, and said parcel as described in Book 4076, Page 371; thence $N00^{\circ}06'44''E$ a distance of 489.73 feet, to a point on a line being 5.00 feet South of and parallel to the South line of that certain parcel as described in Book 4040, Page 954, Mesa County, Colorado, Public Records; thence $S89^{\circ}53'16''E$ along said parallel line, a distance of 202.25 feet; thence $N00^{\circ}06'44''E$ a distance of 5.00 feet to the Southeast corner of said parcel; thence $S89^{\circ}53'37''E$ a distance of 180.00 feet to the Southeast corner of that certain parcel as described in Book 3118, Page 323, Mesa County, Colorado, Public Records; thence $N00^{\circ}22'25''E$ a distance of 575.30 feet to the Northeast corner of said parcel; thence $N89^{\circ}53'30''W$ a distance of 389.88 feet, to the Northwest corner of said parcel as described in Book 4040, Page 954; thence $S00^{\circ}06'38''W$ a distance of 20.00 feet, to the Northeast corner of Lot 1 of said "D" Road Commercial Park; thence $N89^{\circ}53'30''W$ a distance of 492.44 feet to the Northwest corner of Lot 12 of said "D" Road Commercial Park; thence $N00^{\circ}06'30''E$ a distance of 10.00 feet to the Northeast corner of said parcel as described in Book 4076, Page 371; thence $N00^{\circ}06'30''E$ a distance of 10.00 feet to the Northeast corner of said Pipe Trades Subdivision; thence $N00^{\circ}03'11''W$ a distance of 80.00 feet to the Southwest corner of Outlot A of The Peaks, as same is recorded in Plat Book 16, Page 258, Mesa County, Colorado Public Records; thence $S89^{\circ}53'30''E$ a distance of 656.23 feet to the Southeast corner of Lot 7, Block One of said The Peaks; thence $S00^{\circ}09'18''E$ a distance of 40.00 feet to a point on the North line of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of said Section 22; thence $S89^{\circ}53'30''E$ along said North line a distance of 656.37 feet, more or less, to the Point of Beginning. Said parcel contains 48.11 acres (2,095,679 square feet), more or less, as described.

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

INTRODUCED on first reading on the ____ day of _____, 2006 and ordered published.

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

Attest:

President of the Council

City Clerk

Attach 11

Setting a Hearing on Vacating the Alley at Mesa County Corrections and Treatment Facility, Located at 636 South Avenue

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Mesa County Corrections and Treatment Facility Alley Vacation – located at 636 South Avenue					
Meeting Date		August 2, 2006					
Date Prepared		July 27, 2006			File #VR-2006-076		
Author		Senta L. Costello		Associate Planner			
Presenter Name		Senta L. Costello		Associate Planner			
Report results back to Council		X	No		Yes	When	
Citizen Presentation			Yes	X	No	Name	
	Workshop	X		Formal Agenda	X	Consent	Individual Consideration

Summary: Request to amend and correct Ordinance No. 3898, vacating rights-of-way for an alleyway located at the eastern 250’ of the east/west alley and the north/south alley between 6th and 7th Streets and Pitkin and South Avenues.

Budget: N/A

Action Requested/Recommendation: Introduce a proposed ordinance amending Ordinance No. 3898 and set a public hearing for August 16, 2006.

Background Information: See attached Staff report/Background information

Attachments:

1. Staff report/Background information
2. Site Location Map / Aerial Photo Map
3. Future Land Use Map / Zoning Map
4. Ordinance No. 3898
5. Proposed Vacation Ordinance
6. Exhibit A
7. Exhibit B

CITY OF GRAND JUNCTION
 CITY COUNCIL
 Costello

MEETING DATE: August 2, 2006
 STAFF PRESENTATION: Senta L.

AGENDA TOPIC: Mesa County Corrections and Treatment Facility Alley Vacation – located at 636 South Avenue.

ACTION REQUESTED: Introduce a proposed ordinance amending Ordinance No. 3898 and set a public hearing for August 16, 2006.

BACKGROUND INFORMATION		
Location:	<i>636 South Avenue - the eastern 250' of the east/west alley and the north/south alley between 6th and 7th Streets and Pitkin and South Avenues</i>	
Applicants:	Owner/Developer: Mesa Co – Sue Gormley Representative: Integrated Construction Solutions – Dave Detwiler	
Existing Land Use:	<i>Alley</i>	
Proposed Land Use:	<i>New Meth Treatment Facility</i>	
Surrounding Land Use:	North	<i>Vacant</i>
	South	<i>Lumberyard</i>
	East	<i>Commercial/Retail/Community Services</i>
	West	<i>Office</i>
Existing Zoning:	N/A	
Proposed Zoning:	C-1	
Surrounding Zoning:	North	B-2
	South	C-2

	East	C-1/C-2		
	West	C-1/C-2		
Growth Plan Designation:		Public		
Zoning within density range?		X	Yes	No

PROJECT DESCRIPTION: Request to amend and correct Ordinance No. 3898, vacating the rights-of-way for an alley located at the eastern 250' of the east/west alley and the north/south alley between 6th and 7th Streets and Pitkin and South Avenues.

RECOMMENDATION: Approval.

ANALYSIS

1. Background

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

When this application came before City Council, it was not believed that any portion of the alley being vacated would be needed for any existing or future utilities; however, through Mesa County's design process for the proposed expansion of the site, it has become apparent that a portion of the alley does need to be retained as a utility easement.

Ordinance No. 3898, vacating the right-of-way stated the vacation would not be effective until the utilities were relocated and accepted, and necessary easements dedicated. The utilities have been relocated, including into the north and west half of the alley, adjacent to 635 Pitkin Avenue. The correcting ordinance will retain that portion of the alley as a utility easement.

2. Consistency with the Growth Plan

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

- Goal 5: To ensure that urban growth and development make efficient use of investments in streets, utilities and other public facilities.
 - Policy 5.2: The City and County will encourage development that uses existing facilities and is compatible with existing development.
 - Policy 5.3: The City and County may accommodate extensions of public facilities to serve development that is adjacent to existing facilities. Development in areas which have adequate public facilities in place or which provide needed connections of facilities between urban development areas will be encouraged. Development that is separate from existing urban services (“leap-frog” development) will be discouraged.
- Goal 10: To retain valued characteristics of different neighborhoods within the community.

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

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

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

- a. The Growth Plan, major street plan and other adopted plans and policies of the City.
- b. No parcel shall be landlocked as a result of the vacation.
- c. Access to any parcel shall not be restricted to the point where access is unreasonable, economically prohibitive or reduces or devalues any property affected by the proposed vacation.
- d. There shall be no adverse impacts on the health, safety, and/or welfare of the general community and the quality of public facilities and services provided to any parcel of land shall not be reduced (e.g. police/fire protection and utility services).
- e. The provision of adequate public facilities and services shall not be inhibited to any property as required in Chapter Six of the Zoning and Development Code.
- f. The proposal shall provide benefits to the City such as reduced maintenance requirements, improved traffic circulation, etc.

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

FINDINGS OF FACT/CONCLUSIONS

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

3. The requested right-of-way and utility vacation is consistent with the Growth Plan.
4. The review criteria in Section 2.11.C of the Zoning and Development Code have all been met.
5. The right-of-way as depicted on “Exhibit B” is necessary for utility purposes and will be retained as a Utility Easement.

PLANNING COMMISSION RECOMMENDATION:

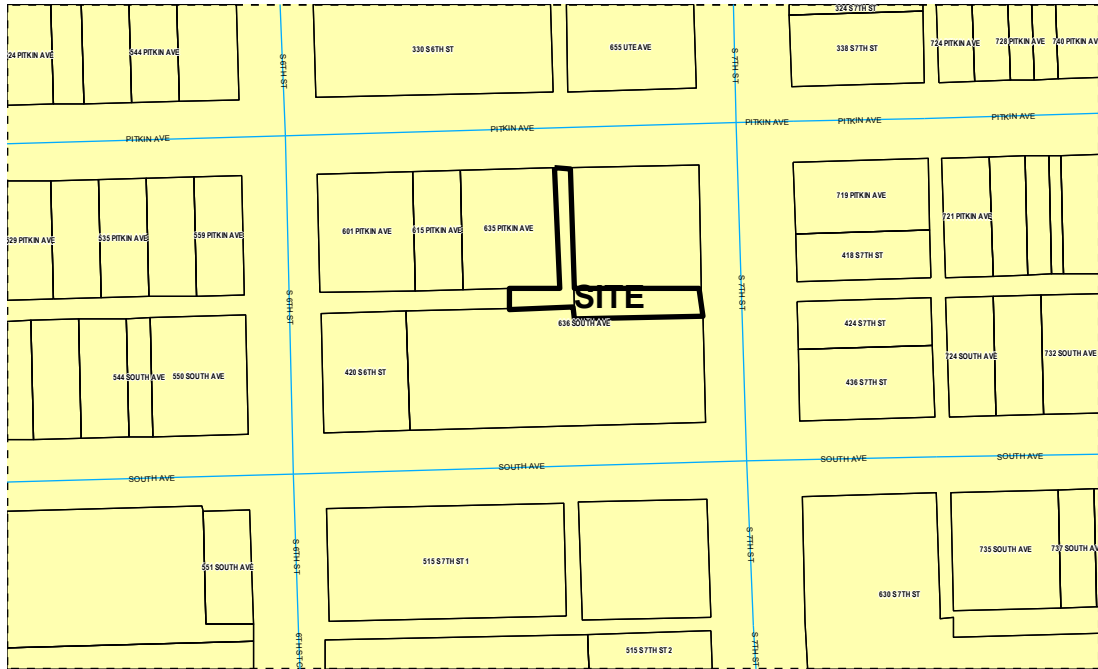
The Planning Commission forwarded a recommendation of approval of the requested right-of-way, VR-2006-076 to the City Council with the findings and conclusions listed above.

Attachments:

1. Staff report/Background information
2. Site Location Map / Aerial Photo Map
3. Future Land Use Map / Zoning Map
4. Ordinance No. 3898
5. Proposed Vacation Ordinance
6. Exhibit A
7. Exhibit B

Site Location Map

Figure 1



Aerial Photo Map

Figure 2



Future Land Use Map

Figure 3



Existing City Zoning

Figure 4



CITY OF GRAND JUNCTION

ORDINANCE NO.

AN ORDINANCE AMENDING AND CORRECTING ORDINANCE NO. 3898

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

MESA COUNTY CORRECTION AND TREATMENT FACILITY – 636 SOUTH AVENUE

RECITALS:

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

The Planning Commission, having heard and considered the request, found the criteria of the Code to have been met, and recommends that the vacation be approved.

The City Council finds that the request is consistent with the Growth Plan, the Grand Valley Circulation Plan and Section 2.11 of the Zoning and Development Code. The utilities within the right-of-way to be vacated are to be relocated and new easements dedicated. This ordinance is not effective until the existing utilities are relocated and accepted and the new easement deeds recorded.

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

Ordinance 3898 is amended and corrected to vacate the following described dedicated right-of-way subject to the listed following conditions:

1. Applicants shall pay all recording/documentary fees for the Vacation Ordinance, any easement documents and dedication documents.
2. The vacating ordinance is not effective until the utilities are relocated, inspected and accepted; and, required utility easements are dedicated and deeds are recorded.
3. The right-of-way shown on "Exhibit B" will be retained as a Utility Easement.

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

Dedicated right-of-way to be vacated:

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

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

Containing 0.138 acres, more or less.

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

The following as depicted on "Exhibit B" is to be retained as a Utility Easement.

A parcel of land situated in Block 149 of the Grand Junction Colo. Second Division Survey as Amended, recorded in the Mesa County records, January 22, 1909 at Reception No. 80773; being a part of Lots 7, 8, 9, 10 and the vacated alleys of said Block 149 and being described as follows:

Beginning at a point on the east line of said Lot 10, whence the southeast corner of said Lot 10 bears South 00°03'43" West, a distance of 12.56 feet;
Thence North 89°51'31" East, a distance of 7.50 feet to the centerline of the vacated north-south alley through said Block 149 as it adjoins said Lot 10;

Thence along the centerline of said vacated alley, South 00°03'43" West, a distance of 22.60 feet to the centerline of the vacated east-west alley through said Block 149;
Thence along the centerline of said vacated alley, North 89°50'18" West, a distance of 89.51 feet;
Thence North 00°00'16" West, a distance of 10.76 feet to a point which is 0.76 feet north of the south line of Lot 7 of said Block 149;
Thence South 89°47'26" East, a distance of 81.78 feet to a point which is 0.69 feet north and 0.24 feet west of the southeast corner of said Lot 10;
Thence North 00°13'17" East, a distance of 11.86 feet to a point which is 0.21 feet west of the east line of said Lot 10;
Thence North 89°51'31" East, a distance of 0.21 feet to the Point of Beginning.

Containing 1052 sq ft (0.024 acres), more or less.

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

PASSED and ADOPTED this _____ day of _____, 2006.

ATTEST:

President of City Council

City Clerk

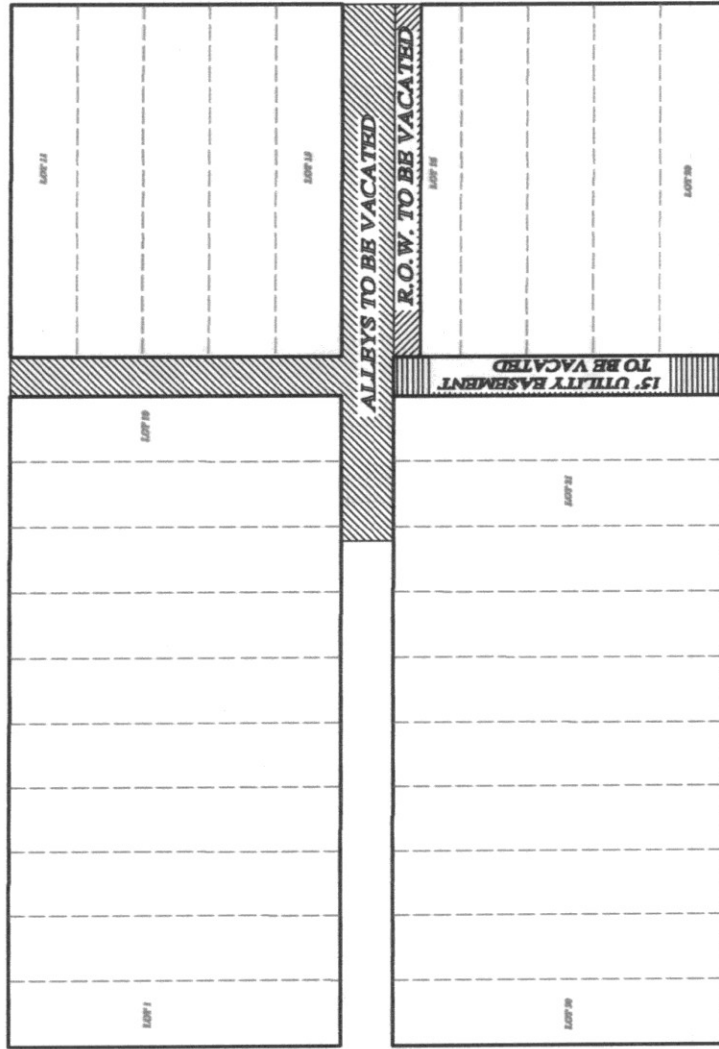
VACATION EXHIBIT "A"

PITKIN AVENUE

SOUTH AVENUE

SIXTH STREET

SEVENTH STREET



SIXTH STREET

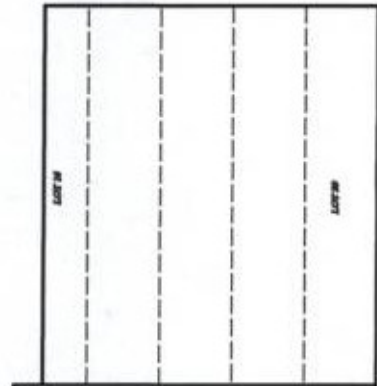
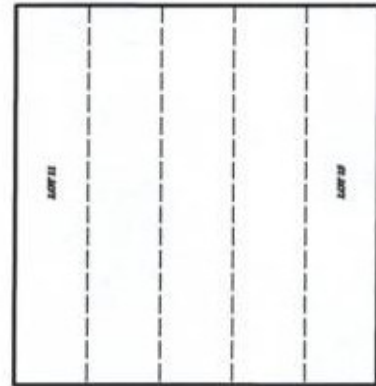
SIXTH STREET



NOT TO SCALE

VACATION EXHIBIT "B"

PITKIN AVENUE



STREET

SEVENTH

STREET

SIXTH

SOUTH AVENUE



NOT TO SCALE

Attach 12

Agreement with CDOT for Rotomilling and Asphalt Overlay on I-70 B S.H. 340, and US 50

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	An Agreement with CDOT for Rotomilling and Asphalt Overlay for I-70B, SH340 and US 50						
Meeting Date	August 2, 2006						
Date Prepared	July 27, 2006	File # - N/A					
Author	Sandi Nimon		Sr. Administrative Assistant				
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: The State has requested that the City perform rotomilling and asphalt overlays of I-70B between North Avenue to Grand Avenue, SH 340 between Mulberry to Grand Avenue, the frontage road connecting I-70B with SH 340, and US 50 from Ute Avenue to South Avenue. A Memorandum of Understanding was approved at the July 19, 2006 meeting. This resolution formalizes that approval.

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
--------------------	--------------

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

Action Requested/Recommendation: Authorize approval of a resolution authorizing an agreement between the City of Grand Junction and the State of Colorado Department of Transportation for the rotomilling and asphalt overlay for I-70B from North Avenue and Grand Avenue frontage road connecting I-70B and SH 340, and 5th Street (US 50) between Ute Avenue (MP 32.0) and South Avenue (MP 32.14).

Attachments: Proposed Resolution

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 to be completed by August 11, 2006.

RESOLUTION NO.

A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF GRAND JUNCTION AND THE STATE OF COLORADO DEPARTMENT OF TRANSPORTATION FOR THE ROTOMILLING AND ASPHALT OVERLAY FOR I-70B FROM NORTH AVE (MP 4.1) AND GRAND AVE (MP 4.9), SH340 BETWEEN MULBERRY ST (MP 13.2) AND GRAND AVE (MP 13.34), FRONTAGE ROAD CONNECTING I-70B AND SH 340, AND 5TH STREET (US 50) BETWEEN UTE AVE (MP 32.0) AND SOUTH AVE (MP 32.14)

Recitals:

The State has requested that the City perform rotomilling and asphalt overlay of I-70B between MP 4.1 and MP 4.9 North Avenue to Grand Avenue, SH 340 between MP 13.2 and MP 13.34, Mulberry to Grand Ave., Frontage Road connecting I-70B with SH 340, and US 50 from MP 32.0 to MP 32.14, Ute Ave. to South Ave. in the City's work contracted to be performed. The City has agreed to perform the work for the State.

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

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

- 1) The City Council of the City of Grand Junction hereby authorizes the City Manager to sign the contract with the State of Colorado Department of Transportation for the rotomill and overlay project described herein.
- 2) The City Council of the City of Grand Junction hereby authorizes the expenditure of funds (estimated to be \$324,951.80) as necessary to meet the terms and obligations of the construction agreement.
- 3) This resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this _____ day of _____ 2006

Jim Doody
President of the Council

ATTEST:

Stephanie Tuin
City Clerk

Attach 13

Lincoln Park Golf Course Irrigation System Replacement

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Lincoln Park Golf Course Irrigation System Replacement					
Meeting Date		August 2, 2006					
Date Prepared		July 24, 2006					
Author		Scott Hockins			Senior Buyer		
Presenter Name		Joe Stevens			Parks & Recreation Director		
Report results back to Council		X	No		Yes	When	
Citizen Presentation			Yes	X	No	Name	
	Workshop	X	Formal Agenda			Consent	X Individual Consideration

Summary: This approval request is for the replacement of the Lincoln Park Golf Course irrigation system.

Budget: A total budget amount of \$775,000 has been allocated in the Capital Improvement budget, and is inclusive of the following:

- Design Services
\$24,600
- PVC Pipe purchased by the City of Grand Junction \$72,000
- Proposed Construction Contract \$700,958

Due to plastics and copper wire price volatility, the project will need an estimated supplemental amount of \$22,558. The current balance in the General Fund Contingency is \$465,000.

Action Requested/Recommendation: Authorize the City Purchasing Division to enter into a contract, in the amount of \$700,958, with Formost Construction, Murrieta, California for the completion of the irrigation system replacement. It is also requested that \$22,558 be transferred from the City’s General Fund Contingency to cover the shortfall.

Attachments: N/A

Background Information: The current irrigation system at Lincoln Park Golf Course is in disrepair due to age, and condition. Under direction of the Parks and Recreation Department, a replacement irrigation system has been drawn by Larry Rodgers, irrigation designer and consultant. Companies were asked to pre-qualify for the project

to ensure the award is made to a proficient and experienced golf course irrigation contractor. The Request for Qualifications (RFQ-1751-06-SDH) was sent directly to ten (10) companies, and advertised in a Sunday edition of the Daily Sentinel. After an assessment of the required pre-qualifications by Larry Rodgers Design Group, and Doug Jones, City of Grand Junction Golf Course Superintendent, three (3) companies were invited to attend a formal jobsite walk-through, and received an Invitation for Bids (IFB-1929-06-SDH). The three companies submitted formal offers in the following amounts:

- Formost Construction, Murrieta, California \$700,958
- Christensen Irrigation, Costa Mesa, California \$774,500
- Landscapes Unlimited, Lincoln, Nebraska \$777,900

Attach 14

Public Hearing 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	August 2, 2006						
Date Prepared	July 27, 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"/>	Yes	When	
Citizen Presentation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda			Consent	<input checked="" type="checkbox"/> Individual Consideration

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

Budget: N/A

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

Background Information: See attached Staff Report/Background Information

Attachments:

1. Staff report/Background information
2. General Location Map / Aerial Photo
3. Growth Plan Map / Zoning Map
4. Draft PC Minutes
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 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 considering neighbors concern regarding the 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, noting 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 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.

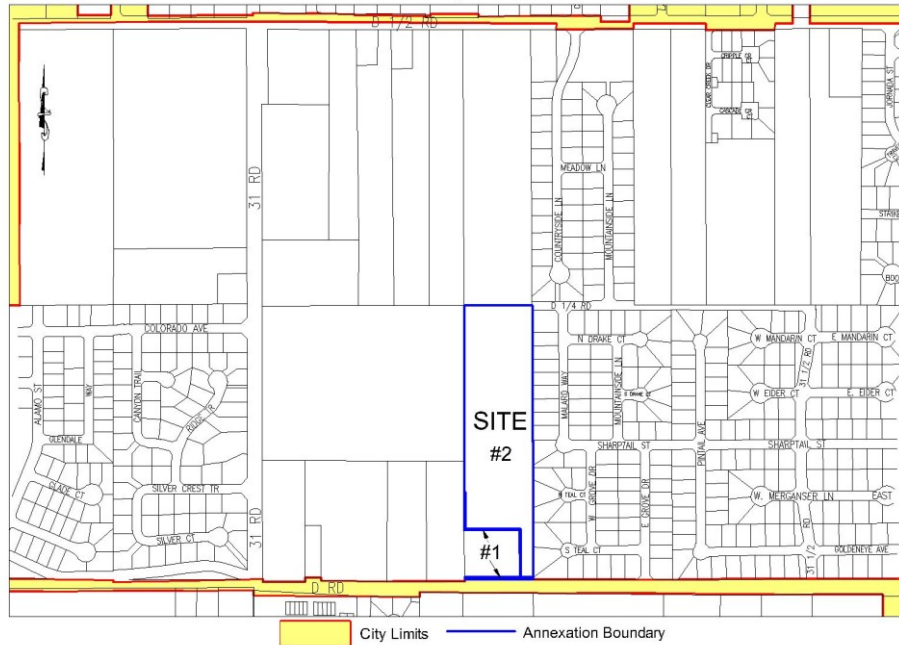
- e. RSF-4
- f. RMF-8

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

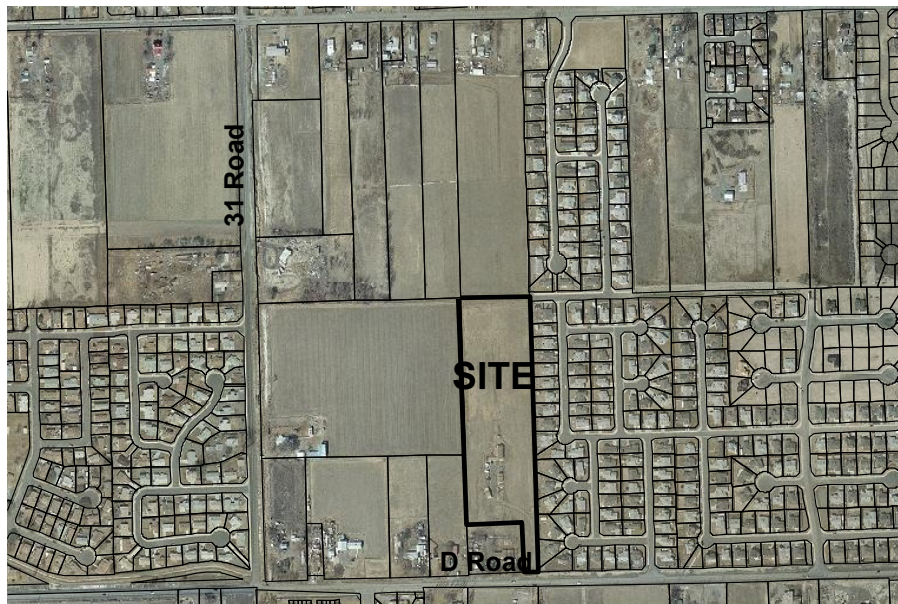
Figure 1

Hamiton Annexation
Figure 5



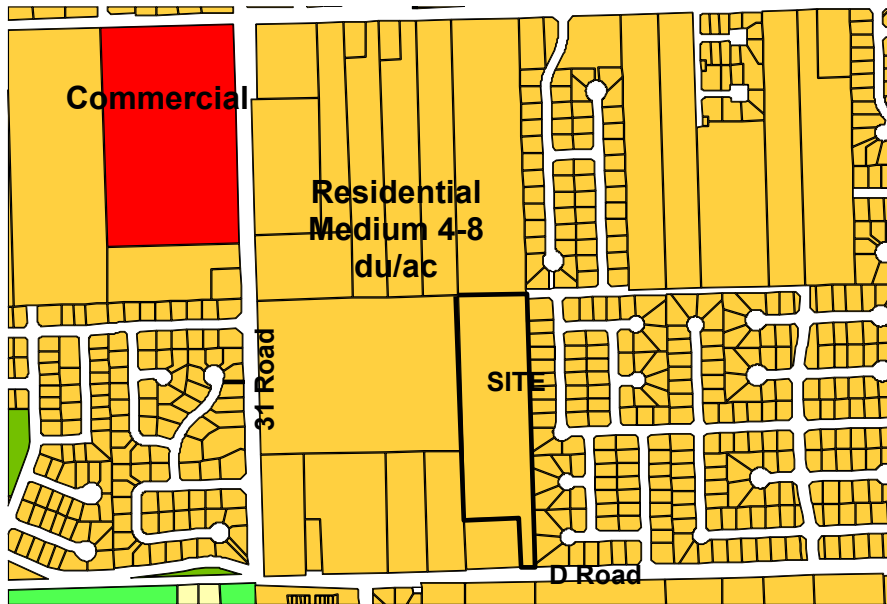
Aerial Photo Map

Figure 2



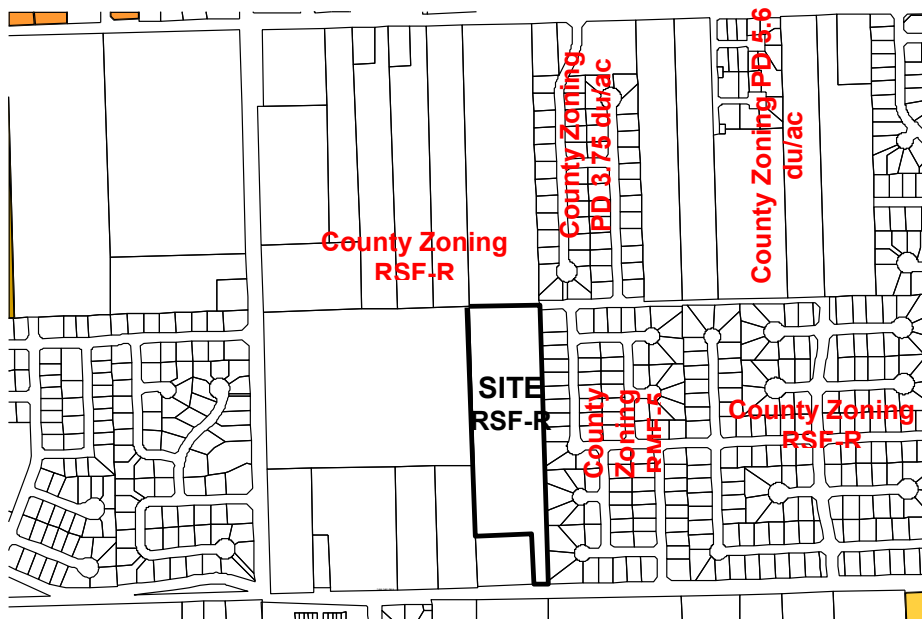
Future Land Use Map

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."

GRAND JUNCTION PLANNING COMMISSION
JUNE 27, 2006 MINUTES
7:00 p.m. to 10:00 p.m.

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

In attendance, representing the City Planning Commission, were Dr. Paul Dibble (Chairman), Roland Cole, Lynn Pavelka-Zarkesh, Tom Lowrey, Bill Pitts, William Putnam and Reggie Wall. Ken Sublett was present in the audience.

In attendance, representing the City's Community Development Department, were Pat Cecil (Planning Services Supervisor), Faye Hall (Associate Planner) and Senta Costello (Associate Planner).

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

Bobbie Paulson was present to record the minutes and transcribed by Elizabeth Buren, an S.O.S. Temporary Staffing employee.

There were 32 interested citizens present during the course of the hearing.

I. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

II. APPROVAL OF MINUTES

Available for consideration were the minutes of the May 23, 2006 public hearing.

MOTION: (Commissioner Cole) "Mr. Chairman, I would move approval of the minutes for May 23."

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

III. CONSENT AGENDA

Chairman Paul Dibble announced that item PDA-2006-044 (Planned Development Amendment – Beehive Estates) was PULLED from the agenda.

On the Consent Agenda, available for consideration were items:

1. ANX-2006-111 (Zone of Annexation – Traynor Annexation)
2. ANX-2006-117 (Zone of Annexation – Hoffman Annexation)
3. ANX-2006-125 (Zone of Annexation – Harris Annexation)
4. ANX-2006-124 (Zone of Annexation – Pine Industrial No. 1)

Chairman Dibble briefly explained the Consent Agenda and invited the public, planning commissioners, and staff to speak up if they wanted any of the items pulled for additional discussion. No objections or revisions were received from the audience or planning commissioners on any of the Consent items.

MOTION: (Commissioner Pitts) "Mr. Chairman, I would move approval of the Consent Agenda as present."

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

IV. FULL HEARING

ANX-2006-105 ZONE OF ANNEXATION- HAMILTON ANNEXATION

Request approval to zone 8.1 acres from a County RSF-R (Residential Single Family Rural) to a City RMF-8 (Residential Multi-Family 8 units/acre) zone district.

Petitioner: Sharon Hamilton

Location: 3124 D Road

City Staff: Senta Costello, Associate Planner

PETITIONER'S PRESENTATION

Jenette Traynor gave a PowerPoint presentation containing the following slides: 1) map of original 10 acre fruit tract; 2) map of current property subdivided in 1990; 3) Pear Park Neighborhood Plan. Some areas would have 4-8 units per acre. Others would have 2-4 units per acre; 4) map of Pear Park 2004 Future Land Use Changes; 5) Proposed Plat; 6) overview of proposed zoning. The proposed zoning is for 8.25 acres, 43 lots (5.21 units per acre); 7) map of proposed footprint. The proposed plat and proposed footprint layout were shown because of concerns regarding garage-scape. Garages are planned to sit further back on the property so that they are not immediately visible; and 8) overview of historic preservation 9, 10, 11, 12, 13, 14) pictures of proposed housing. Proposed housing would have a historic look. The zone for 8 units will be developed at 5 units per acre.

QUESTIONS

Commissioner Cole asked if the proposed zoning was compatible with the surrounding zoning.

Ms. Traynor replied Grove Creek is directly east of an RMF-5 zone and this proposal matches the zoning adopted in the area, although Grove Creek has not been adopted yet.

Commissioner Lowrey asked if Ms. Traynor should resubmit this as a Planned Unit Development. He agreed with staff's recommendation of RMF-5 but a PD (Planned Development) may be approved for just over 5 units.

Mr. Cecil replied that when a property is annexed into the City the zoning must be assigned within 90 days.

Commissioner Cole asked if they could come back with a PD and still meet the timeline. He then asked how much time was left. Commissioner Lowrey noted that it would depend on how much time the applicant needed to come up with a PD to meet Code.

Mr. Cecil said that a PD on 10 acres would be difficult but not impossible. The public benefit, trail systems and open area must be included in a PD.

Ms. Kreiling noted that it is the applicant's choice to change the application. The Commission has a zoning request before them tonight that needs to be decided upon.

Commissioner Dibble agreed with Ms. Kreiling and added that it is a little premature at this point to be asking the applicant to change the zoning.

STAFF'S PRESENTATION

Senta Costello gave a PowerPoint presentation containing the following slides: 1) introduction of Hamilton Annexation at 3124 D Road; 2) site location map; 3) aerial photo map; 4) future land use map. The residential land use medium is 4-8 as are most of the surrounding properties; and 5) existing city and county zoning. Currently there are agricultural and residential uses on the property. To the East is Grove Creek which is zoned RMF-5. To northeast is county PD zoned at 3.75 units per acre density, to the east is 5 units per acre. South and West is Riverbend Subdivision which is mixed with multi and single family housing. The staff has reviewed the request for RMF-8, but the recommendation is that RMF-5 is a more appropriate zone district.

PUBLIC COMMENT

FOR:

There were no comments for the request.

AGAINST:

Richard Marsh (3125 ½ North Teal Court, Grand Junction) is a resident who owns an 11,000 square foot lot that would back against the proposed subdivision. Since his lot is pie-shaped and with the proposed zoning, he would have eight neighbors along the back side. His other concern was how close these proposed two-story buildings would be to the property line and existing fence.

When asked about his property, Mr. Marsh responded that he owned one of the pie-shaped properties and his neighbors lots are bigger than his, which would mean that they would have more neighbors in the proposed subdivision.

Howard Walitt (416 West Mallard Way, Grand Junction) feels that 8 units per acre is not compatible with the surrounding area which is 5 units per acre. Multifamily units are also not compatible with the immediately surrounding this subdivision. He feels that RMF-5 is more appropriate for density. Two story houses are not inconsistent but the multifamily is not compatible. (See letter dated June 22, 2006)

Natalie Leisman (419 West Mallard Way, Grand Junction) owns property that backs against this development. She agrees with previous comments and has concerns particularly about multifamily units not being compatible with surrounding zoning and two story buildings.

George Wishman (415 West Mallard Way, Grand Junction) owns property that backs against proposed development. He agrees with comments regarding density and height of buildings. There are large lots on the east side. In that area, backyards are an amenity. Two story homes will take away the views.

Art Albright (3110 D Road, Grand Junction) agrees with previous comments. He has a ditch on the northeast side of proposed site and is concerned whether the ditch is going to be piped. Mr. Albright would like to see it done. He was told that after a plan was seen, that would be a part of it.

Sue Miller (413 Mallard Way, Grand Junction) expressed concerns with multifamily units and the density proposals.

Earla Jean Bailey-Roy (3122 D Road, Grand Junction) owns property in front of proposed subdivision. The dogleg on the subdivision would go right beside their home. There are a number of concerns she has with this proposal. One of them is the irrigation ditch. She also doesn't want someone looking into her backyard. She would like a privacy fence between this property and her property.

She stated that she had an agreement with the County Commissioners that would only allow one house to be built on this parcel. She would like to see no more than 5 units per acre and no multifamily units which would build a potential slum. Traffic will be a huge problem with a new development and traffic is already bad on D Road. She stated that five units is acceptable but multifamily is not.

APPLICANT'S REBUTTAL

Ms. Traynor responded that higher density is requested simply because of lot setbacks. The plan is to have less than 8 units per acre and they are not planning any multifamily.

QUESTIONS

Chairman Dibble asked if staff would step forward to address some of the concerns.

Ms. Costello said that both zone districts allow multifamily, but they would have to meet the criteria of the Code. Maximum height for both zone districts is 35 feet which is pretty much across the board until you get to RMF-12.

The rear yard is 25 feet in RMF-5 and 10 feet in RMF-8.

Commissioner Cole asked Ms. Costello about her report that had an alternate to RSF-4 that could be considered. He asked what the requirements would be for that as far as setback.

Ms. Costello explained that minimum lot size is 8,000 square feet, and maximum height is also 35 feet as is RMF-5 and RMF-8. The rear yard setback is 25 feet like RMF-5, but side yard setback is up to 7 feet.

Commissioner Putnam asked who the agreement was made with regarding the house on 3122 D Road.

Ms. Costello assumed it was County Planning Commission or County Commissioners.

DISCUSSION

Commissioner Cole felt that RMF-5 is more appropriate than RMF-8.

Commissioner Pitts stated that multifamily units do not exist in that area. All surrounding areas are single family dwellings. He feels that it should stay as single family. RSF-4 is only single family and he can't support the proposal as it is.

Commissioner Wall concurs with Commissioner Pitts. He can't agree with this proposal as a multifamily zoning and feels that RSF-4 is more appropriate for that area.

Commissioner Putnam noted that this is a problem because the zoning in RMF-8 is done so that if the property were sold, it could then be built to the higher density of 8 instead of the proposed 5 of the applicant.

Chairman Dibble commented that to the east of the proposed area is zoned at RMF-5 right now. To sum it up, there is an RMF-5 zoning in that neighborhood and there are no multifamily homes there.

MOTION: (Commissioner Cole) "Mr. Chairman, on item ANX-2006-105, I move that the Planning Commission forward to the City Council a recommendation of approval of the RMF-8 (Residential Multi-family 8 du/ac) zone district for the Hamilton Annexation, finding it consistent with the Growth Plan and Section 2.6.A of the Zoning and Development Code.

Commissioner Pitts seconded the motion. A vote was called and the motion failed by a vote of 0-7.

MOTION: (Commissioner Pitts) “Mr. Chairman, on Zone of Annexation, ANX-2006-105, I move the Planning Commission forward to the City Council a recommendation of approval of the RSF-4 zone district for the Hamilton Annexation, finding it consistent with the Growth Plan and Section 2..A.3,4,5 of the Zoning and Development Code.”

Commissioner Wall seconded the motion. A vote was called and the motion was approved by a vote of 5-2, with Commissioners Pavelka-Zarkesh and Cole opposing.

GRAND JUNCTION PLANNING COMMISSION
JULY 11, 2006 MINUTES
7:00 PM to 8:00 PM

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

In attendance, representing the City Planning Commission, were Dr. Paul Dibble (Chairman), Roland Cole, Lynn Pavelka-Zarlesh, Tom Lowrey, Bill Pitts, William Putnam, Ken Sublett (2nd Alternative), and William Putnam. Patrick Carlow and Reggie Wall were absent.

In attendance, representing the City's Community Development Department, were Sheryl Trent (Assistant to the City Manager), Kristen Ashbeck (Planner), Lori Bowers (Planner), and Senta Costello (Planner).

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

Cherry Robinson was present to record the minutes.

There were 10 interested citizens present during the course of the hearing.

I. ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

There were no announcements, presentations and/or visitors.

II. APPROVAL OF MINUTES

Available for consideration were the minutes of the June 13, 2006 public hearing.

MOTION: Chairman Dibble moved to approve the June 13, 2006 minutes.

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

III. CONSENT AGENDA

Available for consideration were items:

1. PP-2005-151 (Preliminary Plan — Water’s Edge Subdivision)
2. ANX-2006-139 (Zone of Annexation — Schroeder Annexation)

Chairman Dibble introduced the Consent Agenda. The Consent Agenda are items that are perceived to be non-controversial in nature and meet all the requirements in the codes and regulations, and the Applicant has acknowledged complete agreement with the recommended conditions. The Consent Agenda will be acted upon on one motion. We have two items this evening. The Applicant, the public, and Staff can request an item be removed from the Consent Agenda if it will heard this evening as a full agenda item, and items removed from the Consent Agenda will be reviewed and be eligible for a full hearing or a rehearing.

PP-2005-151 — Water’s Edge Subdivision — Request approval of a preliminary plan to develop 48 residential condominium units on 6 acres in an RMF-8 (Residential Multi-Family, 8 units per acres zone district.)

ANX-2006-139 — Zone of Annexation — Schroeder Annexation — Request approval to zone first zone 1.52 acres from County RSF-4 to City RSF-4, and secondly to split the parcel into two single-family lots.

Chairman Dibble asked the public and staff members if they would like any of the Consent Agenda items pulled for a full hearing; there were no comments from the public or staff members; therefore, Chairman Dibble entertained a motion to receive the Consent Agenda:

MOTION: (Commission Cole) “Mr. Chairman, I move to receive the Consent Agenda as presented.”

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

IV. FULL HEARING

Chairman Pitts introduced the Public Hearing items and stated the Planning Commission would either make the final decision or a recommendation to City Council. If the public has an interest in the Full Hearing item, or wish to appeal an action taken by the Planning Commission, they are to call the Community Development Department or locate a staff member after the meeting to inquire about City Council scheduling.

ANX-2006-105 (Request for a Rehearing — Zone of Annexation — Hamilton Annexation)

Request approval for a rehearing to zone 8.1 acres from a County RSF-R (Residential Single Family Rural) to a City RMF-8 (Residential Multi-Family-8 units per acre) zone district.

PETITIONER: Jenette Traynor
LOCATION: 3124 D Road
STAFF: Senta Costello

ANX-2006-105 (Rehearing for Zone of Annexation — Hamilton Annexation)

Request approval to zone 8.1 acres from a County RSF-R (Residential Single Family Rural) to a City RMF-5 (Residential Multi-Family-5 units per acre) zone district.

PETITIONER: Jenette Traynor
LOCATION: 3124 D Road
STAFF: Senta Costello

Chairman Dibble entertained a motion for a rehearing regarding the above.

Commissioner Cole asked if hearing items had been advertised for the hearing tonight. If was his recollection there were a quite a few of the neighbors at the last hearing, and they left with the feeling the Planning Commission had recommended the actions of that night. Did the neighbors have an opportunity to appear at the rehearing.

Chairman Dibble answered perhaps prudence would rule. If there is not a motion and a second, it fails rehearing. The rehearing is based on the fact that we are hearing some new evidence. Sheryl Trent answered it was advertised in anticipation of the rehearing and the appropriate notices were set forth.

Chairman Dibble entertained a motion for a rehearing.

MOTION: (Commissioner Lowrey) “I move we have a rehearing on ANX-2006-105, Hamilton Annexation.”

The motion was seconded by Commissioner Pitts.

Commissioner Cole spoke against the motion as there was a considerable amount of discussion on the night of the hearing. He had looked at the RMF-5, and with the testimony that was given that evening, he felt the Commission acted properly in rezoning it to RMF-4.

Commissioner Pitts also spoke against the motion. He was clear with the facts that were presented, so he would not be in favor of the rehearing.

Commissioner Lowrey agreed with Commissioners Cole and Pitts, but procedurally since the RMF-5 request was not before the Commission—technically we did not rule on it—and it should be ruled on by the Planning Commission before it goes to City Council, otherwise we leave a vacuum as to the RMF-5. It is more a procedural technicality to consider the RMF-5, and then when it goes to Council, there is thorough record.

Commissioner Pitt conceded in favor of rehearing.

Commissioner Cole stated he was still in opposition. At the previous hearing the Commission had the choice of zoning what was requested or a lesser zone, and the Commission chose to rezone to RMF-4 and given the testimony that was given that night, even though the request was for 8, we chose to rezone to 4.

Chairman Dibble called for a vote on the motion as presented and seconded. The vote was 6 in favor and 1 opposed by Commissioner Cole.

STAFF'S PRESENTATION

Senta Costello gave a PowerPoint presentation and an overview of the request. City Staff made the request for the rehearing due to information could have been made clearer at the public hearing, as well as some information received from the Applicant due to further investigation into the zoning and development code requirements. The property is located at 3124 D Road, 8.33 acres in size. Currently there is agricultural and residential use on the property. The growth plan map designation for the site is Residential Medium, 4 to 8 dwelling units per acre. The surrounding zoning is all County zoning with the exception of when this map was originally done, this property has since been annexed and was zoned RMF-5. The Carpenter annexation was located north and east of the property on the maps that indicate County zoning PD 3.75, it's the property directly to the east of that, and it was RMF-5. County zoning directly to the east of this site was also RMF-5. The surrounding zoning to the north and west is County RSF-R. The Applicant has changed their request to be in agreement with the City's recommendation of the RMF-5 zone district. One of the concerns that Staff heard coming from the Planning Commission at the previous hearing was in relation to a concern of the neighbors regarding multi-family, or the potential of multi-family on this site. We wanted to clarify what exactly that multi-family designation for the RMF-5 means. On RSF-4 the minimum lot size is 8,000 sq. ft.; on RMF-5 it is 6,500 sq. ft. The only difference in the setbacks between the two zone districts is the side yard setback, which is 7 ft. in the RSF-4 and 5 ft. in the RMF-5. The uses that are actually allowed in the zone districts are virtually identical; the main difference being the RMF-5 allows townhomes, where the RSF-4 does not. The RSF-4 allows duplexes on corner lots, and it allows single-family attached homes, which on the ground, look like a duplex, which are also allowed in the RMF-5 zone district. The other main difference between is the two is the overall density which the maximum of 5 units per acre in the RMF-5 and 4 units per acre in the RSF-4. One of the other issues that was reiterated in the revised staff report received for this hearing calls out specifically some of the goals and policies of the growth plan; specifically the Pear Park plan. The Pear Park plan goal states it a goal to establish areas of higher density to allow for mix housing options, so we think RMF-5 better meets this goal than does the RSF-4.

QUESTIONS

Chairman Dibble asked Ms. Costello to her best recollection was the Pear Park plan information available to the Planning Commission at the first hearing. Ms. Costello answered it was available. It wasn't actually called out specifically in the report as it is in the revised version.

Commissioner Sublett recalled at the previous hearing there was some concern by the public regarding multi-story buildings. Are there differences in high constructions between RSF-4 and RMF-5. Ms. Costello answered the requirements or restrictions in both zone districts for maximum height is 35 feet.

Chairman Dibble called for any questions of staff. There were no questions.

Chairman Dibble asked to hear from the Applicant.

PETITIONER'S PRESENTATION

Jenette Traynor stated she would like to reiterate what Ms. Costello said, and it covered everything needed.

Chairman Dibble asked Ms. Traynor if she was aware of the Pear Park goals. Ms. Traynor answered in the affirmative.

Chairman Dibble asked for any questions of the Applicant.

PUBLIC COMMENT

Chairman Dibble opened the hearing to the public for those in favor of the application. There were no members of the public who came forward in favor of the application.

Chairman Dibble opened the hearing to the public for those not in favor of the application to come forward.

AGAINST:

Howard Walitt (416 W. Mallard Way, Grand Junction, CO 81504, 523-9563) Mr. Walitt lives on the street the closest to the east of the site in question. At community meeting that was held in March, the Petitioner, although she was asking for a multi-family zoning, said she would not consider multi-level, multi-family homes to be built there. Also, by her own admission, she said she is not going to be the builder, so anything you approve here now, despite any protestations from the Petitioner that there will be no multi-family, multi-level houses to the west, considering she sells that land to a developer or developers, they can do whatever this wish. The Planning Commission made a wise decision at the last meeting in zoning the site for RSF-4. Although Grove Creek is 5 per acre density, the size of the houses of in Grove Creek are smaller than could be fit on a similar plot in the site under consideration, because the side setback in Grove Creek are twice what you get with an RMF-5. Further, the Petitioner has brought nothing new to the Commission this evening. The PowerPoint given by the Petitioner last time showed a quasi Victorian style, two-story or three-story, two family home, and stated this was in keeping with the historic architecture of Pear Park area. In reality, there is nothing in the vicinity of the Hamilton annexation site that is multi-family, except all the way to the east on D Road, there is a subdivision that has duplexes; those are something that is not desirable, particularly with a 35 ft. height per structure. This is higher than the surrounding area, and this would be inconsistent and incompatible with the existing area. The zoning of Grove Creek is also a County multi-family 5

per acre. The builder built only single-family homes. Mr. Walitt petitioned the Commission to deny the RMF-5 and stand with the RSF-4. Mr. Walitt stated this is just a ploy by the Petitioner to try to swing one or two votes of the Commissioners with no new information; nothing has changed.

Rick March (3125 ½ North Teal Court, Grand Junction, CO 81504, 434-9760. Mr. March agreed with Mr. Walitt on the multi-family issue. Mr. March brought in mail he received regarding a home that went up for sale in the neighborhood to demonstrate the price of single-family homes in the area. [Flyer shown on the document viewer.] Grove Creek is one of the highest viewed areas by people in that income level for buying houses. It has something to do with Halliburton being located at the end of D road. People in that area are selling their houses in 30 to 48 hours. We do not want to jeopardize this.

Chairman Dibble asked Mr. Marsh if he would describe the example as a two story Victorian style. Mr. Marsh answered he would describe the example as a two story residential. Another Commissioner stated the example was a two story California style.

Mr. March stated his other issues were the setbacks. His residence is the in the second cul-de-sac on the west side, 3rd lot off of D Road. The lot is about 10,000 sq. ft. There is a public utility easement that is 20 to 25 ft. that is rocked and landscaped, and there are irrigation lines running underneath the easement about 5 to ft. off the fence line. If houses are placed too close, they will not be able to work on the pipe if needed. The setbacks should be at least 25 ft. with no multi-family, at least along the west side of the Grove Creek. Multi-family on the inner streets would not bother anyone.

Commissioner Lowrey asked Mr. Marsh if he knew of any duplexes or townhomes in the subject area. Mr. March answered, "Zero, out of 400 homes; they are all single family."

John Boyum (3129 North Teal Court, Grand Junction, CO 81504, 523-4817) Mr. Boyum stated his biggest concern was decreasing property values. When he purchased his property at \$85,000, it is now listed at \$165,000, and he does not want to see his investment, or other people's investments, be lost that they have built all their lives.

Earla Jean Bailey-Roy (3122 D Road, Grand Junction, CO 81504, 523-1571) Ms. Bailey-Roy lives directly in front of the subject property. She has three main concerns: 1) Their irrigation water is received from the northeast corner of subject property, across the north part of the subject property to the west, then down the north side of the property to our property; she wants the irrigation water preserved. 2) Asked for a fence between their property and what is going to be a very busy intersection on D Road. 3) Think about the problems the difference between 5

per acre multiple dwellings and 4 per acre would make on that narrow strip coming onto D Road.

Chairman Dibble replied those questions will have to be answered at later date when the building project comes forward on our consideration agendas.

Howard Walitt reapproached regarding densities—5 per acre, 4 per acre—and traffic flows. In Grove Creek there are 4 entrances and exits: one at East Grove, one at 31 ½ Road, D ½ Road, eventually we'll connect to another subdivision that is being completed now. Problematically the subject site does not include the width required for a road to connect to D Road. Also, irrigation is at the end of a piece of D ¼ Road. The density of 4 per acre versus 5 per acre is going to have a great impact, because there is only one major entrance on D Road.

Commissioner Lowrey asked Mr. Walitt if he knew of any multi-family duplexes or townhomes in his neighborhood. Mr. Walitt answer the only duplexes are in a subdivision a couple hundred yards short of 32 Road in which he believes there some duplexes, but this does not abut Grove Creek. There are none in Grove Creek.

Chairman Dibble asked for any further public comment in reference to zoning.

The Applicant, Jenette Traynor, reapproached to state any multi-family dwellings that would be presented would have to be approved by this Commission.

Chairman Dibble asked Ms. Costello for any additional presentation.

Ms. Costello wanted to clarify and reiterate it was Staff that made the request for the rehearing; it did not come from the Applicant. Traditional multi-family—as far as apartment buildings, two story stacked units, that type of structure—are not allowed in this zone district. There are no multi-family units in Grove Creek, to her knowledge, nor to the north to the property to the north and east. However, on the south side of D Road is a subdivision called River Bend, and it is a mixed use community that does have some single-family homes, as well as some multi-family and townhomes.

Chairman Dibble asked if the Future Land Use Map referred to this parcel as a Medium and 4-8. Ms. Costello answered in the affirmative.

Chairman Dibble continued asking if they could get a zone permit up to 8 units. Ms. Costello answered this would be at Council's discretion. Planning Commission has already recommended against an RMF-8, and Staff and never recommended the RMF-8; I don't know where Council

would go with this, but it would take a majority of Council to approve RMF-8. Where it's not even being requested, Ms. Costello would not see an RMF-8 as a possibility.

Chairman Dibble asked Ms. Costello if she was requesting instead of the RSF-4 that the Commission passed a couple of weeks ago, she is recommending to the Commission an RMF-5. Ms. Costello answered to get a clarification from the Commission.

Chairman Dibble asked if there were other questions of Staff.

The public meeting was closed.

Commissioner Pitt commented on the excellent Staff Report; but his position was to still recommend an RSF-4, because the recommended density does not conform to [inaudible].

Chairman Dibble asked of Jamie Kreiling for clarification if the Commission does not approve RMF-5, does the original RSF-4 stand when it is referred to City Council. Jamie answered it would stand as RSF-4.

Commissioner Pavelka-Zarkesh commented considering the differences in both the RSF-4 and the RMF-5 to permit attached and detached housing, the side setbacks are slightly different, the rear setbacks are the same, with 5 units on 8 acres, and 4 units on 8 acres, you would have an extra five units, and considering the goals of the Pear Park area, the RMF-5 would be a reasonable zone.

Commissioner Cole stated he originally thought the RSF-4 would be more appropriate; however, as Commissioner Pavelka-Zarkesh pointed out there is not a lot of differences, so he would approve the RMF-5 zoning.

Chairman Dibble part of the rehearing process has to answer some pertinent questions, because information was not available to the Planning Commission caused us to misunderstand or misconsider certain facts, so in our decision we can say we it is based on Pear Park concerns.

Commissioner Lowrey agreed with Commissioner Pitts. RSF-4 and RSF-5 would both fit within the growth plan. On the compatibility issue, there aren't any multi-family homes directly to the east, and that is a rather large development as far as the number of homes, so he leans toward the RSF-4.

Charmin Dibble stated the biggest difference is the lot size. The lot size is much less for RMF-5 than it is for RSF-4; a 20% difference. The traffic impact for another 5 units would not be that great. The footprints of the homes might be affected with the higher density.

Commissioner Putnam commented the word “multi” scares people into thinking it is a guaranteed slum development. I think we have adequate examples in Grand Junction that this is not a fair assumption. It has been stated over and over again that whatever plan is proposed for this site will come back before the Commission, so it is not an automatic thing if we include the word “multi” in this recommendation that it will turn out to be a disproportionately dense development. Commissioner Putnam stated he would approve the RMF-5.

Chairman Dibble asked Ms. Costello in going back to the issue of lot size of 6,500 sq. ft.; if this analysis is correct, is it much the same as the surrounding areas as far as lot size; is this correct? Ms. Costello answered this lot size was in the range of others in the area. There are some of those lots that are actually over 10,000 sq. ft.

Commissioner Sublett stated he was inclined to support RMF 5. His primary support of RMF-5 is that we are going to have to increase densities in this town; we have no choice. This is a tiny increase in density. One of the major concerns is multi-story, and it will make no difference whether it is RSF-4 or RMF-5.

Chairman Dibble one thing that has been mentioned and he wished to state again; the proposals of what is being built—including fences, drainage, and traffic—all of this will be discussed at length by the Planning Commission. Once they bring forward the building project itself, we will have control over all those things.

Chairman Dibble called for additional questions of the Commission.

Mr. Walitt in the audience stated the Planning Department is being very disingenuous by saying that they called this rehearing, when I was told by the Planning Department that the Petitioner called for the rehearing.

Chairman Dibble stated, “Sire, it makes no difference. We have had a hearing on both sides. I allowed you to speak, and when I called for a finality of the public, I always pause. I allowed you a second go at it. Normally that’s not allowed. I wanted to be a little bit open for that at this evening. But once public meeting is closed, I won’t tolerate anymore by the public. Thank you very much.”

MOTION: (Commissioner Cole) “Mr. Chairman, on zoning of Annexation ANX-2006-105, I move the Planning Commission forward to the City Council a recommendation of approval of the RMF-5, Residential Multi-Family, 5 dwelling units per acre zone district for the Hamilton Annexation, finding it consistent with the Growth Plan in Sections 2.6.A.3,4,5 of the Zoning and Development Code.”

Commissioner Sublet seconded the motion.

Ms. Kreiling: “Mr. Chairman, if I may, you had asked the question earlier if the RMF-5 was denied, then would it go forward with an RSF-4. What I want clear about is when you are voting on this, the majority is for the RMF-5, the actual recommendation that recommendation that will go forward is your RMF-5, and it won’t be your RSF-4.”

Chairman Dibble: It will revert back to the RSF-4 if RMF-5 is not approved. Ms. Kreiling: Correct.

Votes were as follows:

Commissioner Pitt—No

Commissioner Pavelka-Zarkesh—Yes

Commissioner Cole—Yes

Chairman Dibble—No

Commissioner Putnam—Yes

Commissioner Lowrey—No

Commissioner Sublet—Yes

RMF 5 zoning was approved for ANX-2006-105 by a vote of 4 in favor and 3 against.

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 to zone the Hamilton Annexation RMF-5 (Residential Multi-Family 5 du/ac), 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 Sections 2.6 and 2.14 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 Sections 2.6 and 2.14 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.

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 19th day of July, 2006 and ordered published.

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

ATTEST:

President of the Council

City Clerk

Attach 15

Public Hearing – Abeyta-Weaver Growth Plan Amendment, Located at 432 30 ¼ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Abeyta-Weaver Growth Plan Amendment, located at 432 30 ¼ Road					
Meeting Date	August 2, 2006					
Date Prepared	July 27, 2006				File #GPA-2005-188	
Author	Senta L. Costello		Associate Planner			
Presenter Name	Senta L. Costello		Associate Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary: Request to change the Growth Plan designation of 8.42 acres, located at 432 30 ¼ Road from "Residential Medium 4-8 du/ac" to "Public".

Budget: N/A

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

Background Information: See attached Staff Report/Background Information

Attachments:

1. Staff report/Background information
2. Aerial Photo
3. Growth Plan Map
4. Resolution

AGENDA TOPIC: GPA-2005-188 – Abeyta – Weaver Growth Plan Amendment

ACTION REQUESTED: Request approval of a Growth Plan Amendment from "Residential Medium 4-8 du/ac" to "Public" for 1 property located at 432 30 ¼ Road;

<i>STAFF REPORT / BACKGROUND INFORMATION</i>			
Location:		432 30 ¼ Road	
Applicants:		Owner / Applicant: Mesa Co School Dist #51 – Dave Detweiler	
Existing Land Use:		Agricultural	
Proposed Land Use:		New school	
Surrounding Land Use:	North	Single Family Residential	
	South	Single Family Residential / Agricultural	
	East	Single Family Residential / Agricultural	
	West	Single Family Residential / Agricultural	
Existing Zoning:		None	
Proposed Zoning:		City CSR	
Surrounding Zoning:	North	County RSF-R	
	South	County PUD – 5.21 du/ac	
	East	County PUD – undeveloped	
	West	County PUD – 3.61 du/ac / PUD – undeveloped; City – RMF-8	
Growth Plan Designation:		Existing - Residential Medium 4-8 GPA request for Public	
Zoning within density range?		X	Yes
			No

PROJECT DESCRIPTION: Consideration of an amendment to the Growth Plan Future Land Use Map to re-designate the property located at 432 30 ¼ Road from “Residential Medium 4-8 du/ac” to “Public”.

RECOMMENDATION: Staff recommends approval.

ANALYSIS:

1. Background:

The annexation area consisted of 12.82 acres of land and was comprised of 2 parcels. The annexation was effective November 20, 2005. The property has since gone through a Simple Subdivision process to separate the two homes from the school site. The subdivision plat was recorded on July 3, 2006. The requested Growth Plan Amendment is to change the Future Land Use designation for the school site from Residential Medium 4-8 du/ac to Public.

Mesa County School District and the City of Grand Junction worked together to purchase the property for a new elementary school and school/public park and gymnasium. This change in ownership from a private party to a public entity is triggering the request for the Growth Plan Amendment. The zone district that will be requested for the property is CSR.

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

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

- a. There was an error such that then existing facts, projects or trends (that were reasonably foreseeable) were not accounted for.
 - *The property was not slated to be a public school at the time the current Future Land Use designation was place on the property. Since then, a new elementary school has been constructed by Mesa County School District #51 on the property.*
- b. Subsequent events have invalidated the original premises and findings.
 - *The property was not slated to be a public school at the time the current Future Land Use designation was place on the property. Since then, a new elementary school has been constructed by Mesa County School District #51 on the property.*
- c. The character and/or condition of the area have changed enough that the amendment is acceptable.
 - *The property was not slated to be a public school at the time the current Future Land Use designation was place on the property. Since then, a new elementary school has been constructed by Mesa County School District #51 on the property.*
- d. The change is consistent with the goals and policies of the plan, including applicable special area, neighborhood and corridor plans.
 - The change is consistent with the following goals and policies of the Growth Plan:
 - Goal 1: To achieve a balance of open space, agricultural, residential and non-residential use opportunities that reflects the residents'

respect for the natural environment, the integrity of the community's neighborhoods, the economic needs of the residents and business owners, the rights of private property owners and the needs of the urbanizing community as a whole.

- Policy 1.1: The City and County will use the future land use categories listed and described in Exhibit V.2 (Future Land Use Categories', Page 15) to designate appropriate land uses within the Joint Planning Area identified in Exhibit V.1 (Joint Planning Area, Pages 3-4). City and County actions on land use proposals within the Joint Planning Area will be consistent with the plan
- Goal 3: To implement the plan through the coordinated and consistent actions of Grand Junction, Mesa County and other service providers.
 - Policy 3.3: The City and County will target public investments to promote development or redevelopment that supports the goals of the plan.
 - Policy 3.5: The City and County will coordinate with public and private service providers to develop and maintain public improvements which efficiently serve existing and new development.
- Goal 4: To coordinate the timing, location and intensity of growth with the provision of adequate public facilities.
 - Policy 4.5: The City and County will require adequate public services and facilities to be in place or assured so they will be in place concurrently with urban development in the point planning area. The City and County will adopt consistent urban level of service and concurrency standards for the following services: water, wastewater, streets, fire stations, schools and stormwater management.
- Goal 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.
- Goal 6: To promote the cost-effective provision of services for businesses and residents by all service providers.
 - Policy 6.3: The City and County will cooperate with the school district to identify appropriate locations for future school facilities. Elementary schools should be located within residential neighborhoods to minimize the need for children to cross arterial streets.
- Goal 26: To develop and maintain an interconnected system of neighborhood and community parks, trails and other recreational facilities throughout the urban area.
 - Policy 26.6: The City and County will coordinate with the school district to achieve cost savings through the joint development of school and recreational facilities.

- The change is consistent with the following goals of the Pear Park Neighborhood Plan:
 - Provide adequate public school and park sites to serve the Pear Park residents as identified on the Pear Park Neighborhood Parks and Schools Map.
- e. Public and community facilities are adequate to serve the type and scope of the land use proposed.
 - Public and community facilities are adequate in the area to serve the new use
- f. An inadequate supply of suitably designated land is available in the proposed land use.
 - The Public Future Land Use designation is used for designating properties that area owned by a public entity and is applied as necessary for those properties.
- g. The community or area, as defined by the presiding body, will derive benefits from the proposed amendment.
 - The Pear Park community and the Grand Valley community will both derive benefits from a new school in the Pear Park neighborhood. It will provide the residents of the area a convenient school location for their children and will lessen the burden on other valley schools.

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Abeyta-Weaver application, GPA-2005-188, for a Growth Plan Amendment, staff makes the following findings of fact and conclusions:

6. The proposed amendment is consistent with the purpose and intent of the Plan.
7. The review criteria in Section 2.5.C of the Zoning and Development Code have all been met

PLANNING COMMISSION RECOMMENDATION:

Planning Commission recommended approval of this Growth Plan Amendment request for Public designation to City Council, making the findings of fact and conclusions listed in the staff report.

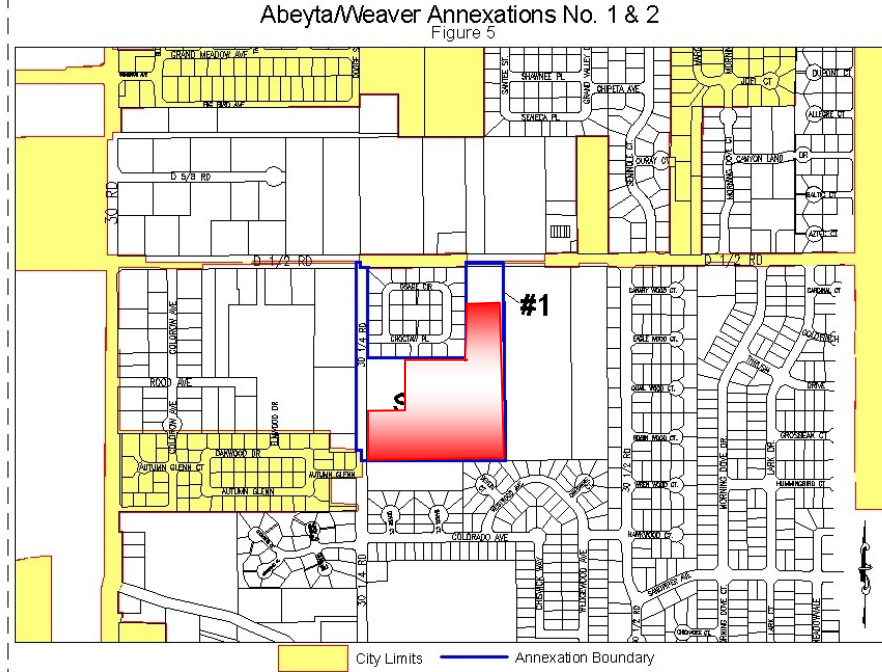
Attachments:

Vicinity Map / Aerial Photo
 Growth Plan Map
 Resolution

Site Location Map

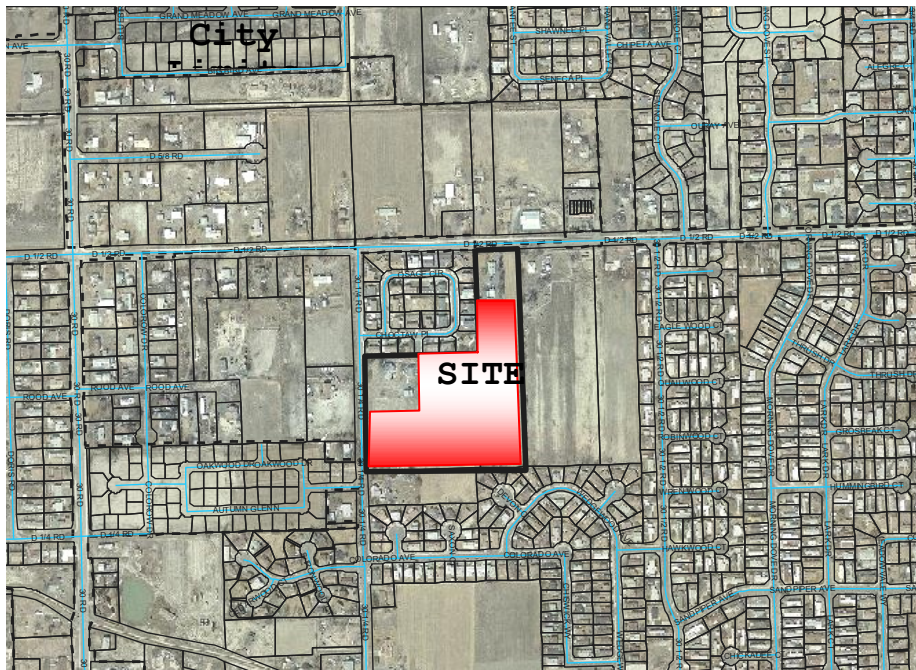
Figure 1

Abeyta/Weaver Annexations No. 1 & 2
Figure 5



Aerial Photo Map

Figure 2



CITY OF GRAND JUNCTION, COLORADO

Resolution No.

A RESOLUTION AMENDING THE CITY OF GRAND JUNCTION GROWTH PLAN TO DESIGNATE APPROXIMATELY 8.42 ACRES, LOCATED AT 432 30 ¼ ROAD, FROM RESIDENTIAL MEDIUM 4-8 DU/AC TO PUBLIC

ABEYTA-WEAVER GROWTH PLAN AMENDMENT

Recitals:

A request for the Growth Plan amendment has been submitted in accordance with the Zoning and Development Code to the City of Grand Junction. The applicant has requested that approximately 8.42 acres located at 432 30 ¼ Road be changed from "Residential Medium 4-8 du/ac" to "Public" on the Future Land Use Map.

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

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

That approximately 8.42 acres of property, located at 432 30 ¼ Road is designated as Public on the Future Land Use Map. The boundary description of the area being more fully described as follows:

Lot 2 of the Abeyta/Weaver Subdivision as recorded at Book 4193 Pages 260-261 of the Mesa County Clerk and Records Office, Mesa County, Colorado

PASSED on this _____ day of _____, 2006.

ATTEST:

President of Council

City Clerk

Attach 16

Public Hearing – Pine Industrial No. 1 Annexation and Zoning, Located at 2969 D Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA								
Subject	Annexation and zoning of the Pine Industrial No.1 Annexation located at 2769 D Road							
Meeting Date	August 2, 2006							
Date Prepared	July 19, 2006				File #ANX-2006-124			
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			
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		<input type="checkbox"/>	Consent	<input checked="" type="checkbox"/>	Individual Consideration

Summary: Request to annex and zone 5.08 acres, located at 2769 D Road, to I-2 (General Industrial). The Pine Industrial No.1 Annexation consists of one parcel and is a two part serial annexation.

Budget: N/A

Action Requested/Recommendation: Adopt Resolution accepting the petition for the Pine Industrial No.1 Annexation and Hold a Public Hearing and 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:		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:

ANNEXATION:

This annexation area consists of 5.08 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.

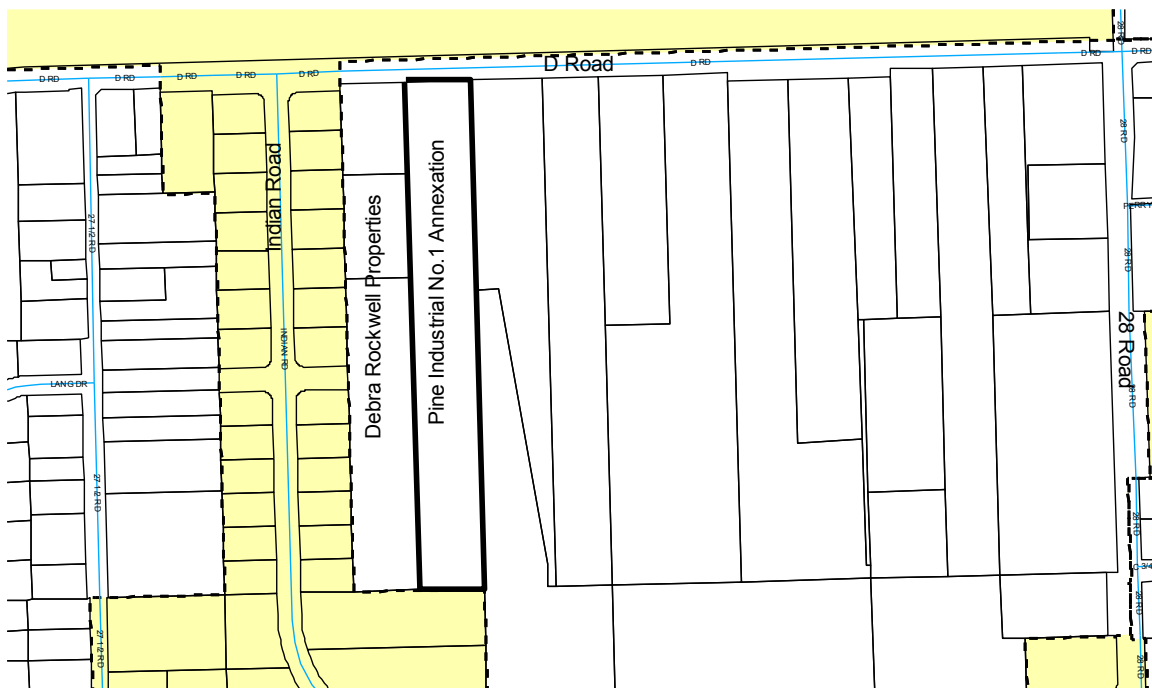
It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Pine Industrial No.1 Annexation is eligible to be annexed because of compliance with the following:

- 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 Pine Industrial No.1 Annexation inadvertently completes an enclave of incorporated land. Enclaves are small areas of unincorporated Mesa County that are entirely surrounded by the limits of the City of Grand Junction. Included in the Persigo Agreement is a provision to close all enclaves by bringing them into the City in a timely fashion in accordance with state annexation laws. State Annexation statutes require a minimum of 3 years before an area that is enclaved by a City to be unilaterally annexed by that city.

There are three properties located at 2765, 2767, & 2767 ½ D Road (see map below) that are within this enclave and all are owned by Debra Rockwell with a combined acreage of 1.89 acres. No dates have been established at this point for annexing the Rockwell properties as an enclave annexation, but under the Persigo Agreement it shall occur within 5 years. The owner of the properties will be notified by mail of this enclave happening as a result of the Pine Industrial No.1 Annexation, then when the enclave annexation is scheduled sometime between 3 and 5 years from now, the owner will be notified again with an established timeline.



The following annexation and zoning schedule is being proposed.

<i>ANNEXATION SCHEDULE</i>	
June 19, 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 19, 2006	Introduction Of A Proposed Ordinance on Zoning by City Council
August 2, 2006	Acceptance of Petition and Public Hearing on Annexation Zoning by City Council
September 3, 2006	Effective date of Annexation and Zoning

PINE INDUSTRIAL NO.1 ANNEXATION SUMMARY		
File Number:	ANX-2006-124	
Location:	2769 D Road	
Tax ID Number:	2945-241-00-017	
Parcels:	1	
Estimated Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	5.08	
Developable Acres Remaining:	4.86	
Right-of-way in Annexation:	9505 sq ft	
Previous County Zoning:	I-2	
Proposed City Zoning:	I-2	
Current Land Use:	Industrial	
Future Land Use:	Industrial	
Values:	Assessed:	\$6190
	Actual:	\$77,850
Address Ranges:	2769 D Road	
Special Districts:	Water:	Ute Water
	Sewer:	Central Grand Valley Sanitation
	Fire:	Grand Junction Rural Fire
	Irrigation/Drainage:	Grand Junction Drainage Grand Valley Irrigation
	School:	District 51
	Pest:	Grand River Mosquito

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. The surrounding zoning is I-1 and I-2. Any issues that arise will be addressed at the time of 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.

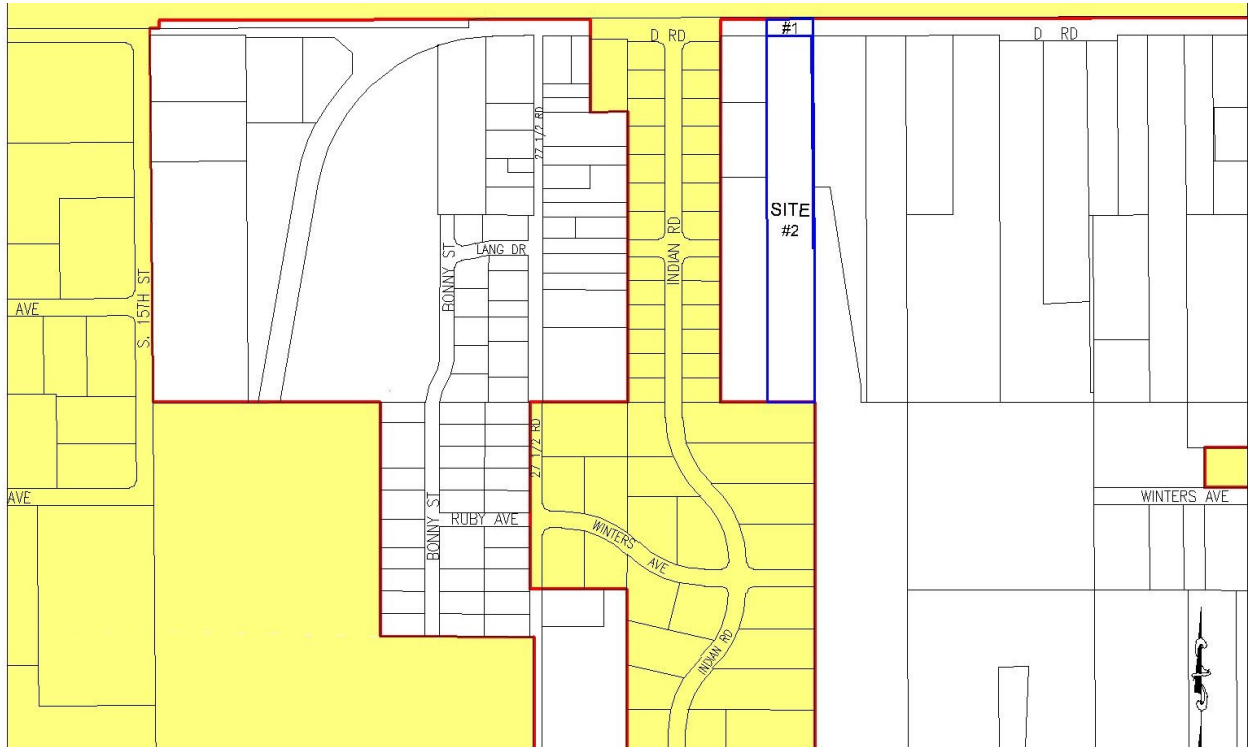
- g. I-O
- h. I-1
- i. M-U

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.

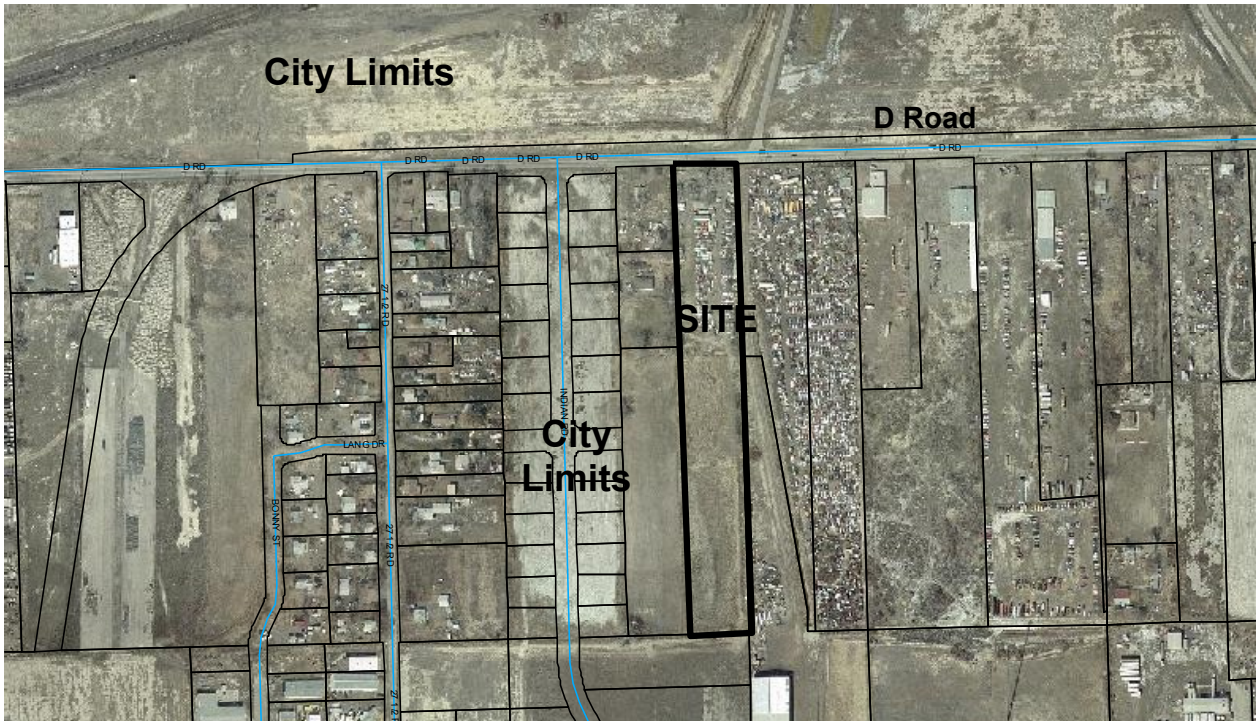
Site Location Map

Figure 1



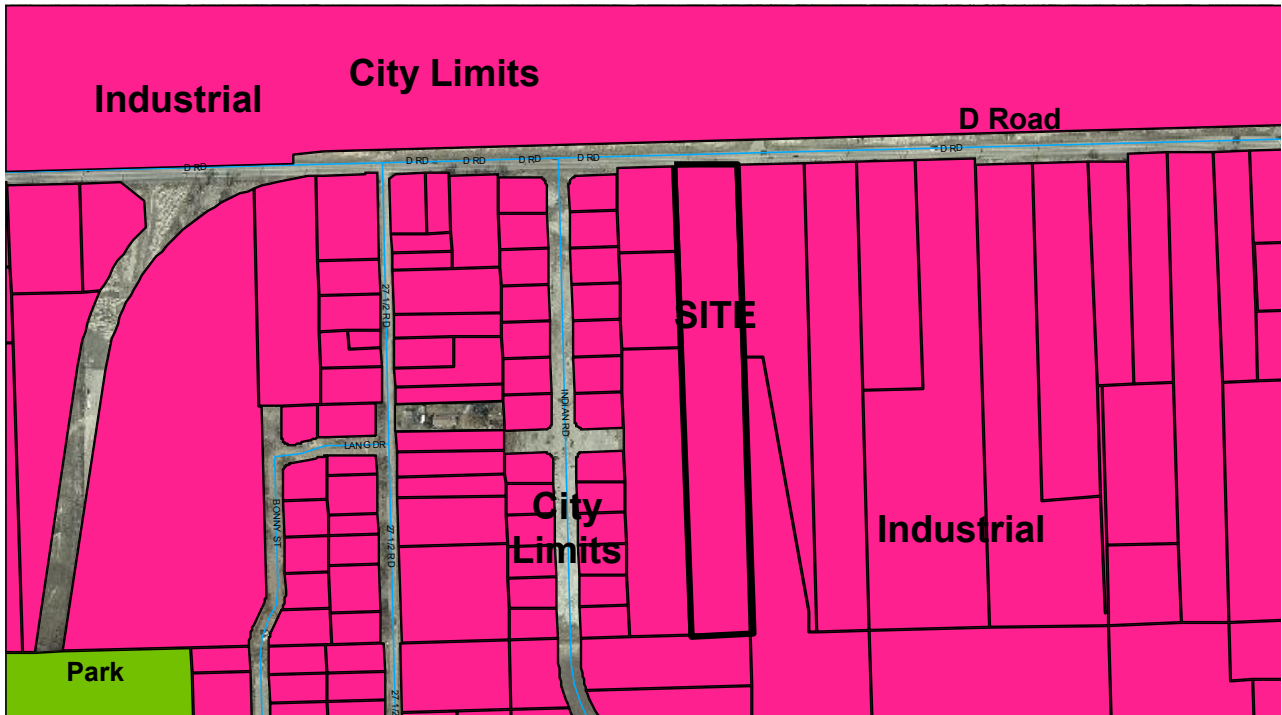
Aerial Photo Map

Figure 2



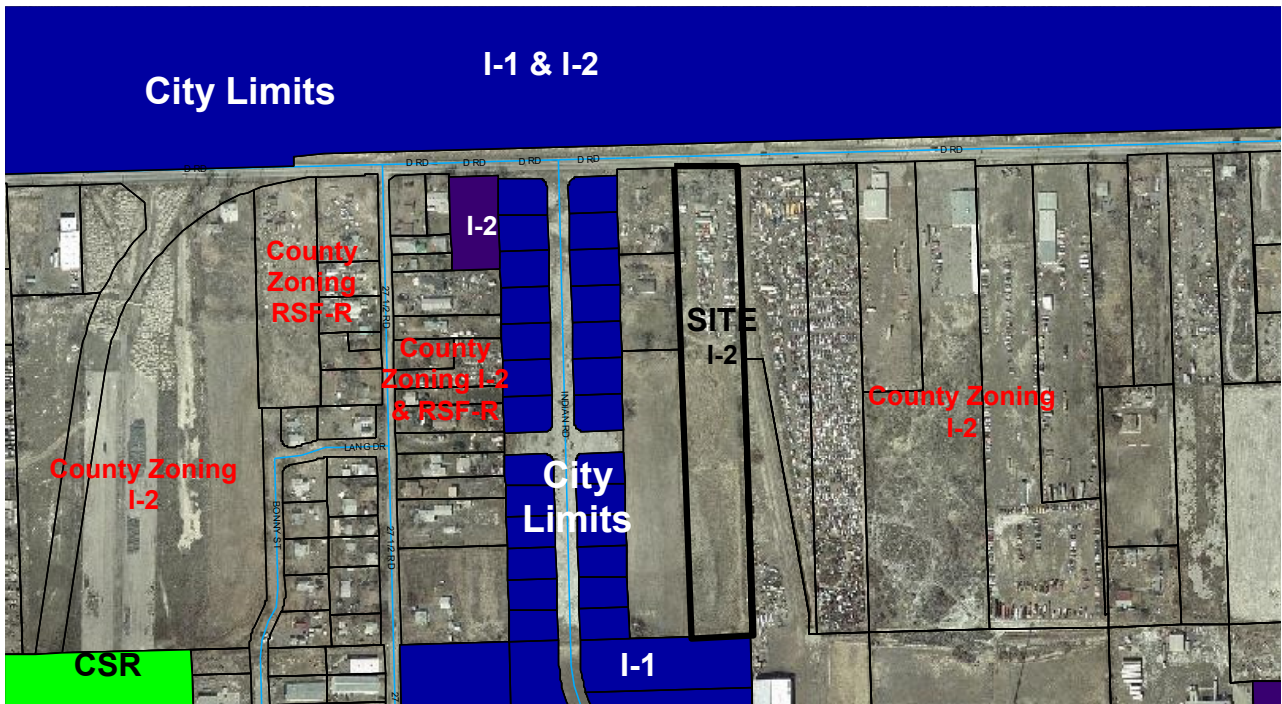
Future Land Use Map

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."

RESOLUTION NO. ____

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

PINE INDUSTRIAL NO.1 ANNEXATION #1 AND #2

LOCATED AT 2769 D ROAD

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 19th 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:

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.

WHEREAS, a hearing on the petition was duly held after proper notice on the 2nd day of August, 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**

PINE INDUSTRIAL NO.1 ANNEXATION #1

APPROXIMATELY .30 ACRES

**LOCATED AT 2769 D ROAD INCLUDING A PORTION OF THE D ROAD RIGHT-OF-
WAY**

WHEREAS, on the 19th 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 2nd day of August, 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:

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.

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

INTRODUCED on first reading on the 19th 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**

PINE INDUSTRIAL NO.1 ANNEXATION #2

APPROXIMATELY 4.78 ACRES

LOCATED AT 2769 D ROAD

WHEREAS, on the 19th 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 2nd day of August, 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:

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.

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

INTRODUCED on first reading on the 19th 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 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 be zoned I-2, (General Industrial).

PINE INDUSTRIAL NO.1 ANNEXATION

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.

And also

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.

Introduced on first reading this 19th day of July, 2006 and ordered published.

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

ATTEST:

President of the Council

City Clerk

Attach 17

Public Hearing – Harris Annexation and Zoning, Located at 2730 B Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Annexation and Zoning of the Harris Annexation located at 2730 B Road					
Meeting Date	August 2, 2006					
Date Prepared	July 19, 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			Consent X Individual Consideration

Summary: Request to annex and zone 9.38 acres, located at 2730 B Road, RSF-4 (Residential Single Family 4 du/ac). The Harris Annexation consists of one parcel and is a two part serial annexation.

Budget: N/A

Action Requested/Recommendation: Adopt Resolution accepting the petition for the Harris Annexation and Hold a Public Hearing and Consider Final Passage of the Annexation ordinance and Zoning 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. Acceptance Resolution
5. Annexation Ordinance
6. 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:

ANNEXATION:

This annexation area consists of 9.38 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 Harris 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 19, 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 19, 2006	Introduction Of A Proposed Ordinance on Zoning by City Council
August 2, 2006	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
September 3, 2006	Effective date of Annexation and Zoning

<u>HARRIS ANNEXATION SUMMARY</u>		
File Number:		ANX-2006-125
Location:		2730 B Road
Tax ID Number:		2945-253-00-057
Parcels:		1
Estimated Population:		2
# of Parcels (owner occupied):		1
# of Dwelling Units:		1
Acres land annexed:		9.38
Developable Acres Remaining:		5.73
Right-of-way in Annexation:		3.65 (159,162 sqft)
Previous County Zoning:		RSF-4
Proposed City Zoning:		RSF-4
Current Land Use:		Residential
Future Land Use:		Residential
Values:	Assessed:	\$19,070
	Actual:	\$239,630
Address Ranges:		2726 thru 2730 B Road (even only)
Special Districts:	Water:	Ute
	Sewer:	Orchard Mesa
	Fire:	Grand Junction Rural
	Irrigation/Drainage:	Orchard Mesa Irrigation
	School:	District 51
	Pest:	Grand River Pest

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.

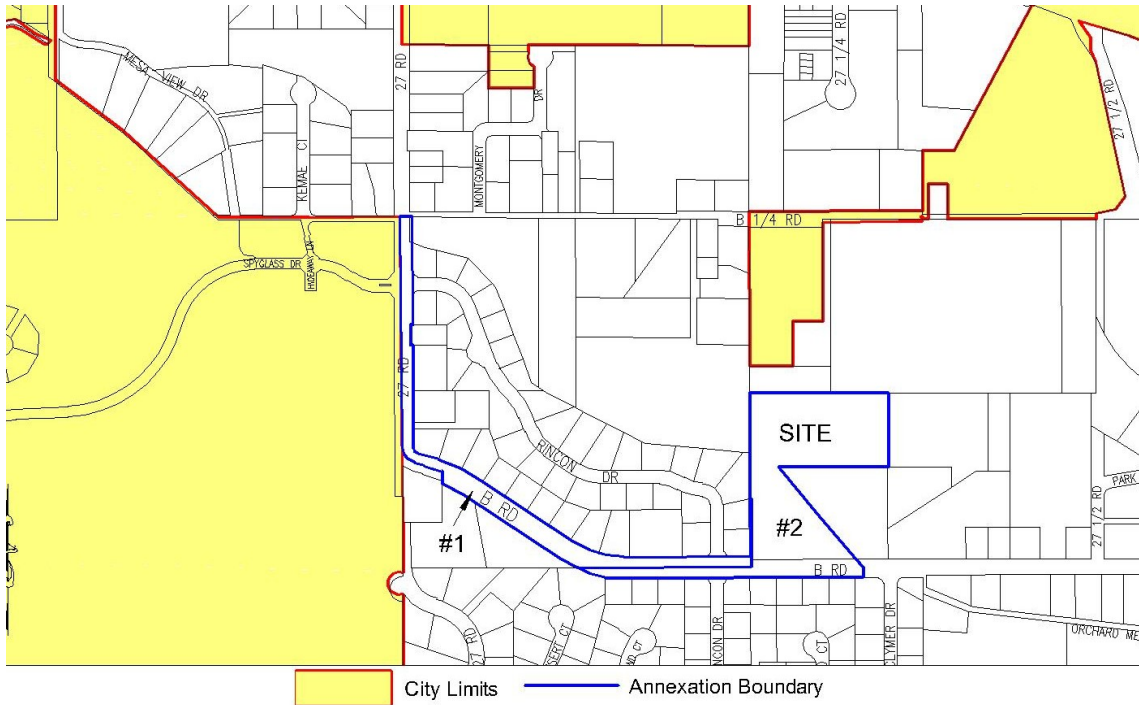
j. RSF-2

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.

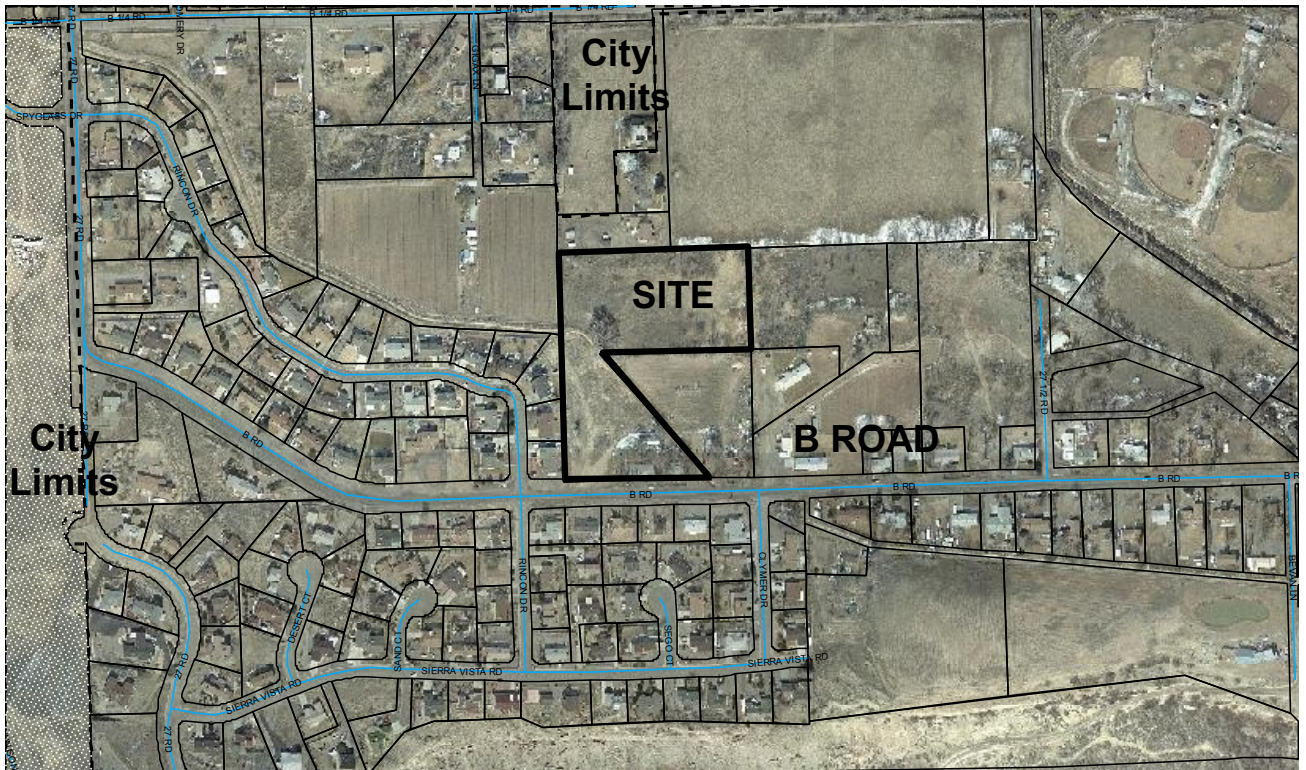
Site Location Map

Figure 1



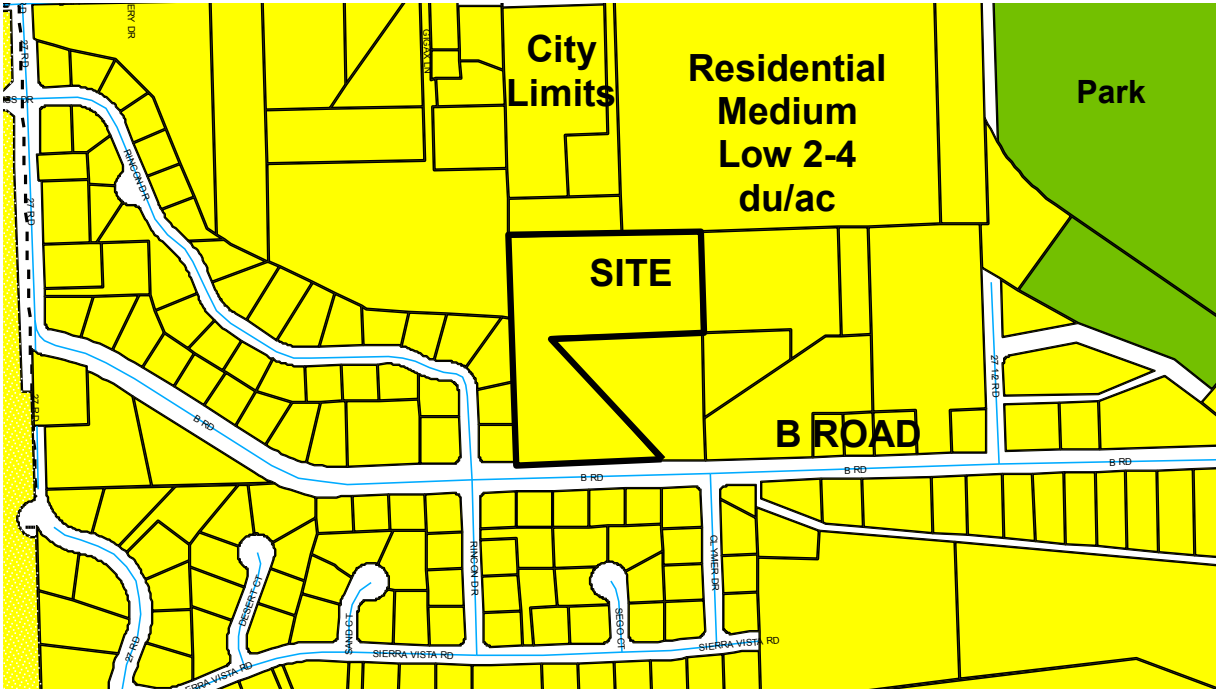
Aerial Photo Map

Figure 2



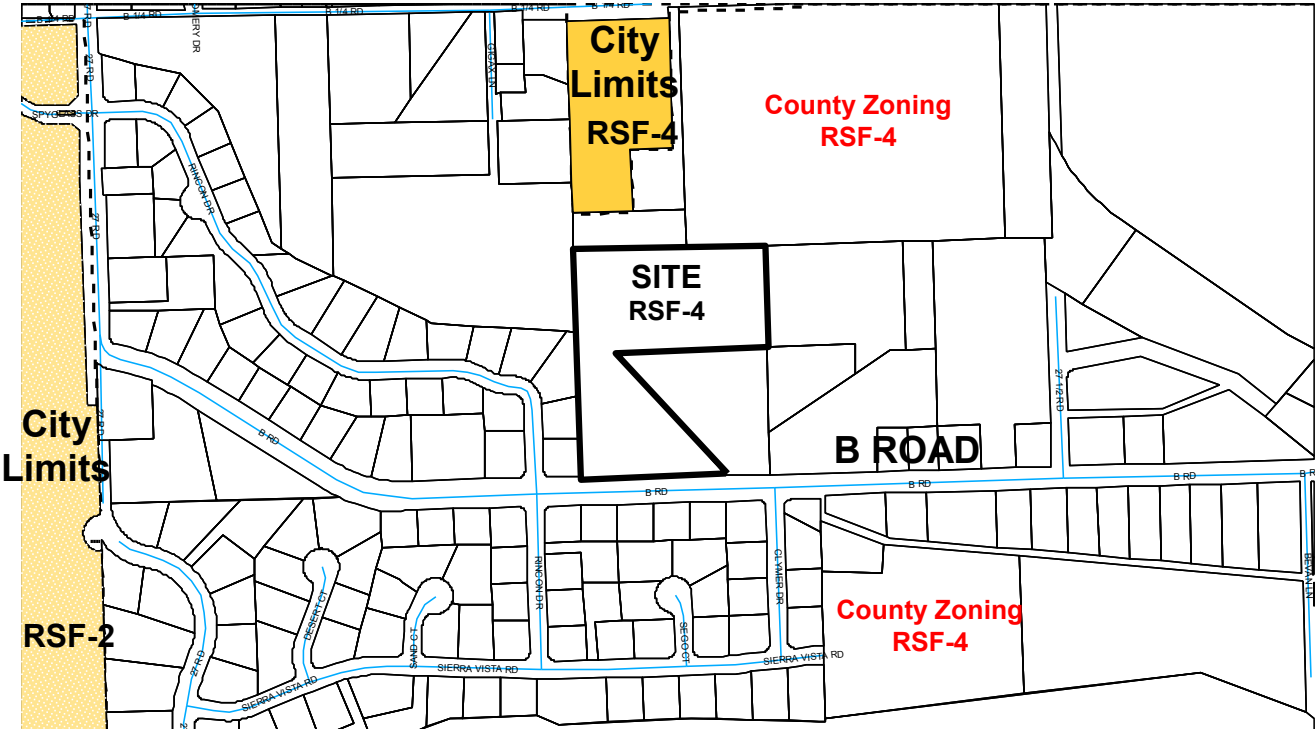
Future Land Use Map

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."

RESOLUTION NO. ____

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

HARRIS ANNEXATION #1 & #2

**LOCATED AT 2730 B ROAD INCLUDING A PORTION OF THE B ROAD AND 27
ROAD RIGHTS OF WAY**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 19th 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:

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.

WHEREAS, a hearing on the petition was duly held after proper notice on the 2nd day of August, 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**

HARRIS ANNEXATION #1

APPROXIMATELY 2.73 ACRES

**LOCATED AT 2730 B ROAD INCLUDING A PORTION OF THE B ROAD AND 27
ROAD RIGHTS OF WAY**

WHEREAS, on the 19th 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 2nd day of August, 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:

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.

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

INTRODUCED on first reading on the 19th 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**

HARRIS ANNEXATION #2

APPROXIMATELY 6.65 ACRES

**LOCATED AT 2730 B ROAD INCLUDING A PORTION OF THE B ROAD RIGHT OF
WAY**

WHEREAS, on the 19th 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 2nd day of August, 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:

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.

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

INTRODUCED on first reading on the 19th 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 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

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.

And also

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.

Introduced on first reading this 19th day of July, 2006 and ordered published.

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

ATTEST:

President of the Council

City Clerk

Attach 18

Public Hearing – Merkel Annexation, Located at the NW corner of I-70 and 24 ½ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Merkel Annexation - Located at northwest corner of I-70 and 24 ½ Road						
Meeting Date	August 2, 2006						
Date Prepared	July 27, 2006				File #GPA-2006-126		
Author	David Thornton		Principle Planner				
Presenter Name	David Thornton		Principle Planner				
Report results back to Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes	When	
Citizen Presentation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No	Name
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda			Consent	<input checked="" type="checkbox"/> Individual Consideration

Summary: Request to annex 27.11 acres, located at the northwest corner of I-70 and 24 ½ Road. The Merkel Annexation consists of 2 parcels.

Budget: N/A

Action Requested/Recommendation: Adopt Resolution accepting the petition for the Merkel Annexation and hold a public hearing and consider final passage of 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:		I-70 and 24 ½ Road		
Applicants:		Owner: W&D Merkel Family Developer/Representative: Opus Northwest–H. McNeish		
Existing Land Use:		Agricultural		
Proposed Land Use:		Commercial		
Surrounding Land Use:	North	Agricultural		
	South	Park		
	East	Agricultural		
	West	Agricultural		
Existing Zoning:		County AFT		
Proposed Zoning:		City C-1		
Surrounding Zoning:	North	County AFT		
	South	City CSR		
	East	County AFT		
	West	City RSF-R / C-1		
Growth Plan Designation:		Existing: Estate 2-5 ac/du Requesting: Commercial		
Zoning within density range?	w/ GPA	Yes		No

Staff Analysis:

ANNEXATION:

This annexation area consists of 27.11 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 Merkel 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 19, 2006	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
To be scheduled after GPA	Planning Commission considers Zone of Annexation
To be scheduled after GPA	Introduction Of A Proposed Ordinance on Zoning by City Council
August 2, 2006	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
September 3, 2006	Effective date of Annexation and Zoning

Zoning

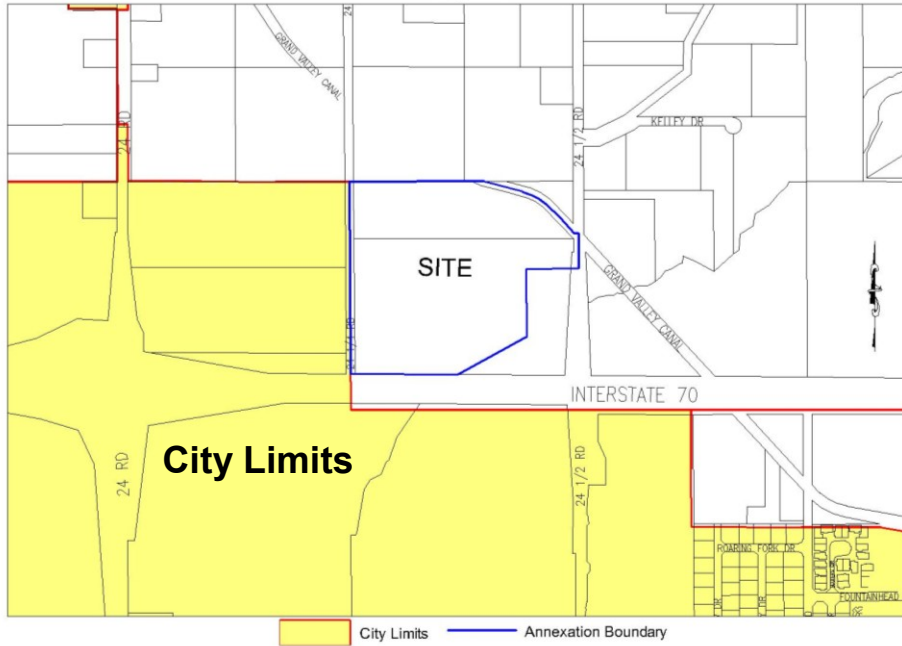
The applicant is requesting a Growth Plan Amendment to change the Future Land Use designation from Estate 2-5 ac/du to Commercial. The Growth Plan Amendment request will be considered by the City Council at a later date, with zoning to follow.

MERKEL ANNEXATION SUMMARY

File Number:		ANX-2006-126
Location:		Northwest corner of I-70 and 24 ½ Road
Tax ID Number:		2701-332-00-023/133
Parcels:		2
Estimated Population:		0
# of Parcels (owner occupied):		0
# of Dwelling Units:		0
Acres land annexed:		27.11 acres
Developable Acres Remaining:		26.73 acres
Right-of-way in Annexation:		16,683 square feet of 24 ½ Road
Previous County Zoning:		AFT
Proposed City Zoning:		C-1
Current Land Use:		Agricultural
Future Land Use:		Commercial
Values:	Assessed:	= \$2,780
	Actual:	= \$9,550
Address Ranges:		767-771 24 ½ Road (odd only); 750-774 24 ¼ Road (even only)
Special Districts:	Water:	Ute Water
	Sewer:	-----
	Fire:	Grand Junction Rural
	Irrigation/ Drainage:	Grand Junction Drainage
	School:	Mesa Co School District #51
	Pest:	-----

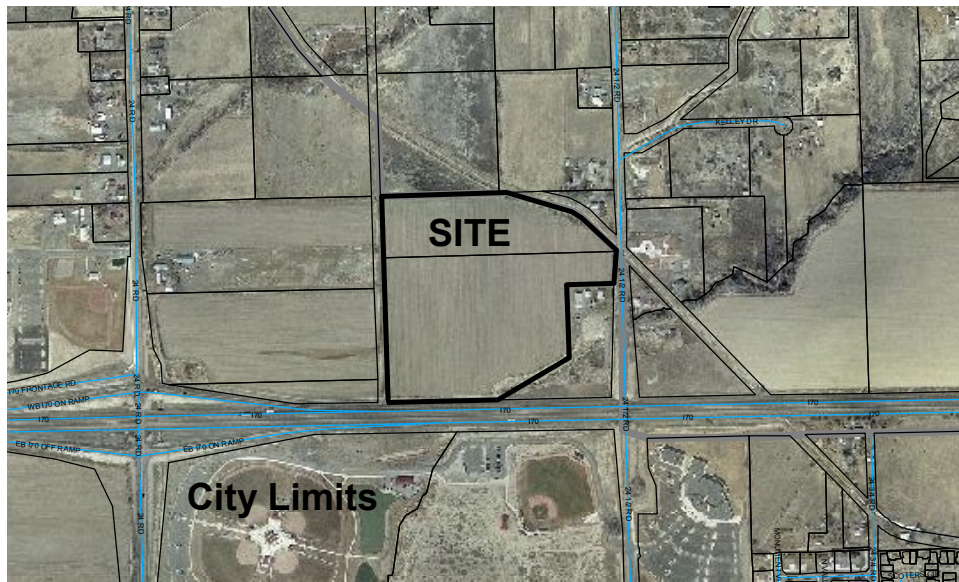
Site Location Map

Figure 1



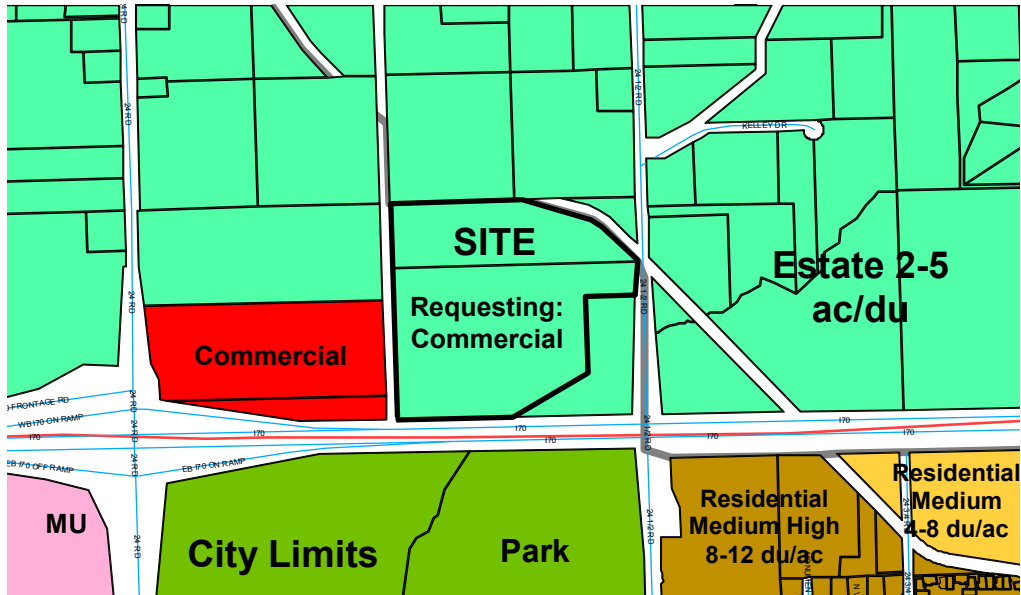
Aerial Photo Map

Figure 2



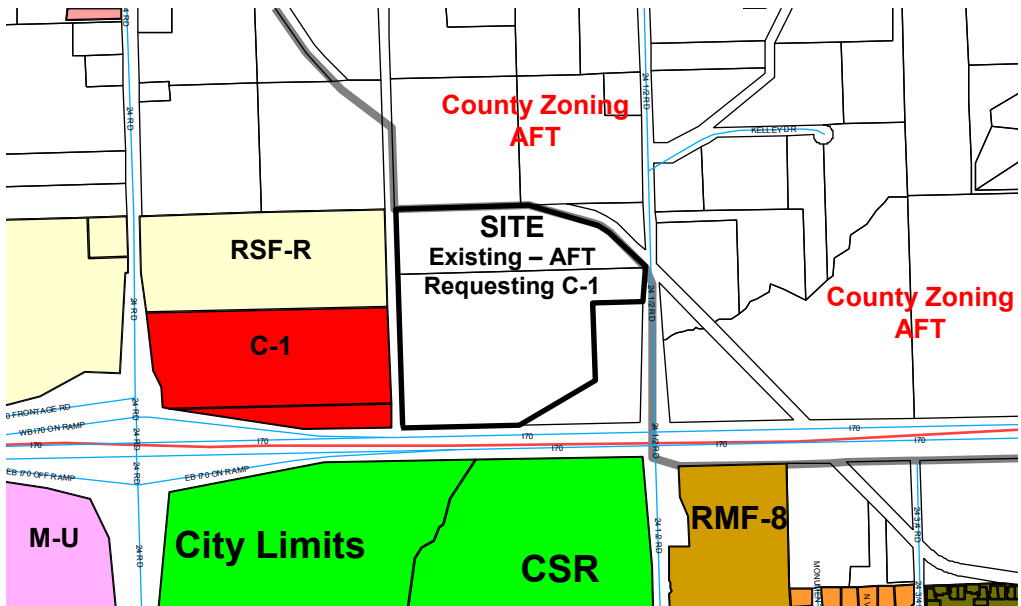
Future Land Use Map

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**

MERKEL ANNEXATION

**LOCATED AT THE NORTHWEST CORNER OF I-70 AND 24 ½ ROAD INCLUDING A
PORTION OF THE 24 ½ ROAD RIGHT-OF-WAY**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 19th 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:

MERKEL ANNEXATION

A certain parcel of land located in the Southeast corner of the Northwest corner (SE 1/4 NW 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 Northwest corner of the SE 1/4 NW 1/4 of said section 33 and assuming the North line of said SE 1/4 NW 1/4 bears S89°50'39"E with all other bearings contained herein being relative thereto; thence S89°50'39"E a distance of 772.10 feet to a point on the centerline of the Grand Valley Canal; thence S75°15'49"E along said centerline a distance of 228.75 feet; thence 160.38 feet along said centerline and the arc of a 301.19 foot radius curve concave Southwest, having a central angle of 30°30'32" and a chord bearing S62°19'02"E a distance of 158.49 feet; thence S46°24'53"E a distance of 108.84 feet; thence S40°18'58"E a distance of 123.59 feet to a point on the Westerly right of way of 24 1/4 Road; thence N89°56'21"E a distance of 25.00 to a point on the East line of the SE 1/4 NW 1/4 of said section 33; thence S00°03'39"E along said East line a distance of 211.12; thence N89°55'06"W a distance of 298.55 feet to the Northwest corner of that certain parcel of land as described in Book 1283, Page 226, Public Records of Mesa County, Colorado; thence S00°05'10"E a distance of 390.53 feet; thence S60°59'15"W a distance of 437.48 feet; thence N89°40'33"W a distance of 637.08 feet to a point on the West line of the SE 1/4 NW 1/4 of said section 33; thence along said West line N00°00'20"W a distance of 1112.96 feet, more or less, to the Point of Beginning.

Said parcel contains 27.11 acres (1,181,225 square feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 2nd day of August, 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**

MERKEL ANNEXATION

APPROXIMATELY 27.11 ACRES

**LOCATED AT THE NORTHWEST CORNER OF I-70 AND 24 ½ ROAD INCLUDING A
PORTION OF THE 24 ½ ROAD RIGHT-OF-WAY**

WHEREAS, on the 19th 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 2nd day of August, 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:

MERKEL ANNEXATION

A certain parcel of land located in the Southeast corner of the Northwest corner (SE 1/4 NW 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 Northwest corner of the SE 1/4 NW 1/4 of said section 33 and assuming the North line of said SE 1/4 NW 1/4 bears S89°50'39"E with all other

bearings contained herein being relative thereto; thence S89°50'39"E a distance of 772.10 feet to a point on the centerline of the Grand Valley Canal; thence S75°15'49"E along said centerline a distance of 228.75 feet; thence 160.38 feet along said centerline and the arc of a 301.19 foot radius curve concave Southwest, having a central angle of 30°30'32" and a chord bearing S62°19'02"E a distance of 158.49 feet; thence S46°24'53"E a distance of 108.84 feet; thence S40°18'58"E a distance of 123.59 feet to a point on the Westerly right of way of 24 1/4 Road; thence N89°56'21"E a distance of 25.00 to a point on the East line of the SE 1/4 NW 1/4 of said section 33; thence S00°03'39"E along said East line a distance of 211.12; thence N89°55'06"W a distance of 298.55 feet to the Northwest corner of that certain parcel of land as described in Book 1283, Page 226, Public Records of Mesa County, Colorado; thence S00°05'10"E a distance of 390.53 feet; thence S60°59'15"W a distance of 437.48 feet; thence N89°40'33"W a distance of 637.08 feet to a point on the West line of the SE 1/4 NW 1/4 of said section 33; thence along said West line N00°00'20"W a distance of 1112.96 feet, more or less, to the Point of Beginning.

Said parcel contains 27.11 acres (1,181,225 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 19th day of June, 2006 and ordered published.

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

Attest:

President of the Council

City Clerk