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

WEDNESDAY, NOVEMBER 15, 2006, 7:00 P.M.

Call to Order

Pledge of Allegiance
Invocation – Michael Torphy, Religious Science Spiritual
Center

Proclamations / Recognitions

Proclaiming November 19 – 25, 2006 as “Family Week” in the City of Grand Junction

Proclaiming November 15, 2006 as “Recycling Day” in the City of Grand Junction

El Poso Neighborhood Special Improvement District Completion Report [Attach 1](#)

Appointments

Appointments to the Parks and Recreation Advisory Board

Appointments to the Housing Authority

Citizen Comments

***** CONSENT CALENDAR ***[®]**

1. **Minutes of Previous Meetings** [Attach 2](#)

Action: Approve the Summary of the October 30, 2006 Workshop and the Minutes of the October 30, 2006 Special Session and the November 1, 2006 Regular Meeting

*** Indicates New Item

[®] Requires Roll Call Vote

2. **Setting a Hearing on Zoning the Becerra Annexation, Located at 244 28 ½ Road** [File #ANX-2006-256] [Attach 3](#)

Request to zone the 1.50 acre Becerra Annexation, located at 244 28 ½ Road to RSF-4 (Residential Single Family 4 du/ac).

Proposed Ordinance Zoning the Becerra Annexation to RSF-4, Located at 244 28 ½ Road

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

Staff presentation: Adam Olsen, Associate Planner

3. **Setting a Hearing on Zoning the Humphrey Annexation, Located at 412 30 ¼ Road** [File #ANX-2006-260] [Attach 4](#)

Request to zone the 10.43 acre Humphrey Annexation, located at 412 30 ¼ Road to RMF-8 (Residential Multi Family 8 du/ac).

Proposed Ordinance Zoning the Humphrey Annexation to RMF-8, Located at 412 30 ¼ Road

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

Staff presentation: Adam Olsen, Associate Planner

4. **Setting a Hearing on Zoning the Pear Park School No. 3 Annexation, Located at Grand Valley Canal West of 29 ½ Road and North of D ¼ Road** [File #ANX-2006-276] [Attach 5](#)

Request to zone the 1 acre Pear Park School No. 3 Annexation, located at Grand Valley Canal west of 29 ½ Road and north of D ¼ Road, to CSR (Community Services and Recreation).

Proposed Ordinance Zoning the Pear Park School No. 3 Annexation to CSR, Located at Grand Valley Canal West of 29 ½ Road and North of D ¼ Road

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

Staff presentation: Senta L. Costello, Associate Planner

5. **Setting a Hearing for the Mahan Manor Annexation, Located at 2855 UnawEEP Avenue** [File #ANX-2006-277] [Attach 6](#)

Request to annex 10.34 acres, located at 2855 UnawEEP Avenue. The Mahan Manor Annexation consists of one parcel.

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

Resolution No. 139-06 – 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, Mahan Manor Annexation, Located at 2855 UnawEEP Avenue, Including a Portion of UnawEEP Avenue Right-of-Way

®Action: *Adopt Resolution No. 139-06*

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Mahan Manor Annexation, Approximately 10.34 acres, Located at 2855 UnawEEP Avenue, Including a Portion of UnawEEP Avenue Right of Way

Action: *Introduction of Proposed Ordinance and Set a Hearing for December 20, 2006*

Staff presentation: Ronnie Edwards, Associate Planner

6. **Setting a Hearing for the Cal Frac Annexation, Located at 489 30 Road** [File #ANX-2006-283] [Attach 7](#)

Request to annex approximately 32.92 acres, located at 489 30 Road. The Cal Frac Annexation consists of three parcels.

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

Resolution No. 140-06 – 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, Cal Frac Annexation, Located at 489 30 Road

®Action: *Adopt Resolution No. 140-06*

b. Setting a Hearing on Proposed Ordinance

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Cal Frac Annexation, Approximately 32.92 acres, Located at 489 30 Road

Action: *Introduction of Proposed Ordinance and Set a Hearing for December 20, 2006*

Staff presentation: Adam Olsen, Associate Planner

7. **Subrecipient Contract with the Grand Junction Housing Authority for a Project within the City's 2006 Program Year Community Development Block Grant (CDGB) Program** [File #CDBG-2006-02(a)] [Attach 8](#)

The Subrecipient Contract formalizes the City's award of a total of \$178,630 to the Grand Junction Housing Authority (GJHA) as allocated from the City's 2006 CDBG Program for the purchase of the property located at 2150 Grand Avenue for an affordable housing project.

Action: *Authorize the Interim City Manager to Sign the Subrecipient Contract with the Grand Junction Housing Authority for the City's 2006 Program Year, Community Development Block Grant Program*

Staff presentation: David Thornton, Principal Planner

8. **Setting a Hearing for the Second Supplemental Appropriation Ordinance for 2006** [Attach 9](#)

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

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

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

Staff presentation: Ron Lappi, Administrative Services and Finance Director

9. **Setting a Hearing for the 2007 Budget Appropriation Ordinance** [Attach 10](#)

The total appropriation for all thirty-seven accounting funds budgeted by the City of Grand Junction (including the Ridges Metropolitan District, Grand Junction West Water and Sanitation District, and the Downtown Development Authority) is \$186,318,214. Although not a planned expenditure, and additional \$2,175,000 is appropriated as an emergency reserve in the General Fund pursuant to Article X, Section 20 of the Colorado Constitution.

Proposed Ordinance Appropriating Certain Sums of Money to Defray the Necessary Expenses and Liabilities of the City of Grand Junction, Colorado, the Downtown Development Authority, the Ridges Metropolitan District, and the Grand Junction West Water and Sanitation District; for the Year Beginning January 1, 2007 and Ending December 31, 2007

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

Staff presentation: Ron Lappi, Administrative Services and Finance Director

10. **Conveyance of a Nonexclusive Easement Across City Property at B $\frac{3}{4}$ Road to Qwest Corporation** [Attach 11](#)

Qwest Corporation, a Colorado Corporation (Qwest) is requesting an easement across City property adjacent to B $\frac{3}{4}$ Road to memorialize an existing utility use and accommodate a small additional use at this site.

Resolution No. 141-06 – A Resolution Concerning the Granting of a Non-Exclusive Telecommunication Easement to Qwest Corporation, a Colorado Corporation

®Action: *Adopt Resolution No. 141-06*

Staff presentation: Mark Relph, Public Works and Utilities Director

11. **Setting a Hearing to Create Alley Improvement District 2007** [Attach 12](#)

Successful petitions have been submitted requesting a Local Improvement District be created to reconstruct the following six alleys:

- East/West Alley from 3rd to 4th, between Ouray Avenue and Chipeta Avenue
- North/South & East/West Alleys from 7th to 8th, between Teller Avenue and Belford Avenue
- East/West Alley from 10th to 11th, between Ouray Avenue and Chipeta Avenue
- East/West Alley from 12th to 14th, between Elm Avenue and Texas Avenue
- North/South Alley from 17th to 18th, between Ouray Avenue and Chipeta Avenue
- North/South Alley from 22nd to 23rd, between Ouray Avenue and Gunnison Avenue

Resolution No. 142-06 – A Resolution Declaring the Intention of the City Council of the City of Grand Junction, Colorado, to Create Within Said City Alley Improvement District No. ST-07 and Authorizing the City Engineer to Prepare Details and Specifications for the Same

®Action: Adopt Resolution No. 142-06 and Set a Public Hearing for January 3, 2007

Staff presentation: Mark Relph, Public Works and Utilities Director

12. **Setting a Hearing to Create The Bluffs Sanitary Sewer Improvement District No. SS-48-06** [Attach 13](#)

A majority of the owners of real estate located in the area east of 23 Road and between Terry Court and the Colorado River have submitted a petition requesting an improvement district be created to provide sanitary sewer service to their respective properties, utilizing the septic sewer elimination program to help reduce assessments levied against the affected properties. The proposed resolution is the required first step in the formal process of creating the proposed improvement district.

Resolution No. 143-06 – A Resolution Declaring the Intention of the City Council of the City of Grand Junction, Colorado, to Create Within Said City, The Bluffs Sanitary Sewer Improvement District No. SS-48-06, Authorizing the City Utility Engineer to Prepare Details and Specifications for the Same

®Action: Adopt Resolution No. 143-06 and Set a Public Hearing for December 20, 2006

Staff presentation: Mark Relph, Public Works and Utilities Director

13. **Holiday Parking in the Downtown** [Attach 14](#)

The Downtown Partnership has requested that parking downtown be free again this year to best position downtown for the holiday shopping season. Although some would prefer to enforce the free, signed spaces along Main Street due to limited cooperation in keeping these spaces open for visitors, the simple policy of "Free Parking" downtown that was implemented the last several years remains the easiest and simplest to enforce while limiting confusion on the part of the public. City Staff recommends Free Holiday Parking in all of downtown with the exception of government offices, illegal parking areas, and shared-revenue lots.

Action: Vacate Parking Enforcement at all Designated Downtown Metered Spaces and Signed Parking from Thanksgiving to New Year's Day, Except Loading, No Parking, Handicapped, and Unbagged Meter Spaces Surrounding Government Offices

Staff presentation: Harold Stalf, Executive Director, DDA
David Varley, Interim City Manager

14. **Appointment of Hearing Officer** [Attach 15](#)

The Liquor and Beer Licensing Authority's Hearing Officer, Phil Coebergh, is retiring and pursuant to Chapter 4 of the City Code of Ordinances, and §§12-46-103(4) and 12-47-103(17) C.R.S., the City Council is authorized to appoint hearing officers for the City Liquor and Beer Licensing Authority.

Resolution No. 144-06 – A Resolution to Appoint a Hearing Officer for Liquor and Beer Licensing

®Action: Adopt Resolution No. 144-06

Staff presentation: John Shaver, City Attorney

***15. **Recreation Center Feasibility Study** [Attach 24](#)

A request from the citizens volunteer committee headed by Sally Schaefer, for \$20,000 from the City to help fund the citizens survey and focus group polling to help determine the sentiment of the community, and gauge support for recreation centers in our community.

Action: Recommend Approval of a Transfer of \$20,000 from General Fund Contingency to the City Council Contributions Account and Approve Payment to Hilltop Community Resources to Help Fund this Work; Which has Already Begun

Staff presentation: David Varley, Interim City Manager

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

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

*****16. Grand Valley Housing Partnership's Request to Use the City's Affordable Housing Initiative Funds [Attach 25](#)**

The Grand Valley Housing Partnership met on October 16th and came up with a proposal prioritizing local affordable housing projects. The Partnership is now asking for City Council to help fund this proposal with the City's affordable housing funds currently earmarked for affordable housing activities.

Action: Designate the Following Funds from the City's Affordable Housing Initiative in the City's General Fund to be Allocated to the Following Four Projects: Ultronics (GJHA), \$181,370; Elm Properties (GJHA) \$119,707; Crawford Commons (HRWC) \$81,000; and Revolving Loan Fund \$100,000 for a Total of \$482,077

Staff presentation: David Varley, Interim City Manager

17. Public Hearing – Authorizing the Issuance of the Downtown Development Authority Tax Increment Revenue Bonds [Attach 16](#)

The proposed ordinance authorizes the issuance of one bond in the amount of \$2,180,500 with it maturing December 22, 2007.

Ordinance No. 3985 - An Ordinance Authorizing the Issuance of the City of Grand Junction, Colorado, Downtown Development Authority Tax Increment Revenue Bonds, Series 2006, Pledging the Tax Increment Revenues of the City for the Payment of the Bonds; Providing for the Payment and Discharge of the City's Outstanding Tax Increment Revenue Bonds

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3985

Staff presentation: Ron Lappi, Administrative Services and Finance Director

18. **Contract for Rood Avenue Parking Structure Site** [Attach 17](#)

Bids have been received for construction of the Rood Avenue Parking Structure (Bid Package 2). The Scope of Bid Package 2 is for landscaping and irrigation; parking control equipment and software; mechanical equipment; fire extinguishers and Fire Department stand pipes; electric lighting; elevator; steel railing and cabling; interior and exterior signage; striping; prorated contractor contingency; and prorated contractor's overhead and fee.

Action: Authorize the City Manager to Execute a Construction Contract for Bid Package 2 with Shaw Construction in the Amount of \$2,189,925 and a Guaranteed Maximum Price for the Total Project of \$7,555,997

Staff presentation: Mark Relph, Public Works and Utilities Director

19. **Public Hearing – Thunderbrook Estates Annexation and Zoning, Located at 3061 and 3061 ½ F ½ Road** [File #GPA-2006-238] [Attach 18](#)

Request to annex and zone 15.60 acres, located at 3061 and 3061 ½ F ½ Road, to RSF-4 (Residential Single Family, 4 units per acre). The Thunderbrook Estates Annexation consists of two parcels.

a. Accepting Petition

Resolution No. 145-06 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Thunderbrook Estates Annexation, Located at 3061 and 3061 ½ F ½ Road is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3986 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Thunderbrook Estates Annexation, Approximately 15.60 Acres, Located at 3061 and 3061 ½ F ½ Road

c. Zoning Ordinance

Ordinance No. 3987 – An Ordinance Zoning the Thunderbrook Estates Annexation to RSF-4, (Residential Single Family, 4 Units Per Acre), Located at 3061 and 3061 ½ F ½ Road

®Action: Adopt Resolution No. 145-06 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 3986 and 3987

Staff presentation: Kathy Portner, Assistant Director of Community Development

20. **Public Hearing – Zoning the Fox Annexation, Located at 3000 F Road** [File #GPA-2006-087] [Attach 19](#)

Request to zone the Fox Annexation from County RSF-4 (Residential Single Family, 4 units per acre) to RO (Residential Office).

Ordinance No. 3988 – An Ordinance Zoning the Fox Annexation to RO (Residential Office), Located at 3000 F Road

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3988

Staff presentation: Kathy Portner, Assistant Director of Community Development

21. **Public Hearing – Kelley Annexation, Located at 849 21 ½ Road** [File #GPA-2006-249] [Attach 20](#)

Request to annex 14.27 acres, located at 849 21 ½ Road. The Kelley Annexation consists of 1 parcel and is a 2 part serial annexation.

a. Accepting Petition

Resolution No. 146-06 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Kelley Annexation, Located at 849 21 ½ Road Including a Portion of 21 ½ Road Right-of-Way, is Eligible for Annexation

b. Setting Hearing on Proposed Ordinances

Ordinance No. 3989 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Kelley Annexation #1, Approximately 0.24 Acres, Located within the 21 ½ Road Right-of-Way

Ordinance No. 3990 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Kelley Annexation #2, Approximately 1.46 Acres, Located within the 21 ½ Road Right-of-Way

Ordinance No. 3991 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Kelley Annexation #3, Approximately 12.57 Acres, Located at 849 21 ½ Road Including a Portion of the 21 ½ Road Right-of-Way

®Action: Adopt Resolution No. 146-06 and Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance Nos. 3989, 3990, and 3991

Staff presentation: Kathy Portner, Assistant Director of Community Development

22. **Infill and Redevelopment Request for Killian, Guthro and Jenson Building, 202 North Seventh Street** [Attach 21](#)

This is a revision to the original request for Infill and Redevelopment Program incentives. The request as approved by the City Council in August of 2005 allocated \$75,000 to the under grounding of power lines in the alley. The request is to reallocate that amount to one of three areas: geothermal heating system, limestone exterior, and/or cost of permits.

®Action: Consider the Proposed Request

Staff presentation: Sheryl Trent, Interim Community Development Director

23. **Public Hearing – Adoption of the Master Plan 2005 for St. Mary’s Hospital and Re-Establishing Standards for the (PD), Planned Development Zone District, Located at 2635 North 7th Street** [File #ICM-2006-005] [Attach 22](#)

Request to adopt Master Plan 2005 for St. Mary’s Hospital and Re-Establish Standards for the PD, Planned Development Zone District for property owned by St. Mary’s Hospital.

Ordinance No. 3992 – An Ordinance Approving the Master Plan 2005 for St. Mary’s Hospital and Environs Located at 2635 North 7th Street and Re-Establishing Standards for the Planned Development (PD) Zone District for Property Owned by St. Mary’s Hospital

®Action: Hold a Public Hearing and Consider Final Passage and Final Publication of Ordinance No. 3992

Staff presentation: Scott D. Peterson, Senior Planner

24. **Conduct a Hearing on an Appeal of a Planning Commission Decision to Deny the Pinnacle Ridge Preliminary Plan, Located Northeast of Monument Road and Mariposa Drive** [File #PP-2005-226] **Continued from Nov. 1, 2006**

[Attach 23](#)

Appeal of the Planning Commission denial of the Pinnacle Ridge Preliminary Plan, consisting of 72 single family lots on 45.33 acres in a RSF-2 (Residential Single Family, 2 du/ac) zone district.

Action: Continue Consideration to December 6, 2006

Staff presentation: Kathy Portner, Assistant Director of Community Development

25. **Non-Scheduled Citizens & Visitors**
26. **Other Business**
27. **Adjournment**

Attach 1
 El Poso Neighborhood Report

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Report on El Poso Neighborhood Special Improvement District					
Meeting Date	November 15, 2006					
Date Prepared	November 7, 2006				File #	
Author	Sheryl Trent		Interim Community Development Director			
Presenter Name	Sheryl Trent		Interim Community Development Director			
Report results back to Council	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When	
Citizen Presentation	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		<input type="checkbox"/>	Consent
					<input checked="" type="checkbox"/>	Individual Consideration

Summary: The construction of streets, gutters, sidewalk, lighting and under grounding of utilities is complete in the El Poso Neighborhood. This important project was made possible by the residents of El Poso forming a Special Improvement District to help pay for the cost, by the Department of Local Affairs who awarded a \$500,000 grant, and by the City of Grand Junction. A celebration of the construction will be held in the neighborhood at 6:00pm on Tuesday, November 14, 2006.

Budget: The project was a partnership between the residents of El Poso, the Department of Local Affairs, and the City of Grand Junction. No additional funding is necessary.

Action Requested/Recommendation: None

Attachments: None.

Background Information: To be presented at the meeting.

Attach 2
Minutes

**GRAND JUNCTION CITY COUNCIL
WORKSHOP SUMMARY
October 30, 2006**

The City Council of the City of Grand Junction, Colorado met on Monday, October 30th, 2006 at 7:14 p.m. in the City Hall Auditorium to discuss workshop items. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Bruce Hill, Gregg Palmer, Jim Spehar, Doug Thomason, and Council President Jim Doody.

Summaries and action on the following topics:

- 1. UPDATE AND REVIEW OF THE CITY'S 2006/2007 BUDGET:** Staff reviewed the proposed changes to the 2006/2007 Biennial Budget. Interim City Manager David Varley introduced the topic and the format of the discussion. He addressed the salary adjustments and how they are determined in the "off" year. Mr. Varley said the cost of benefits has increased substantially and the increase is being absorbed partially by the City's funds and the employees are being assessed 12% of the increase. He said additional staffing was approved in 2006 with a net increase of 28 full-time employees. For 2007 seven additional full-time positions were approved. Mr. Varley said the Management Team is recommending an additional four full-time positions. One of the positions discussed in detail was the proposed Financial Manager for the Police Department.

Mr. Varley then reviewed the sales tax collections for 2006. Councilmember Spehar expressed that, although he recognizes being the value of being conservative, he was opposed to continually predicting an artificially low growth rate. Mr. Varley concurred that is an ongoing discussion.

Councilmember Hill agreed noting City Council had the same conversation last year.

Ron Lappi, Administrative Services and Finance Director, displayed a graph of the sales tax collections for the last eighteen years and said overall Staff does try to be as accurate as they can be without over projecting. Certainly, an adjustment can be made midyear. He pointed out the 8% projection for next year is 8% over the growth that has taken place this year and also includes inflation.

Councilmember Palmer asked if the City has excess minimal working capital. Mr. Lappi said usually yes and Staff anticipates an excess this year. He said the goal is to keep the minimal working capital long term.

Mr. Varley advised the expectation is that the revenues will be over the TABOR limit and, without voter approval to retain those revenues, the excess will have to be refunded to the taxpayers.

Mr. Varley continued with the budget overview advising the City makes annual contributions to the Old Hire Fire and Police Pension funds and that will continue in 2007. Mr. Varley then addressed the increases in the enterprise funds and the reasons for those increases.

Councilmember Hill asked for additional explanation on the increase in subsidy for Two Rivers Convention Center and the decrease in subsidy for the Avalon Theatre. Joe Stevens, Parks and Recreation Director, noted that some of the change was a reallocation of resources; additionally in 2006 the revenue stream increased. However, no such adjustment has been made for 2007.

Mr. Lappi said, regarding the Capital Improvement Project fund (CIP), the total amount for both years is expected to reach \$140 million.

Council President Doody called a recess at 9:10 p.m.

The meeting reconvened at 9:25 p.m.

Mr. Lappi referred the City Council to the table labeled "TABOR Compliance". He said the expected refund for 2006 is \$7.8 million. The severance tax and mineral lease severance taxes are over the budgeted amount by \$2.2 million and those will be part of the refund. That is unfortunate when the revenues are distributed to the community specifically to deal with the impact due to growth. Regarding the increase in the cost of benefits, Mr. Lappi advised that the increase in benefits went from an estimated 10% to 18%; an increase of about \$200,000. The City is adjusting its contribution for the cost of employee and dependents premium for health insurance from 90% to 85%. Mr. Lappi then quickly reviewed changes to other funds, and referred to the Capital Improvement Project Expenditures and Transfers chart. He said the bulk of the capital expenditures over the next two years is for the Riverside Parkway project which is 43% of the overall budget. Mr. Lappi said there was a complete list of Capital Improvement Projects provided to Council which shows how the budget has been changed for these projects for 2006 and 2007.

Councilmember Hill proposed that Council have a discussion for the needs in the community from the Strategic Plan where the City could apply the additional revenues. He suggested adding it to the agenda for the Additional (lunch) Workshop on November 13th.

Councilmember Spehar cautioned that those funds might be better served toward capital needs or saving those funds for capital needs in the future.

Councilmember Palmer said there are also many community requests for assistance and a discussion on those would be appropriate. He suggested another part of that discussion should be to look at projects that were moved out in the ten-year CIP due to the increased costs of construction for the Riverside Parkway.

Action Summary: The City Council thanked Staff and wrapped up the discussion.

ADJOURN

The meeting adjourned at 10:58 p.m.

GRAND JUNCTION CITY COUNCIL

SPECIAL SESSION MINUTES

OCTOBER 30, 2006

The City Council of the City of Grand Junction, Colorado met in Special Session on Monday, October 30, 2006 at 6:30 p.m. in the Administrative Conference Room on the 2nd Floor of City Hall. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Bruce Hill, Gregg Palmer, Doug Thomason and President of the Council Jim Doody. Councilmember Jim Spehar entered the meeting at 6:45 p.m. Also present was Interim City Manager David Varley, City Attorney John Shaver and Parks and Recreation Director Joe Stevens.

Council President Doody called the meeting to order.

Councilmember Beckstein moved to go into executive session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiators and/or instructing negotiators relative to land acquisitions pursuant to Section 402 4 e of Colorado's Open Meetings Act and the Council will not be returning to open session. Councilmember Hill seconded the motion. The motion carried.

The City Council convened into executive session at 6:33 p.m.

Stephanie Tuin, MMC
City Clerk

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

November 1, 2006

The City Council of the City of Grand Junction convened into regular session on the 1st day of November 2006, at 7:04 p.m. in the City Auditorium. Those present were Councilmembers Bonnie Beckstein, Teresa Coons, Bruce Hill, Gregg Palmer, Jim Spehar, Doug Thomason and President of the Council Jim Doody. Also present were Interim City Manager David Varley, City Attorney John Shaver, and City Clerk Stephanie Tuin.

Council President Doody called the meeting to order. Councilmember Thomason led in the pledge of allegiance. The audience remained standing for the invocation by Pastor Benny Lenard, Spirit of Life Christian Church.

Councilmember Spehar asked for a moment of silence to honor the passing of a former community leader Dale Hollingsworth.

Proclamations / Recognitions

Proclaiming November, 2006 as “Hospice and Palliative Care Month” in the City of Grand Junction

Proclaiming November 11, 2006 as “Veteran’s Day” in the City of Grand Junction

Appointments

Ratify Appointments to the Mesa County Building Code Board of Appeals

Councilmember Hill moved to ratify the appointment of David Detwiler to a regular position and Steve Peterson to an alternate position on the Mesa County Building Code Board of Appeals with terms expiring October 16, 2009 and July 1, 2007 respectively. Councilmember Palmer seconded the motion. Motion carried.

Citizen Comments

There were none.

CONSENT CALENDAR

Councilmember Spehar read the list of items on the Consent Calendar and moved to approve the Consent Calendar items #1 through #12. Councilmember Hill seconded.

Motion carried by roll call vote with Councilmember Coons recusing herself from Item #6 due to her employment with the applicant.

1. **Minutes of Previous Meetings**

Action: Approve the Summary of the October 16, 2006 Workshop and the Minutes of the October 18, 2006 Special Session and October 18, 2006 Regular Meeting

2. **Visitor and Convention Bureau Center Remodel**

This approval request is for the construction contract for the addition and remodel of the Visitor Center building.

Action: Authorize the City Purchasing Division to Enter into a Contract, in the Amount of \$387,000 with Classic Constructors, Inc. for the Completion of the Addition and Remodel

3. **Setting a Hearing for the Becerra Annexation, Located at 244 28 ½ Road**
[File #ANX-2006-256]

Request to annex 1.50 acres, located at 244 28 ½ Road. The Becerra Annexation consists of one parcel and is a three part serial annexation.

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

Resolution No. 132-06 – 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, Becerra Annexation, Located at 244 28 ½ Road, Including a Portion of the 28 ½ Road Right-of-Way

Action: Adopt Resolution No. 132-06

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Becerra Annexation No. 1, Approximately 0.01 Acres, Located Within the 28 ½ Road Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Becerra Annexation No. 2, Approximately 0.20 acres, Located Within the 28 ½ Road Right of Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Becerra Annexation No. 3, Approximately 1.29 Acres, Located at 244 28 ½ Road and Including a Portion of the 28 ½ Road Right-of-Way

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

4. **Setting a Hearing for the Humphrey Annexation, Located 412 30 ¼ Road**
[File #ANX-2006-260]

Request to annex approximately 10.43 acres, located at 412 30 ¼ Road. The Humphrey Annexation consists of one parcel and is a three part serial annexation.

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

Resolution No. 133-06 – 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, Humphrey Annexation, Located at 412 30 ¼ Road Including a Portion of the 30 ¼ Road Right-of-Way

Action: *Adopt Resolution No. 133-06*

b. Setting a Hearing on Proposed Ordinances

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Humphrey Annexation No. 1, Approximately .10 Acres, Located Within the 30 ¼ Road Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Humphrey Annexation No. 2, Approximately .98 Acres, Located Within the 30 ¼ Road Right-of-Way

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado, Humphrey Annexation No. 3, Approximately 9.35 Acres, Located at 412 30 ¼ Road

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

5. **Setting a Hearing for the Pacheco-Woodbring Annexation, Located at 2814 C ¾ Road** [GPA-2006-248]

Request to annex 10.13 acres, located at 2814 C ¾ Road. The Pacheco-Woodbring Annexation consists of one parcel.

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

Resolution No. 134-06 – 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, Pacheco-Woodbring Annexation, Located at 2814 C ¾ Road

Action: Adopt Resolution No. 134-06

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

Proposed Ordinance Annexing Territory to the City of Grand Junction, Colorado Pacheco-Woodbring Annexation, Approximately 10.13 Acres, Located at 2814 C ¾ Road

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

6. **Setting a Hearing for the Adoption of the Master Plan 2005 for St. Mary's Hospital and Re-Establishing Standards for the (PD), Planned Development Zone District, Located at 2635 North 7th Street** [File #ICM-2006-005]

Introduction of a proposed ordinance to adopt the Master Plan 2005 for St. Mary's Hospital and Re-Establishing Standards for the PD, Planned Development Zone District for Property Owned by St. Mary's Hospital.

Proposed Ordinance Approving the Master Plan 2005 for St. Mary's Hospital and Environs Located at 2635 North 7th Street and Re-Establishing Standards for the Planned Development (PD) Zone District for Property Owned by St. Mary's Hospital

Action: Introduction of a Proposed Ordinance and Set a Hearing for November 15, 2006

7. **Setting a Hearing for Zoning the Thunderbrook Estates Annexation, Located at 3061 & 3061 ½ F ½ Road** [File #GPA-2006-238]

Request to zone the 15.60 acre Thunderbrook Estates Annexation, located at 3061 and 3061 ½ F ½ Road, to RSF-4 (Residential Single Family, 4 units per acre).

Proposed Ordinance Zoning the Thunderbrook Estates Annexation to RSF-4, (Residential Single Family, 4 Units Per Acre) Located at 3061 and 3061 ½ F ½ Road

Action: Introduction of Proposed Ordinance and Set a Hearing for November 15, 2006

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

Request to zone the Fox Annexation from County RSF-4 (Residential Single Family, 4 units per acre) to RO (Residential Office).

Proposed Ordinance Zoning the Fox Annexation to RO (Residential Office), Located at 3000 F Road

Action: Introduction of Proposed Ordinance and Set a Hearing for November 15, 2006

9. **Contract for Audit Services**

A resolution authorizing a contract for audit services between the City of Grand Junction, Colorado and Chadwick, Steinkirchner, Davis, and Company, P.C. (CSD) for 2006, with renewal at the City's option for an additional three years.

Resolution No. 135-06 – A Resolution Authorizing a Contract for Audit Services between the City of Grand Junction, Colorado, and Chadwick, Steinkirchner, Davis, and Company, P.C.

Action: Adopt Resolution No. 135-06

10. **Setting a Hearing Authorizing the Issuance of the City of Grand Junction, Downtown Development Authority Subordinate Tax Increment Revenue Bonds**

The proposed ordinance authorizes the issuance of one bond in the amount of \$2,180,500 with it maturing December 22, 2007.

Proposed Ordinance Authorizing the Issuance of the City of Grand Junction, Colorado, Downtown Development Authority Tax Increment Revenue Bonds, Series 2006, Pledging the Tax Increment Revenues of the City for the Payment of the Bonds; Providing for the Payment and Discharge of the City's Outstanding Tax Increment Revenue Bonds

Action: Introduction of a Proposed Ordinance and Set a Hearing for November 15, 2006

11. **Change Order #5 to the Contract for the Duck Pond Park Lift Station Elimination Project**

The work defined by change order #5 includes relocation of an existing sewer line, allowing for installation of an additional girder line on the Highway 50 Bridge crossing the Colorado River. Construction of the girder is part of Phase 3 of the Riverside Parkway project. The existing sewer line that hangs under the bridge is in conflict with this girder line and will need to be moved. Re-routing the flow to the Duck Pond project is the most cost effective way to accomplish this task.

Action: Authorize the City Manager to Approve Contract Change Order #5 to the Duck Pond Park Life Station Elimination Project in the Amount of \$137,647.00 with Mendez, Inc., for Relocating the Existing Sewer Line Crossing the Colorado River on the Highway 50 Bridge

12. **Lease of City Owned Parking Lot at 2nd and Pitkin Avenue**

Commencing in October 2003, the City began leasing the lot it owns on the corner of 2nd and Pitkin to Simmons Lock and Key ("Simmons"), 322 S. 2nd. Because the parcel may be required for future improvements at the curve of Pitkin Avenue, selling the property is not an option. City Council is asked to approve the City Manager entering into another lease with similar terms as the first with the option for renewal of the lease over the next three years. The City retains the right to terminate the lease upon 30 days notice.

Resolution No. 136-06 – A Resolution Authorizing the Lease of a City Owned Lot at 2nd and Pitkin Avenue by Simmons Lock and Key, Inc.

Action: Adopt Resolution No. 136-06

ITEMS NEEDING INDIVIDUAL CONSIDERATION

Conduct a Hearing to Appeal a Planning Commission Decision to Deny the Pinnacle Ridge Preliminary Plan, Located Northeast of Monument Road and Mariposa Drive [File #PP-2005-226]

Appeal of the Planning Commission denial of the Pinnacle Ridge Preliminary Plan, consisting of 72 single family lots on 45.33 acres in a RSF-2 (Residential Single Family, 2 du/ac) zone district.

Councilmember Hill moved to continue the appeal for the Pinnacle Ridge Preliminary Plan until November 15, 2006. Councilmember Coons seconded the motion. Motion carried.

Public Hearing – Rezone and Outline Development Plan 1st and Patterson Planned Development [File #ODP-2005-309]

Request to rezone 20.7 acres, located at the southwest corner of 1st Street and Patterson Road, from RMF-12 (Residential Multifamily, 12 units per acre) to PD (Planned Development) and approval of an Outline Development Plan (ODP) for a mixed use development.

Councilmember Beckstein stated for the record that Mr. Ciavonne is a client of her employer. City Attorney John Shaver asked Councilmember Beckstein if she has any contact with this project by virtue of representation of Mr. Ciavonne and his relationship with her firm. Councilmember Beckstein said no. City Attorney Shaver also asked Councilmember Beckstein if she has had any contact with Mr. Ciavonne or any member of his firm on this particular project. Councilmember Beckstein said no. City Attorney Shaver stated to Council President Doody that he sees no reason to believe that Councilmember Beckstein should be recused from hearing this item. Council President Doody asked if Council had any problems with Councilmember Beckstein hearing this item. Council had no problem with Councilmember Beckstein staying for this item.

The public hearing was opened at 7:30 p.m.

Ted Ciavonne, Ciavonne, Roberts, and Associates, 744 Grand Avenue, was present representing the applicant. He described the site, the location and the Future Land Use Designation of the various parcels. He advised that the plan is consistent with the Growth Plan. Mr. Ciavonne then addressed the proposal regarding the zoning criteria and the requested zoning. He said the proposal meets the requirements of the Zoning and Development Code. Mr. Ciavonne reviewed the history of the property and the approvals

received so far. He also detailed the communication that his firm and the applicant have had with the neighborhood. He described the various traffic movement adjustments that have been considered throughout the planning process. He said one criteria for the Outline Development Plan (ODP) approval requires benefits to the community. He listed the benefits as being an additional right-of-way on Patterson, working on the facilitation of burying of overhead lines, providing a 35 foot easement along the property to bury the Ranchman's ditch, a large open space along the arterial streets, a site amenity of community feature on the property, maintaining the hillside and the typography of that hillside in this project, allowing commercial development within walking distance of the residential, and preserving the historic fabric of 1st Street neighborhood. He said a majority of the development will be completed by one developer, the parking will be screened and there will be an architectural control committee to ensure consistent architecture and architectural detailing along 1st Street. There will be detached sidewalks along Patterson and improved pedestrian and vehicular circulation along 25 ¼ Road that will lessen impacts on 1st Street.

Joe Carter, also of Ciavonne, Roberts, and Associates, presented the anticipated phasing schedule. He said the commercial pods consist of 8.8 acres and he reviewed the proposal for those pods. He explained specific uses will be excluded such as: fast food uses, liquor stores, drive up/drive through uses, outdoor storage, outdoor kennels, etc. He then reviewed uses that will be allowed such as a drive through pharmacy, a drive up cleaner, and veterinarian clinics with indoor kennels only. Councilmember Palmer pointed out that the project was excluding drive through and drive up uses but then wants to allow drive up cleaners and pharmacies. Mr. Carter concurred that all other drive up/through uses besides those two would be excluded. Also, there will be no minimum lot width, the height restrictions would be 35' and 49' depending on the pod, and pods G and H will remain with the underlying requirements for the RMF-12 zone district. Mr. Carter then addressed traffic patterns and movements. He said a ¾ movement at Patterson and Meander Drive is proposed, a full unsignalized intersection at 25 ¾ Road, a full movement unsignalized intersection at 1st Street and Park Drive and a couple of street stubs to the adjacent properties. Mr. Carter said Curtis Rowe of Kimley-Horn and Associates will address the traffic details.

Councilmember Palmer inquired about the previous zoning. Kathy Portner, Assistant Director of Community Development, stated some of it was zoned Planned Development prior to 2000. Mr. Carter added that some was zoned RMF-10. Councilmember Palmer questioned what will be developed in each phase. Mr. Carter said the corner of 1st and Patterson will develop first, and then some commercial will develop. Mr. Carter said they hope that the market will drive the development to some extent, but they anticipate the first phase to be developed at the corner of 1st and Patterson.

Curtis Rowe, Kimley-Horn and Associates, professional civil and traffic engineer, said he prepared a traffic impact study for this project and there were several different access scenarios evaluated. He said what was determined was the access located at 25 ¾

Road would be an unsignalized full movement access, but during the peak hours during the day, traffic turning left onto Patterson may experience delays of up to 60 seconds. The anticipated impact on 1st Street is projected to be 90 vehicles per day.

Councilmember Coons questioned why the proposal is requesting a 2nd left turn lane to handle additional volume when the traffic proposal states there is not going to be much of an impact on 1st Street. Mr. Rowe said the impact that he was referring to was the south bound traffic and said there would be an increase northbound which would increase the demand for left turn lanes.

Councilmember Hill questioned if there is room for stacking traffic traveling northbound on 1st Street and is there room for a left hand turn lane into this site. Mr. Rowe said a median reconfiguration would be developed to add a left turn pocket into the site.

Council President Doody questioned how far of an area is looked at when completing the traffic study. Mr. Rowe said it is based on intersections of significant impact and said it is predetermined by the agency, i.e., the City. He said the section identified was Patterson from 25 ½ Road to 7th Street on Patterson and then from Park Street up to 1st Street. Council President Doody asked for clarification that the study was not completed down to West Middle School on Orchard Avenue. Mr. Rowe said no, that was not required by the City.

Ted Ciavonne returned to the podium for questions.

Councilmember Hill stated that there was a proposal to have a signal located at 25 ¾ Road which required a TEDS exception, which was denied and he wanted to make sure that the developer is who requested that signal. He also asked for clarification regarding the two left hand turn lanes on 1st Street and the reason for the stub street. Mr. Ciavonne said the developer would still like the signal located at 25 ¾ but is not pressing for it. Also, the need for the double left turn on 1st Street was taken from the traffic modeling. For the connection to the west, there is no other access for that property, and they feel it is critical to allow an access for the 17 acres.

Councilmember Palmer questioned why the height allowed is 40 feet with an additional allowance of 25% and why is the additional percentage allowed. Mr. Ciavonne said as part of the Planned Development they wanted to limit the maximum height but wanted the flexibility to go a little higher. He said 3 stories with a pitched roof would come to 49 feet. He said as per the Code today, there is a 40 foot height limit with a 25% increase that a developer could ask for at the time of the plan. He said the reason they are asking for the 40 foot plus the additional 25% is because they do not have designs yet for the development. Councilmember Palmer questioned if the development is anticipated to be 40 or 49 feet along Patterson. Mr. Ciavonne said at this time they are looking at building 2 story homes and some will have an underground garage. He said they anticipate the height request will be above 40 feet.

Kathy Portner, Assistant Director of Community Development, then made the Staff presentation for this item. She advised that the City Traffic Engineer Jody Kliska will address the traffic issues. Ms. Portner described the site, the current zoning, the surrounding zoning and the plan to leave the existing houses along 1st Street. She said in 2003, the Growth Plan was amended to change the Future Land Use Designation on the Patterson Road frontage from Residential Medium High to Commercial. The Commercial designation extends the length of the Patterson Road frontage to a depth of 300 feet. Ms. Portner said the applicant requested a Growth Plan Consistency Review to determine whether the project could move forward without a Growth Plan Amendment. She said the Planning Commission and City Council found the proposal with a meandering boundary between Commercial and Residential designation, following the topography more closely, to be consistent with the Growth Plan. She said the request is to rezone the property to PD (Planned Development) with each of the pods having the specific zoning as shown in the ordinance. Ms. Portner said the two larger pods are to have the underlying zone of RMF-12 and the pod with single family homes that are remaining is proposed RSF-4. The benefits of the PD zone is that the proposed mix of uses include retail, office, multifamily residential, single family residential, over and above the required amount of open space, and the additional architectural features. Ms. Portner explained the allowance of the applicant to request an additional 25% height allowance and the reasons they can request such an increase. She asked for a modification to the ordinance by amending the deviations to RMF-12. She said if the PD is approved, the applicant will have to come back for approval of each of their individual plans and the applicant will also have to have the details of the 25 $\frac{3}{4}$ Road location at the Preliminary Plan. Ms. Portner stated that the Staff finds the requested Planned Development and Outline Development Plan is consistent with the Growth Plan, that the review criteria in Section 2.12.B.2 of the Zoning and Development Code have all been met, and the Preliminary Plan must provide the details of the proposed 25 $\frac{3}{4}$ Road as to right-of-way location, width and improvement, as well as provide for shared access for future development of the adjoining property to the west.

Councilmember Hill asked about the adjustment of the phasing schedule. Ms. Portner said they will have to present a phasing schedule and determine the amount of infrastructure needed when they present the Preliminary Plan.

Councilmember Spehar questioned if the 25 $\frac{3}{4}$ Road access has the ability to move east if no arrangement is made with the adjacent property or would the access still be provided to the adjacent property. Ms. Portner said the access stub has been addressed to access the adjacent property owner and said the developer does want to provide the stub for connection.

Jody Kliska, Transportation Engineer, referred to larger studies and the assumptions of the Growth Plan. She said Patterson is going to get busier, therefore management of

access is recommended and said that is the reason the request for a signal at 25 ¾ Road was denied.

Council President Doody called a recess at 8:32 p.m.

The meeting reconvened at 8:48 p.m.

Council President Doody asked for those in the audience that are in favor of this item to speak first.

John Gormley, 2565 I ½ Road, said he and his family have owned the property since 1935. Mr. Gormley stated the decision to sell the property for development was not an easy decision and said it was their desire to have the property developed in a cohesive thoughtful manner that they would be proud of in the future and would want to live next to. He said Bruce Milyard with Constructors West was chosen as the developer because of his willingness to develop the property in its entirety. He said many other developers wanted to “cherry pick” portions of the property to develop. Mr. Gormley said that he believes that Constructors West is committed to developing “an attractive and well designed project that will be an asset to the community and to the neighborhood.” Mr. Gormley further stated that he feels the project is consistent with the surrounding uses and has made every effort to address many concerns of the City and the neighborhood. He requests that the City Council approve the rezone request.

Pat Gormley, 2433 North 1st Street, also an owner of the property, has lived much of his life on the property starting at the age of 4. He said there have been many developers approach their family with ideas for development. Mr. Gormley said that he feels the proposal is viable and reasonable for the area. He urged Council to approve the rezone request.

Earl Young, 2303 N. 1st Street, said he lives four properties south of this property and has lived there for 37 years. He said that he hates to see development, but realizes that it is going to happen. He feels that the Gormley’s have been good citizens and have done good things for the community. Dr. Young said that he thinks highly of the Gormley’s and supports this project.

Mark Swain, owns Networks Unlimited that is located three blocks west of the property, said he is excited about the project and feels that the correct steps are being taken to develop this land. He feels mixed use developments are a perfect antidote and will promote clustering and preserve open space.

Jeffrey Vogel, owner of High Fashion Fabrics, located north of the property, supports the project, but has some concerns. He said his business property is buffered from the residential behind his establishment and is concerned about the traffic. Mr. Vogel said there is a new development just west of his property that is not shown on the map. He

wanted to make sure that his access is not changed and said the map shows an access from Meander Drive onto 1st Street which was abandoned and no longer exists. He said he would like to be on the architectural control committee and feels this project is the best possible development for this area.

Tom Volkmann, 371 McFarland Court, said he is in favor of the project. He said that he has the Future Land Use map on his office wall and from what he has seen the plan complies with the Future Land Use map. Regarding traffic, he was pleased to hear that the impact to the south will be under 10% because that is the direction that a lot of people go to take their children to school and go to work. He urged the consideration of the traffic calming efforts that were taken on 1st Street. It has made the street attractive and encouraged more traffic. He said this is an infill project in the City of Grand Junction which minimizes sprawl. Mr. Volkmann said the landowner has the right to develop in accordance with the Growth Plan.

Doug Simons, 653 Round Hill Drive, lauded the Gormley family and the selection of Bruce Milyard with Constructors West who is a class individual. He said Mr. Milyard is a qualified builder and likes to do a good job. Mr. Simons stated that the proposed development is a model development for the City of Grand Junction. He agreed with Mr. Volkmann's comments and urged the approval of this project.

Michael B. Higginbotham, 664 Jubilee Court, would like to encourage this particular infill development to go forward. Mr. Higginbotham said, regarding the height issue, his involvement in Redlands Mesa has shown that a low pitch roof settles a building to the site and with a higher pitched roof the building has the feel of a big box. He would like to encourage the designer to keep that in mind when designing the development. Mr. Higginbotham said this project will be a model development to this area.

Council President Doody asked for those in the audience that oppose this project to come forward and address Council with their concerns.

Ken Frankhouser, 2239 Knollwood Lane, said he is not, in principal, opposed of the project, but lives at the end of the cul-de-sac of Knollwood Lane and never thought there would be a road meandering down from Patterson Road to his street. He did his own traffic study on Knollwood and said it is an incredibly quiet street. Mr. Frankhouser said the people who live there want it to stay that way. He agrees with the comments that have been said about the character of the owners and the developer. Mr. Frankhouser said in Section B.5 of the Growth Plan, it states that a new project will not erode on an existing neighborhood's values or impact with noise or traffic. He invited the Council to visit the neighborhood and thanked Council for listening to his concerns.

Ed Lippo, 2246 Knollwood Lane, said he was told that 68 condos would be developed in pods G and H and now there are 111 units planned and he does not understand how

that can be. He said that he does not want to see that road go through Knollwood either.

Tom Dixon, 3025 Northridge Drive, has been a Land Use Plan developer in both public and private sectors for over 20 years. He said with living in the proximity to the project he has concerns about the scale and intensity of the proposal. He pointed out that in Policy 11.1, the Staff review states that the City will promote compatibility between adjacent land uses by addressing traffic, noise, lighting, and other sources of incapability. He said the Community Hospital development had a number of neighborhood meetings and they have been a good neighbor to the surrounding neighborhood. Mr. Dixon said this proposal is for 116,000 square feet of retail and commercial use which is too intense in scale for this area. He said Village Fair located at 12th and Patterson has 35,000 square feet which includes a bank building and a Quizno's and said this project is three times the size of Village Fair. Mr. Dixon pointed out that on 12th Street there are four lanes and 1st Street only has two lanes. He is not opposed to neighborhood business but he is opposed to a Walgreens which is in the applicant's packet as a prototype. He said this type of development is typically on a highway and is not appropriate in a neighborhood commercial and residential area. He urged additional restrictions such as no drive through windows including pharmacies and fuel stations.

Susan Potts, 2206 Ella Court, said she did not feel that the traffic study was accurate. She said there is no way to widen 1st Street as the houses are built too close to the road. She felt the traffic study should have had an expanded area and said the traffic pattern design will force traffic onto 1st Street. She described all the surrounding streets and the development in the area. She questioned how a second left turn lane will fit on 1st Street and how much open space is being proposed for this development.

Jim Baughman, 2579 F Road, speaking for the Baughman family, said he received a notice just yesterday regarding this project and said part of it is not legible. He said his family owns property to the west and he owns property just to the south of the Gormley property. He said his property was annexed in 1991 along with the Gormley property and Moore property (now owned by Steve Hickman and Aaron Schurman). Mr. Baughman said he thought his property was zoned RSF-R and it was changed via a Master Plan in 2001. He agrees the Gormley's have the ability to develop this property and appreciates the Gormley's because they have kept the property as is for all of these years. Mr. Baughman does have concerns about the proposed project, such as the scope and intensity of both commercial and residential, and the number of units per acre. He said the suggested number of units proposed is 111 units on 8.8 acres which equates to 14 units per acre. He is also concerned about the setbacks for the subdivision and said if the Baughman family property is developed as residential; it will be only ten feet from the commercial development on the Gormley property. He feels this type of development is appropriate, but is concerned with the proposal for a Walgreens which can be opened from 5 a.m. until 11 p.m. He is concerned about the

height in the commercial development with the possibility of 25% increase and no minimum lot width. Mr. Baughman thought there should be some restrictions as to the type of businesses that go into the development. Lastly, his concern with traffic is the 25 ¾ Road access has not been agreed to by the Baughman family and they remain firm on that. He said, regarding the delays turning left onto Patterson, there are times when one cannot turn left and described a number of related traffic stories his family members as well as other acquaintances have endured. He said in section 5.1 of the Zoning and Development Code, the Planned Development should only be used if there is a community benefit and listed a number of considerations. He believes there are some Codes that are not being met, particularly the open space and reduced traffic demands. He asked that the project be denied and brought back with a new design that is less intense.

Cecelia Thompson, 3001 Northridge Drive, understands progress must go on. She has concerns in every direction such as signage, air quality related to traffic, water drainage, hours of operation, the building height, and the historical nature of the neighborhood. She would not like to see drive through windows especially for a dry cleaner. Ms. Thompson said there is a need for a park in the area for the children to play in. She said that she did not receive any notification regarding this project and that she read a letter from one of her neighbors.

The public comment portion of the hearing was closed at 10:10 p.m.

Ted Ciavonne, Ciavonne, Roberts, and Associates, addressed many of the comments. He said the range of residential density from 70 to 111 units was presented at the Growth Plan consistency review. He said that range was based on 9 acres of residential including roads. He said the density is figured on the gross density which includes the existing homes and roads which brought it up to the 111 homes and said it is consistent with the Growth Plan. He said there are concerns with the intensity of the commercial development and said with a Planned Development, there has to be a default zone and that default zone is B-1 which is the least intensive type of commercial zone that the City Code has. He said they subtracted out some of the uses and added two other types of drive through facilities which do not include gas stations, banks, and fast food establishments. He said there were concerns regarding the hours of operations and said in the B-1 zone, the hours of operation are 5 a.m. to 11 p.m. which are not unusual hours of operation. He said the height of the building is the default standard of the Code, with the Code allowance that allows an additional 25 % and the setbacks are also the default standard per the City Code. Mr. Ciavonne addressed the traffic issues and the best way to address the neighborhoods concerns was to come back with additional studies and suggest traffic signals. He said the architecture and drainage has to be and will be addressed at Preliminary Plan. Mr. Ciavonne said the proposal meets the requirements of the Code at this point of the review. He said the residential will be the transition from commercial to residential to the south of the property. He said the Outline Development Plan (ODP) meets the Growth Plan and should be approved. He reviewed the

community benefits again and said the current zoning of RMF-12 would allow 240 residential units.

Bruce Milyard, the developer and owner of Constructors West, said the two main concerns are traffic and the intensity of the development. He understands the frustrations of the neighbors and said it is the nature of this stage of the project. He said the next stage will show the neighbors the actual densities, the heights, the architecture, and the traffic circulation.

Councilmember Thomason noted the Baughmans are adamantly opposed to the 25 ³/₄ Road access. He asked about the other options for the access. Mr. Milyard said they moved the access to the Gormley property and said they will apply for another TEDS exception if needed.

Councilmember Coons asked if there is room for the access on the Gormley property. Mr. Milyard said there is a way to accomplish it.

Councilmember Hill asked about the residential density range; in the PD the maximum is 12 units per acre. Mr. Milyard said the maximum density is 111 units including the three houses. Councilmember Hill questioned the height restriction in the B-1 zoning with a 25% increase is for commercial only. Mr. Ciavonne said 25% also applies to the RMF-12. Kathy Portner, Assistant Community Development Director, clarified that RMF-12 zone has a maximum height of 40 feet. She said the additional allowance does include Planned Developments.

Councilmember Palmer questioned if the change to Baughman property zoning was rezoned without their knowledge. Ms. Portner said with the overall adoption of the Zoning Map, there were individual notices given to most of the areas, but as far as all of the residents, that is unknown.

Councilmember Coons questioned if the 40 feet height applies to the RMF-12 and is that the default height zoning. Ms. Portner said yes.

Councilmember Hill asked for assurance that the 25 ³/₄ access does not have to be determined tonight. Ms. Portner said that is correct. Councilmember Hill asked for clarification on the Growth Plan and said the property could be developed as is if the commercial is developed on the north side and residential on the south side. Ms. Portner said the north part of the property is still zoned RMF-12 even though it is designated commercial. She said the developer could have asked for commercial zoning and said once applied for the specifics won't come before Council, but the Planned Development does require a review by the Planning Commission.

Councilmember Coons asked if this development meets the potential public benefits. Ms. Portner said there is a list of possible benefits that can be considered. Councilmember Coons asked for more clarification regarding the stub street into Knollwood. Ms. Portner

said the builder has every intention of building some kind of a turn around which does not have to go through into Knollwood. She said their traffic study does not consider the road going through and, under the Code, the development may need to provide the possibility of connecting. She said it may be needed for a pedestrian connection, but the intervening piece will determine what will happen.

Councilmember Palmer said at the October 10th Planning Commission meeting they placed some conditions and asked if Council has the same latitude. City Attorney John Shaver said Council does have the same latitude. He said this is a Planned Development zone and as a Planned Development zone the Council can place conditions on the development. Councilmember Palmer said he is uncomfortable with the drive through windows and asked if Council can disallow items. City Attorney Shaver said legally Council can disallow items. Ms. Portner said B-1 zoning does not allow that type of business so Council would have to grant that additional request.

Council President Doody asked about the TEDS exception denial. City Attorney Shaver said the TEDS process allows individual cases to be reviewed. He said the Transportation Engineer felt the installation of a traffic light would significantly interfere with the traffic progression on Patterson Road. He said that does not preclude that could not change in the future. Council President Doody asked Ms. Kliska about the traffic study in the area. Ms. Kliska said the traffic study looked at the most intense uses possible, the traffic is constantly reviewed as part of the TEDS exception process and it is possible to meet standards without deviating from them.

The public hearing was closed at 10:49 p.m.

Councilmember Spehar agreed that this is a frustrating stage of the review. He said there are a lot of concerns on the detail that isn't normally discussed at this stage. He doesn't know if height restrictions or hours of operation, etc. should be discussed. He said the property meets the Growth Plan and said the Planned Development is appropriate and he is in favor of the rezone.

Councilmember Palmer said he understands the Knollwood neighborhoods concerns. He said as far as the rezone, an infill project with commercial will have a traffic impact. He said he also has concerns about the drive through uses, but likes the multi-use and the infill. He is in favor of the rezone but is not a fan of the drive through uses.

Councilmember Coons said she prefers to see the mixed use and the Planned Development format rather than develop as the straight RMF-12 zone. She is in favor infill and this development.

Councilmember Beckstein said there has been a lot of thought put into this development and said the developer put a lot of thought to make this development something unique and special. She feels this will compliment that area and said the traffic will always be a problem no matter what is developed. She said she supports the project.

Councilmember Thomason said traffic concerns are warranted. He appreciates the Gormley's work on this development. He also is in favor of this development.

Councilmember Hill said there are many advantages of having a visionary team. He feels this is going to be a good product and said the Code will ensure that. He said the Knollwood connection would be a City requirement, not the developers, so he encouraged the neighborhood to keep standing up and protesting. He supports the project.

Council President Doody said that he grew up in the neighborhood. He is concerned about the notification not being sent out if a zoning is changed on the map and said it is the City's responsibility to ensure that happens. He supports the project.

Ordinance No. 3981 – An Ordinance Rezoning Approximately 20.7 Acres from RMF-12 to PD (Planned Development), the 1st and Patterson Planned Development, Located at the Southwest Corner of 1st Street and Patterson Road

Councilmember Hill moved to adopt Ordinance No. 3981 on Second Reading and ordered it published. Councilmember Beckstein seconded the motion.

City Attorney Shaver said there were some changes made to the ordinance that the property be zoned B-1, no drive through uses, a maximum height of 35 feet for Pod E and 40 feet for Pod A, B, C, and D, the maximum height can be increased by 25% (ordinance says 25' which is wrong), and the last modification to G and H will meet RMF-12.

Councilmember Hill moved to withdraw his motion. Councilmember Beckstein seconded. Motion carried by roll call vote to withdraw.

Councilmember Hill moved to approve Ordinance No. 3981. Councilmember Spehar seconded. Motion carried by roll call vote.

City Attorney Shaver said by operation of law the change to the RMF-12 will be made and the correction to the height additional allowance in the ordinance.

Council President Doody called a recess at 11:14 p.m.

The meeting reconvened at 11:21 p.m.

Public Hearing – Thunderbrook Estates Growth Plan Amendment, Located at 3061 ½ F ½ Road [File #GPA-2006-238]

Request to amend the Growth Plan, to change the Future Land Use Designation from Public to Residential Medium Low for one parcel consisting of approximately 11.06 acres.

The public hearing was opened at 11:22 p.m.

Kathy Portner, Assistant Community Development Director, reviewed this item. She described the location and said it was purchased by the School District. She described the current zoning, the surrounding zoning and the Future Land Use designations of the property and the surrounding properties.

There were no public comments.

The public hearing was closed at 11:24 p.m.

Resolution No. 138-06 – A Resolution Amending the Growth Plan of the City of Grand Junction to Designate Approximately 11.06 Acres, Located at 3061 ½ F ½ Road, From Public to Residential Medium Low

Councilmember Coons moved to adopt Resolution No. 138-06. Councilmember Beckstein seconded the motion. Motion carried by roll call vote.

Public Hearing – Baldwin Annexation and Zoning, Located at 2102 and 2108 Highway 6 and 50 [File #ANX-2006-182]

Request to annex and zone 3.19 acres, located at 2102 and 2108 Highway 6 and 50, to I-1 (Light Industrial). The Baldwin Annexation consists of two parcels.

Councilmember Beckstein recused herself from this item as the applicant is her employer. She left the dais and the meeting.

The public hearing was opened at 11:25 p.m.

Kathy Portner, Assistant Community Development Director, reviewed this item. She described the site and the current use. The Future Land Use is Industrial. She said Staff finds the property meets the requirements for annexation and recommends approval.

Councilmember Palmer said this was continued due to boundary dispute and asked if that was resolved. Ms. Portner said yes.

There were no public comments.

The public hearing was closed at 11:27 p.m.

a. Accepting Petition

Resolution No. 137-06 – A Resolution Accepting a Petition for Annexation, Making Certain Findings, Determining that Property Known as the Baldwin Annexation #1 and #2, Located at 2102 and 2108 Highway 6 and 50 and a Portion of the Highway 6 and 50 Right-of-Way is Eligible for Annexation

b. Annexation Ordinance

Ordinance No. 3982 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Baldwin Annexation #1, Approximately .10 Acres, Located at 2102 and 2108 Highway 6 and 50, Within the Highway 6 and 50 Right-of-Way

Ordinance No. 3983 – An Ordinance Annexing Territory to the City of Grand Junction, Colorado, Baldwin Annexation #2, Approximately 3.09 Acres, Located at 2102 and 2108 Highway 6 and 50 and a Portion of the Highway 6 and 50 Right-of-Way

c. Zoning Ordinance

Ordinance No. 3984 – An Ordinance Zoning the Baldwin Annexation to I-1, (Light Industrial), Located at 2102 and 2108 Highway 6 and 50

Councilmember Spehar moved to adopt Resolution No. 137-06 and Ordinance Nos. 3982, 3983, and 3984 on Second Reading and ordered them published. Councilmember Coons 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 11:28 p.m.

Stephanie Tuin, MMC
City Clerk

Attach 3

Setting a Hearing on Zoning the Becerra Annexation, Located at 244 28 ½ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Zoning the Becerra Annexation, located at 244 28 ½ Road.					
Meeting Date		November 15, 2006					
Date Prepared		November 9, 2006			File #ANX-2006-256		
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 1.50 acre Becerra Annexation, located at 244 28 ½ Road, to RSF-4 (Residential Single Family 4 du/ac).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed ordinance and set a public hearing for December 6, 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:	244 28 ½ Road		
Applicants:	Guadalupe Becerra-Owner Armand Hughes-Representative		
Existing Land Use:	Residential		
Proposed Land Use:	Residential		
Surrounding Land Use:	North	Residential	
	South	Residential	
	East	Residential	
	West	Residential	
Existing Zoning:	RSF-4 (County)		
Proposed Zoning:	RSF-4		
Surrounding Zoning:	North	RSF-4 (County)	
	South	RSF-4 (County)	
	East	RSF-4 (County)	
	West	RSF-4 (County)	
Growth Plan Designation:	RML (Residential Medium Low 2-4 du/ac)		
Zoning within density range?	x	Yes	No

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the RSF-4 district is consistent with the Growth Plan designation of RML (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, and 5 as follows:

- 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 RSF-4 zone district is compatible with the neighborhood and will not create adverse impacts. The future land use map designates all surrounding properties, with the exception of the properties to the west, as RML (Residential Medium Low 2-4 du/ac).

The RSF-4 zone district is in conformance with the following goals and policies of the Growth Plan and the Orchard Mesa 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 1, Orchard Mesa Plan, Zoning: Zoning should be compatible with existing development densities on Orchard Mesa.

- 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.

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

Response: At the time of annexation, a property shall be zoned to a district that is consistent with the Growth Plan or consistent with existing County Zoning.

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

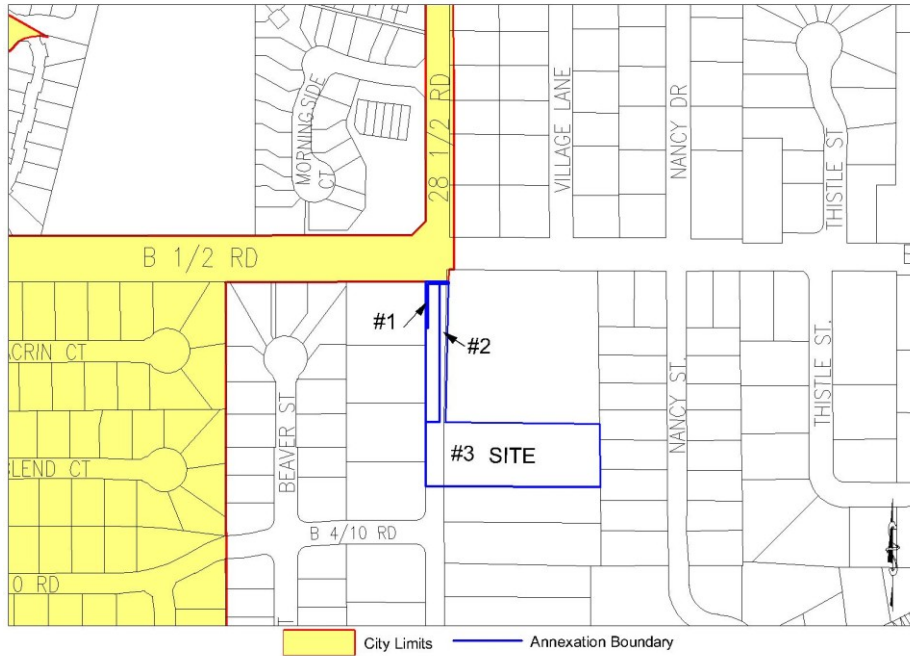
a. RSF-2

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



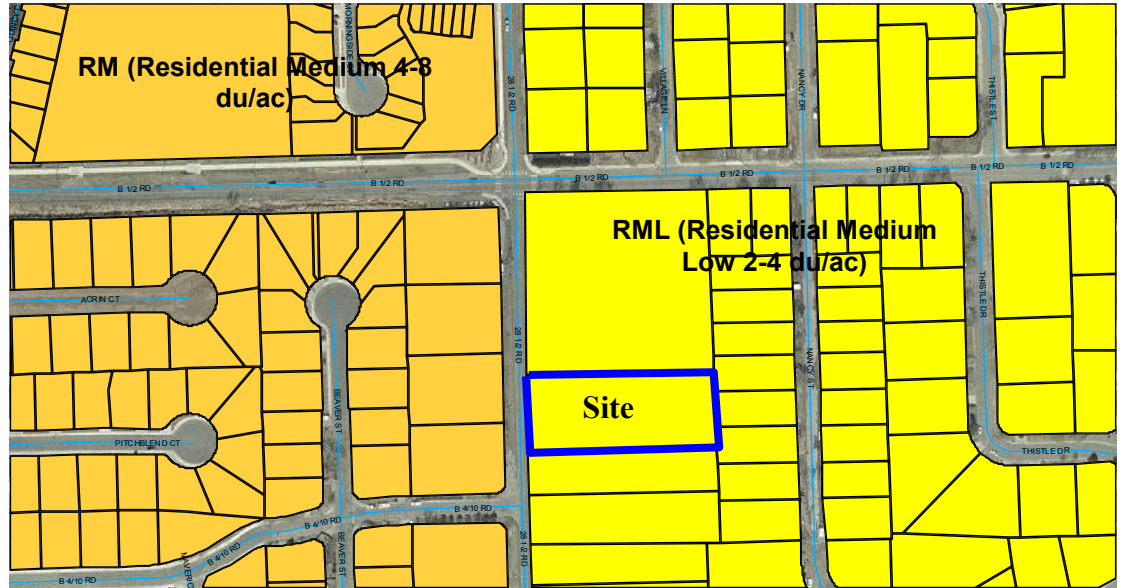
Aerial Photo Map

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 BECERRA ANNEXATION TO
RSF-4**

LOCATED AT 244 28 ½ ROAD

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Becerra 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 (Residential Single Family 4 du/ac).

BECERRA ANNEXATION NO. 3

A certain parcel of land located in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) and the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 30, 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 Lot 1, Block 1 of Orchard Villas Subdivision, as same is recorded in Plat Book 11, Page 209, Public Records of Mesa County, Colorado and assuming the East line of said Lot 1 bears S00°04'16"W; thence S00°04'16"W along said East line a distance of 310.08 feet to the Point of Beginning; thence N89°56'27"E a distance of 30.00 feet to a point on West line of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4); thence N00°04'16"E along said West line a distance of 305.00 feet to a point on a line being 5.00 feet South of and

parallel to the South line of the Armantrout Annexation No. 3, City of Grand Junction Ordinance No. 3126; thence S89°54'25"E along said parallel line a distance of 20.00 feet to a point on the West line of that certain parcel of land as described in Book 2275, Pages 724-725, Public Records of Mesa County, Colorado; thence S00°04'16"W along said West line a distance of 304.95 feet to the Southwest corner of said parcel; thence N89°56'27"E along the South line of said parcel a distance of 330.00 feet to the Southeast corner of said parcel; thence S00°04'16"W along the East line of that certain parcel of land as described in Book 3878, Page 758, Public Records of Mesa County, Colorado and the West line of Logan Addition to the Morrison Subdivision, as same is recorded in Plat Book 7, Page 28, Public Records of Mesa County, Colorado, a distance of 132.00 to the Southeast corner of said parcel; thence S89°56'27"W along the South line of said parcel a distance of 380.00 feet to a point on the East line of said Orchard Villas Subdivision; thence N00°04'16"E along said East line a distance of 132.00 feet, more or less, to the Point of Beginning, excluding right-of-way for 28 ½ Road.

Said parcel contains 1.29 acres (56,259 square feet), more or less, as described.

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

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

ATTEST:

President of the Council

City Clerk

Attach 4

Setting a Hearing on Zoning the Humphrey Annexation, Located at 412 30 ¼ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Zoning the Humphrey Annexation, located at 412 30 ¼ Road.					
Meeting Date		November 15, 2006					
Date Prepared		November 9, 2006			File #ANX-2006-260		
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 10.43 acre Humphrey Annexation, located at 412 30 ¼ Road, to RMF-8 (Residential Multi Family 8 du/ac).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed ordinance and set a public hearing for December 6, 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:		412 30 ¼ Road		
Applicants:		Robert & Susan Humphrey-Owners Redlands Development-Developer Ciavonne Roberts & Assoc.-Representative		
Existing Land Use:		Residential/Agriculture		
Proposed Land Use:		Residential		
Surrounding Land Use:	North	Residential		
	South	Residential		
	East	Residential		
	West	Residential		
Existing Zoning:		PD (10.4 du/ac County)		
Proposed Zoning:		RMF-8		
Surrounding Zoning:	North	PD (6.5 du/ac County)		
	South	PD (5.3 du/ac County)		
	East	PD (5.2 du/ac County)		
	West	RSF-R (County)		
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 designation of RM (Residential Medium 4-8 du/ac). The existing County zoning is PD (10.4 du/ac). Section 2.14 of the Zoning and Development Code states that the zoning of an annexation area shall be consistent with either the Growth Plan or the existing County zoning.

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:

- 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 RMF-8 zone district is compatible with the neighborhood and will not create adverse impacts. The future land use map designates all surrounding properties as RM (Residential Medium 4-8 du/ac).

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 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.

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

Response: At the time of annexation, a property shall be zoned to a district that is consistent with the Growth Plan or consistent with existing County Zoning.

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.

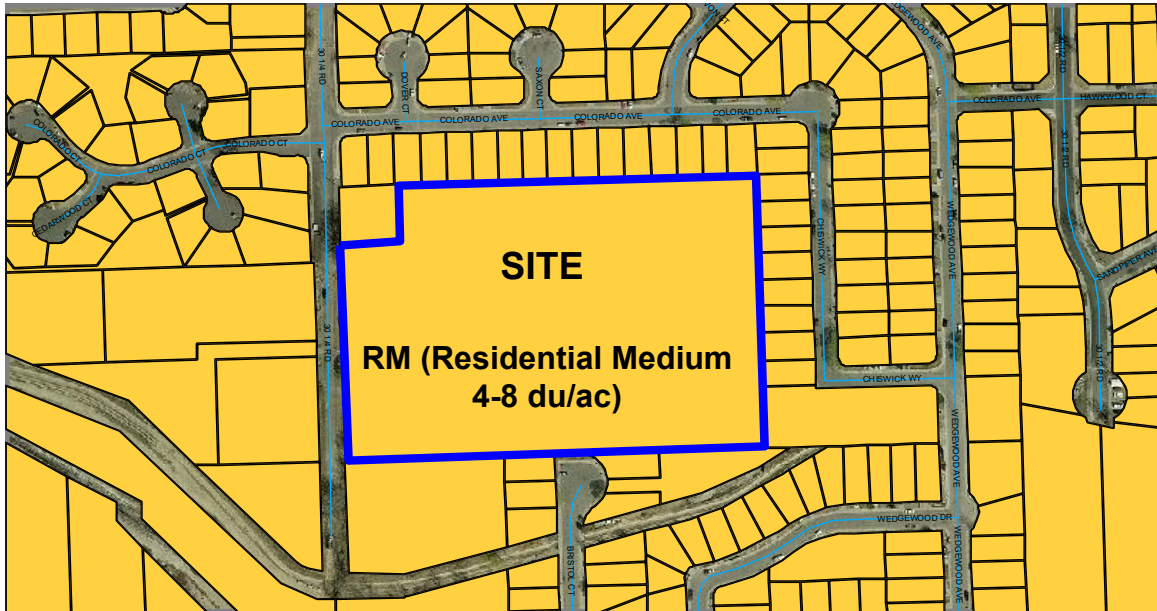
- b. RSF-4
- c. RMF-5

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 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.

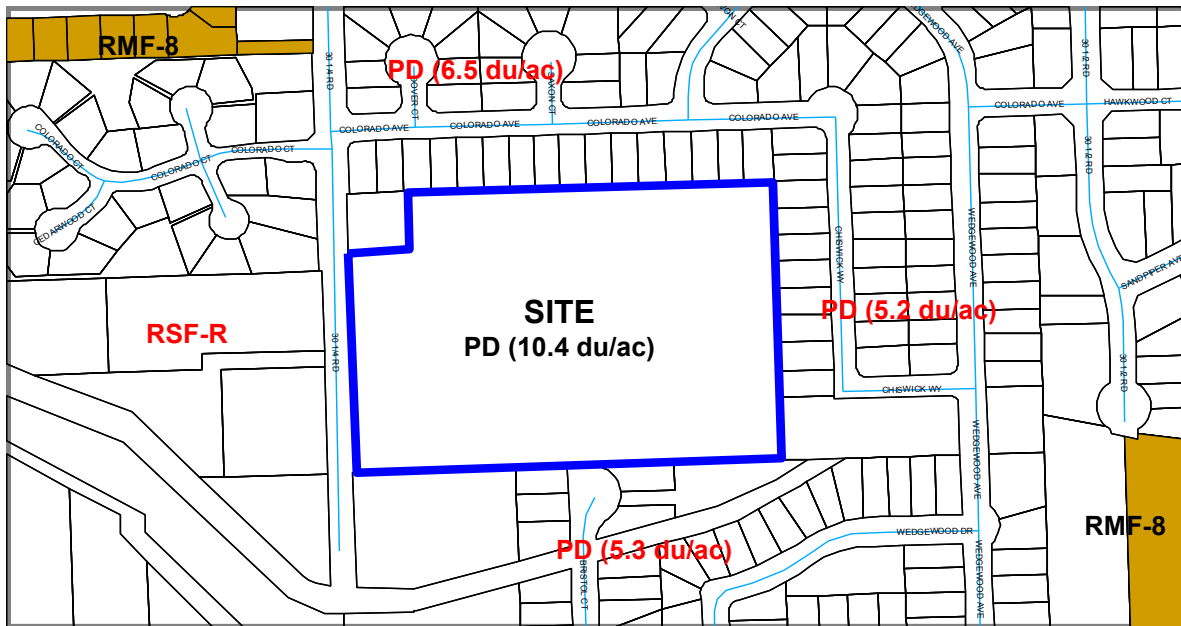
Future Land Use Map

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 HUMPHREY ANNEXATION TO
RMF-8**

LOCATED AT 412 30 ¼ 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 Humphrey Annexation to the RMF-8 zone district finding that it conforms with the recommended land use category as shown on the future land use map of the Growth Plan and the Growth Plan's goals and policies and is generally compatible with land uses located in the surrounding area. The zone district meets the criteria found in Section 2.6 of the Zoning and Development Code.

After public notice and public hearing before the Grand Junction City Council, City Council finds that the RMF-8 zone district is in conformance with the stated criteria of Section 2.6 of the Grand Junction Zoning and Development Code.

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

The following property be zoned RMF-8 (Residential Multi Family 8 du/ac).

HUMPHREY ANNEXATION NO. 3

A parcel of land located in the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 16, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Southwest corner of that certain parcel of land as described in Book 2296, Pages 731-732, Public Records, Mesa County, Colorado, and assuming the West line of said parcel to bear N00°02'11"E with all bearings contained herein relative thereto; N00°02'11"E along said West line a distance of 413.11 feet; thence N89°55'11"E along a line being 5.00 feet South of and parallel with the South line of that certain parcel of land as described in Book 1707, Page 967, Public Records, Mesa County Colorado, a distance of 65.00 feet; thence N00°02'11"W a distance of 5.00 feet to the South line of said parcel; thence N89°55'11"E along said South line a distance of 45.00 feet to the Southeast corner of said parcel; thence N00°02'11"E along the East

line of said parcel a distance of 110.00 feet to the Northeast corner; thence N89°55'11"E along the South line of Wedgewood Park Subdivision Filing No. 2 as same is recorded in Plat Book 12, Page 259 and Wedgewood Park Subdivision Filing No. 3 as same is recorded in Plat Book 13, Page 36, Public Records, Mesa County, Colorado, a distance of 685.21 feet to the Southeast corner of Lot 3 Block No. 3 of said Filing No. 2; thence S00°02'11"W along the West line of said Wedgewood Park Subdivision Filing No. 2 a distance of 527.99 feet to the Southwest corner; thence S89°54'41"W along the North line of Replat of Wedgewood Park Subdivision as same is recorded in Plat Book 11, Page 311 and that certain parcel of land as described in Book 1519, Page 531, Public Records, Mesa County, Colorado, a distance of 795.21 feet, more or less to the Point of Beginning, excluding right-of-way for 30 ¼ Road.

Said parcel contains 9.35 acres (407,483 square feet), more or less, as described.

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

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

ATTEST:

President of the Council

City Clerk

Attach 5

Setting a Hearing on Zoning the Pear Park School No. 3 Annexation, Located at Grand Valley Canal West of 29 ½ Road and North of D ¼ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Zoning the Pear Park School No. 3 Annexation, located at Grand Valley Canal West of 29 ½ Road and North of D ¼ Road.					
Meeting Date	November 15, 2006					
Date Prepared	November 9, 2006			File #ANX-2006-276		
Author	Senta L. Costello		Associate Planner			
Presenter Name	Senta L. Costello		Associate Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda	X	Consent	Individual Consideration

Summary: Request to zone the 1 acre Pear Park School No. 3 Annexation, located at Grand Valley Canal west of 29 ½ Road and north of D ¼ Road, to CSR (Community Services and Recreation).

Budget: N/A

Action Requested/Recommendation: Introduce a proposed ordinance and set a public hearing for December 6, 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:		Grand Valley Canal west of 29 ½ Road and north of D ¼ Road		
Applicants:		City of Grand Junction; Siena View, LLC – Gerry Dalton		
Existing Land Use:		Mesa County Ditch Canal		
Proposed Land Use:		Mesa County Ditch Canal		
Surrounding Land Use:	North	Residential / Agricultural		
	South	Residential / Agricultural		
	East	Residential / Agricultural		
	West	Residential / Agricultural		
Existing Zoning:		County PD		
Proposed Zoning:		City CSR		
Surrounding Zoning:	North	County RSF-E & RSF-R / City RMF-8		
	South	City CSR		
	East	County RSF-R		
	West	City CSR		
Growth Plan Designation:		Residential Medium 4-8 du/ac		
Zoning within density range?		X	Yes	No

Staff Analysis:

Zone of Annexation: The requested zone of annexation to the CSR district is consistent with the Growth Plan designation of Residential Medium 4-8 du/ac. The existing County zoning is PD (undeveloped). 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. Per Section 3.4.1.1 of the Zoning and Development Code, the CSR zone district may be used to implement the Public Future Land Use classification.

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:

- 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 is compatible with the neighborhood as the adjacent property to the south owned by the City of Grand Junction and Mesa County School District is also zoned CSR. The zoning furthers the goals and policies of the Growth Plan, the Pear Park Plan, and the Zoning and Development Code.

- 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: The property consists of the Mesa County Ditch and might provide trail connections in the future.

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

Response: The Pear Park area was shown to have a deficiency in public lands for use as open space/park/trail facilities. The CSR designation will help further the goal to gain more land for these types of facilities.

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.

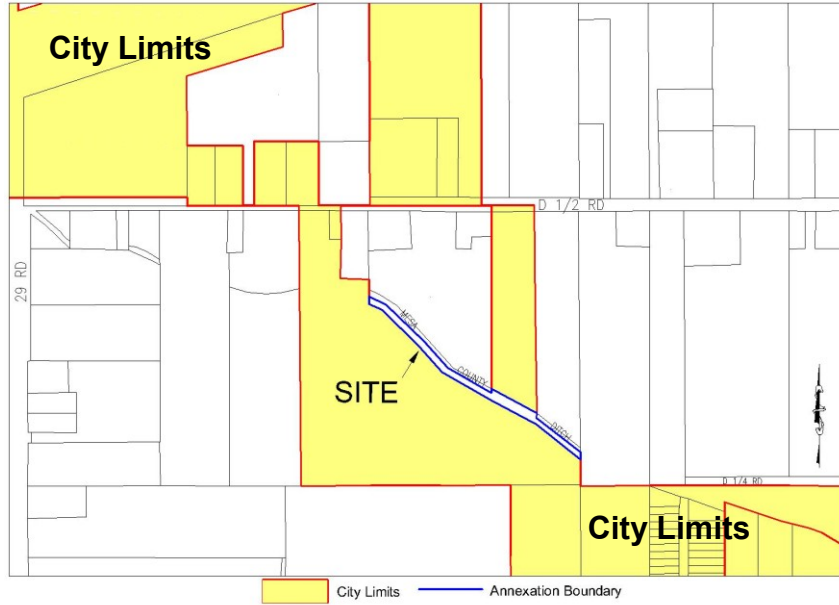
- d. RSF-4
- e. RMF-5
- f. RMF-8

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 CSR district to be consistent with the Growth Plan, the existing County Zoning and Sections 2.6 and 2.14 of the Zoning and Development Code.

Site Location Map

Figure 1



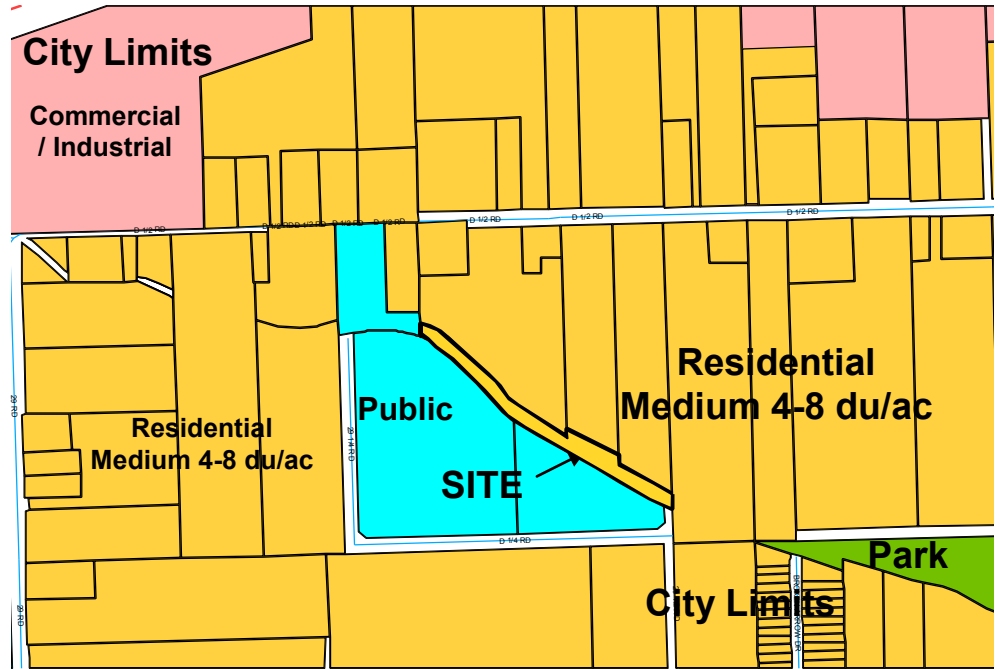
Aerial Photo Map

Figure 2



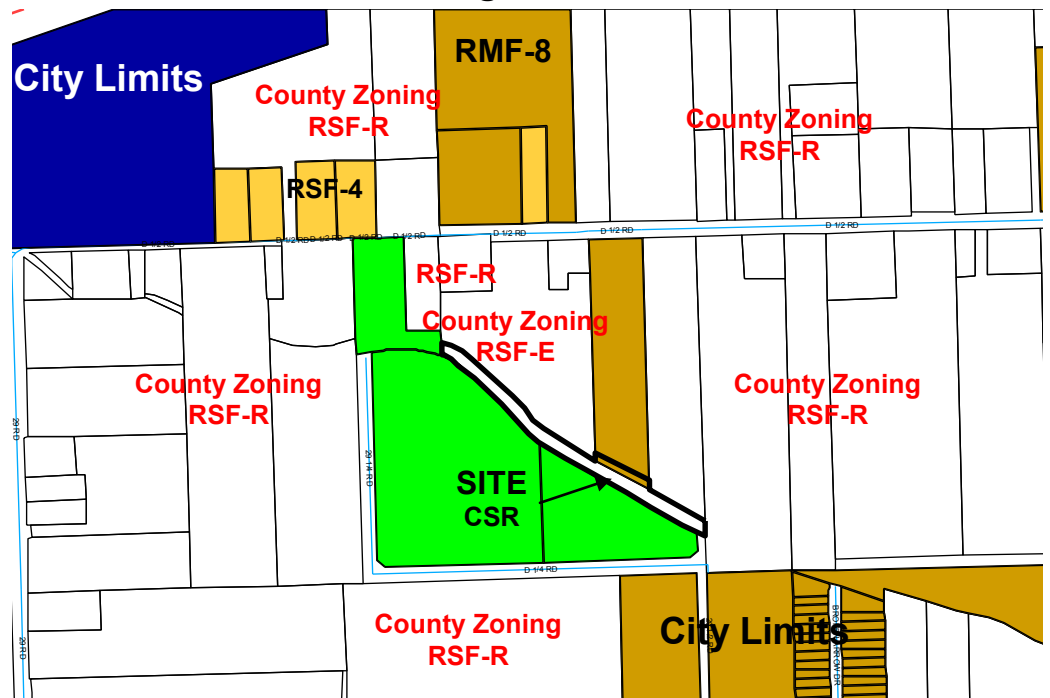
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

**AN ORDINANCE ZONING THE PEAR PARK SCHOOL NO. 3 ANNEXATION TO
CSR**

**LOCATED AT GRAND VALLEY CANAL WEST OF 29 ½ ROAD AND NORTH OF D ¼
ROAD**

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Pear Park School No. 3 Annexation to the CSR 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 CSR 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 CSR (Community Services and Recreation).

A parcel of land located in the Northeast Quarter of the Southwest Quarter (NE 1/4 SW1/4) of Section 17, Township 1 South, Range 1 East, of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Southeast corner of Siena View Annexation No. 2, Ordinance No. 3501, City of Grand Junction and assuming the Southerly line of said Siena View Annexation No. 2 to bear S60°16'02"E with all bearings contained herein relative thereto; thence S00°02'58"E along the Southerly projection of the East line of said Siena View Annexation No. 2 a distance of 30 feet more or less to the centerline of the Grand Valley Canal; thence Southeasterly along the centerline of the Grand Valley Canal a distance of 242 feet more or less to a point on the East line of said NE 1/4 SW1/4 of Section 17; thence S00°01'07"E along the East line of said NE 1/4 SW1/4 of Section 17 a distance of 36 feet more or less to the Northeast corner of Pear Park

School Annexation No. 1, Ordinance No. 3805, City of Grand Junction; thence N58°21'28"W along the Northerly lines of said Pear Park School Annexation No. 1 and Pear Park School Annexation No. 2, Ordinance No. 3806, City of Grand Junction a distance of 758.54 feet; thence continuing along the Northerly line of said Pear Park School Annexation No. 2 the following three courses: (1) N42°08'07"W a distance of 169.97 feet; (2) thence N46°01'52"W a distance of 249.36 feet; (3) thence N68°08'05"W a distance of 78.38 feet; thence N00°09'17"W a distance of 34 feet more or less returning to the centerline of the Grand Valley Canal; thence meandering Southeasterly along the centerline of the Grand Valley Canal to the intersection with the Southerly projection of the West line of said Siena View Annexation No. 2; thence N00°02'58"W along the Southerly projection of the West line of said Siena View Annexation No. 2 a distance of 20 feet more or less to the Southwest corner of said Siena View Annexation No. 2; thence S60°16'02"E along the Southerly line of said Siena View Annexation No. 2 a distance of 239.08 feet to the Point of Beginning.

Said parcel contains 1.00 acre (43,560 square feet), more or less, as described.

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

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

ATTEST:

President of the Council

City Clerk

Attach 6

Setting a Hearing for the Mahan Manor Annexation, Located at 2855 UnawEEP Avenue

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Mahan Manor Annexation - Located at 2855 UnawEEP Avenue					
Meeting Date	November 15, 2006					
Date Prepared	November 1, 2006			File #ANX-2006-277		
Author	Ronnie Edwards		Associate Planner			
Presenter Name	Ronnie Edwards		Associate Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda	X	Consent	Individual Consideration

Summary: Request to annex 10.34 acres, located at 2855 UnawEEP Avenue. The Mahan Manor Annexation consists of one parcel.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution referring the petition for the Mahan Manor Annexation and introduce the proposed Ordinance and set a hearing for December 20, 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:		2855 UnawEEP Avenue	
Applicants:		Marie and Tom Mahan	
Existing Land Use:		Residential/Agricultural	
Proposed Land Use:		Residential	
Surrounding Land Use:	North	Residential Single Family	
	South	Residential Single Family/Vacant	
	East	Residential Single Family	
	West	Residential Single Family	
Existing Zoning:		County RSF-4	
Proposed Zoning:		City RSF-4	
Surrounding Zoning:	North	County RSF-4	
	South	County RSF-4	
	East	City 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 10.34 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 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 Mahan Manor 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

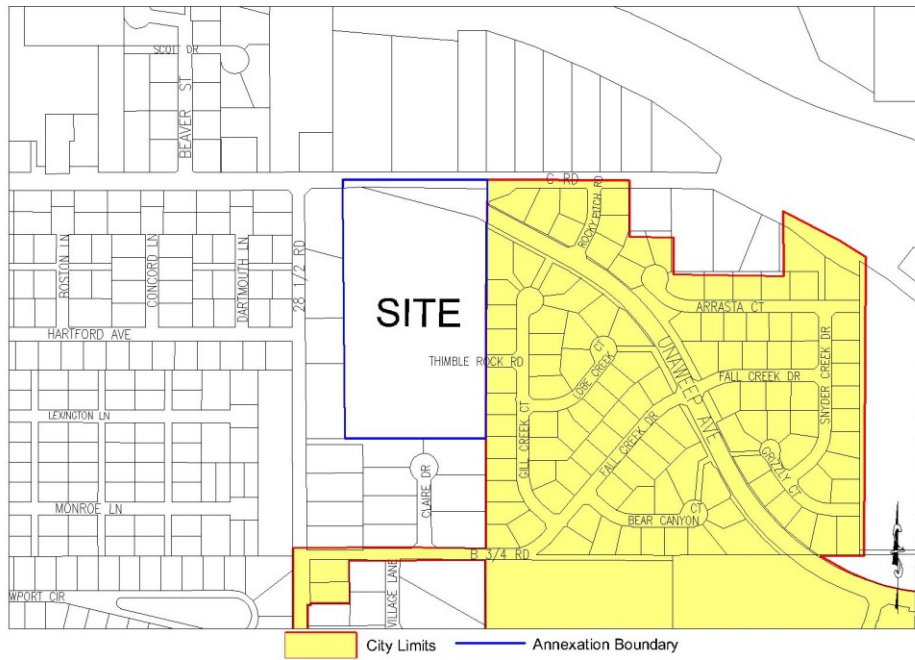
- demographic and economic unit and occupants of the area can be expected to, and regularly do, use City streets, parks and other urban facilities;
- d) The area is or will be urbanized in the near future;
 - e) The area is capable of being integrated with the City;
 - f) No land held in identical ownership 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>	
November 15, 2006	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
November 28, 2006	Planning Commission considers Zone of Annexation
December 6, 2006	Introduction Of A Proposed Ordinance on Zoning by City Council
December 20, 2006	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
January 21, 2006	Effective date of Annexation and Zoning

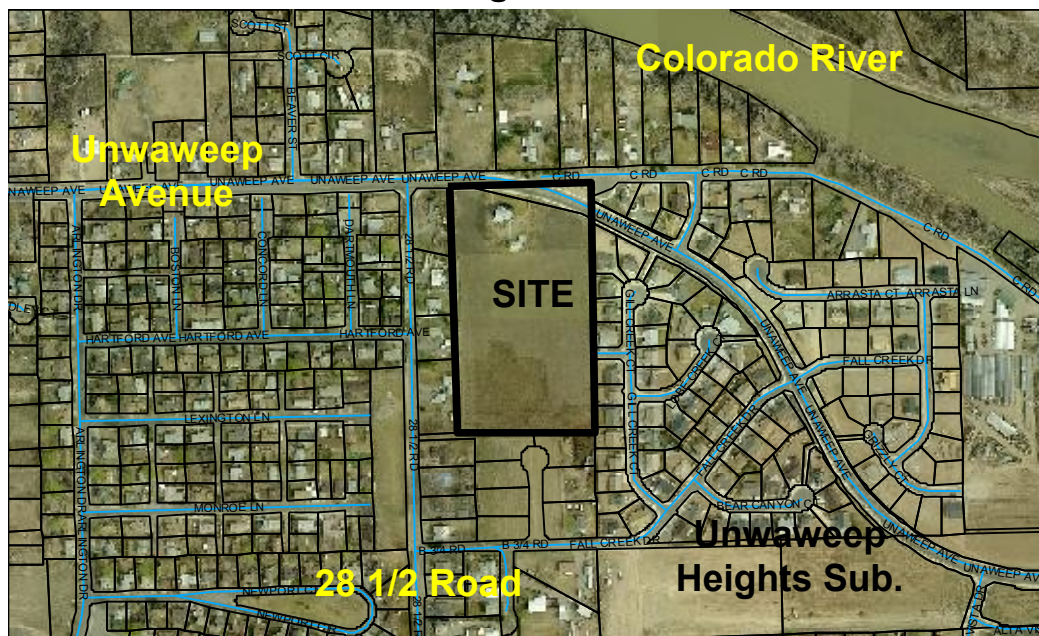
MAHAN MANOR ANNEXATION SUMMARY

File Number:	ANX-2006-277	
Location:	2855 Unaweep Avenue	
Tax ID Number:	2943-301-00-274	
Parcels:	1	
Estimated Population:	2	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	1	
Acres land annexed:	10.34 acres	
Developable Acres Remaining:	9.6 acres	
Right-of-way in Annexation:	.741 acres of Unaweep Avenue	
Previous County Zoning:	RSF-4	
Proposed City Zoning:	RSF-4	
Current Land Use:	Residential/Agricultural	
Future Land Use:	Residential	
Values:	Assessed:	\$16, 170
	Actual:	\$183,700
Address Ranges:	2851 to 2859 Unaweep Avenue	
Special Districts:	Water:	Ute Water District
	Sewer:	Orchard Mesa Sanitation
	Fire:	Grand Junction Rural Fire District
	Irrigation/ Drainage:	Orchard Mesa Irrigation
	School:	District 51
	Pest:	Grand River Mosquito District



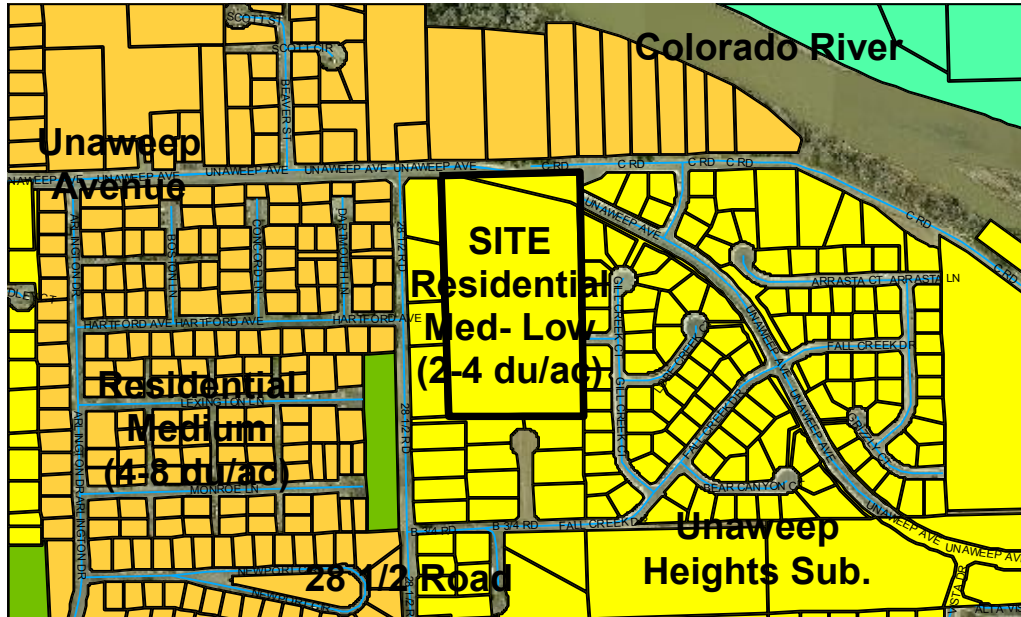
Aerial Photo Map

Figure 2



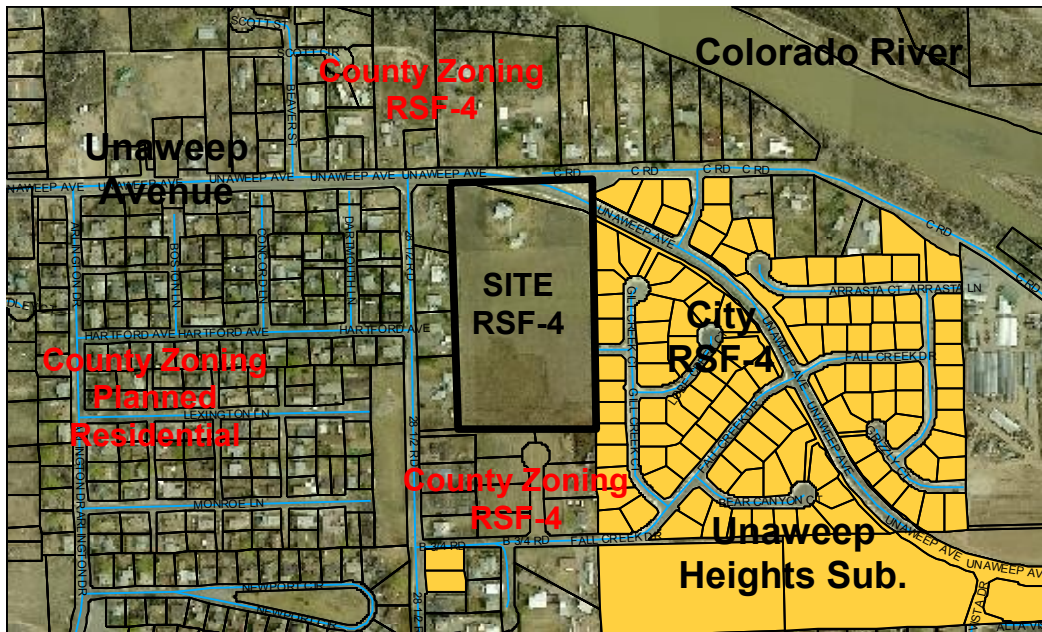
Future Land Use Map

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 15th of November, 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**

MAHAN MANOR ANNEXATION

**LOCATED AT 2855 UNAWEEP AVENUE, INCLUDING A
PORTION OF UNAWEEP AVENUE RIGHT-OF-WAY**

WHEREAS, on the 15th day of November, 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:

MAHAN MANOR ANNEXATION

A certain parcel of land lying in the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northeast corner of Lot 3 of Kirby Subdivision, as same is recorded in Plat Book 11, Page 28, Public Records of Mesa County, Colorado, and assuming the North line of said Lot 3 bears N89°57'12"W with all other bearings contained herein being relative thereto; thence N89°57'12"W along the North line of said Kirby Subdivision a distance of 493.20 feet to the Southwest corner of that certain parcel of land as described in Book 3268, Pages 258-259, Public Records of Mesa County, Colorado; thence N00°02'43"W along the West line of said parcel a distance of 910.00 feet to the North line of the NW 1/4 NE 1/4 of said Section 30; thence S89°57'28"E along said North line a distance of 492.16 feet to the Northwest corner of the UnawEEP Heights Annexation No. 3, City of Grand Junction, Ordinance No. 3549; thence S00°01'12"E along the West line of said UnawEEP Heights Annexation No. 3 a distance of 910.09 feet, more or less, to the Point of Beginning.

Said parcel contains 10.34 acres (450,475 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 15th day of November, 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 the _____ 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>
November 17, 2006
November 24, 2006
December 1, 2006
December 8, 2006

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

MAHAN MANOR ANNEXATION

APPROXIMATELY 10.34 ACRES

**LOCATED AT 2855 UNAWEEP AVENUE, INCLUDING
A PORTION OF UNAWEEP AVENUE RIGHT-OF-WAY**

WHEREAS, on the 15th day of November, 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 15th day of November, 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:

MAHAN MANOR ANNEXATION

A certain parcel of land lying in the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 30, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado and being more particularly described as follows:

BEGINNING at the Northeast corner of Lot 3 of Kirby Subdivision, as same is recorded in Plat Book 11, Page 28, Public Records of Mesa County, Colorado, and assuming the North line of said Lot 3 bears N89°57'12"W with all other bearings contained herein being relative thereto; thence N89°57'12"W along the North line of said Kirby Subdivision a distance of 493.20 feet to the Southwest corner of that certain parcel of land as described in Book 3268, Pages 258-259, Public Records of Mesa County, Colorado; thence N00°02'43"W along the West line of said parcel a distance of 910.00

feet to the North line of the NW 1/4 NE 1/4 of said Section 30; thence S89°57'28"E along said North line a distance of 492.16 feet to the Northwest corner of the UnawEEP Heights Annexation No. 3, City of Grand Junction, Ordinance No. 3549; thence S00°01'12"E along the West line of said UnawEEP Heights Annexation No. 3 a distance of 910.09 feet, more or less, to the Point of Beginning.

Said parcel contains 10.34 acres (450,475 square feet), more or less, as described.

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

INTRODUCED on first reading on the 15th day of November, 2006 and ordered published.

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

Attest:

President of the Council

City Clerk

Attach 7

Setting a Hearing for the Cal Frac Annexation, Located at 489 30 Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Cal Frac Annexation - Located at 489 30 Road					
Meeting Date		November 15, 2006					
Date Prepared		November 9, 2006			File #ANX-2006-283		
Author		Adam Olsen		Associate Planner			
Presenter Name		Adam Olsen		Associate Planner			
Report results back to Council		X	No		Yes	When	
Citizen Presentation			Yes	X	No	Name	
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Request to annex approximately 32.92 acres, located at 489 30 Road. The Cal Frac Annexation consists of three parcels.

Budget: N/A

Action Requested/Recommendation: Adopt a Resolution referring the petition for the Cal Frac Annexation and introduce the proposed Ordinance and set a hearing for December 20, 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:		489 30 Road	
Applicants:		Cal Frac Well Services: Owner Austin Civil Group: Representative	
Existing Land Use:		Industrial & Vacant	
Proposed Land Use:		Industrial & Residential	
Surrounding Land Use:	North	Industrial, Commercial	
	South	Residential, Agriculture	
	East	Industrial, Commercial, Residential	
	West	Commercial	
Existing Zoning:		I-2	
Proposed Zoning:		I-1 & RMF-8	
Surrounding Zoning:	North	C-2 (County)	
	South	RSF-R (County), I-2 (County), C-1	
	East	I-2 (County), B-1	
	West	I-2 (County)	
Growth Plan Designation:		I (Industrial), CI (Commercial Industrial), RM (Residential Medium 4-8 du/ac)	
Zoning within density range?		x	Yes
			No

Staff Analysis:

ANNEXATION:

This annexation area consists of 32.92 acres of land and is comprised of three 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 Cal Frac 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.

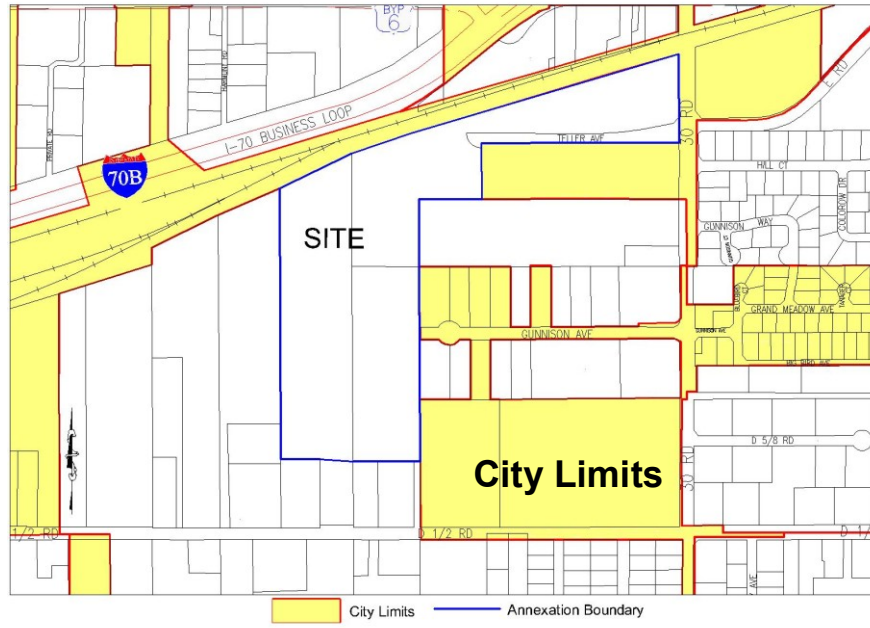
<i><u>ANNEXATION SCHEDULE</u></i>	
November 15, 2006	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
November 28, 2006	Planning Commission considers Zone of Annexation
December 6, 2006	Introduction Of A Proposed Ordinance on Zoning by City Council
December 20, 2006	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
January 21, 2007	Effective date of Annexation and Zoning

CAL FRAC ANNEXATION SUMMARY

File Number:	ANX-2006-283	
Location:	489 30 Road	
Tax ID Number:	2943-171-00-265 2943-171-00-264 2943-171-00-262	
Parcels:	3	
Estimated Population:	0	
# of Parcels (owner occupied):	0	
# of Dwelling Units:	0	
Acres land annexed:	32.92	
Developable Acres Remaining:	32.92	
Right-of-way in Annexation:	0	
Previous County Zoning:	I-2	
Proposed City Zoning:	I-1 & RMF-8	
Current Land Use:	Industrial, Vacant	
Future Land Use:	I (Industrial), CI (Commercial Industrial), RM (Residential Medium 4-8 du/ac)	
Values:	Assessed:	\$78,840
	Actual:	\$1,413,220
Address Ranges:	489 30 Road & 2980-98 (even only) Teller Court	
Special Districts:	Water:	Ute Water
	Sewer:	CGVSD
	Fire:	GJ Rural
	Irrigation/ Drainage:	Grand Junction Drainage
	School:	District 51
	Pest:	N/A

Site Location Map

Figure 1



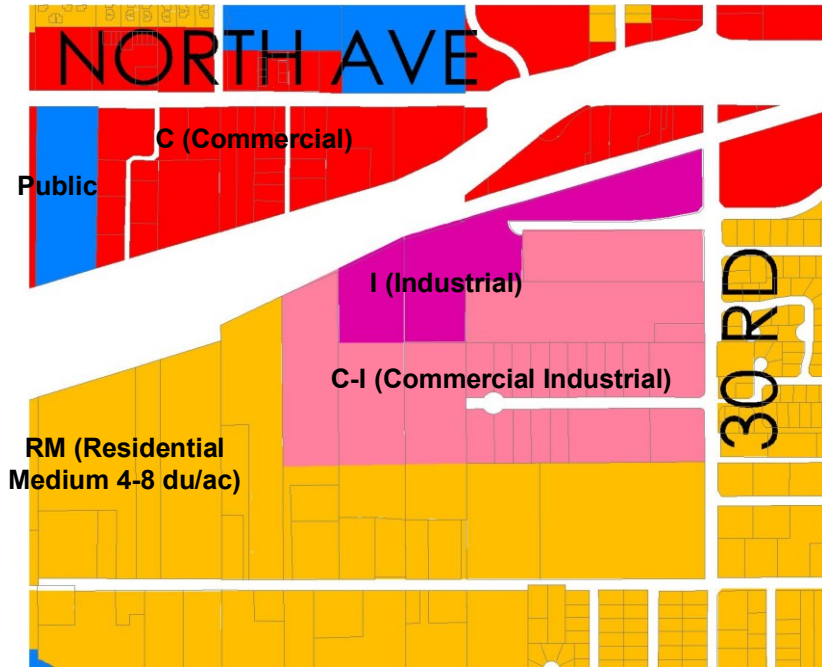
Aerial Photo Map

Figure 2



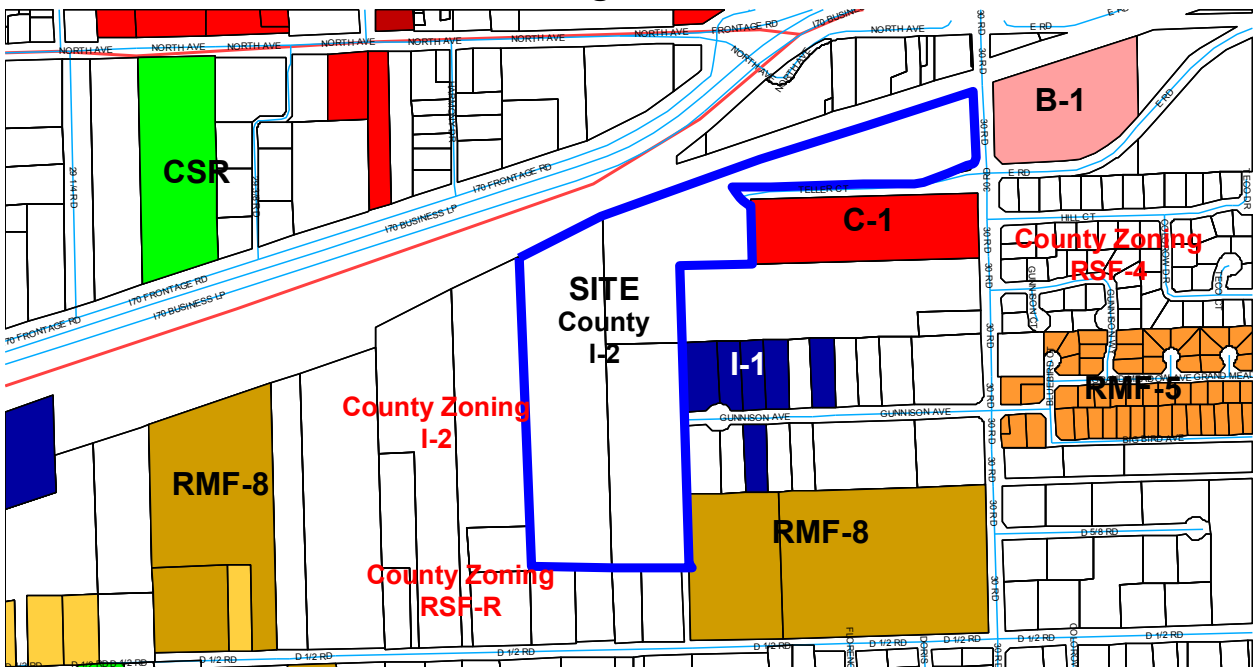
Future Land Use Map

Figure 3



Existing City and County Zoning

Figure 4



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

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

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Grand Junction, Colorado, held on the 15th of November, 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**

CAL FRAC ANNEXATION

LOCATED AT 489 30 ROAD.

WHEREAS, on the 15th day of November, 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:

CAL FRAC ANNEXATION

A parcel of land located in the Northeast Quarter (NE 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Northeast corner of that certain parcel of land as described in Book 3068, Page 559, Public Records, Mesa County, Colorado, and assuming the North line of said parcel to bear N89°57'52"W with all bearings contained herein relative thereto, said line also being the South right of way of Teller Court as described in Book 1062, Page 799, Public Records, Mesa County, Colorado; thence N89°57'52"W along said North line a distance of 971.43 feet to the Northwest corner of said parcel; thence S00°00'43"E along the West line of said parcel a distance of 279.84 feet to the Southwest corner; thence N89°58'03"W along the North line of that certain parcel of land as described in Book 3017, Page 974, Public Records, Mesa County, Colorado, a distance of 310.43 feet to the Northwest corner of said parcel and a point on the West line of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of said Section 17; thence S00°05'25"E along the West line of said (NE 1/4 NE 1/4) a distance of 329.52 feet to the Southwest corner of said (NE 1/4 NE 1/4); thence S00°06'15"E along the East line of the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) of said Section 17 a distance of 963.83 feet to the Southeast corner of that certain parcel of land as described in Book 3980, Page 520, Public Records, Mesa County, Colorado; thence N89°58'29"W along the South line of said parcel a distance of 329.66 feet to the Southwest corner; thence N85°25'48"W along the South line of that certain parcel of land as described in Book 3980, Page 524, Public Records, Mesa County, Colorado, a

distance of 164.40 feet; thence N89°58'29"W along said South line a distance of 194.00 feet to the Southwest corner of said parcel; thence N00°10'13"W along the West line of said parcel a distance of 1338.84 feet to the Northwest corner of said parcel and also being a point on the South right of way of the Southern Pacific Railroad Company; thence N64°28'12"E along said South right of way a distance of 396.95 feet; thence N73°00'26"E along said South right of way a distance of 345.53 feet; thence N73°00'24"E along said South right of way a distance of 1340.89 feet to a point on the Sunrise Church Annexation No. 2, City of Grand Junction Ordinance No. 3091; thence S00°00'44"E along said Sunrise Church Annexation No. 2, a distance of 443.22 feet, more or less to the Point of Beginning.

Said parcel contains 32.92 acres (1,434,311 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 20th day of December, 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 the _____ 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>
November 17, 2006
November 24, 2006
December 1, 2006
December 8, 2006

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

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

CAL FRAC ANNEXATION

APPROXIMATELY 32.92 ACRES

LOCATED AT 489 30 ROAD

WHEREAS, on the 15th day of December, 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 20th day of December, 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:

CAL FRAC ANNEXATION

A parcel of land located in the Northeast Quarter (NE 1/4) of Section 17, Township 1 South, Range 1 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Northeast corner of that certain parcel of land as described in Book 3068, Page 559, Public Records, Mesa County, Colorado, and assuming the North line of said parcel to bear N89°57'52"W with all bearings contained herein relative thereto, said line also being the South right of way of Teller Court as described in Book 1062, Page 799, Public Records, Mesa County, Colorado; thence N89°57'52"W along said North line a distance of 971.43 feet to the Northwest corner of said parcel; thence

S00°00'43"E along the West line of said parcel a distance of 279.84 feet to the Southwest corner; thence N89°58'03"W along the North line of that certain parcel of land as described in Book 3017, Page 974, Public Records, Mesa County, Colorado, a distance of 310.43 feet to the Northwest corner of said parcel and a point on the West line of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of said Section 17; thence S00°05'25"E along the West line of said (NE 1/4 NE 1/4) a distance of 329.52 feet to the Southwest corner of said (NE 1/4 NE 1/4); thence S00°06'15"E along the East line of the Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4) of said Section 17 a distance of 963.83 feet to the Southeast corner of that certain parcel of land as described in Book 3980, Page 520, Public Records, Mesa County, Colorado; thence N89°58'29"W along the South line of said parcel a distance of 329.66 feet to the Southwest corner; thence N85°25'48"W along the South line of that certain parcel of land as described in Book 3980, Page 524, Public Records, Mesa County, Colorado, a distance of 164.40 feet; thence N89°58'29"W along said South line a distance of 194.00 feet to the Southwest corner of said parcel; thence N00°10'13"W along the West line of said parcel a distance of 1338.84 feet to the Northwest corner of said parcel and also being a point on the South right of way of the Southern Pacific Railroad Company; thence N64°28'12"E along said South right of way a distance of 396.95 feet; thence N73°00'26"E along said South right of way a distance of 345.53 feet; thence N73°00'24"E along said South right of way a distance of 1340.89 feet to a point on the Sunrise Church Annexation No. 2, City of Grand Junction Ordinance No. 3091; thence S00°00'44"E along said Sunrise Church Annexation No. 2, a distance of 443.22 feet, more or less to the Point of Beginning.

Said parcel contains 32.92 acres (1,434,311 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 the ____ day of _____, 2006.

Attest:

President of the Council

City Clerk

Attach 8

Subrecipient Contract with the Grand Junction Housing Authority for a Project within the City's 2006 Program Year Community Development Block Grant Program

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Subrecipient Contract w/ Grand Junction Housing Authority for Project within the City's 2006 Program Year Community Development Block Grant (CDBG) Program					
Meeting Date	November 15, 2006					
Date Prepared	November 8, 2006			File: CDBG 2006- 02(a)		
Authors	Dave Thornton Debra Gore		CDBG Principal Planner CDBG Administrator			
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: The Subrecipient Contract formalizes the City's award of a total of \$178,630 to the Grand Junction Housing Authority (GJHA) as allocated from the City's 2006 CDBG Program for the purchase of the property located at 2150 Grand Avenue for an affordable housing project.

Budget: 2006 CDBG Allocation

Action Requested: Authorize the Interim City Manager to sign the subrecipient contract with the Grand Junction Housing Authority for the City's 2006 Program Year, Community Development Block Grant Program.

Background Information: The City of Grand Junction allocated the majority of the 2006 Program Year CDBG funds for use for the development of low- and moderate-income housing in the community. Subsequently, the Grand Valley Housing Partnership has been working to identify locations and means for partnering with the City to begin a housing project. The Partnership has identified as a new project the acquisition of property at 2150 Grand Avenue (former Ultronics building) by the Grand Junction Housing Authority for development purposes. The Grand Junction Housing Authority has requested \$178,630 from the City's 2006 Community Development Block Grant (CDBG) funding to acquire the property on which to develop housing for low to moderate income persons in Grand Junction.

The Grand Junction Housing Authority is considered a “subrecipient” to the City. The City will “pass through” a portion of its 2006 Program Year CDBG funds to the Grand Junction Housing Authority but the City remains responsible for the use of these funds. The contract with the Grand Junction Housing Authority outlines the duties and responsibilities of each party and is used to ensure that the Grand Junction Housing Authority will comply with all Federal rules and regulations governing the use of these funds. The contract must be approved before the subrecipient may spend any of the Federal funds. Exhibit A of the contract (attached) contains the specifics of the project and how the money will be used by the Grand Junction Housing Authority.



CDBG File 2006 2(a)
Grand Junction Housing Authority Property Acquisition, 2150 Grand Avenue

Attachments:

1. Exhibit A, Subrecipient Contract

**2006 SUBRECIPIENT CONTRACT FOR
CITY OF GRAND JUNCTION
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS
WITH
GRAND JUNCTION HOUSING AUTHORITY**

**EXHIBIT "A"
SCOPE OF SERVICES**

1. The Grand Junction Housing Authority has been awarded \$178,630 from the City's 2006 Community Development Block Grant (CDBG) funding cycle to acquire the property at 2150 Grand Avenue for the development of affordable housing.
2. Grand Junction Housing Authority understands that the funds described in paragraph #1 above are received by the City of Grand Junction from the US Department of Housing and Urban Development under the Community Development Block Grant Program. Grand Junction Housing Authority shall meet all City of Grand Junction and federal requirements for receiving Community Development Block Grant funds, whether or not such requirements are specifically stated in the contract. Grand Junction Housing Authority shall provide the City of Grand Junction with documentation establishing that all local and federal CDBG requirements have been and if required will continue to be met.
3. The City agrees to pay Grand Junction Housing Authority \$178,630 from its 2006 Program Year CDBG Entitlement Funds for the acquisition of property located at 2150 Grand Avenue. GJHA intends to demolish the existing structure on the site and develop it for low and moderate income persons and families in Grand Junction, meeting the Department of Housing and Urban Development (HUD) LMI income guidelines. Acquisition (or acquire) as used in this agreement means closing and recordation of any and all deeds or evidence(s) of conveyances. If the subrecipient fails to acquire the property on or before December 31, 2007 this agreement shall be null and void.
4. Grand Junction Housing Authority certifies that it will meet the CDBG National Objective of low/moderate limited clientele benefit (570.208(a)(2)). It shall meet this objective by providing the above-referenced housing to low/moderate income homeless persons in Grand Junction, Colorado.

_____ Grand Junction Housing Authority
_____ City of Grand Junction (initial by both)

5. Grand Junction Housing Authority certifies that it will meet eligibility requirements for the CDBG program. The acquisition of the parcel is eligible under 570.201(c) Public Facilities and Improvements. Acquisition where the property is acquired for a public purpose and owned/operated by a non-profit organization.
6. CDBG funds shall be used ONLY for acquisition costs. All additional costs shall be borne by Grand Junction Housing Authority. Any property improvements and repair and/or rehab work are outside the scope of this contract.
7. Grand Junction Housing Authority will purchase the property at 2150 Grand Avenue, Grand Junction, Colorado, for the purpose of developing Low/Moderate Income Housing. During a period until December 31, 2017 the use or planned use of the property may not change unless 1) the City determines the new use meets one of the National Objectives of the CDBG Program and 2) Grand Junction Housing Authority provides affected citizens with reasonable notice and an opportunity to comment on any proposed changes. If Grand Junction Housing Authority decides, after consultation with affected citizens that it is appropriate to change the use of the property to a use which the City determines does not qualify in meeting a CDBG National Objective, Grand Junction Housing Authority must reimburse the City a prorated share as established in paragraph 7 of the City's \$178,630 CDBG contribution. After December 31, 2017, the only City restrictions on use of the property shall be those found within the City's laws, rules, codes and ordinances.
8. This project shall commence upon the full and proper execution of the 2006 Subrecipient Agreement and the completion of all necessary environmental review of the site. Acquisition of the property as deemed by this agreement shall be completed on or before December 31, 2007. No reimbursement shall be made prior to that date if the subrecipient has not acquired the property.

_____ Grand Junction Housing Authority
_____ City of Grand Junction (initial by both)

9. The City of Grand Junction shall monitor and evaluate the progress and performance of Grand Junction Housing Authority to assure that the terms of this agreement are being satisfactorily met in accordance with City and other applicable monitoring, and evaluating criteria and standards. Grand Junction Housing Authority shall cooperate with the City or HUD relating to such monitoring and evaluation.
10. Progress Reports: Grand Junction Housing Authority shall provide quarterly financial and performance reports to the City. Reports shall describe the progress of the project, what activities have occurred, what activities are still planned, financial status, compliance with National Objectives and other information as may be required by the City. A year-end report detailing income data of residents shall also be submitted by March 30th of the following year. A final report shall also be submitted once the project is completed. All required reports shall be sent to Debra Gore, CDBG Administrator, 250 North Fifth Street, Grand Junction, Colorado 81501.
11. A blanket fidelity bond equal to cash advances as referenced in Paragraph V.(E) will not be required as long as no cash advances are made and payment is on a reimbursement basis or paid at property closing. Grand Junction Housing Authority shall notify the City two weeks in advance of the closing date.
12. The budget for the entire acquisition of the property is estimated to be \$1,800,000 with the City providing \$178,630 in CDBG funding.

_____ Grand Junction Housing Authority
_____ City of Grand Junction (initial by both)

Attach 9

Setting a Hearing for the Second Supplemental Appropriation Ordinance for 2006

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	2 nd Supplemental Appropriation Ordinance for 2006					
Meeting Date	November 15, 2006					
Date Prepared	11/06/06				File #	
Author	Lanny Paulson			Budget & Accounting Manager		
Presenter Name	Ron Lappi			Administrative Services Director		
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda	X	Consent	Individual Consideration

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

Budget: Pursuant to statutory requirements the total appropriation adjustments are at the fund level as specified in the ordinance. The total appropriation adjustment for all funds combined is \$8,186,556. The following provides a summary of the requests by fund.

General Fund #100, \$215,018: The majority of the changes are attributed to additional Part-time Labor cost in the Community Development Department (\$56K), expenditures associated with the City Manager and Department Director recruitments (\$84K), Contract Labor in the Police Department (\$49K to the Mesa Co. Sheriff's Office for the interim Chief), and \$24K for operations at the new Bookcliff Middle School.

E-911 Special Revenue Fund #101, \$495,009: Transfer to the Communications Center Fund for equipment purchases.

Visitor & Convention Center Fund #102, \$81,015: Additional appropriation required for communications equipment and the building expansion project.

DDA Operating Fund #103, \$24,496: \$22,500 of this change is for contract services.

Parkland Expansion Fund #105, \$222,890: Transfer to the Sales Tax CIP Fund for the school district gymnasium projects.

TIF Special Revenue Fund #109, \$868,000: Transfer to the TIF Debt Service Fund to call the remaining principal on the 2003 Bonds.

Conservation Trust Fund #110, \$169,156: Transfer to the Sales Tax CIP Fund for the school district gymnasium projects.

Fund #111, \$1,500: Additional operating expenditures for the Downtown BID.

TIF/CIP Fund #203, \$632,252: Appropriation of remaining funds available for the Downtown Parking Garage.

Future Street Improvements Fund #207, \$2,413,140: Transfer to the Sales Tax CIP Fund for partial funding of several street improvement projects.

Water Fund #301, \$250,917: To cover increased costs for water line replacements.

Solid Waste Fund #302, \$85,359: To appropriate funds for additional recycling costs the purchase of trash containers.

Swimming Pools Fund #304, \$5,566: To appropriate funds associated with various non-personnel operating costs.

Lincoln Park Golf Course Fund #305, \$491,803: Increased costs to repair the leaking roof on the clubhouse and to complete the irrigation system replacement project this year.

Tiara Rado Golf Course #306, \$37,329: To cover increased costs associated with inventory purchases, fertilizer, repairs, fuel and electricity costs.

Information Services Fund #401, \$145,235: Increased costs associated with a couple of retirements and system infrastructure equipment replacements.

Equipment Fund #402, \$28,481: Personnel costs due to a retirement and reorganization.

Self-Insurance Fund #404, \$688,151: Additional appropriation for insurance premiums and claims expense

Communications Center Fund #405, \$481,239: For expenses related to the CAD System Interface project and the Mobile Command Post.

TIF Debt Service Fund #611, \$850,000: Additional appropriation to call the remaining principal on the Series 2003 bonds.

Action Requested/Recommendation: Adoption of the ordinance following the public hearing on December 6th, 2006.

Attachments: Proposed Ordinance

Background Information: The second supplemental appropriation ordinance is adopted every year at this time to ensure adequate appropriation.

Ordinance No. _____

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

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

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

FUND NAME	FUND #	APPROPRIATION
General	100	\$ 215,018
Enhanced 911 Special Revenue	101	\$ 495,009
Visitor & Convention Bureau	102	\$ 81,015
DDA Operations	103	\$ 24,496
Parkland Expansion	105	\$ 222,890
TIF Special Revenue	109	\$ 868,000
Conservation Trust	110	\$ 169,156
Downtown B.I.D.	111	\$ 1,500
TIF Capital Improvement	203	\$ 632,252
Future Street Improvements	207	\$ 2,413,140
Water	301	\$ 250,917
Solid Waste	302	\$ 85,359
Swimming Pools	304	\$ 5,566
Lincoln Park Golf Course	305	\$ 491,803
Tiara Rado Golf Course	306	\$ 37,329
Information Services	401	\$ 145,235
Equipment Fund	402	\$ 28,481
Self Insurance	404	\$ 688,151
Communications Center	405	\$ 481,239
TIF Debt Service	611	\$ 850,000
TOTAL ALL FUNDS		\$ 8,186,556

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

PASSED AND ADOPTED this ____ day of _____, 2006.

Attest:

President of the Council

City Clerk

06-BudOrd-S2.dc

Attach 10

Setting a Hearing for the 2007 Budget Appropriation Ordinance

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Annual Appropriation Ordinance for 2007					
Meeting Date		November 15, 2006					
Date Prepared		11/06/06			File #		
Author		Lanny Paulson		Budget & Accounting Manager			
Presenter Name		Ron Lappi		Administrative Services Director			
Report results back to Council		X	No		Yes	When	
Citizen Presentation			Yes	X	No	Name	
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: The total appropriation for all thirty-seven accounting funds budgeted by the City of Grand Junction (including the Ridges Metropolitan District, Grand Junction West Water and Sanitation District, and the Downtown Development Authority) is \$186,318,214. Although not a planned expenditure, an additional \$2,175,000 is appropriated as an emergency reserve in the General Fund pursuant to Article X, Section 20 of the Colorado Constitution.

Budget: Pursuant to statutory requirements the total appropriation adjustments are at the fund level as specified in the ordinance.

Action Requested/Recommendation: Introduction of a Proposed Ordinance and Set a Hearing for December 6, 2006.

Attachments: n/a

Background Information: The budget, by fund, is as presented to the City Council at the Budget Workshop on Monday October 30, 2006.

ORDINANCE NO. _____

AN ORDINANCE APPROPRIATING CERTAIN SUMS OF MONEY TO DEFRAY THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF GRAND JUNCTION, COLORADO, THE DOWNTOWN DEVELOPMENT AUTHORITY, THE RIDGES METROPOLITAN DISTRICT, AND THE GRAND JUNCTION WEST WATER AND SANITATION DISTRICT, FOR THE YEAR BEGINNING JANUARY 1, 2007 AND ENDING DECEMBER 31, 2007

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

SECTION 1. That the following sums of money, or so much therefore as may be necessary, be and the same are hereby appropriated for the purpose of defraying the necessary expenses and liabilities, and for the purpose of establishing emergency reserves of the City of Grand Junction, for the fiscal year beginning January 1, 2007, and ending December 31, 2007, said sums to be derived from the various funds as indicated for the expenditures of:

FUND NAME	FUND #	APPROPRIATION	Emergency Reserve
General	100	\$ 53,605,598	\$2,175,000
Enhanced 911 Special Revenue	101	\$ 1,157,541	
Visitor & Convention Bureau	102	\$ 1,966,307	
D.D.A. Operations	103	\$ 202,963	
Community Development Block Grants	104	\$ 450,000	
Parkland Expansion	105	\$ 260,000	
Economic Development	108	\$ 454,356	
T.I.F. Special Revenue	109	\$ 2,369,540	
Conservation Trust	110	\$ 555,000	
Sales Tax CIP Fund	201	\$ 23,062,986	
Storm Drainage Improvements	202	\$ 8,075,000	
T.I.F. Capital Improvements	203	\$ 4,530,000	
Riverside Parkway	204	\$ 32,268,000	
Future Street Improvements	207	\$ 1,625,448	
Facilities Capital Fund	208	\$ 2,000,000	
Water Fund	301	\$ 4,870,283	
Solid Waste	302	\$ 2,883,872	
Two Rivers Convention Center	303	\$ 3,653,855	
Swimming Pools	304	\$ 945,107	
Lincoln Park Golf Course	305	\$ 646,520	
Tiara Rado Golf Course	306	\$ 1,355,987	

Parking	308	\$ 5,946,748	
Irrigation Systems	309	\$ 221,552	
Ambulance Transport	310	\$ 2,004,311	
Information Services	401	\$ 3,015,943	
Equipment	402	\$ 3,373,906	
Stores	403	\$ 108,032	
Self Insurance	404	\$ 1,320,296	
Communications Center	405	\$ 3,645,848	
General Debt Service	610	\$ 4,839,888	
T.I.F. Debt Service	611	\$ 2,297,540	
G.J.W.W.S.D. Debt Service	612	\$ 154,365	
Ridges Metro District Debt Service	613	\$ 229,790	
Parks Improvement Advisory Board	703	\$ 35,000	
Cemetery Perpetual Care	704	\$ 52,000	
Joint Sewer System, Total	900	\$ 12,134,632	
TOTAL, ALL FUNDS		\$ 186,318,214	

SECTION 2. The following amounts are hereby levied for collection in the year 2007 and for the specific purpose indicated:

	Millage Rate	Amount Levied
City of Grand Junction General Fund Temporary Credit Mill Levy	8.000	\$ - 459,044
Levy		\$
Ridges Metropolitan District #1	5.900	\$
Downtown Development Authority	5.000	\$

SECTION 3. Commencing January 1, 2007 the annual salary for the City Manager of the City of Grand Junction, Colorado shall be \$_____.

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

TO BE PASSED AND ADOPTED the _____ day of _____, 2006.

Attest:

President of the Council

City Clerk

Attach 11

Conveyance of a Nonexclusive Easement Across City Property at B ¾ Road to Qwest Corporation

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Conveyance of a Nonexclusive Easement Across City Property at B ¾ Road to Qwest Corporation, a Colorado Corporation						
Meeting Date	November 15, 2006						
Date Prepared	November 8, 2006				File #		
Author	Peggy Holquin			City Real Estate Manager			
Presenter Name	Mark Relph			Public Works & Utilities Director			
Report results back to Council	X	No		Yes	When		
Citizen Presentation	X	Yes		No	Name		
	Workshop	X	Formal Agenda	X	Consent		Individual Consideration

Summary: Qwest Corporation, a Colorado corporation (“Qwest”) is requesting an easement across City property adjacent to B ¾ Road to memorialize an existing utility use and accommodate a small additional use at this site.

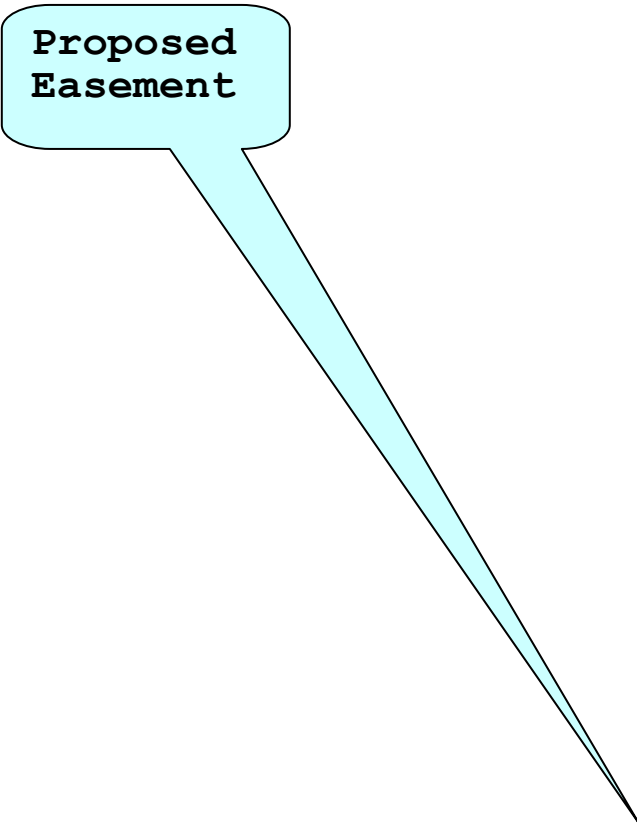
Budget: No Fiscal Impact, however, if the Council chose to be compensated, this easement might be valued at about \$350.00.

Action Requested/Recommendation: Adopt resolution authorizing the City Manager to execute a Grant of Easement Agreement with Qwest.

Attachments: 1) Vicinity Map; 2) Proposed Resolution; 3) Proposed Easement Agreement.

Background Information: Qwest has existing telecommunication utilities located just inside the gate on the City’s Cemetery property adjacent to B ¾ Road. There has been an existing use in this location but an easement never formalized. Qwest wishes to expand the use with the granting of this easement agreement. Qwest recently, at the City’s request, vacated two of their easements on the site of the new City/DDA Parking Structure to accommodate the desired footprint of the building.

The easement would be nonexclusive, meaning the City reserves the right to use and occupy the encumbered property for any purpose. To comply with the City's Charter, the initial term of the proposed easement is for a period of 25 years with an option to extend for additional 25 year terms.



**Proposed
Easement**



Cemetery

B 3/4 Road

B 3/4 RD

RESOLUTION NO. _____

**A RESOLUTION CONCERNING THE GRANTING OF A
NON-EXCLUSIVE TELECOMMUNICATION EASEMENT
TO QWEST CORPORATION, A COLORADO CORPORATION**

WHEREAS, the City of Grand Junction is the owner of certain real property described as All of Lot 1 East of the Denver and Rio Grande Railroad Right-of-way situate in Section 27, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado; and

WHEREAS, Qwest Corporation, a Colorado Corporation has requested a non-exclusive telecommunication easement across said City property located just inside the gate on the City's Cemetery property adjacent to B $\frac{3}{4}$ Road for the purposes of installing, operating, maintaining repairing and replacing telecommunication utilities and facilities appurtenant thereto.

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

That the City Manager is hereby authorized, on behalf of the City and as the act of the City, to execute the attached Easement Agreement conveying to Qwest a non-exclusive easement over and across the limits of the City property described therein.

PASSED and ADOPTED this _____ day of _____, 2006.

Attest:

President of the Council

City Clerk

EASEMENT AGREEMENT

This Easement Agreement ("Agreement") is made and entered into as of the _____ day of _____, 2006, by and between **The City of Grand Junction, a Colorado home rule municipality** ("City"), whose address is 250 North 5th Street, Grand Junction, Colorado 81501, and **QWEST Corporation, a Colorado corporation** ("**Qwest**"), whose address is 1801 California Street, Suite 520 , Denver, Colorado 80202.

RECITALS

A. The City is the owner of certain real property described as:

All of Lot 1 East of the Denver and Rio Grande Railroad Right-of-way situate in Section 27, Township 1 South, Range 1 West of the Ute Meridian, County of Mesa, State of Colorado; and

B. The parties desire to provide for the conveyance of a non-exclusive easement required for the Project pursuant to the terms and conditions stated in this Agreement.

NOW, THEREFORE, in consideration of the recitals above and the terms, covenants, conditions, restrictions, duties and obligations contained herein, the parties agree as follows:

1. Consideration, Grant. For and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, the City hereby grants and conveys to Qwest, by quit claim, a non-exclusive easement on, along, over, under, through and across the limits of the City Property described in Exhibit "A" attached hereto and incorporated herein by reference ("Easement"), and Qwest accepts such grant and conveyance subject to the terms and conditions of this Agreement.
2. Term. The initial term of this grant shall be twenty-five (25) years, beginning on the day and year first above written.
3. Option to Extend. Subject to the provisions of paragraph 5 below, Qwest shall be entitled to exercise successive extensions of this grant and conveyance, and the City hereby grants such right, for additional twenty-five (25) year periods ("later terms"). If the grant is extended for later terms, each such later term shall be upon the same terms and conditions of this Agreement or upon such other terms as may hereafter be negotiated between the City and Qwest.

4. Express Limitations. Qwest's utilization of the Easement shall be specifically limited to the installation, operation, maintenance and repair of underground electric service lines and facilities directly related or appurtenant thereto. The easement rights herein granted do not include the right to expand utilization of the Easement for any other purposes unless such uses are authorized by subsequent conveyance instrument(s).

5. General Indemnification. Qwest hereby releases, covenants not to bring suit and agrees to indemnify, defend and hold the City, its officers, employees, agents and assets harmless from any and all claims, costs, judgments, awards or liability, including reasonable attorney's fees and costs (except those caused by the City's negligence or its willful or wanton acts) to any person or with regard to any property, including claims arising from injury or death, resulting from Qwest's gross negligence or willful act or failure to act pursuant to this Agreement. The foregoing indemnification obligations shall extend to claims which are not reduced to a suit and any claim which may be compromised by Qwest prior to the culmination of any litigation or the institution of any litigation.

6. Default. Should Qwest (a) default in the performance of this Agreement and any such default continue for a period of ninety (90) days after written notice thereof is given by the City to Qwest, or (b) be declared bankrupt, insolvent, make an assignment for the benefit of creditors, or if a receiver is appointed, or (c) fail to timely cure such default, the City, at its option, may file an action to cancel and annul this Agreement and obtain an order from a court of competent jurisdiction to enter and take possession of the Easement. This Agreement shall then terminate upon such occupation. Nothing herein shall prejudice or be to the exclusion of any other rights or remedies which the City may have against Qwest, including, but not limited to, the right of the City to obtain injunctive relief. If the City succeeds in such effort, Qwest shall pay the City's reasonable attorney's fees.

7. Qwest Acceptance Subject to Existing Conditions.

7.1 Qwest has inspected the Easement and accepts the same in its present condition and location. Qwest agrees that the condition of the Easement is sufficient for the purposes of Qwest. The City makes no warranties, promises or representations, express or implied, that the Easement is sufficient for the purposes of Qwest. If the Easement is damaged due to fire, flood or other casualty, or if the Easement is damaged or deteriorates to the extent that it is no longer functional for the purposes of Qwest, the City shall have no obligation to repair the Easement nor to otherwise make the Easement usable or occupiable, since such damages shall be at Qwest's own risk.

7.2 The City makes no representations or warranties regarding the presence or existence of any toxic, hazardous or regulated substances on, under or about the Easement, except to the extent that the City states it has not deposited or caused to be deposited any toxic, hazardous or regulated substances on, under or about the Easement.

8. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Colorado.

9. Total Agreement, Applicable to Successors. This Agreement contains the entire agreement between the parties and, except for automatic termination or expiration, cannot be changed or modified except by a written instrument subsequently executed by both parties. This Agreement and the terms and conditions hereof apply to and are binding upon the successors and authorized assigns of both parties.

IN WITNESS WHEREOF, the parties hereto have each executed and entered into this Easement Agreement as of the day and year first above written.

Attest:

The City of Grand Junction,
a Colorado home rule municipality

City Clerk

Interim City Manager

**QWEST Corporation,
a Colorado corporation**

By _____
As _____

for **QWEST**

State of Colorado)
)ss.
County of Mesa)

The foregoing instrument was acknowledged before me this ____ day of _____, 2006, by David Varley as Interim City Manager and attested to by Stephanie Tuin as City Clerk of the City of Grand Junction, a Colorado home rule municipality.

My commission expires: _____

Witness my hand and official seal

Notary Public

State of Colorado)
)ss.
City and County of Denver)

The foregoing instrument was acknowledged before me this ____ day of _____, 2006, by _____, as _____ for **QWEST Corporation, a Colorado corporation** .

My commission expires: _____

Witness my hand and official seal

Notary Public

Exhibit "A"

Legal Description of Easement

A certain perpetual utility easement lying in the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section 26, 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 Southeast corner of the NW 1/4 NW 1/4 of said Section 26 and assuming the South line of the NW 1/4 NW 1/4 of said Section 26 to bear S89°41'11"W with all bearings contained herein relative thereto; thence N84°26'11"W a distance of 501.31 feet to the Point of Beginning; thence N89°50'49"W along a line being along an existing wood fence a distance of 35.02 feet; thence N00°09'11"E a distance of 10.00 feet; thence S89°50'49"E a distance of 35.00 feet to a point on the West line of an existing 10 foot wide Qwest easement, as described in Book 1146, Page 78; thence S00°02'57"W along said West line, a distance of 10.00 feet, more or less to the Point of Beginning.

Said parcel contains 350 square feet, more or less, as described.

END OF EXHIBIT "A"

Attach 12

Setting a Hearing to Create Alley Improvement District 2007

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject		Alley Improvement District 2007					
Meeting Date		November 15, 2006					
Date Prepared		November 8, 2006			File #		
Author		Michael Grizenko		Real Estate Technician			
Presenter Name		Mark Relph		Public Works & Utilities Director			
Report results back to Council		X	No		Yes	When	
Citizen Presentation			Yes	X	No	Name	
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: Successful petitions have been submitted requesting a Local Improvement District be created to reconstruct the following six alleys:

- East/West Alley from 3rd to 4th, between Ouray Avenue and Chipeta Avenue
- North/South & East/West Alleys from 7th to 8th, between Teller Avenue and Belford Avenue
- East/West Alley from 10th to 11th, between Ouray Avenue and Chipeta Avenue
- East/West Alley from 12th to 14th, between Elm Avenue and Texas Avenue
- North/South Alley from 17th to 18th, between Ouray Avenue and Chipeta Avenue
- North/South Alley from 22nd to 23rd, between Ouray Avenue and Gunnison Avenue

A public hearing is scheduled for the January 3, 2007 City Council meeting.

Budget:

Alley	Footage	Cost	Assessments	Net to City	% paid by property owner
E/W 3rd to 4th Ouray-Chipeta	800	\$ 48,400	\$ 8,588	\$ 39,813	18%
N/S E/W 7th to 8th, Teller-Belford	1005	\$ 80,300	\$ 17,953	\$ 62,347	22%
E/W 10th to 11th, Ouray-Chipeta	800	\$ 48,400	\$ 7,800	\$ 40,600	16%
EW 12th to 14th, Elm-Texas	1484	\$ 76,000	\$ 17,467	\$ 58,533	23%
N/S 17th to 18th, Ouray-Chipeta	600	\$ 35,750	\$ 7,150	\$ 28,600	20%
N/S 22nd to 23rd, Ouray-Gunnison	1201	\$ 68,200	\$ 12,351	\$ 55,849	18%
Totals	5890	\$ 357,050	\$ 71,308	\$ 285,742	20%
2007 Alley Budget		\$ 380,000			
Estimated cost to construct 2007 Alleys		\$ 357,050			
Estimated Balance		\$ 22,950			

Action Requested/Recommendation: Review and adopt the proposed resolution.

Attachments: 1) Summary Sheets 2) Maps 3) Resolution 4) Notice

Background Information: People’s Ordinance No. 33 authorizes the City Council to create improvement districts and levy assessments when requested by a majority of the owners of the property to be assessed. Council may also establish assessment rates by resolution. The present rates for alleys are \$8.00 per abutting foot for residential single-family uses, \$15.00 per abutting foot for residential multi-family uses, and \$31.50 per abutting foot for non-residential uses. A summary of the process that follows submittal of the petition is provided below.

Items preceded by a √ indicate steps already taken with this Improvement District and the item preceded by a ► indicates the step being taken with the current Council action.

1. ► City Council passes a Resolution declaring its intent to create an improvement district. The Resolution acknowledges receipt of the petition and gives notice of a public hearing.
2. Council conducts a public hearing and passes a Resolution creating the Improvement District. The public hearing is for questions regarding validity of the submitted petitions.
3. Council awards the construction contract.
4. Construction.
5. After construction is complete, the project engineer prepares a Statement of Completion identifying all costs associated with the Improvement District.

6. Council passes a Resolution approving and accepting the improvements, gives notice of a public hearing concerning a proposed Assessing Ordinance, and conducts a first reading of a proposed Assessing Ordinance.
7. Council conducts a public hearing and second reading of the proposed Assessing Ordinance. The public hearing is for questions about the assessments.
8. The adopted Ordinance is published for three consecutive days.
9. The property owners have 30 days from final publication to pay their assessment in full. Assessments not paid in full will be amortized over a ten-year period. Amortized assessments may be paid in full at anytime during the ten-year period.

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT 3RD STREET TO 4TH STREET OURAY AVENUE TO CHIPETA AVENUE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
Karl E. Coleman	50	8.00	400.00
• Robintix & Makiko Perryman	50	8.00	400.00
• Jerre A. Jones	50	8.00	400.00
• Westwood Rental LLC	50	8.00	400.00
• Twenty Twenty One LLC	125	15.00	1,875.00
• Leah B. & Jeffery M. Lyon	37.5	8.00	300.00
Debra S. Cortez	87.5	15.00	1,312.50
Michael J. Graf	50	8.00	400.00
• Betty A. Dennis	50	15.00	750.00
Linda Grace McBride	37.5	8.00	300.00
Barbara D. Leach	37.5	8.00	300.00
• Jean Laudadio-Sasser	50	8.00	400.00
• George Gus Gatseos, III	50	15.00	750.00
Scott A. Mayer	34	8.00	272.00
• Traci D. Bourbeau	<u>41</u>	8.00	<u>328.00</u>
ASSESSABLE FOOTAGE	800		8,587.50
TOTAL			

Estimated Cost to Construct	\$ 48,400.00
Absolute Cost to Owners	<u>\$ 8,587.50</u>
Estimated Cost to City	\$ 39,812.50

Assessments may be paid in full upon completion of project or may be paid over a ten-year period, in which event, a one-time charge of 6% will be added to the principal balance to which simple interest will accrue at the rate of 8% per annum on the declining balance.

- Indicates owners signing in favor of improvements are 9/15 or 60% and 63% of the assessable footage.

**PROPOSED ALLEY IMPROVEMENT DISTRICT
7TH STREET TO 8TH STREET
TELLER AVENUE TO BELFORD AVENUE**

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
Walter H. Schultz, etal c/o Robert Bender	140	31.50	4,410.00
Gincy Rae French	62.5	8.00	500.00
• David E. & Katherine Prince	50	8.00	400.00
• Ruth T. Bowhay c/o Carol P. Watkins	50	8.00	400.00
• Bruce M. Ricks	140	31.50	4,410.00
• Twelfth and Orchard LLC	75	31.50	2,362.50
• Judith V. Bell	38.1	8.00	304.80
Dewayne B. Roberts	49.4	15.00	741.00
Brett O. & Larry M. Roberts	50	15.00	750.00
Nan Carolyn Howard	50	8.00	400.00
• Kerry D. Rutledge	50	8.00	400.00
• E. Brittany & Rema K. Dunn	125	8.00	1,000.00
• Charline J. Allen	<u>125</u>	15.00	<u>1,875.00</u>
ASSESSABLE FOOTAGE TOTAL	1005		17,953.30

Estimated Cost to Construct	\$ 80,300.00
Absolute Cost to Owners	<u>\$ 17,953.30</u>
Estimated Cost to City	\$ 63,346.70

Assessments may be paid in full upon completion of project or may be paid over a ten-year period, in which event, a one-time charge of 6% will be added to the principal balance to which simple interest will accrue at the rate of 8% per annum on the declining balance.

- Indicates owners signing in favor of improvements are 8/13 or 62% and 65% of the assessable footage.

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT 12th STREET TO 14th STREET ELM AVENUE TO TEXAS AVENUE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
• William Kelley & Byron L. Hakes	61	8.00	488.00
• Kevin M. & Mollie A. Reeves	61	8.00	488.00
Brad J. Stanley	61	8.00	488.00
• Amy Pottorff	61	8.00	488.00
• Cecil C. Hobbs Living Trust	61	8.00	488.00
• Margaret K. Oxe	61	8.00	488.00
• J. Brett Taylor	61	8.00	488.00
• Meredith H. & Earl S. VonBerg	61	8.00	488.00
• Homefront Management LLC	56.75	15.00	851.25
• Susan Anne Yeager	50	8.00	400.00
• Clayton C. & Bonnie J. Graham	50	15.00	750.00
• Anna Lee Walters	50	15.00	750.00
• Poppy J. Woody	43.25	15.00	648.75
Louis H. Boyd, Jr.	100	8.00	800.00
• Timothy & Christine Huber	65.25	15.00	978.75
• Grand Valley Amusements LLC	52.5	15.00	787.50
Michael B. & Charles L. McBride	48.34	8.00	386.72
Carolyn Jean Selch, etal	96.68	15.00	1,450.20
• Stephen Z. & Nicole A. Clark Trusts	192	15.00	2,880.00
• Depot Preservation/Restoration Co LLC	<u>192</u>	15.00	<u>2,880.00</u>
ASSESSABLE FOOTAGE	1484.77		17,467.17
TOTAL			

Estimated Cost to Construct	\$ 76,000.00
Absolute Cost to Owners	<u>\$ 17,467.17</u>
Estimated Cost to City	\$ 58,532.83

Assessments may be paid in full upon completion of project or may be paid over a ten-year period, in which event, a one-time charge of 6% will be added to the principal balance to which simple interest will accrue at the rate of 8% per annum on the declining balance.

- Indicates owners signing in favor of improvements is 16/20 or 80% and 79% of the assessable footage

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT 17TH STREET TO 18TH STREET OURAY AVENUE TO CHIPETA AVENUE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
• Kathleen A. & Larry E. Rasmussen	50	8.00	400.00
• Andrew Lunning	50	8.00	400.00
• Melissa Lind	50	8.00	400.00
• Dennis L. & Boontang J. Bechtold	50	8.00	400.00
• Barry K. Cunningham & Karen J. Hurst	51	8.00	408.00
• Robert G. Lucas	50	8.00	400.00
Jerry & Diane Belt	49	8.00	392.00
• Kirby E. Holmes	50	8.00	400.00
Vivian G. & David A. Cone et al	50	8.00	400.00
• Edward C. & Ruth J. Scroggins	50	8.00	400.00
• School District 51	<u>100</u>	31.50	<u>3150.00</u>
ASSESSABLE FOOTAGE	600		7150.00
TOTAL			

Estimated Cost to Construct	\$ 35,750.00
Absolute Cost to Owners	<u>\$ 7,150.00</u>
Estimated Cost to City	\$ 28,600.00

Assessments may be paid in full upon completion of project or may be paid over a ten-year period, in which event, a one-time charge of 6% will be added to the principal balance to which simple interest will accrue at the rate of 8% per annum on the declining balance.

- Indicates owners in favor of improvements are 9/11 or 82% and 84% of the assessable footage

SUMMARY SHEET

PROPOSED ALLEY IMPROVEMENT DISTRICT 22ND STREET TO 23RD STREET OURAY AVENUE TO GUNNISON AVENUE

OWNER	FOOTAGE	COST/FOOT	ASSESSMENT
• Jeb Emil Brost & Dana Wilson	90.35	8.00	722.80
• Nathan J. Sneddon	63	8.00	504.00
Aaron Burrill	63	8.00	504.00
Terrance Robert Stath	391.73	15.00	5,875.95
• Lawrence G. & Helen L. Alley	63	8.00	504.00
• Jose Luis Leon Herrera	63	8.00	504.00
• Lije J. & Adelle S. Combrink	63	8.00	504.00
Christopher L. Martin	65	8.00	520.00
• Gary & Valerie Pilling	63	8.00	504.00
• Lisa Ulmer	63	8.00	504.00
• Donna R. Anderson	66.03	8.00	528.24
Robert W. & Nancy C. Witt	72	8.00	576.00
• Roy A. Blake III	<u>75</u>	8.00	<u>600.00</u>
ASSESSABLE FOOTAGE	1201.11		12,350.99
TOTAL			

Estimated Cost to Construct	\$ 68,200.00
Absolute Cost to Owners	\$ <u>12,350.99</u>
Estimated Cost to City	\$ 55,849.01

Assessments may be paid in full upon completion of project or may be paid over a ten-year period, in which event, a one-time charge of 6% will be added to the principal balance to which simple interest will accrue at the rate of 8% per annum on the declining balance.

- Indicates owners signing in favor of improvements are 9/13 or 69% and 51% of the assessable footage.

**PROPOSED ALLEY IMPROVEMENT DISTRICT
3RD STREET TO 4TH STREET
OURAY AVENUE TO CHIPETA AVENUE**



**PROPOSED ALLEY IMPROVEMENT DISTRICT
7TH STREET TO 8TH STREET
TELLER AVENUE TO BELFORD AVENUE**



**PROPOSED ALLEY IMPROVEMENT DISTRICT
10TH STREET TO 11TH STREET
OURAY AVENUE TO CHIPETA AVENUE**



**PROPOSED ALLEY IMPROVEMENT DISTRICT
12TH STREET TO 14TH STREET, ELM AVENUE TO TEXAS AVENUE**



**PROPOSED ALLEY IMPROVEMENT DISTRICT
17TH STREET TO 18TH STREET
OURAY AVENUE TO CHIPETA AVENUE**



**PROPOSED ALLEY IMPROVEMENT
22ND STREET TO 23RD STREET
OURAY AVENUE TO GUNNISON AVENUE**



RESOLUTION NO. _____

**A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL
OF THE CITY OF GRAND JUNCTION, COLORADO, TO CREATE
WITHIN SAID CITY ALLEY IMPROVEMENT DISTRICT NO. ST- 07 AND
AUTHORIZING THE CITY ENGINEER TO PREPARE
DETAILS AND SPECIFICATIONS FOR THE SAME**

WHEREAS, a majority of the property owners to be assessed have petitioned the City Council, under the provisions of Chapter 28 of the City of Grand Junction Code of Ordinances, as amended, and People's Ordinance No. 33, that an Alley Improvement District be created for the construction of improvements as follows:

Location of Improvements:

- East/West Alley from 3rd to 4th, between Ouray Avenue and Chipeta Avenue
- North/South & East/West Alleys from 7th to 8th, between Teller Avenue and Belford Avenue
- East/West Alley from 10th to 11th, between Ouray Avenue and Chipeta Avenue
- East/West Alley from 12th to 14th, between Elm Avenue and Texas Avenue
- North/South Alley from 17th to 18th, between Ouray Avenue and Chipeta Avenue
- North/South Alley from 22nd to 23rd, between Ouray Avenue and Gunnison Avenue

Type of Improvements - To include base course material under a mat of Concrete Pavement and construction or reconstruction of concrete approaches as deemed necessary by the City Engineer; and

WHEREAS, the City Council deems it advisable to take the necessary preliminary proceedings for the creation of a Local Improvement District.

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

1. That the District of lands to be assessed is described as follows:

Lots 1 through 32, inclusive, EXCEPT the North 50 feet of Lots 12 through 16, inclusive, Block 58, City of Grand Junction; and also,
Lots 1 through 28, inclusive, EXCEPT the North 60 feet of Lots 19 & 20, and the South 66 feet of Lots 21 & 22, Block 58, City of Grand Junction; and also,
Lots 1 through 32, inclusive, Block 65, City of Grand Junction; and also,
Lots 3 through 28, inclusive, Block 2, Prospect Park; and also,
Lots 1 through 24, inclusive, Block 6, Slocomb's Addition; and also,

Lots 1 through 13, inclusive, Block 2, Mesa Gardens Subdivision.
All in the City of Grand Junction, and Mesa County, Colorado.

2. That the assessment levied against the respective properties will be as follows per each linear foot directly abutting the alley right-of-way:

Properties located within any zone other than residential and properties which are used and occupied for any purpose other than residential shall be assessed \$31.50 per abutting foot; provided, however, that existing multi-family uses within a non-residential zone shall be assessed at the multi-family rate of \$15.00 per abutting foot; further provided, that any single-family uses within a non-residential zone shall be assessed at the single family rate of \$8.00 per abutting foot.

Properties located in a residential multi-family zone shall be assessed at the residential multi-family rate of \$15.00 per abutting foot; provided, however, that any single family uses within a multi-family zone shall be assessed at the single family rate of \$8.00 per abutting foot.

Properties located in a single family residential zone shall be assessed at \$8.00 per abutting foot; provided, however, that existing multi-family uses within a residential zone shall be assessed at the multi-family rate of \$15.00 per abutting foot.

Properties having alley frontage on more than one side shall be assessed the applicable assessment rate for the frontage on the longest side only.

If the use of any property changes, or if a property is rezoned any time prior to the assessment hearing, the assessment shall reflect that change.

The total amount of assessable footage for properties receiving the single-family residential rate is estimated to be 3,508.82 feet and the total amount of assessable footage for properties receiving the multi-family residential rate is estimated to be 1,927.06 feet; and the total amount of assessable footage receiving the non-residential rate is 455 feet.

3. That the assessments to be levied against the properties in said District to pay the cost of such improvements shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such costs becomes final, and, if paid during this period, the amount added for costs of collection and other incidentals shall be deducted; provided, however, that failure by any owner(s) to pay the whole assessment within said thirty (30) day period shall be conclusively considered as an election on the part of said owner(s) to pay the assessment, together with an additional six percent (6%) one-time charge for cost of collection and other incidentals, as required by the Mesa County Treasurer's office, which shall be added to the principal payable in ten (10) annual installments, the first of which shall be payable at the time the next installment of general taxes, by the laws of the State of Colorado, is payable, and each

annual installment shall be paid on or before the same date each year thereafter, along with simple interest which has accrued at the rate of 8 percent per annum on the unpaid principal, payable annually.

4. That the City Engineer is hereby authorized and directed to prepare full details, plans and specifications for such paving; and a map of the district depicting the real property to be assessed from which the amount of assessment to be levied against each individual property may be readily ascertained, all as required by Ordinance No. 178, as amended, City of Grand Junction, Colorado.

5. That Notice of Intention to Create said Alley Improvement District No. ST-07, and of a hearing thereon, shall be given by advertisement in one issue of The Daily Sentinel, a newspaper of general circulation published in said City, which Notice shall be in substantially the form set forth in the attached "**NOTICE**".

NOTICE

OF INTENTION TO CREATE ALLEY IMPROVEMENT DISTRICT NO. ST-07, IN THE CITY OF GRAND JUNCTION, COLORADO, AND OF A HEARING THEREON

PUBLIC NOTICE IS HEREBY GIVEN, pursuant to the request of a majority of the affected property owners, to the owners of real estate in the district hereinafter described and to all persons generally interested that the City Council of the City of Grand Junction, Colorado, intends to create Alley Improvement District No. ST-07, in said City for the purpose of reconstructing and paving certain alleys to serve the property hereinafter described which lands are to be assessed with the cost of the improvements, to wit:

Lots 1 through 32, inclusive, EXCEPT the North 50 feet of Lots 12 through 16, inclusive, Block 58, City of Grand Junction; and also,
Lots 1 through 28, inclusive, EXCEPT the North 60 feet of Lots 19 & 20, and the South 66 feet of Lots 21 & 22, Block 58, City of Grand Junction; and also,
Lots 1 through 32, inclusive, Block 65, City of Grand Junction; and also,
Lots 3 through 28, inclusive, Block 2, Prospect Park; and also,
Lots 1 through 24, inclusive, Block 6, Slocomb's Addition; and also,
Lots 1 through 13, inclusive, Block 2, Mesa Gardens Subdivision.
All in the City of Grand Junction, and Mesa County, Colorado.

Location of Improvements:

- East/West Alley from 3rd to 4th, between Ouray Avenue and Chipeta Avenue
- North/South & East/West Alleys from 7th to 8th, between Teller Avenue and Belford Avenue
- East/West Alley from 10th to 11th, between Ouray Avenue and Chipeta Avenue
- East/West Alley from 12th to 14th, between Elm Avenue and Texas Avenue
- North/South Alley from 17th to 18th, between Ouray Avenue and Chipeta Avenue
- North/South Alley from 22nd to 23rd, between Ouray Avenue and Gunnison Avenue

Type of Improvements: To include base course material under a mat of Concrete Pavement and construction or reconstruction of concrete approaches as deemed necessary by the City Engineer.

The assessment levied against the respective properties will be as follows per each linear foot directly abutting the alley right-of-way:

Properties located within any zone other than residential and properties which are used and occupied for any purpose other than residential shall be assessed \$31.50

per abutting foot; provided, however, that existing multi-family uses within a non-residential zone shall be assessed at the multi-family rate of \$15.00 per abutting foot;

Properties located in a residential multi-family zone shall be assessed at the residential multi-family rate of \$15.00 per abutting foot.

Properties located in a single-family residential zone shall be assessed at \$8.00 per abutting foot.

Properties having alley frontage on more than one side shall be assessed the applicable assessment rate for the frontage on the longest side only.

If the use of any property changes, or if a property is rezoned any time prior to the assessment hearing, the assessment shall reflect that change.

The total amount of assessable footage for properties receiving the single-family residential rate is estimated to be 3,508.82 feet and the total amount of assessable footage for properties receiving the multi-family residential rate is estimated to be 1,927.06 feet; and the total amount of assessable footage receiving the non-residential rate is 455 feet.

To the total assessable cost of \$71,308.96 to be borne by the property owners, there shall be, as required by the Mesa County Treasurer's Office, added six (6) percent for costs of collection and incidentals. The said assessment shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such cost shall have become final, and if paid during such period, the amount added for costs of collection and incidentals shall be deducted; provided however, that failure by any owner(s) to pay the whole assessment within said thirty (30) day period shall be conclusively considered as an election on the part of said owner(s) to pay the assessment, together with an additional six percent (6%) one-time charge for cost of collection and other incidentals, as required by the Mesa County Treasurer's Office, which shall be added to the principal payable in ten (10) annual installments which shall become due upon the same date upon which general taxes, or the first installment thereof, are by the laws of the State of Colorado, made payable. Simple interest at the rate of eight (8) percent per annum shall be charged on unpaid installments.

On January 3, 2007, at the hour of 7:00 o'clock P.M. in the City Council Chambers in City Hall located at 250 North 5th Street in said City, the Council will consider testimony that may be made for or against the proposed improvements by the owners of any real estate to be assessed, or by any person interested.

A map of the district, from which the share of the total cost to be assessed upon each parcel of real estate in the district may be readily ascertained, and all proceedings of the Council, are on file and can be seen and examined by any person interested

therein in the office of the City Clerk during business hours, at any time prior to said hearing.

Dated at Grand Junction, Colorado, this _____ day of _____, 2006.

**BY ORDER OF THE CITY COUNCIL
CITY OF GRAND JUNCTION, COLORADO**

By: _____
City Clerk

PASSED and **ADOPTED** this ____ day of _____, 2006.

President of the Council

Attest:

City Clerk

Attach 13

Setting a Hearing to Create The Bluffs Sanitary Sewer Improvement District No. SS-48-06

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Bluffs Sanitary Sewer Improvement District No. SS-48-06 and Giving Notice of Hearing						
Meeting Date	November 15, 2006						
Date Prepared	November 8, 2006				File #		
Author	Michael Grizenko		Real Estate Technician				
Presenter Name	Mark Relph		Public Works & Utilities Director				
Report results back to Council	X	No		Yes	When		
Citizen Presentation		Yes	X	No	Name		
Workshop	X		Formal Agenda		X	Consent	Individual Consideration

Summary: A majority of the owners of real estate located in the area east of 23 Road and between Terry Court and the Colorado River have submitted a petition requesting an improvement district be created to provide sanitary sewer service to their respective properties, utilizing the septic sewer elimination program to help reduce assessments levied against the affected properties. The proposed resolution is the required first step in the formal process of creating the proposed improvement district.

Budget: Costs to be incurred within the limits of the proposed district boundaries are estimated to be \$318,872. Sufficient funds have been transferred from Fund 902, the sewer system “general fund”, to pay for these costs. Except for the 30% Septic System Elimination(SSE) contribution, this fund will be reimbursed by assessments to be levied against the 21 benefiting properties, as follows:

Estimated Project Costs	\$318,872	\$14,574 / lot*
-30% SSE amount (excluding easement costs)	<u>(\$92,611)</u>	<u>(\$ 4,233) / lot</u>
Total Estimated Assessments	\$226,261	\$10,341 / lot

* Two properties consist of duplexes, which are assessed at 1.44 Equivalency Units each.

This proposed improvement district is slated for construction as part of the 2006 revised budget of \$1,450,000 in **906-F48200**. A breakdown of the budget is as follows:

PROJECT NAME	BUDGET ESTIMATE
Bluffs SID	\$ 225,000.00
Palace Verdes SID	\$ 270,000.00
Mesa Grande SID	\$ 121,000.00
Reed Mesa SID	<u>\$ 815,000.00</u>
Estimated TOTAL:	\$ 1,431,000.00
Budget Total	<u>\$1,450,000.00</u>
Remaining Funds:	\$ 19,000.00

Action Requested/Recommendation: Adopt a resolution declaring the intention of the City Council to create The Bluffs Sanitary Sewer Improvement District No. SS-48-06 and giving notice of a hearing on December 20.

Attachments: 1) Ownership summary, 2) Vicinity map, 3) Resolution, which includes the notice of hearing.

Background Information: In 2001 the City Council and Mesa County Commissioners adopted two policies to promote the elimination of septic systems in the Persigo sewer service area. A total of \$1,450,000 is budgeted in 2006 revised to fund improvement districts that will extend sanitary sewer service to various neighborhoods. Additionally, a Septic System Elimination Program (SSEP) has been created that provides financial assistance for property owners who wish to participate in improvement districts. This program authorizes the City and Mesa County to pay 30% of improvement district costs.

Improvement districts historically begin with public interest. The City or Mesa County receives questions from property owners in an area regarding possibility of sewer service and connection to the Persigo Waste Water Treatment Plant.

The City and County hold an initial public meeting for the affected parties introducing the SSEP and provide estimated high and low range costs for the district. At this meeting an informal petition is circulated. If a simple majority of property owners affected favor a district, the project is designed by the City and advertised for bids. Otherwise, the district is tabled until some later date.

After the City receives bids, a second public meeting is held with residents to discuss the estimated assessment based on bid price from the lowest qualified bidder. At this meeting a formal, legally binding, petition is circulated with costs based on the low bid received.

If a majority of the property owners vote to form the district, the City Council takes action to create the district and awards the construction contract. After construction is completed the City Council initiates assessment proceedings. Each property in the

district is assessed based on actual costs of construction, less the 30% SSEP contribution, if it applies.

This proposed improvement district consists of 19 single-family properties and 2 duplexes which are connected to septic systems. Fifty-two percent of the property owners have signed a petition requesting that this improvement district be created. People's Ordinance No. 33 authorizes the City Council to create improvement districts when requested by a majority of the owners of real estate to be assessed.

On December 20, 2006, the City Council will conduct a public hearing and consider a resolution to create this proposed improvement district.

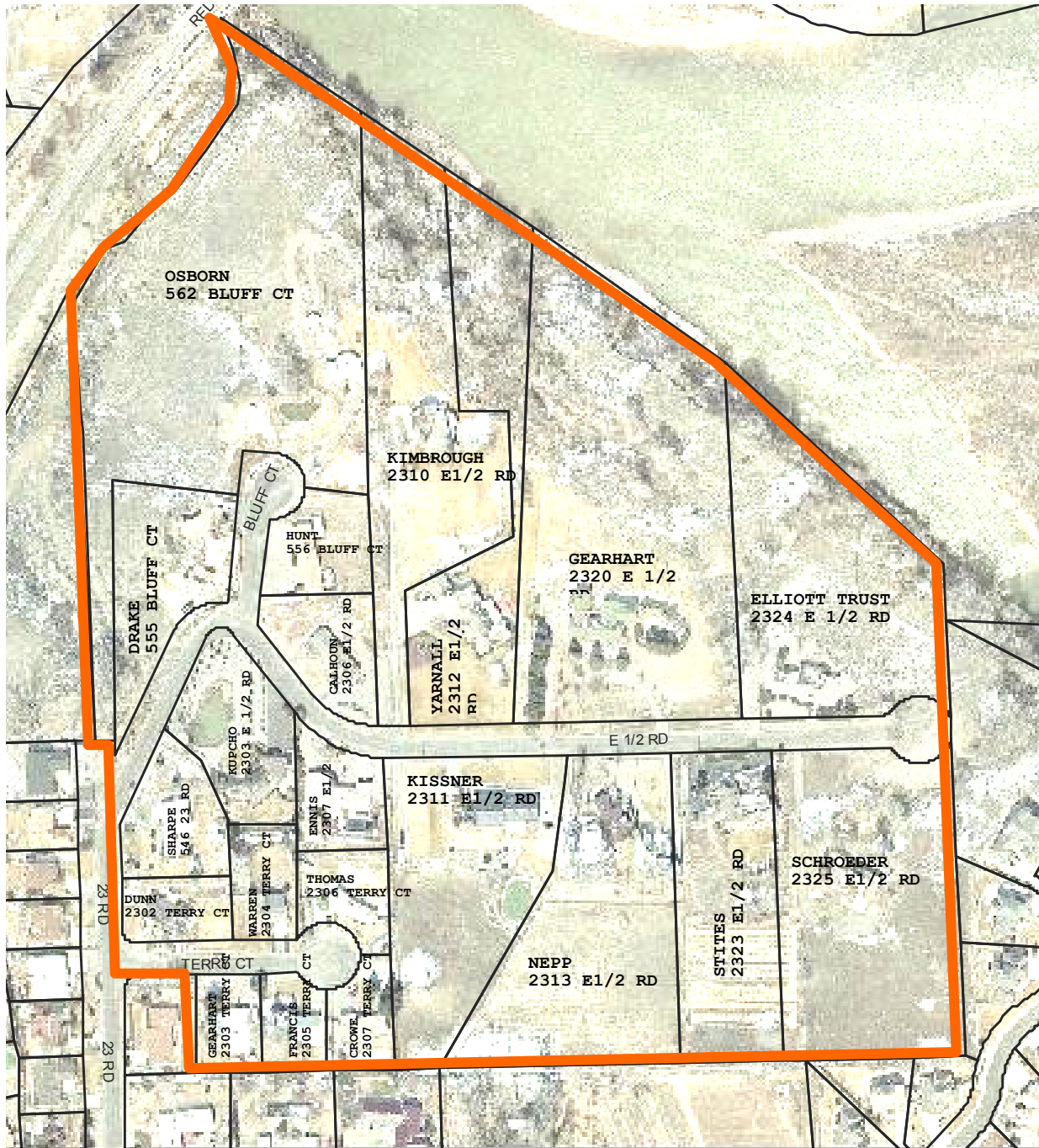
OWNERSHIP SUMMARY

PROPOSED BLUFFS SANITARY SEWER IMPROVEMENT DISTRICT No. SS-48-06

SCHEDULE NO.	OWNERSHIP	PROPERTY ADDRESS	ESMT REQ.?
2945-082-00-051	The Elliott Living Trust	2324 E 1/2 Road	
2945-082-00-054	• Henry G. & Judith K. Drake	555 Bluff Court	Yes
2945-082-00-070	Ramona Lee Osborn	562 Bluff Court	Yes
2945-082-00-084	Dixie Y. Hunt	556 Bluff Court	
2945-082-00-085	• Joy June Calhoun	2306 E 1/2 Road	
2945-082-00-092	• Daniel R. & Evelyn M. Gearhart	2320 E 1/2 Road	
2945-082-00-101	• David G. Kimbrough	2310 E 1/2 Road	
2945-082-00-102	Gertrude P. Yarnall Family Trust	2312 E 1/2 Road	
2945-083-00-078	• John Charles & Genell Renee Stites	2323 E 1/2 Road	
2945-083-00-079	• James E. & Jane Ann Schroeder	2325 E 1/2 Road	
2945-083-00-094	• Ron L. & Nola A. Kissner	2311 E 1/2 Road	
2945-083-00-095	• John F. & Marion A. Nepp	2313 E 1/2 Road	
2945-083-08-002	• Connie Sue Gearhart	2303 Terry Court	
2945-083-08-003	Jerry D. & Glenda M. Francis Trusts	2305 Terry Court	
2945-083-08-004	Paula M. & Carol L. Crowe	2307 Terry Court	
2945-083-08-005	Jack A. & Carolyn Jean Thomas	2306 Terry Court	
2945-083-08-006	• Loren E. & Laurel J. Ennis	2307 E 1/2 Road	
2945-083-08-008	Carol L. & Dacre H. Dunn	2302 Terry Court	
2945-083-08-011	• Thomas G. & Rhonda K. Kupcho	2303 E 1/2 Road	
2945-083-08-012	Mary Louise Sharpe	546 23 Road	
2945-083-08-013	Jack W. & Sandra L. Warren	2304 Terry Court	

- Indicates owners signing in favor of the improvements are 11/21 or 52%.

BOUNDARY OF THE PROPOSED BLUFFS SANITARY SEWER IMPROVEMENT DISTRICT



RESOLUTION NO. _____

A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO, TO CREATE WITHIN SAID CITY, THE BLUFFS SANITARY SEWER IMPROVEMENT DISTRICT NO. SS-48-06, AUTHORIZING THE CITY UTILITY ENGINEER TO PREPARE DETAILS AND SPECIFICATIONS FOR THE SAME, AND GIVING NOTICE OF A HEARING

WHEREAS, a majority of the property owners to be assessed have petitioned the City Council, under the provisions of Chapter 28 of the City of Grand Junction Code of Ordinances, as amended, and People's Ordinance No. 33, that a Sanitary Sewer Improvement District be created for the design, construction and installation of sanitary sewer facilities and appurtenances related thereto for the special benefit of the real property hereinafter described; and

WHEREAS, the City Council has found and determined, and does hereby find and determine, that the construction and installation of sanitary sewer facilities as petitioned for is necessary for the health, safety and welfare of the residents of the territory to be served and would be of special benefit to the properties included within said district; and

WHEREAS, the City Council deems it necessary and appropriate to take the necessary preliminary proceedings for the creation of a special sanitary sewer improvement district, to be known as Sanitary Sewer Improvement District No. SS-48-06, to include the services and facilities as hereinafter described for the special benefit of the real property as hereinafter described.

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

1. That the real property (also known as the "District Lands") to be assessed with the total actual costs of the proposed services, labor, materials and improvements which the City may deem appropriate, is described as follows:

All that part of the SW1/4NW1/4 Section 8, T1S, R1W, of the Ute Meridian, lying South of the Colorado River and East of the Redlands Parkway right-of-way as recorded in Book 1371, Page 271 in the office of the Mesa County Clerk; AND ALSO

The North 521.3 feet of the NW1/4SW1/4 Section 8, T1S, R1W, Ute Meridian, EXCEPT Lot 1, Del Monte Park Subdivision, as recorded in Plat Book 12, Page 40 in the office of the Mesa County Clerk.

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

2. That the proposed services, labor, materials and improvements (also known as the "District Improvements") necessary to accommodate the request of the owners of the District Lands shall include, but may not be limited to, the design, construction, installation and placement of sanitary sewer main lines, inlets, manholes, connecting mains, service line stub-outs to the property lines, compensation or fees required for easements, permits or other permanent or temporary interests in real property which may be required to accommodate the installation, operation, maintenance, repair and replacement of the District Improvements, together with any other services or facilities required to accomplish this request as deemed necessary by the City Utility Engineer, all of which shall be installed in accordance with the General Conditions, Specifications and Details for Public Works and Utility Projects of the City of Grand Junction.

3. That the assessments to be levied against and upon the District Lands shall be based upon the total actual costs of the District Improvements. The City Utility Engineer has estimated the total probable costs of the District Improvements to be \$318,872. Based on the aforesaid estimate of the City Utility Engineer, the assessments to be levied against and upon each individual parcel are estimated to be \$14,574; provided, however, that pursuant to a Joint Resolution by the City Council and the Board of Commissioners of Mesa County, being City Resolution No. 38-00, and Mesa County Resolution No. MCM 2000-73, the City has determined that the District Lands are eligible for and shall receive the benefits of the Septic System Elimination Program and thus said District Lands shall be assessed for only seventy (70%) of the assessable cost of said improvements. Notwithstanding the foregoing estimates, the total costs of the District Improvements, whether greater or less than said estimates, shall be assessed against and upon the District Lands. The assessments to be levied against and upon the District Lands do not include other costs and fees which the owners of the District Lands will be required to pay prior to making connection to the District Improvements, including, but not limited to, costs to extend the service lines from the stub-outs to the building(s) to be served, Plant Investment Fees, and any other fees which may be required prior to making physical connections to the District Improvements.

4. That the assessments to be levied against and upon the District Lands to pay the whole costs of the District Improvements shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such costs against and upon the District Lands becomes final. Failure by any owner(s) to pay the whole assessment within said thirty (30) day period shall be conclusively considered as an election on the part of said owner(s) to pay such owner's assessment in ten (10) annual installments, in which event an additional six percent (6%) one-time charge for costs of collection and other incidentals shall be added to the principal amount of such owner's assessment. Assessments to be paid in installments shall accrue simple interest at the rate of 8 percent (8%) per annum on the unpaid balance and shall be payable at the time the next installment of general taxes, by the laws of the State of Colorado, is payable, and each annual installment shall be paid on or before the same date each year thereafter until paid in full; provided, however, that any new lot created within a period of ten (10)

years following the creation of said Sanitary Sewer Improvement District No. SS-48-06 shall not have the election of paying the assessment to be levied against and upon such new lots in ten (10) annual installments, but rather, such assessments shall be due and payable at the time any such new lots are created.

5. That the City Utilities Engineer is hereby authorized and directed to prepare full details, plans and specifications for the District Improvements, together with and a map of the district depicting the District Lands to be assessed from which the amount of the estimated assessments to be levied against each individual property may be readily ascertained, all as required by Ordinance No. 178, as amended, City of Grand Junction, Colorado.

6. That Notice of Intention to Create said Sanitary Sewer Improvement District No. SS-48-06, and of a hearing thereon, shall be given by advertisement in one issue of The Daily Sentinel, a newspaper of general circulation published in said City, which Notice shall be in substantially the form set forth in the attached "**NOTICE**".

NOTICE

OF INTENTION TO CREATE SANITARY SEWER IMPROVEMENT DISTRICT NO. SS-48-06, IN THE CITY OF GRAND JUNCTION, COLORADO, AND OF A HEARING THEREON

PUBLIC NOTICE IS HEREBY GIVEN, pursuant to the request of a majority of the owners of the property to be assessed, to the owners of real estate in the district hereinafter described and to all persons generally interested, that the City Council of the City of Grand Junction, Colorado, has declared its intention to create Sanitary Sewer Improvement District No. SS-48-06, in said City, for the purposes of installing sanitary sewer facilities and related appurtenances to serve the property hereinafter described which lands are to be assessed with the total costs of the improvements, to wit:

All that part of the SW1/4NW1/4 Section 8, T1S, R1W, of the Ute Meridian, lying South of the Colorado River and East of the Redlands Parkway right-of-way as recorded in Book 1371, Page 271 in the office of the Mesa County Clerk; AND ALSO

The North 521.3 feet of the NW1/4SW1/4 Section 8, T1S, R1W, Ute Meridian, EXCEPT Lot 1, Del Monte Park Subdivision, as recorded in Plat Book 12, Page 40 in the office of the Mesa County Clerk.

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

Location of Improvements: Located in the area east of 23 Road, between Terry Court and the Colorado River.

Type of Improvements: The improvements requested include the installation or construction of sanitary sewer main lines, inlets, manholes, connecting mains, service line stub-outs to the property lines, together with engineering, inspection, administration and any other services or facilities required to accomplish this request as deemed necessary by the City Utility Engineer, hereinafter referred to as the "District Improvements", all of which shall be installed in accordance with the General Conditions, Specifications and Details for Public Works and Utility Projects of the City of Grand Junction.

That the assessments to be levied against and upon the District Lands to pay the whole costs of the District Improvements, which have been estimated by the City Utility Engineer to be \$318,872; provided, however, that pursuant to a Joint Resolution by

the City Council and the Mesa County Board of Commissioners, being City Resolution No. 38-00, and Mesa County Resolution No. MCM 2000-73, the City has determined that the District Lands are eligible for and shall receive the benefits of the Septic System Elimination Program and thus said District Lands shall be assessed for only seventy (70%) of the assessable cost of said improvements. Assessments shall be due and payable, without demand, within thirty (30) days after the ordinance assessing such costs against and upon the District Lands becomes final. Failure by any owner(s) to pay the whole assessment within said thirty (30) day period shall be conclusively considered as an election on the part of said owner(s) to pay such owner's assessment in ten (10) annual installments, in which event an additional six percent (6%) one-time charge for costs of collection and other incidentals shall be added to the principal amount of such owner's assessment. Assessments to be paid in installments shall accrue simple interest at the rate of 8 percent (8%) per annum on the unpaid balance and shall be payable at the time the next installment of general taxes, by the laws of the State of Colorado, is payable, and each annual installment shall be paid on or before the same date each year thereafter until paid in full; provided, however, that any new lot created within a period of ten (10) years following the creation of said Sanitary Sewer Improvement District No. SS-48-06 shall not have the election of paying the assessment to be levied against and upon such new lots in ten (10) annual installments, but rather, such assessments shall be due and payable at the time any such new lots are created.

On December 20, 2006, at the hour of 7:00 o'clock P.M. in the City Council Chambers located at 250 N. 5th Street in said City, the Council will consider testimony that may be made for or against the proposed improvements by the owners of any real estate to be assessed, or by any person interested.

A map of the district, from which the estimated share of the total cost to be assessed upon each parcel of real estate in the district may be readily ascertained, and all proceedings of the Council, are on file and can be seen and examined by any person interested therein in the office of the City Clerk during business hours, at any time prior to said hearing.

Dated at Grand Junction, Colorado, this ____ day of _____, 2006.

**BY ORDER OF THE CITY COUNCIL
CITY OF GRAND JUNCTION, COLORADO**

By: _____
City Clerk

PASSED and ADOPTED this ____ day of _____, 2006.

President of the Council

Attest:

City Clerk

Attach 14

Holiday Parking in the Downtown

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Holiday Parking in the Downtown					
Meeting Date	November 15, 2006					
Date Prepared	November 7, 2006				File #	
Author	Harold Staf David Varley		Executive Director, DDA Acting City Manager			
Presenter Name	Harold Staf David Varley		Executive Director, DDA Acting City Manager			
Report results back to Council	x	No		Yes	When	
Citizen Presentation		Yes	x	No	Name	
	Workshop	x	Formal Agenda	x	Consent	Individual Consideration

Summary: The Downtown Partnership has requested that parking downtown be free again this year to best position downtown for the holiday shopping season. Although some would prefer to enforce the free, signed spaces along Main St. due to limited cooperation in keeping these spaces open for visitors, the simple policy of "Free Parking" downtown that was implemented the last several years remains the easiest and simplest to enforce while limiting confusion on the part of the public. The merchants realize that this policy may be tempting for employees to abuse by remaining throughout the day, but the Downtown Partnership will again develop a mailing to downtown businesses requesting their cooperation and noting the support of the City Council. City Staff recommends Free Holiday Parking in all of downtown with the exception of government offices, illegal parking areas, and shared-revenue lots.

Budget: Parking Revenues forfeited for this time period are estimated to be \$30,000.

Action Requested/Recommendation: Vacate parking enforcement at all **designated downtown metered spaces and signed parking from Thanksgiving to New Year's day**, except loading, no parking, handicapped, and unbagged meter spaces surrounding government offices. Metered spaces will be designated by covering the meter with the well-known "Seasons Greetings-Free Parking" red plastic bag.

Attachments: None

Background Information: After several years of implementing a variety of Holiday Parking methods, meeting with varying degrees of success and objection, the system

utilized last two years seems to have worked rather well. City Staff believes that while allowing the vast majority of parking to be free and unrestricted, it is critical to maintain available parking for short-term visitors to our government offices (120 out of 1,100 metered spaces) with continued enforcement of the short-term meters surrounding the Post Office (4th & White), the Federal Building (4th & Rood), the City Hall/County Administration block (5th & Rood to 6th & White), and the State Building (6th & Colorado). This will allow parking access to these buildings without adversely affecting the main retail/shopping corridors. Additionally the shared-revenue lots at the State Building and the United Methodist Church (5th & Grand) as always are excluded from Free Holiday Parking and will continue to be enforced.

The Downtown Partnership will continue to monitor the extent of cooperation realized from employees throughout downtown. Their effort to park where they normally would throughout the year and to utilize long term parking areas during the Holiday's is critical to the success of this effort.

Attach 15

Appointment of Hearing Officer

CITY OF GRAND JUNCTION

<i>CITY COUNCIL AGENDA</i>						
Subject:	Appointment of New Liquor Hearing Officer					
Meeting Date:	November 15, 2006					
Date Prepared:	November 07, 2006				File #	
Author:	John Shaver		City Attorney			
Presenter Name:	John Shaver		City Attorney			
Report results back to Council:	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When	
Citizen Presentation	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda	<input checked="" type="checkbox"/>	Consent	Individual Consideration

Summary: The Liquor and Beer Licensing Authority's Hearing Officer, Phil Coebergh, is retiring and pursuant to Chapter 4 of the City Code of Ordinances, and §§12-46-103(4) and 12-47-103(17) C.R.S., the City Council is authorized to appoint hearing officers for the City Liquor and Beer Licensing Authority.

Budget: The expenses for the Hearing Officer are budgeted and therefore, there is no change. The Hearing Officer will be compensated \$75.00/hour.

Action Requested/Recommendation: Approve recommendation by City Attorney to appoint Mike Grattan as the new Hearing Officer for the City's Liquor and Beer Licensing Authority by adopting the resolution.

Attachments: Resolution

Background Information: Phil Coebergh has retired after 22 years as the City's Liquor Hearing Officer. Mike Grattan has agreed to perform the duties of a Hearing Officer for the City and after a review of his qualifications, the City Attorney recommends his appointment.

CITY OF GRAND JUNCTION
RESOLUTION NO. ____-06

**A RESOLUTION TO APPOINT A HEARING OFFICER FOR
LIQUOR AND BEER LICENSING**

RECITALS:

The City of Grand Junction has by ordinance provided for and established a Local Licensing Authority for liquor and beer licensing and enforcement, and

The City Ordinance, in accordance with the provisions of §§12-46-103(4) and 12-47-103(17) C.R.S., provides that the City Council appoint a hearing officer for the Local Licensing Authority, and

Mike Grattan is a private attorney in the City and has been recommended by the City Attorney for appointment as the Hearing Officer for liquor and beer licensing and enforcement, in and for the City of Grand Junction.

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

Mike Grattan is hereby appointed as Hearing Officer for the Local Licensing Authority for liquor and beer licensing and enforcement, in and for the City of Grand Junction, in accordance with Chapter 4 of the City Code of Ordinances, Colorado Revised Statutes and the regulations promulgated thereunder.

PASSED AND ADOPTED this _____ day of November, 2006.

James J. Doody, Mayor

ATTEST:

City Clerk

Attach 16

Public Hearing – Authorizing the Issuance of the Downtown Development Authority Tax Increment Revenue Bonds

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject		Downtown Development Authority TIF Bonds				
Meeting Date		November 15, 2006				
Date Prepared		November 2, 2006			File #	
Author		Ron Lappi		Administrative Services Director		
Presenter Name		Ron Lappi		Administrative Services Director		
Report results back to Council		<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Yes	When
Citizen Presentation		<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name
<input checked="" type="checkbox"/>	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		<input checked="" type="checkbox"/>	Consent
						Individual Consideration

Summary: The proposed ordinance authorizes the issuance of one bond in the amount of \$2,180,500 with it maturing December 22, 2007.

Budget: The T.I.F. Revenue Fund of the City has adequate funds on hand to defease the currently outstanding bonds. The projected revenues annually from the T.I.F. increments through 2007 will be adequate to pay the debt service on the new bond.

Action Requested/Recommendation: Hold a Public Hearing and Consider Final Passage and Final Publication of the Ordinance.

Attachments: Ordinance

Background Information: Proceeds of the bond issue will be used by the City and DDA to finance \$2,180,500 in capital expenditures over the next year. The funds will be used to help build the parking garage and 7th street improvement project.

The issue will consist of one bond in the amount of \$2,180,500 with it maturing December 22, 2007. Interest on the bond will be paid semi-annually on June 22 and December 22 beginning June 22, 2007. The City of Grand Junction will act as its own paying agent and bond registrar for this small issue. Sherman & Howard will issue an opinion regarding the tax exempt status of this bond issue.

Bids were opened on Monday, October 23, 2006 from four banks to purchase this bond issue. The lowest interest cost at 3.90% was proposed by First National Bank of the Rockies and the bond will be sold to them at closing December 22, 2006;

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY OF GRAND JUNCTION, COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY TAX INCREMENT REVENUE BONDS, SERIES 2006; PLEDGING THE TAX INCREMENT REVENUES OF THE CITY FOR THE PAYMENT OF THE BONDS; PROVIDING FOR THE PAYMENT AND DISCHARGE OF THE CITY'S OUTSTANDING TAX INCREMENT REVENUE BONDS.

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

Definitions. Terms used in this Ordinance shall have the meanings specified in this section for all purposes of this Ordinance and of any ordinance amendatory hereof, supplemental hereto or relating hereto, and of any instrument or document appertaining hereto, except where the context by clear implication otherwise requires. All definitions include the singular and plural and include all genders. Certain terms are parenthetically defined elsewhere herein.

Act: Part 8 of Article 25 of Title 31, Colorado Revised Statutes, as amended.

Additional Bonds: the one or more series of bonds or other securities or obligations authorized to be issued by the City pursuant to Sections 16 and 17 hereof and having a lien on the Pledged Revenues on a parity with the lien of the 2006 Bonds.

Authority: the Grand Junction, Colorado Downtown Development Authority, created by the City by an ordinance adopted March 16, 1977.

Average Annual Debt Service: the sum of principal and interest requirements on the Bonds to be paid during each Fiscal Year for the period beginning with the Fiscal Year in which such computation is being made and ending with the last Fiscal Year in which any Bond becomes due, divided by the number of Fiscal Years (including portions thereof) during the period beginning with the Fiscal Year in which such computation is being made and ending with the last Fiscal Year in which any Bond becomes due.

Bond Account: the account by that name created by Section 14 hereof.

Bonds: the Outstanding 2006 Bonds and any Outstanding Additional Bonds.

Business Day: a day on which banks located in the cities in which the principal offices of each of the Paying Agent and the Registrar are not required or authorized to be closed and on which the New York Stock Exchange is not closed.

City: the City of Grand Junction, Colorado.

City Council: the City Council of the City or any successor in functions thereto.

Charter: the home rule Charter of the City, including all amendments thereto prior to the date hereof.

Commercial Bank: any depository for public funds permitted by the laws of the State for political subdivisions of the State which has a capital and surplus of \$10,000,000 or more, and which is located within the United States.

Fiscal Year: the twelve months commencing on the first day of January of any calendar year and ending on the thirty-first day of December of such calendar year or such other twelve-month period as may from time to time be designated by the City Council as the Fiscal Year of the City.

Governmental Obligations: bills, certificates, notes, bonds or similar securities which are direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States (or ownership interests in any of the foregoing) and which are not callable prior to their scheduled maturities by the issuer thereof.

Maximum Annual Debt Service Requirement: the maximum amount of all required payments of principal and interest on the Outstanding Bonds which will become due in any Fiscal Year.

2003 Bonds: the City's Downtown Development Authority Tax Increment Revenue Bonds, Series 2003, issued pursuant to the 2003 Ordinance.

2003 Ordinance: Ordinance No. 3585 of the City, adopted by the City Council on November 19, 2003, authorizing the issuance of the 2003 Bonds, as amended by Ordinance 3592 of the City, adopted by the City Council on December 17, 2003.

2006 Bonds: the City's Downtown Development Authority Tax Increment Revenue Bonds, Series 2006 issued pursuant to this Ordinance.

Ordinance: this Ordinance of the City, which provides for the issuance and delivery of the 2006 Bonds.

Outstanding: as of any date of calculation, all Bonds theretofore executed, issued and delivered by the City except:

Bonds theretofore canceled by the City, Registrar or Paying Agent, or surrendered to the City, Registrar or Paying Agent for cancellation;

Bonds in lieu of or in substitution for which other Bonds shall have been executed, issued and delivered by the City and authenticated by the Registrar unless proof satisfactory to the Registrar is presented that any such Bonds are duly held by the lawful registered owners thereof; or

Bonds deemed to have been paid as provided in Section 19 hereof or any similar section of an ordinance authorizing Additional Bonds.

Owner or registered owner: the registered owner of any 2006 Bond as shown on the registration records kept by the Registrar.

Paying Agent: the Finance Director of the City, or his successors and assigns.

Permitted Investment: any investment or deposit permitted by the laws of the State.

Person: any individual, firm, partnership, corporation, company, association, joint-stock association or body politic; and the term includes any trustee, receiver, assignee or other similar representative thereof.

Plan: the Downtown Development Authority Plan of Development approved in the Resolution, including any amendments to the Plan subsequently approved by the City Council.

Plan of Development Area: the area subject to the Plan, including any additional property subsequently included therein.

Pledged Revenues: the Tax Increments (less 20% of the Tax Increments originating from sales tax revenues for a portion of the Plan of Development Area and 30% of such increments from another portion of the Plan of Development Area as provided in Grand Junction City Resolution No. 28-83), all funds deposited in the Tax Increment Fund and Bond

Account, and investment income from the Bond Account and Tax Increment Fund, subject to Federal tax laws regarding arbitrage rebate.

Principal Operations Office: the principal operations office of the Registrar and Paying Agent, currently located at the City of Grand Junction, Colorado.

Project: the improvements in the Plan of Development Area acquired with proceeds of the 2006 Bonds, which improvements shall be described in the Plan.

Purchaser: First National Bank of the Rockies.

Rebate Account: the account by that name created by Section 14 hereof.

Registrar: the Finance Director of the City, or his successors and assigns.

Regular Record Date: the last business day of the calendar month next preceding each interest payment date for the 2006 Bonds (other than a special interest payment date hereafter fixed for the payment of defaulted interest).

Resolution: the City Council Resolution adopted December 16, 1981 approving the Plan and establishing the Tax Increment Fund, all as amended from time to time.

Special Record Date: a special date fixed to determine the names and addresses of registered owners for purposes of paying interest on a special interest payment date for the payment of defaulted interest, all as further provided in Section 6 hereof.

State: the State of Colorado.

Tax Code: the Internal Revenue Code of 1986, as amended to the date of delivery of the 2006 Bonds, and any regulations promulgated thereunder.

Tax Increments: those portions of the ad valorem and municipal sales tax revenue produced from the Plan of Development Area which are in excess of the amounts certified as base amounts by the Assessor of the County and the City Finance Director pursuant to Section 31-25-807(3) of the Act and pledged herein for the repayment of and as security for the Bonds. "Tax Increments" also include specific ownership taxes, if and to the extent received by the City in connection with the property tax increment.

Tax Increment Fund: the special fund created by the Resolution into which the Tax Increments are to be deposited by the City.

Trust Bank: a Commercial Bank which is authorized to exercise and is exercising trust powers.

Recitals.

The City is a municipal corporation duly organized and existing under the City's Charter adopted pursuant to Article XX of the Constitution of the State of Colorado.

The Authority was organized by the City pursuant to the Act as a Colorado Downtown Development Authority for the purposes of the Act and subsequently improving the area of the City contained within the Plan of Development Area. The Authority proposed and submitted the Plan to City Council, and the Plan was approved by the City Council in the Resolution. The Plan has been modified from time to time by amendments to the Resolution for the purpose of including additional property within the Plan of Development Area and other relevant changes. The Plan provides for a division of taxes pursuant to Section 31-25-807(3) of the Act. The Resolution established the Tax Increment Fund for the deposit of the Tax Increments resulting from such division of taxes.

Pursuant to the Act, the City is permitted to issue securities made payable from the Tax Increments for the purposes of a project if the issuance of such bonds and the pledge of such revenues are first submitted for approval to the qualified electors of the Authority at a special election held for such purpose.

In addition, Article X, Section 20 of the Colorado Constitution requires voter approval in advance for the creation of any multiple-fiscal year direct or indirect debt or other financial obligation (except that refundings of existing debt at lower interest rates do not require an election).

At a special election held on August 3, 1982, a majority of the electors of the Plan of Development Area voting thereon authorized the City to issue bonds or other indebtedness not to exceed the aggregate net principal amount of \$10,000,000 and not to exceed a maximum aggregate net effective interest rate of 18% per annum for the purpose of improving traffic and pedestrian circulation within the Plan of Development Area and authorized the pledge of the Tax Increment Fund for payment of principal, interest and any premiums due in connection with such bonds or other indebtedness, said pledge of funds not to exceed 25 years in duration.

The ballot text submitted to the voters at the 1982 election for approval of the issuance of such debt was as follows:

Shall the City of Grand Junction, Colorado, be authorized to issue bonds or provide for loans, advances or indebtedness (including, but not limited to, obligations payable from project revenues or special assessments, but not including obligations which are general obligations of the City) and to pledge for the payment of the principal thereof, the interest thereon, and any premiums due in connection therewith the Tax Increment Fund created by Resolution of the City Council on December 16, 1981, containing the ad valorem and municipal sales tax increment funds derived or to be derived from and attributable to development and redevelopment within the Grand Junction, Colorado, Downtown Development Authority, for the purpose of providing public improvements designed to improve traffic and pedestrian circulation within the downtown area, including, but not limited to, property acquisition for off-street parking, off-street surface and structure parking development, right-of-way acquisition, alleyway improvements, channelization, paving, curb and gutter improvements, landscaping, and traffic signal and control facilities, such bonds, loans, advances and indebtedness not to exceed in aggregate principal amount the sum of \$10,000,000 at a maximum net effective interest rate of 18% per annum and the pledge of the Tax Increment Fund not to exceed 25 years in duration?

The City has previously utilized \$7,819,500 of the existing authorization, leaving authorization of \$2,180,500 before issuance of the 2006 Bonds.

The 2006 Bonds issued for the Project shall be issued with terms such that they meet the requirements of the 1982 authorization.

The City has heretofore issued the 2003 Bonds in the original aggregate principal amount of \$2,995,000, of which \$805,000 remains outstanding bearing interest at the rates designated below, payable semi-annually on June 22 and December 22 in each year, and maturing on December 22 in the year and amount as follows:

<u>Maturity</u> <u>(December 22)</u>	<u>Principal Amount Outstanding</u>	<u>Interest Rate</u> <u>(Per annum)</u>
2007	805,000	2.75

The 2003 Bonds maturing on December 22, 2007 are subject to redemption prior to maturity, at the option of the City, in whole or in part, on December 22, 2006 or on any date thereafter at a redemption price equal to the principal amounts so redeemed plus accrued interest to the redemption date.

The City Council desires to use moneys presently on hand to cause the 2003 Bonds to be called for prior redemption in advance of or concurrently with the issuance of the 2006 Bonds, provided, however, that the proceeds of the 2006 Bonds will not be used to effect such redemption.

The City is not delinquent in the payment of the principal of, premium, if any, or interest on any of the 2003 Bonds.

Assuming the redemption of the 2003 Bonds as set forth above, there are no other liens on the Pledged Revenues. The Pledged Revenues may now be pledged lawfully and irrevocably for the payment of the 2006 Bonds.

The City expects to receive an offer from the Purchaser for the purchase of the 2006 Bonds for the purpose of defraying in whole or in part the costs of the Project and costs of issuance of the 2006 Bonds.

The City Council desires to cause the 2006 Bonds to be issued, to authorize and direct the application of the proceeds thereof as set forth herein, and to provide security for the payment thereof, all in the manner hereinafter set forth.

Ratification. All actions heretofore taken (not inconsistent with the provisions of this Ordinance) by the City Council and other officers of the City in the creation of the Tax Increment Fund, the pledging of the Tax Increments (to the extent described herein) the implementation of the Project, and selling and issuing the 2006 Bonds for those purposes are ratified, approved and confirmed.

Authorization of Project. The Project hereby is authorized at a cost of not exceeding \$2,180,500 (excluding costs to be paid from sources other than the proceeds of the 2006 Bonds). The useful life of the Project is not less than 10 years.

Authorization of the 2006 Bonds. There hereby are authorized to be issued fully registered Tax Increment revenue securities of the City, to be designated “City of Grand Junction, Colorado, Downtown Development Authority Tax Increment Revenue Bonds, Series 2006” in the aggregate principal amount of \$2,180,500, to be payable and collectible, both as to principal and interest, from the Pledged Revenues.

2006 Bond Details. The 2006 Bonds shall be issued in fully registered form (i.e., registered as to both principal and interest) initially registered in the name of the Purchaser, shall be dated as of the date of their delivery, shall be issued in a denomination equal to the principal amount of the 2006 Bonds maturing on the maturity date set forth below. The 2006 Bonds shall be numbered in such manner as the Registrar may determine. The 2006 Bonds shall bear interest from their dated date until maturity payable semiannually on June 22 and December 22 in each year, commencing on June 22, 2007, except that any 2006 Bond which is reissued upon transfer or other replacement shall bear interest from the most recent interest payment date to which interest has been paid or duly provided for, or if no interest has been paid, from the date of the 2006 Bonds. The maximum net effective interest rate on the Bonds shall be 18%. The 2006 Bonds shall bear interest at the rate designated below (based on a 360-day year consisting of twelve 30-day months) and shall mature on December 22 in the following year and in the following amount:

<u>Maturity (December 22)</u>	<u>Principal Amount</u>	<u>Interest Rate Per Annum</u>
2007	\$2,180,500	3.90%

The principal of and premium, if any, on any 2006 Bond shall be payable to the registered owner thereof as shown on the registration records kept by the Registrar at the Principal Operations Office, upon maturity thereof and upon presentation and surrender at the Principal Operations Office of the Paying Agent. If any 2006 Bond shall not be paid upon such presentation and surrender at or after maturity, it shall continue to draw interest at the same interest rate borne by said 2006 Bond until the principal thereof is paid in full. Payment of interest on any 2006 Bond shall be made by check or draft mailed by the Paying Agent from the

Principal Operations Office, on or before each interest payment date (or, if such interest payment date is not a Business Day, on or before the next succeeding Business Day), to the registered owner thereof at the address shown on the registration records kept by the Registrar at the close of business on the Regular Record Date for such interest payment date; but any such interest not so timely paid or duly provided for shall cease to be payable to the Person who is the registered owner thereof at the close of business on the Regular Record Date and shall be payable to the Person who is the registered owner thereof at the close of business on a Special Record Date for the payment of any such defaulted interest. Such Special Record Date and the date fixed for payment of the defaulted interest shall be fixed by the Registrar whenever moneys become available for payment of the defaulted interest. Notice of the Special Record Date and the date fixed for payment of the defaulted interest shall be given to the registered owners of the 2006 Bonds not less than ten days prior to the Special Record Date by first-class mail to each such registered owner as shown on the Registrar's registration records on a date selected by the Registrar, stating the date of the Special Record Date and the date fixed for the payment of such defaulted interest. The Paying Agent may make payments of interest on any 2006 Bond by such alternative means as may be mutually agreed to between the Owner of such 2006 Bond and the Paying Agent (provided, however, that if the Paying Agent is other than the City, the City shall not be required to make funds available to said Paying Agent prior to the dates provided in an agreement between the City and the successor Paying Agent. All such payments shall be made in lawful money of the United States of America without deduction for the services of the Paying Agent or Registrar, if other than the City.

Prior Redemption.

The 2006 Bonds are not subject to prior redemption.

Lien on Pledged Revenues; Special Obligations. The 2006 Bonds constitute a pledge of, and an irrevocable first lien (but not an exclusive first lien) on all of the Pledged Revenues. The 2006 Bonds are equitably and ratably secured by a pledge of and lien on the Pledged Revenues. All of the 2006 Bonds, together with the interest accruing thereon shall be payable and collectible solely out of the Pledged Revenues, which are hereby irrevocably so pledged; the registered owner or owners of the 2006 Bonds may not look to any general or other

fund of the City or the Authority for the payment of principal of and interest on the 2006 Bonds, except the designated special funds and accounts pledged therefor. The 2006 Bonds shall not constitute an indebtedness nor a debt within the meaning of any applicable Charter, constitutional or statutory provision or limitation; nor shall they be considered or held to be general obligations of the City or the Authority.

Form of 2006 Bonds and Registration Panel. The 2006 Bonds and the registration panel shall be substantially as follows (provided that any portion of the 2006 Bond text may, with appropriate references, be printed on the back of the 2006 Bonds), with such omissions, insertions, endorsements, and variations as to any recitals of fact or other provisions as may be required by the circumstances, be required or permitted by this Ordinance, or be consistent with this Ordinance and necessary or appropriate to conform to the rules and requirements of any governmental authority or any usage or requirement of law with respect thereto:

(Form of Bond)

UNITED STATES OF AMERICA

STATE OF COLORADO

COUNTY OF MESA

CITY OF GRAND JUNCTION, COLORADO
DOWNTOWN DEVELOPMENT AUTHORITY
TAX INCREMENT REVENUE BOND
SERIES 2006

R- _____ \$ _____

<u>INTEREST RATE</u>	<u>MATURITY DATE</u>	<u>DATED DATE</u>	<u>CUSIP</u>
_____ %	December 22, 2007	_____, 2006	

REGISTERED OWNER: _____

PRINCIPAL AMOUNT: _____ DOLLARS

The City of Grand Junction, in the County of Mesa and State of Colorado (the "City"), for value received, promises to pay to the registered owner specified above, or registered assigns, solely from the special funds provided therefor, the principal amount specified above, on the maturity date specified above, and to pay from said sources interest thereon on June 22 and December 22 of each year, commencing on June 22, 2007, at the interest rate per annum specified above, until the principal sum is paid or payment has been provided therefor. This bond will bear interest from the most recent interest payment date to which interest has been paid or provided for, or, if no interest has been paid, from the date of this bond.

The principal of this bond is payable upon presentation and surrender hereof to the Principal Operations Office of the City's registrar and paying agent (the "Registrar" or the "Paying Agent"), initially the Finance Director for the City, whose Principal Operations Office is currently located at the City of Grand Junction, Colorado. Interest on this bond will be paid on or before each interest payment date (or, if such interest payment date is not a business day, on or before the next succeeding business day), by check or draft mailed to the person in whose

name this bond is registered (the “registered owner”) in the registration records of the City maintained by the Registrar at the Principal Operations Office and at the address appearing thereon at the close of business on the last business day of the calendar month next preceding such interest payment date (the “Regular Record Date”). Any such interest not so timely paid or duly provided for shall cease to be payable to the person who is the registered owner hereof at the close of business on the Regular Record Date and shall be payable to the person who is the registered owner hereof at the close of business on a Special Record Date for the payment of any defaulted interest. Such Special Record Date shall be fixed by the Registrar whenever moneys become available for payment of the defaulted interest, and notice of the Special Record Date shall be given to the registered owners of the bonds of the series of which this is one (the “2006 Bonds”) not less than ten days prior to the Special Record Date. Alternative means of payment of interest may be used if mutually agreed to between the Owner of any Bond and the Paying Agent, as provided in the ordinance of the City authorizing the issuance of the 2006 Bonds (the “Bond Ordinance”). All such payments shall be made in lawful money of the United States of America without deduction for the services of the Paying Agent or Registrar. The 2006 Bonds are not subject to prior redemption.

The Bonds are issued in fully registered form, in denominations equal to the principal amount of the Bonds maturing on each maturity date. Subject to the aforementioned restriction, the 2006 Bonds are transferable only as set forth in the Bond Ordinance.

The City and the Registrar and Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute Owner hereof for the purpose of making payment and for all other purposes, except to the extent otherwise provided hereinabove and in the Bond Ordinance with respect to Regular and Special Record Dates for the payment of interest.

The 2006 Bonds are authorized for the purpose of defraying wholly or in part the costs of the Project (as defined in the Bond Ordinance), for the payment of costs and expenses incidental thereto and to the issuance of the 2006 Bonds, all under the authority of and in full conformity with the Constitution of the State of Colorado and the Act (as defined in the Bond Ordinance) and pursuant to the Bond Ordinance duly adopted, published and made a law of the

City, all prior to the issuance of this bond. As provided in the Act, this bond and the interest thereon is exempt from taxation by the State of Colorado except inheritance, estate and transfer taxes.

The 2006 Bonds do not constitute a debt or an indebtedness of the City or the Authority within the meaning of any applicable charter, constitutional or statutory provision or limitation. This Bond shall not be considered or held to be a general obligation of the City, and is payable from, and constitutes a pledge of and an irrevocable first lien (but not an exclusive first lien) on all of the proceeds to be derived by the City from the Pledged Revenues (the "Pledged Revenues"), consisting of funds derived from the incremental increase in property tax revenues (including specific ownership taxes, if and to the extent received by the City in connection with the incremental property tax revenues) and a portion of the incremental increase in sales tax revenues (the "Tax Increments") calculated with reference to a base year within the area of the City subject to the Plan of Development for the Grand Junction Downtown Development Authority, and also consisting of the Bond Account, the Tax Increment Fund and investment income thereon, all as more specifically provided in the Bond Ordinance.

The 2006 Bonds constitute a pledge of, and an irrevocable first lien on all of the Pledged Revenues. The 2006 Bonds are equitably and ratably secured by a pledge of and first lien on the Pledged Revenues.

Payment of the principal of and interest on this bond shall be made from, and as security for such payment there are irrevocably pledged, pursuant to the Bond Ordinance, moneys deposited and to be deposited in a special account of the City (the "Bond Account") into which account the City has covenanted under the Bond Ordinance to pay from the Pledged Revenues a sum sufficient, together with other moneys available in the Bond Account therefor, to pay when due the principal of and interest on the 2006 Bonds and any Additional Bonds (as defined in the Bond Ordinance). Except as otherwise specified in the Bond Ordinance, this bond is entitled to the benefits of the Bond Ordinance equally and ratably both as to principal and interest with all other Bonds issued and to be issued under the Bond Ordinance, to which reference is made for a description of the rights of the Owners of the 2006 Bonds and the rights and obligations of the City. This bond is payable from the Pledged Revenues, and the Owner

hereof may not look to any general or other fund of the City or the Authority for the payment of the principal of and interest on this bond except the Pledged Revenues. Reference is made to the Bond Ordinance for the provisions, among others, with respect to the custody and application of the proceeds of the 2006 Bonds, the receipt and disposition of the Pledged Revenues, the nature and extent of the security, the terms and conditions under which additional bonds payable from the Pledged Revenues may be issued, the rights, duties and obligations of the City, and the rights of the Owners of the 2006 Bonds; and by the acceptance of this bond the Owner hereof assents to all provisions of the Bond Ordinance. The principal of and the interest on this bond shall be paid, and this bond is transferable, free from and without regard to any equities between the City and the original or any intermediate Owner hereof or any setoffs or cross-claims.

FOR PURPOSES OF SECTION 265(b)(3)(B) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, THE CITY HAS DESIGNATED THE 2006 BONDS AS A QUALIFIED TAX-EXEMPT OBLIGATION.

This bond must be registered in the name of the Owner as to both principal and interest on the registration records kept by the Registrar at the Principal Operations Office in conformity with the provisions stated herein and endorsed herein and subject to the terms and conditions set forth in the Bond Ordinance. No transfer of this bond shall be valid unless made in accordance with the restrictions set forth herein and in the Bond Ordinance and on the registration records maintained at the Principal Operations Office of the Registrar by the registered owner or his attorney duly authorized in writing.

It is further certified and recited that all the requirements of law have been fully complied with by the proper City officers in the issuance of this bond.

This bond shall not be valid or obligatory for any purpose until the Registrar shall have manually signed the certificate of authentication herein.

IN TESTIMONY WHEREOF, the City Council of the City of Grand Junction has caused this bond to be signed and executed in its name with a manual or facsimile signature of the President of the City Council, and to be signed, executed and attested with a manual or facsimile signature of the City Clerk, with a manual or facsimile impression of the seal of the City affixed hereto, all as of the date specified above.

President of the City Council

(MANUAL OR FACSIMILE SEAL)

Attest:

City Clerk

(End of Form of Bond)

(Form of Registrar's Certificate of Authentication)

This is one of the 2006 Bonds described in the within-mentioned Bond Ordinance, and this Bond has been duly registered on the registration records kept by the undersigned as Registrar for such Bonds.

Date of Authentication
and Registration: _____

CITY OF GRAND JUNCTION, COLORADO,
as Registrar

By: _____
Finance Director

(End of Form of Registrar's Certificate of Authentication)

(Form of Assignment)

For value received, the undersigned hereby sells, assigns and transfers unto _____ the within bond and hereby irrevocably constitutes and appoints _____ attorney, to transfer the same on the registration records of the Registrar, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed By: _____

(Firm or Bank)

Authorized Signature

Name and Address of transferee:

Social Security or other tax
identification number of transferee:

NOTE: The signature to this Assignment must correspond with the name as written on the face of the within bond in every particular, without alteration or enlargement or any change whatsoever.

TRANSFER FEES MAY BE CHARGED

(End of Form of Assignment)

Negotiability. Subject to the registration provisions hereof, the 2006 Bonds shall be fully negotiable and shall have all the qualities of negotiable paper, and the Owner or Owners thereof shall possess all rights enjoyed by the holders or owners of negotiable instruments under the provisions of the Uniform Commercial Code-Investment Securities. The principal of and interest on the 2006 Bonds shall be paid, and the 2006 Bonds shall be transferable, free from and without regard to any equities between the City and the original or any intermediate owner of any 2006 Bonds or any setoffs or cross-claims.

Execution. The 2006 Bonds shall be executed in the name and on behalf of the City by the signature of the President of the City Council, shall be sealed with a manual or facsimile impression of the seal of the City and attested by the signature of the City Clerk. Each 2006 Bond shall be authenticated by the manual signature of an authorized officer or employee of the Registrar as hereinafter provided. The signatures of the President of the City Council and the City Clerk may be by manual or facsimile signature. The 2006 Bonds bearing the manual or facsimile signatures of the officers in office at the time of the authorization thereof shall be the valid and binding obligations of the City (subject to the requirement of authentication by the Registrar as hereinafter provided), notwithstanding that before the delivery thereof and payment therefor or before the issuance of the 2006 Bonds upon transfer, any or all of the persons whose manual or facsimile signatures appear thereon shall have ceased to fill their respective offices. The President of the City Council and the City Clerk shall, by the execution of a signature certificate pertaining to the 2006 Bonds, adopt as and for their respective signatures any facsimiles thereof appearing on the 2006 Bonds. At the time of the execution of the signature certificate, the President of the City Council and the City Clerk may each adopt as and for his or her facsimile signature the facsimile signature of his or her predecessor in office in the event that such facsimile signature appears upon any of the 2006 Bonds.

No 2006 Bond shall be valid or obligatory for any purpose unless the certificate of authentication, substantially in the form provided, has been duly manually executed by the Registrar. The Registrar's certificate of authentication shall be deemed to have been duly executed by the Registrar if manually signed by an authorized officer or employee of the Registrar, but it shall not be necessary that the same officer or employee sign the certificate of

authentication on all of the 2006 Bonds issued hereunder. By authenticating any of the 2006 Bonds initially delivered pursuant to this Ordinance, the Registrar shall be deemed to have assented to the provisions of this Ordinance.

Registration and Transfer.

Records for the registration and transfer of the 2006 Bonds shall be kept by the Registrar, which is hereby appointed by the City as registrar (i.e., transfer agent) for the 2006 Bonds. Upon the surrender for transfer of any 2006 Bond at the Registrar, duly endorsed for transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing, the Registrar shall enter such transfer on the registration records and shall authenticate and deliver in the name of the transferee or transferees a new 2006 Bond or Bonds of the same series, of a like aggregate principal amount and of the same maturity, bearing a number or numbers not previously assigned. The Registrar may impose reasonable charges in connection with such transfers of 2006 Bonds, which charges (as well as any tax or other governmental charge required to be paid with respect to such transfer) shall be paid by the registered owner requesting such transfer.

The person in whose name any 2006 Bond shall be registered on the registration records kept by the Registrar shall be deemed and regarded as the absolute Owner thereof for the purpose of making payment thereof and for all other purposes; except as may be otherwise provided in Section 6 hereof with respect to payment of interest; and, subject to such exception, payment of or on account of either principal or interest on any 2006 Bond shall be made only to or upon the written order of the registered owner thereof or his legal representative, but such registration may be changed upon transfer of such 2006 Bond in the manner and subject to the conditions and limitations provided herein. All such payments shall be valid and effectual to discharge the liability upon such 2006 Bond to the extent of the sum or sums so paid.

If any 2006 Bond shall be lost, stolen, destroyed or mutilated, the Registrar shall, upon receipt of such evidence, information or indemnity relating thereto as it and the City may reasonably require, authenticate and deliver a replacement 2006 Bond or Bonds of a like aggregate principal amount and of the same maturity, bearing a number or numbers not previously assigned. If such lost, stolen, destroyed, or mutilated 2006 Bond shall have matured

or is about to become due and payable, the Registrar may direct the Paying Agent to pay such 2006 Bond in lieu of replacement.

The officers of the City are authorized to deliver to the Registrar fully executed but unauthenticated 2006 Bonds in such quantities as may be convenient to be held in custody by the Registrar pending use as herein provided.

Whenever any 2006 Bond shall be surrendered to the Paying Agent upon payment thereof, or to the Registrar for transfer or replacement as provided herein, such 2006 Bond shall be promptly canceled by the Paying Agent or Registrar, and counterparts of a certificate of such cancellation shall be furnished by the Paying Agent or Registrar to the City.

Delivery of 2006 Bonds and Disposition of Proceeds. When the 2006 Bonds have been duly executed by appropriate City officers and authenticated by the Registrar, the City shall cause the 2006 Bonds to be delivered to the Purchaser on receipt of the agreed purchase price. The 2006 Bonds shall be delivered in such denominations as the Purchaser shall direct (but subject to the provisions of Section 12 hereof); and the Registrar shall initially register the 2006 Bonds in such name or names as the Purchaser shall direct.

The proceeds of the 2006 Bonds shall be deposited promptly by the City and shall be accounted for in the following manner and are hereby pledged therefor, but the Purchaser of the 2006 Bonds or any subsequent Owner in no manner shall be responsible for the application or disposal by the City or any of its officers of any of the funds derived from the sale:

All proceeds of the 2006 Bonds shall be credited to the Tax Increment Projects Fund, hereby created, to be used for the Project and for the costs of issuance of the 2006 Bonds. After payment of all costs of the Project and costs of issuance of the 2006 Bonds, or after adequate provision therefor is made, any unexpended balance of the proceeds of the 2006 Bonds shall be deposited in the Bond Account and applied to the payment of the principal of and interest on the 2006 Bonds.

Use of Pledged Revenues. So long as any Bonds shall be Outstanding, either as to principal or interest, all Pledged Revenues in the Tax Increment Fund shall be applied as described below:

Bond Account. A special account is hereby created and designated as the “City of Grand Junction, Colorado, Downtown Development Authority 2006 Tax Increment Revenue Bond Account” (the “Bond Account”). The Bond Account shall be held, administered and distributed by the City in accordance with the terms of this Ordinance. The Pledged Revenues remaining in the Tax Increment Fund shall be credited immediately to the Bond Account until the total amount accumulated therein is equal to the sum of the following:

Interest payments. The aggregate amount of the next maturing installment of interest on the Bonds, plus

Principal payments. The aggregate amount of the next maturing installment of principal of the Bonds.

Once there has been accumulated in the Bond Account the entire amount necessary for the payment of principal of and interest on the Bonds in the current Fiscal Year, no moneys need be deposited in the Bond Account until the following Fiscal Year. The moneys in the Bond Account shall be used only to pay the principal of, prior redemption premium, if any, and interest on the Bonds as the same becomes due.

Termination Upon Deposits to Maturity. No payment need be made into the Bond Account if the amount in the Bond Account totals a sum at least equal to the entire amount of the Outstanding Bonds, both as to principal and interest to their respective maturities, in which case moneys in the Bond Account in an amount at least equal to such principal and interest requirements shall be used solely to pay such as the same accrue, and any moneys in excess thereof in the Bond Account may be withdrawn and used for any lawful purpose.

Defraying Delinquencies in Bond Account. If on any required payment date the City shall for any reason not have in the Bond Account the full amount above stipulated, then the City shall deposit into the Bond Account from the first Pledged Revenues thereafter received and not required to be applied otherwise by this Section (but excluding any payments required for any obligations subordinate to the Bonds) an amount equal to the difference between the amount then on deposit in the Bond Account and the amount needed to make the payments due on said payment date.

In the event that said first moneys credited to the Tax Increment Fund have been insufficient during a given Fiscal Year to meet the principal and interest requirements on the Bonds to be paid during said Fiscal Year, then during the month of December of said Fiscal Year, the City may at its option and sole discretion, transfer to the Bond Account from surplus legally available funds a sum equal to the amount needed to meet said debt service requirements due and owing on the Bonds. The City intends to include the question of whether to so replenish the Bond Account on its agenda in December of any Fiscal Year for which the balance of the Bond Account is inadequate to meet said debt service requirements. If and to the extent the City decides to replenish the Bond Account from surplus legally available funds, all such City moneys deposited into the Bond Account shall be deemed a loan to the Tax Increment Fund, to be paid back on an annually subordinate basis pursuant to Section 14E as a “subordinate obligation.”

The moneys in the Bond Account shall be used solely for the purpose of paying the principal of, redemption premium, if any, and the interest on the Bonds; provided, that any moneys in the Bond Account in excess of accrued and unaccrued principal and interest requirements to the respective maturities of the Outstanding Bonds, and not needed for rebate to the United States government, may be used as provided in paragraphs E and F of this Section.

Rebate Account. Next, there shall be deposited in a special account hereby created and to be known as the “City of Grand Junction, Colorado, Downtown Development Authority 2006 Tax Increment Revenue Bonds Rebate Account” (the “Rebate Account”) amounts required by Section 148(f) of the Tax Code to be held until such time as any required rebate payment is made. Amounts in the Rebate Account shall be used for the purpose of making the payments to the United States required by Section 148(f) of the Tax Code. Any amounts in excess of those required to be on deposit therein by Section 148(f) of the Tax Code shall be withdrawn therefrom and deposited into the Bond Account. Funds in the Rebate Account shall not be subject to the lien created by this Ordinance to the extent such amounts are required to be paid to the United States Treasury. A similar rebate account may be created for any series of Additional Bonds and payments into such account shall have the same priority as payments into the Rebate Account created hereunder.

Payment for Subordinate Obligations. After the payments required by paragraphs A, C and D of this Section, the Pledged Revenues shall be used by the City for the payment of interest on and principal of any obligations secured by Pledged Revenues subordinate to the lien of the 2006 Bonds (including the repayment of any City loan to replenish the Bond Account), hereafter authorized to be issued, including reasonable reserves therefor.

Use of Remaining Revenues. After making the payments required to be made by this Section, any remaining Pledged Revenues may be used for any lawful purpose. Without limiting the foregoing, to the extent permitted by law, the City is hereby authorized to transfer any and all remaining Pledged Revenues which constitute investment income on moneys in the Tax Increment Fund to the Authority to be used for administrative expenses.

General Administration of Accounts. The accounts designated in Sections 13 and 14 hereof and the Tax Increment Fund shall be administered as follows subject to the limitations stated in Section 18K hereof:

Budget and Appropriation of Accounts. The sums provided to make the payments specified in Section 14 hereof are hereby appropriated for said purposes, and said amounts for each year shall be included in the annual budget and the appropriation ordinance or measures to be adopted or passed by the City Council in each year respectively while any of the 2006 Bonds, either as to principal or interest, are Outstanding and unpaid.

Places and Times of Deposits. Each of the special accounts created in Section 14 hereof and the Tax Increment Fund shall be maintained as a book account kept separate and apart from all other accounts or funds of the City as trust accounts solely for the purposes herein designated therefor. For purposes of investment of moneys, nothing herein prevents the commingling of moneys accounted for in any two or more such book accounts pertaining to the Pledged Revenues or to such accounts and any other funds of the City to be established under this Ordinance. Moneys in any such book account shall be continuously secured to the fullest extent required by the laws of the State for the securing of public accounts. Each periodic payment shall be credited to the proper book account not later than the date therefor herein designated, except that when any such date shall be a Saturday, a Sunday or a legal holiday, then such payment shall be made on or before the next preceding Business Day.

Investment of Accounts. Any moneys in any account established by Section 14 of this Ordinance and the Tax Increment Fund may be invested or reinvested in any Permitted Investment. Securities or obligations purchased as such an investment shall either be subject to redemption at any time at face value by the holder thereof at the option of such holder, or shall mature at such time or times as shall most nearly coincide with the expected need for moneys from the account in question. Securities or obligations so purchased as an investment of moneys in any such account shall be deemed at all times to be a part of the applicable account. The City shall present for redemption or sale on the prevailing market any securities or obligations so purchased as an investment of moneys in a given account whenever it shall be necessary to do so in order to provide moneys to meet any required payment or transfer from such account. The City shall have no obligation to make any investment or reinvestment hereunder, unless any moneys on hand and accounted for in any one account exceed \$5,000 and at least \$5,000 therein will not be needed for a period of not less than 60 days. In such event the City shall invest or reinvest not less than substantially all of the amount which will not be needed during such 60-day period, except for any moneys on deposit in an interest-bearing account in a Commercial Bank, without regard to whether such moneys are evidenced by a certificate of deposit or otherwise, pursuant to this Section 15C and Section 15E hereof; but the City is not required to invest, or so to invest in such a manner, any moneys accounted for hereunder if any such investment would contravene the covenant concerning arbitrage in Section 18K hereof.

No Liability for Losses Incurred in Performing Terms of Ordinance. Neither the City nor any officer of the City shall be liable or responsible for any loss resulting from any investment or reinvestment made in accordance with this Ordinance.

Character of Funds. The moneys in any fund or account herein authorized shall consist of lawful money of the United States or investments permitted by Section 15C hereof or both such money and such investments. Moneys deposited in a demand or time deposit account in or evidenced by a certificate of deposit of a Commercial Bank pursuant to Section 15C hereof, appropriately secured according to the laws of the State, shall be deemed lawful money of the United States.

Additional Bonds.

Limitations Upon Issuance of Additional Bonds. Nothing in this Ordinance shall be construed in such a manner as to prevent the issuance by the City of Additional Bonds payable from and constituting a lien upon the Pledged Revenues on a parity with the lien of the 2006 Bonds; but before any such Additional Bonds are authorized or actually issued (excluding any parity refunding securities refunding the Bonds or a part thereof, as provided in Section 17 hereof), the following provisions B through F must all first be satisfied.

Absence of Default. At the time of the adoption of the supplemental ordinance or other instrument authorizing the issuance of the Additional Bonds, the City shall not be in default in making any payments required by Section 14 hereof.

Historic Revenues Test. The Tax Increments constituting Pledged Revenues, as certified by the City Council, received in the last complete Fiscal Year immediately preceding the date of the issuance of such Additional Bonds, shall have been sufficient to pay an amount at least equal to 100% of the sum derived by adding the following: (i) the Average Annual Debt Service for the Outstanding Bonds and (ii) the Average Annual Debt Service for the Additional Bonds proposed to be issued.

Adjustment of Historic Revenues. In the computation of the historic revenues test in Section 16 hereof, the amount of the Tax Increments constituting Pledged Revenues for such Fiscal Year may be increased by the amount of gain which will result from any increase in the amount of the assessed valuation of taxable property within the Plan of Development Area, or the mill levy or percentage of sales tax which will be applied in the City during that Fiscal Year as provided in final ordinances, certifications, or resolutions of the City or county or other taxing authority, approved if required by the electors, providing for such increase.

Adequate Reserves. The City may, at its option, provide for the creation and maintenance of a reserve fund in connection with the issuance of any Additional Bonds.

Reduction of Annual Requirements. The respective annual debt service requirements set forth in Section 16 hereof (including as such a requirement, the amount of any prior redemption premiums due on any redemption date as of which the City shall have exercised or shall have obligated itself to exercise its prior redemption option by a call of bonds or securities for redemption) shall be reduced to the extent such debt service requirements are

scheduled to be paid in each of the respective Fiscal Years with moneys held in trust or in escrow for that purpose by any Trust Bank located within or without the State, including the known minimum yield from any investment of such moneys in Governmental Obligations and bank deposits, including any certificate of deposit.

Certification of Revenues. In the case of the computation of the revenue tests provided in Section 16C and when adjusted in the manner provided in Section 16D, the specified and required written certification by the City Council that such annual revenues are sufficient to pay such amounts as provided in Section 16C hereof shall be conclusively presumed to be accurate in determining the right of the City to authorize, issue, sell and deliver Additional Bonds on a parity with the then Outstanding Bonds.

Subordinate Securities Permitted. Nothing herein prevents the City from issuing additional bonds or other additional securities for any lawful purpose payable from the Pledged Revenues having a lien thereon subordinate, inferior and junior to the lien thereon of the Bonds.

Superior Securities Prohibited. Nothing herein permits the City to issue bonds or other securities payable from the Pledged Revenues and having a lien thereon prior and superior to the lien thereon of the 2006 Bonds.

Refunding Obligations.

Generally. If at any time after the 2006 Bonds, or any part thereof, shall have been issued and remain Outstanding, the City shall find it desirable to refund any Outstanding obligations payable from the Pledged Revenues, said obligations, or any part thereof, may be refunded, subject to the provisions of paragraph B of this Section, if (1) the obligations to be refunded, at the time of their required surrender for payment, shall then mature or shall then be callable for prior redemption at the City's option upon proper call, or (2) the owners of the obligations to be refunded consent to such surrender and payment.

Protection of Obligations Not Refunded. Any refunding obligations payable from the Pledged Revenues shall be issued with such details as the City Council may provide, so long as there is no impairment of any contractual obligation imposed upon the City by any proceedings authorizing the issuance of any unrefunded portion of obligations payable from the Pledged Revenues; but so long as any 2006 Bonds are Outstanding, refunding obligations

payable from the Pledged Revenues may be issued on a parity with the unrefunded Bonds only if:

Prior Consent. The City first receives the consent of the Owner or Owners of the unrefunded Bonds; or

Requirements. The refunding obligations do not increase by more than \$25,000, for any Fiscal Year prior to and including the last maturity date of any unrefunded Bonds, the aggregate principal and interest requirements evidenced by such refunding obligations and by any Outstanding Bonds not refunded, and the lien of any refunding parity obligations on the Pledged Revenues is not raised to a higher priority than the lien thereon of any obligations thereby refunded; or

Earnings Tests. The refunding obligations are issued in compliance with Section 16 hereof.

Protective Covenants. The City hereby additionally covenants and agrees with each and every Owner of the 2006 Bonds that:

Use of 2006 Bond Proceeds. The City will proceed with the Project without delay and with due diligence.

Payment of 2006 Bonds. The City will promptly pay the principal of and interest on every 2006 Bond issued hereunder and secured hereby on the dates and in the manner specified herein and in said 2006 Bonds according to the true intent and meaning hereof. Such principal and interest is payable solely from the Pledged Revenues.

Amendment of the Resolution; Continuance and Collection of Taxes. The Resolution is now in full force and effect and has not been repealed or amended.

Unless required by law, the City shall not make any further modification of the Resolution or the Plan which would reduce the Tax Increments deposited or to be deposited in the Tax Increment Fund or otherwise materially impair the pledged security for the 2006 Bonds unless the required consent is obtained, all as provided in Section 25 of this Ordinance.

The City shall maintain the Tax Increment Fund as a fund of the City separate and distinct from all other funds of the City and immediately upon receipt or collection of the Tax Increments shall deposit the Tax Increments (less 20% of the Tax Increments originating from

sales tax revenues for a portion of the Plan of Development Area and 30% of such increments from another portion of the Plan of Development Area as provided in Grand Junction City Resolution No. 28-83) into said fund.

The City shall take all reasonable action necessary to collect delinquent payments of the ad valorem and sales taxes owing from the Plan of Development Area or to cause such delinquent payments to be collected.

The foregoing covenants are subject to compliance by the City with its Charter, any legislation of the United States or the State or any regulation or other action taken by the federal government or any State agency or any political subdivision of the State pursuant to such legislation, in the exercise of the police power thereof or the public welfare, which legislation, regulation or action applies to the City as a Colorado municipality and limits or otherwise inhibits the amount of such tax revenues due to the City. All of the Tax Increments (less 20% of the Tax Increments originating from sales tax revenues for a portion of the Plan of Development Area and 30% of such increments from another portion of the Plan of Development Area as provided in Grand Junction City Resolution No. 28-83) shall be subject to the payment of the debt service requirements of all Bonds payable from the Pledged Revenues and the Tax Increment Fund, including reserves therefor if any, as provided herein or in any instrument supplemental or amendatory hereto.

Defense of Legality of Application and Use of Tax Increments. There is not pending or threatened any suit, action or proceeding against or affecting the City before or by any court, arbitrator, administrative agency or other governmental authority which affects the validity or legality of this Ordinance, the Resolution, or the imposition and collection of the Tax Increments, any of the City's obligations under this Ordinance or any of the transactions contemplated by this Ordinance or the Resolution.

The City shall, to the extent permitted by law, defend the validity and legality of the collection of the Tax Increments and any taxes contributing thereto, this Ordinance and the Resolution, and all amendments thereto against all claims, suits and proceedings which would diminish or impair the Pledged Revenues or Tax Increment Fund as security for the Bonds.

Except as specified in this Ordinance, the City has not assigned or pledged the Pledged Revenues or Tax Increment Fund in any manner which would diminish the security for the payment of the Bonds.

Further Assurances. At any and all times the City shall, so far as it may be authorized by law, pass, make, do, execute, acknowledge, deliver and file or record all and every such further instruments, acts, deeds, conveyances, assignments, transfers, other documents and assurances as may be necessary or desirable for the better assuring, conveying, granting, assigning and confirming all and singular the rights, the Pledged Revenues and other funds and accounts hereby pledged or assigned, or intended so to be, or which the City may hereafter become bound to pledge or to assign, or as may be reasonable and required to carry out the purposes of this Ordinance. The City, acting by and through its officers, or otherwise, shall at all times, to the extent permitted by law, defend, preserve and protect the pledge of said Pledged Revenues and other funds and accounts pledged hereunder and all the rights of every Owner of any of the Bonds against all claims and demands of all Persons whomsoever.

Conditions Precedent. Upon the issuance of any of the 2006 Bonds, all conditions, acts and things required by the Constitution or laws of the United States, the Constitution or laws of the State, the Charter or this Ordinance to exist, to have happened, and to have been performed precedent to or in the issuance of the 2006 Bonds shall exist, have happened and have been performed, and the 2006 Bonds, together with all other obligations of the City, shall not contravene any debt or other limitation prescribed by the Constitution or laws of the United States, the Constitution or laws of the State or the Charter.

Records. So long as any of the 2006 Bonds remain Outstanding, proper books of record and account will be kept by the City, separate and apart from all other records and accounts, showing complete and correct entries of all transactions relating to the Pledged Revenues and the accounts created or continued by this Ordinance.

Audits. The City further agrees that it will cause an audit of such books and accounts to be made by a certified public accountant, who is not an employee of the City, showing the Pledged Revenues. The City agrees to allow the Owner of any of the 2006 Bonds to

review and copy such audits and reports, at the City's offices, at his request. Copies of such audits and reports will be furnished to the Purchaser.

Performing Duties. The City will faithfully and punctually perform or cause to be performed all duties with respect to the Pledged Revenues required by the Charter and the Constitution and laws of the State and the ordinances and resolutions of the City, including but not limited to the segregation of the Pledged Revenues as set forth in Section 14 hereof and their application to the respective accounts herein designated.

Other Liens. As of the date of issuance of the 2006 Bonds, there are no liens or encumbrances of any nature whatsoever on or against any of the Pledged Revenues.

Tax Covenant. The City covenants for the benefit of the Registered Owners of the 2006 Bonds that it will not take any action or omit to take any action with respect to the 2006 Bonds, the proceeds thereof, any other funds of the City or any facilities financed or refinanced with the proceeds of the 2006 Bonds if such action or omission (i) would cause the interest on the 2006 Bonds to lose its exclusion from gross income for federal income tax purposes under Section 103 of the Tax Code, (ii) would cause interest on the 2006 Bonds to lose its exclusion from alternative minimum taxable income as defined in Section 55(b)(2) of the Tax Code except to the extent such interest is required to be included in adjusted current earnings adjustment applicable to corporations under Section 56 of the Tax Code in calculating corporate alternative minimum taxable income, or (iii) would cause interest on the 2006 Bonds to lose its exclusion from Colorado taxable income or Colorado alternative minimum taxable income under present Colorado law. The foregoing covenant shall remain in full force and effect notwithstanding the payment in full or defeasance of the 2006 Bonds until the date on which all obligations of the City in fulfilling the above covenant under the Tax Code and Colorado law have been met.

The City hereby designates the 2006 Bonds as a qualified tax-exempt obligation for purposes of Section 265(b)(3)(B) of the Tax Code.

City's Existence. The City will maintain its corporate identity and existence so long as any of the 2006 Bonds remain Outstanding, unless another political subdivision by operation of law succeeds to the duties, privileges, powers, liabilities, disabilities, immunities and rights of the City and is obligated by law to receive and distribute the Pledged Revenues in

place of the City, without materially adversely affecting the privileges and rights of any Owner of any Outstanding 2006 Bonds.

Prompt Collections. The City will cause the Pledged Revenues to be collected promptly and accounted for in the accounts as herein provided.

Surety Bonds. Each official of the City having custody of the Pledged Revenues, or responsible for their handling, shall be fully bonded at all times, which bond shall be conditioned upon the proper application of such money.

Prejudicial Contracts and Action Prohibited. No contract will be entered into, nor will any action be taken, by the City by which the rights and privileges of any Owner are impaired or diminished.

Defeasance. When the 2006 Bonds have been fully paid both as to principal and interest, all obligations hereunder shall be discharged and the 2006 Bonds shall no longer be deemed to be Outstanding for any purpose of this Ordinance, except as set forth in Section 18K hereof. Payment of any 2006 Bonds shall be deemed made when the City has placed in escrow with a Trust Bank an amount sufficient (including the known minimum yield from Governmental Obligations) to meet all requirements of principal and interest on such 2006 Bonds as the same become due to maturity. The Governmental Obligations shall become due at or prior to the respective times on which the proceeds thereof shall be needed, in accordance with a schedule agreed upon between the City and such Trust Bank at the time of creation of the escrow and shall not be callable by the issuer thereof prior to their scheduled maturities.

In the event that there is a defeasance of only part of the 2006 Bonds of any maturity, the Registrar shall, if requested by the City, institute a system to preserve the identity of the individual 2006 Bonds or portions thereof so defeased, regardless of changes in bond numbers attributable to transfers of 2006 Bonds; and the Registrar shall be entitled to reasonable compensation and reimbursement of expenses from the City in connection with such system.

Delegated Powers. The officers of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including, without limiting the generality of the foregoing; the printing of the 2006 Bonds and the execution of such certificates as may be required by the Purchaser, including, but not necessarily

limited to, the absence and existence of factors affecting the exclusion of interest on the 2006 Bonds from gross income for federal income tax purposes.

Events of Default. Each of the following events is hereby declared an “event of default:”

Nonpayment of Principal. If payment of the principal of any of the 2006 Bonds shall not be made when the same shall become due and payable at maturity; or

Nonpayment of Interest. If payment of any installment of interest on the 2006 Bonds shall not be made when the same becomes due and payable; or

Incapable to Perform. If the City shall for any reason be rendered incapable of fulfilling its obligations hereunder; or

Default of Any Provision. If the City shall default in the due and punctual performance of its covenants or conditions, agreements and provisions contained in the 2006 Bonds or in this Ordinance on its part to be performed, other than those delineated in paragraphs A and B of this Section, and if such default shall continue for 60 days after written notice specifying such default and requiring the same to be remedied shall have been given to the City by the Owners of not less than 25% in aggregate principal amount of the 2006 Bonds then Outstanding.

Remedies. Upon the happening and continuance of any event of default as provided in Section 21 hereof, the Owner or Owners of not less than 25% in aggregate principal amount of the Outstanding Bonds, or a trustee therefor, may protect and enforce their rights hereunder by proper legal or equitable remedy deemed most effectual including mandamus, specific performance of any covenants, the appointment of a receiver (the consent of such appointment being hereby granted), injunctive relief, or requiring the City Council to act as if it were the trustee of an express trust, or any combination of such remedies. All proceedings shall be maintained for the equal benefit of all Owners of Bonds. The failure of any Owner to proceed does not relieve the City or any Person of any liability for failure to perform any duty hereunder. The foregoing rights are in addition to any other right available to the Owners of Bonds and the exercise of any right by any Owner shall not be deemed a waiver of any other right.

Duties Upon Default. Upon the happening of any of the events of default as provided in Section 21 of this Ordinance, the City, in addition, will do and perform all proper acts on behalf of and for the Owners of the Bonds to protect and preserve the security created for the payment of the Bonds and to insure the payment of the principal of and interest on said Bonds promptly as the same become due. Proceeds derived from the Pledged Revenues, so long as any of the Bonds herein authorized, either as to principal or interest, are Outstanding and unpaid, shall be paid into the Bond Account, pursuant to the terms hereof and to the extent provided herein, and used for the purposes herein provided. In the event the City fails or refuses to proceed as in this Section provided, the Owner or Owners of not less than 25% in aggregate principal amount of the Bonds then Outstanding, after demand in writing, may proceed to protect and enforce the rights of such Owners as hereinabove provided.

Replacement of Registrar or Paying Agent. If the City shall determine that it wishes to appoint a Registrar or Paying Agent other than the Finance Director of the City, the City may, upon notice mailed to each Owner of any 2006 Bond at his address last shown on the registration records, appoint a successor Registrar or Paying Agent, or both. No subsequent resignation or dismissal of the Registrar or Paying Agent may take effect until a successor is appointed. Every such successor Registrar or Paying Agent shall be the City or a bank or trust company having a shareowner's equity (e.g., capital, surplus, and undivided profits), however denominated, of not less than \$10,000,000. It shall not be required that the same institution serve as both Registrar and Paying Agent hereunder, but the City shall have the right to have the same institution serve as both Registrar and Paying Agent hereunder.

Amendment. After any of the 2006 Bonds have been issued, this Ordinance shall constitute a contract between the City and the Owners of the 2006 Bonds and shall be and remain irrevocable until the 2006 Bonds and the interest thereon have been fully paid, satisfied and discharged.

The City may, without the consent of, or notice to the Owners of the 2006 Bonds, adopt such ordinances supplemental hereto (which supplemental amendments shall thereafter form a part hereof) for any one or more or all of the following purposes:

to cure any ambiguity, or to cure, correct or supplement any defect or omission or inconsistent provision contained in this Ordinance, or to make any provisions with respect to matters arising under this Ordinance or for any other purpose if such provisions are necessary or desirable and do not materially adversely affect the interests of the Owners of the 2006 Bonds;

to subject to the lien of this Ordinance additional revenues, properties or collateral;

to grant or confer upon the Registrar for the benefit of the registered owners of the 2006 Bonds any additional rights, remedies, powers, or authority that may lawfully be granted to or conferred upon the registered owners of the 2006 Bonds; or

to qualify this Ordinance under the Trust Indenture Act of 1939, as amended.

Exclusive of the amendatory ordinances permitted by paragraph A of this Section, this Ordinance may be amended or supplemented by ordinance adopted by the City Council in accordance with the law, without receipt by the City of any additional consideration but with the written consent of the Owners of at least 66% in aggregate principal amount of the 2006 Bonds Outstanding at the time of the adoption of such amendatory or supplemental ordinance; provided, however, that, without the written consent of the Owners of all of the 2006 Bonds adversely affected thereby, no such ordinance shall have the effect of permitting:

An extension of the maturity of any 2006 Bond authorized by this Ordinance; or

A reduction in the principal amount of any 2006 Bond or the rate of interest thereon; or

The creation of a lien upon or pledge of Pledged Revenues ranking prior to the lien or pledge created by this Ordinance; or

A reduction of the principal amount of 2006 Bonds required for consent to such amendatory or supplemental ordinance; or

The establishment of priorities as between 2006 Bonds issued and Outstanding under the provisions of this Ordinance; or

The modification of or otherwise affecting the rights of the Owners of less than all of the 2006 Bonds then Outstanding.

Redemption of 2003 Bonds.

Exercise of Option. The City Council has elected and does hereby declare its intent to exercise on behalf and in the name of the City its option to redeem on December 22, 2006, all of the outstanding 2003 Bonds maturing on December 22, 2007. The City Council is hereby obligated so to exercise such option, which option shall be deemed to have been exercised when notice is duly given and completed forthwith prior to or upon the issuance of the 2006 Bonds as herein provided.

Authorization to Undertake Redemption. The Finance Director of the City is hereby authorized and directed to take all action necessary or appropriate to effectuate the prior redemption of the 2003 Bonds, including but not limited to the giving of notices of prior redemption of the 2003 Bonds in the form and manner set forth in the 2003 Ordinance.

Severability. If any one or more sections, sentences, clauses or parts of this Ordinance shall for any reason be held invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, but shall be confined in its operation to the specific sections, sentences, clauses or parts of this Ordinance so held unconstitutional or invalid, and the inapplicability and invalidity of any section, sentence, clause or part of this Ordinance in any one or more instances shall not affect or prejudice in any way the applicability and validity of this Ordinance in any other instances.

Repealer. All bylaws, orders, resolutions and ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any bylaw, order, resolution or ordinance, or part thereof, heretofore repealed.

Ordinance Irrepealable. After any of the 2006 Bonds herein authorized are issued, this Ordinance shall constitute a contract between the City and the Owners of the 2006 Bonds, and shall be and remain irrepealable until the 2006 Bonds and interest thereon shall be fully paid, canceled and discharged as herein provided.

Disposition of Ordinance. This Ordinance, as adopted by the City Council, shall be numbered and recorded by the City Clerk in the official records of the City. The adoption and publication shall be authenticated by the signatures of the President of the City Council and City Clerk, and by the certificate of publication.

Effective Date. This Ordinance shall be in full force and effect 30 days after publication following final passage.

INTRODUCED, PASSED ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN PAMPHLET FORM this 1st day of November, 2006.

CITY OF GRAND JUNCTION, COLORADO

President of the City Council

Attest:

City Clerk

INTRODUCED, PASSED ON SECOND READING, APPROVED AND ORDERED PUBLISHED IN PAMPHLET FORM this ____ day of November, 2006.

CITY OF GRAND JUNCTION, COLORADO

President of the City Council

Attest:

City Clerk

STATE OF COLORADO)
)
 COUNTY OF MESA) SS.
)
 CITY OF GRAND JUNCTION)

I, Stephanie Tuin, the City Clerk of the City of Grand Junction, Colorado (the “City”) and Clerk to the City Council of the City (the “Council”), do hereby certify that:

The foregoing pages are a true, correct and complete copy of an ordinance (the “Ordinance”) which was introduced, passed on first reading and ordered published in full by the Council at a regular meeting thereof held on November 1, 2006 and was duly adopted and ordered published in full by the Council at a regular meeting thereof held on November 15, 2006 which Ordinance has not been revoked, rescinded or repealed and is in full force and effect on the date hereof.

The Ordinance was duly moved and seconded and the Ordinance was passed on first reading at the meeting of November 1, 2006, by an affirmative vote of a majority of the members of the Council as follows:

<u>Councilmember</u>	<u>Voting “Aye”</u>	<u>Voting “Nay”</u>	<u>Absent</u>	<u>Abstaining</u>
Jim Doody				
Bonnie Beckstein				
Bruce Hill				
Gregg Palmer				
Jim Spehar				
Teresa Coons				
Doug Thomason				

The Ordinance was duly moved and seconded and the Ordinance was finally passed on second reading at the meeting of November 15, 2006, by an affirmative vote of a majority of the members of the Council as follows:

<u>Councilmember</u>	<u>Voting “Aye”</u>	<u>Voting “Nay”</u>	<u>Absent</u>	<u>Abstaining</u>
Jim Doody				

Bonnie Beckstein				
Bruce Hill				
Gregg Palmer				
Jim Spehar				
Teresa Coons				
Doug Thomason				

The members of the Council were present at such meetings and voted on the passage of such Ordinance as set forth above.

The Ordinance was approved and authenticated by the signature of the President of the Council, sealed with the City seal, attested by the City Clerk and recorded in the minutes of the Council.

There are no bylaws, rules or regulations of the Council which might prohibit the adoption of said Ordinance.

Notices of the meetings of November 1, 2006 and November 15, 2006 in the forms attached hereto as Exhibit A were posted at City Hall in accordance with law.

The Ordinance was published in pamphlet form in The Daily Sentinel, a daily newspaper of general circulation in the City, on _____, 2006 and _____, 2006 as required by the City Charter. True and correct copies of the affidavits of publication are attached hereto as Exhibit B.

WITNESS my hand and the seal of the City affixed this ____ day of November, 2006.

City Clerk and Clerk to the Council

(SEAL)

EXHIBIT A

(Attach Notices of Meetings of November 1, 2006 and November 15, 2006)

EXHIBIT B
(Attach Affidavits of Publication)

Attach 17

Contract for Rood Avenue Parking Structure Site

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Contract for Rood Avenue Parking Structure Site					
Meeting Date	November 15, 2006					
Date Prepared	November 8, 2006				File #	
Author	Mike Curtis			Project Engineer		
Presenter Name	Mark Relph			Public Works and Utilities Director		
Report results back to Council	X	No		Yes	When	
Citizen Presentation		Yes	X	No	Name	
	Workshop	X	Formal Agenda		Consent	X Individual Consideration

Summary: Bids have been received for construction of the Rood Avenue Parking Structure (Bid Package 2). The Scope of Bid Package 2 is for landscaping and irrigation; parking control equipment and software; mechanical equipment; fire extinguishers and fire department stand pipes; electric lighting; elevator; steel railing and cabling; interior and exterior signage; striping; prorated contractor contingency; and prorated contractor's overhead and fee.

Budget: Project No.: F63300

Project Costs:

<u>Item</u>	<u>Estimated Cost</u>
Part 1 Pre-Construction Services (Shaw Construction)	\$41,482
Parking Structure Design Contract (Blythe Design)	\$459,850
Site Demo/Envir. Cleanup	\$324,135
1% Art for Construction	\$76,000
Construction, Administration, Inspection, Testing Estimate	\$7,662,107
Bid Package 1 (Shaw Construction)	\$5,366,072
Bid Package 2 (Shaw Construction) (This item)	\$2,189,925
Land Acquisition	<u>\$1,607,000</u>
Totals:	\$10,170,574

Project Funding:

<u>Funding Sources</u>	<u>Estimated Funding</u>
Alpine Bank Spaces (114)	\$2,020,985
DDA/Site Demo, Clean, Firewalls	\$658,507
DDA/Land Acquisition	\$1,607,000
DDA/Dalby Wendland spaces (23)	\$407,743
DDA/4 th floor spaces (60)	<u>\$1,063,676</u>
Totals: DDA & Alpine Bank	\$5,757,911
Cash Contribution from the City's Parking Fund	\$500,000
Sale of 3 rd & Main Studio 119 Parking Lots	\$325,000
Additional DDA Funding	<u>\$127,000</u>
Totals:	\$6,709,911
Amount to Finance	<u>\$3,460,663</u>
Total Funding	\$10,170,574
Estimated Shortfall	\$0

Note: DDA has agreed to allow the use of the remaining \$84,372 in the site cleanup costs for construction of the parking structure which is already included above. DDA has also agreed to fund the project an additional \$127,000, the budgeted amount for purchase of the Snap Photo property. The construction contingency has been reduced to \$130,555 to limit the shortfall to \$127,000 before the additional DDA funding of \$127,000 to balance the budget and funding. The funding amount that the City is responsible for as not changed since the September 20th City Council meeting and Bid Package 1 award to Shaw Construction.

Action Requested/Recommendation: Authorize the City Manager to execute a construction contract for Bid Package 2 with Shaw Construction in the amount of **\$2,189,925** and a guaranteed maximum price for the total project of **\$7,555,997**.

Attachments: Bid results for Bid Package 2

Background Information:

Final Construction Drawings for the Parking Structure were completed on September 6, 2006. Bid Package 1 consisting of excavation and site utilities; concrete filled pipe piles; cast in place post tension concrete structure; surveying and layout; traffic control; weather protection for concrete construction; general conditions for the entire project; anticipated liability insurance premium cost for entire project; anticipated general contractor performance and payment surety bond cost for entire project; prorated contractor contingency; and prorate contractor's overhead and fee was awarded by City Council on September 20, 2006. At that City Council meeting, the City based on

estimates from Shaw Construction, anticipated a total construction cost of \$7,500,000, \$500,000 over the budgeted \$7,000,000. The City, DDA, and Alpine Bank contributed additional funds to make up the \$500,000 shortfall.

Bids for Bid Package 2 (landscaping, facades, mechanical, electrical, 1% for Arts, parking control systems, elevator, signage, striping, etc.) were opened on September 27, 2006. The total construction cost for Bid Package 2 was \$2,621,357. The total construction cost for Bid Packages 1 & 2 was \$7,987,429, approximately \$500,000 over the estimate of \$7,500,000. Shaw Construction received 3 to 4 bids for each of the specialty areas (mechanical, electrical, landscaping, elevators, etc.). The results are attached.

Scope reductions and value engineering discussions took place with Blythe Design and sub consultants, Shaw Construction, City staff and the DDA director targeting a total construction cost of \$7,500,000.

A Parking Management Advisory Group (PMAG) meeting was held on October 13 to review the bid results of Bid Package 2 and review the deductive alternative items that were included in Bid Package 2. The bid results were also reviewed at the DDA Board meeting on October 12. Construction costs were revised and City staff attended the DDA Board meeting on October 26 to present the current construction costs. DDA approved a motion to contribute additional funding to the construction of the parking structure. \$324,305 of the budgeted \$408,507 for site cleanup costs funded by DDA was used. DDA agreed to allow the remaining \$84,372 be used for the parking structure construction. The Snap Photo property was not purchased by DDA. \$127,000 was budgeted for the land purchase. DDA agreed to contribute an additional \$127,000 to the parking structure construction with the understanding that DDA would be reimbursed up to a maximum amount of \$127,000 if money was remaining at the end of construction because the total costs came in under the Guaranteed Maximum Price of **\$7,555,997**.

Demolition of the Parking Structure site was completed the end of September 2006. Construction of the Rood Avenue Parking Structure started on October 16, 2006. Driving of piles was completed on November 6. Construction is anticipated to be completed early November 2007.

SHAW CONSTRUCTION

BID TABULATION SHEET	PROJECT: Rood Avenue Parking Structure - BP2		
	ADDRESS:		
	CITY: Grand Junction, CO		
SECTION:	JOB #:	BID DATE:	8/22/2006
02456 Concrete Filled Steel Piles	06033	Print Date:	11/8/2006 10:55 AM
03300 Cast in place Concrete			
03381 Unbonded Post-Tensioned Concrete			

SCOPE OF WORK	SUBCONTRACTOR/SUPPLIER				
	K&K Conc		Added Scope	Variance to 1/27/06 Estimate	IN 1/27/06 EST
BASE BID	\$3,068,400			\$732,648 118.72%	\$2,584,580
Piling Fill	Included				\$26,969
Pile Caps	Included				\$64,053
Grade Beams	Included				\$104,870
Post Tension Slabs	Included				\$2,203,506
Beams					
Columns					
Slab on Grade	Included				\$111,023
Stairs	NIC				\$2,422
Stair Pan Fill	Revised				
Weather Protection					
Temp Heat	\$36,241				\$36,241
Temp Cover & Protection	\$35,497				\$35,497
Added Scope Subtotal	Included		\$382,519	14.80%	NIC
Piling Fill 1,925 lf			\$6,256		
Pile Caps 57 cy			\$19,915		
Post Tension Slabs 3,812 sf			\$72,237		
Slab on Grade					
9" SOG 10,375 sf			\$51,875		
5" SOG -3,785 sf			(\$12,300)		
Cast in Place Stairs			\$44,908		
Stair at Alley			\$35,000		
Additional Parking at grade			\$59,242		
Barrier Walls at Decks 128 cy			\$51,200		
Jump Ramps @ E & W			\$12,985		
Schedule- Winter Concrete			\$41,200		
Market/Bid Adjustment Subtotal	Included		\$165,040	6.39%	
P/T Structure increased from \$18.95 to \$19.75/sf			\$90,936		▼
Foundation and SOG adjustment			\$74,104		
Bid Package #2 Adjustment					
Concrete Material (Chloride Inhibitor)	\$46,300				
Additional Rebar & PT	\$46,055				
Dowels/Imbeds	\$34,460				
Alley Stair details	\$43,925				

SHAW CONSTRUCTION

Grid Line A wall revisions	\$6,350					
TOTALS	\$3,317,228	\$0	\$547,558	\$732,648		\$2,584,580

Award amount \$3,068,400	
Add Alternates -	
Concrete Material (Chloride Inhibitor)	\$46,300
Additional Rebar & PT	\$46,055
Dowels/Imbeds	\$34,460
Alley Stair details	\$43,925
Grid Line A wall revisions	\$6,350
	<u> </u>
Alternate Totals	\$177,090

PROJECT MANAGER REVIEW:	DATE:
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SHAW CONSTRUCTION

BID TABULATION SHEET		PROJECT: Rood Avenue Parking Structure - BP2				
		ADDRESS:				
		CITY: Grand Junction, CO				
SECTION:	JOB #:	06033	BID DATE:	9/27/2006		
Masonry			Print Date:	11/8/2006 10:55 AM		
SCOPE OF WORK	SUBCONTRACTOR/SUPPLIER					
	Permanent Builders	Collins	ASCO Masonry	Fischbach Masonry	ASCO Revised 10/17/06	IN EST
BASE BID	\$1,689,600	\$528,322	\$646,722	\$965,924	\$715,722	
Masonry						
Calcium Silicate Masonry Units						\$221,750
Arriscraft		Included	Included	Included	Included	
Cast Stone						
Material		Included	\$51,624	\$51,624	Included	
Sill	540 lf					
Jamb	184 lf					
Header	50 lf					
Planter Caps	167 lf					
Wall Caps	515 lf					
Pilaster Caps						
3 x 3	3 each					
2 x 2	4 each					
Accent Bands	220 lf		▼	▼		
Installation		Included	Included	Included	Included	
Brick Masonry						\$119,466
Veneer		Included	Included	Included	Included	
Planters		Included	Included	Included	Included	
CMU						\$357,612
- Interior	5,400 sf	Included	Included	Included	Included	
- Exterior	19,279 sf	Included	Included	Included	Included	
Rebar Material		Included	\$12,340	\$12,340	Included	
- installation		Included	Included	Included	Included	
- welding		\$10,000	\$10,000	\$10,000	\$10,000	Added Scope
Lintel installation		Included	Included	Included	Included	
Subtotal			\$720,686	\$1,039,888		
Bond		3.00%	2.50%	1.50%	2.50%	
	\$0	\$16,150	\$18,017	\$15,598	\$18,143	
TOTALS	\$1,689,600	\$554,472	\$738,703	\$1,055,486	\$743,865	\$698,828
Use ASCO pricing until Collins provides business information, references, WIP, etc.						

SHAW CONSTRUCTION

BID TABULATION SHEET		PROJECT: Rood Avenue Parking Structure - BP2				
		ADDRESS:				
		CITY: Grand Junction, CO				
SECTION:	JOB #:	06033	BID DATE:	9/27/2006		
Structural & Misc Steel			Print Date:	11/8/2006 10:55 AM		
SCOPE OF WORK		SUBCONTRACTOR/SUPPLIER				
		Rocky Mtn Steel	Zimkor	All Metals Welding	Timberwolf Welding	IN EST
BASE BID		\$392,478	\$637,900		\$627,728	
Structural Steel						\$17,346
South Stair Roof	200 sf	Included	Included	no	Included	
NE Corner Roof	400 sf	Included	Included		Included	
NW Corner Roof	400 sf	Included	Included		Included	
Metal Decking						\$2,124
South Stair Roof	200 sf	Included	Included		Included	
NE Corner Roof	400 sf	Included	Included		Included	
NW Corner Roof	400 sf	Included	Included		Included	
Metal Fabrications						\$149,390
Angle at stair EJ Det 13/S1.12		Included	Included		Included	
Railings at Rood Ave windows		Included	Included		Included	
Wire Mesh at Alley Stair		Included	Included		Included	
Steel Lintels at Masonry		Included	Included		Included	
Channel Headers & Sills at Rood Façade		Included	Included		Included	
Stair Nosings						Added Scope
Metal Columns at windows		Included	Included		Included	
Concrete Imbeds		Included	Included		Included	
Stair Railings						\$20,280
Railings at NE & NW Stairs		Included	Included		Included	
Railings at Alley Stair		Included	Included	▼	Included	
Ornamental Metals						\$135,422
Awnings		\$17,376	Included	\$17,376	\$17,376	
Installation		\$20,000	Included	\$20,000	\$20,000	
Support angles		Included	Included	Included	Included	
Turnbuckle assembly		Included	Included	Included	Included	
Miscellaneous Metals						\$4,200
Bollards - 12 in original budget, 73 on plans		Included	Included	no	Included	\$4,200
Interior Cable Barrier		\$65,208	\$65,208		Included	\$65,208
						\$21,350
Exposed Metal to be Galvanized						
		Included	Included		Included	
Bond		1.50%				
		\$7,426	\$0		\$0	
TOTALS		\$502,488	\$703,108	\$37,376	\$665,104	\$415,320

SHAW CONSTRUCTION

BID TABULATION SHEET		PROJECT: Rood Avenue Parking Structure - BP2			
		ADDRESS:			
		CITY: Grand Junction, CO			
SECTION:	JOB #:	06033	BID DATE:	9/27/2006	
Sealants			Print Date:	11/8/2006 10:55 AM	
SCOPE OF WORK	SUBCONTRACTOR/SUPPLIER				
	Colorado Concrete Injections & Caulking		Summit Sealants		IN EST
BASE BID					
Sealants	\$14,500		\$23,875		\$33,133
Control & Expansion Joints in Concrete	included		included		
Control & Expansion Joints in Masonry	included		included		
Dissimilar Materials	included		included		
Fire Rated Caulking	included		included		
Man-Lifts	\$4,375		included		
TOTALS	\$0	\$18,875	\$0	\$23,875	\$0
PROJECT MANAGER REVIEW:					
DATE:					

SHAW CONSTRUCTION

BID TABULATION SHEET		PROJECT: Rood Avenue Parking Structure - BP2					
		ADDRESS:					
		CITY: Grand Junction,CO					
SECTION:	JOB #:	06033	BID DATE:	9/27/2006			
Aluminum Entrances			Print Date:	11/8/2006 10:55 AM			
Curtain Wall							
SCOPE OF WORK	SUBCONTRACTOR/SUPPLIER						
		Alpine	Pinnacle	Bratton	IN EST		
BASE BID		\$33,544	\$34,222	\$36,158			
Aluminum Entrances					\$6,000		
2 Pair		included	included	included			
Curtain Wall	390 sf	included	included	included	\$10,260		
Storefront Framing at wall openings		included	included	included	Added Scope		
TOTALS		\$0	\$33,544	\$34,222	\$36,158	\$0	\$16,260
PROJECT MANAGER REVIEW:				DATE:			

SHAW CONSTRUCTION

BID TABULATION SHEET		PROJECT: Rood Avenue Parking Structure - BP2				
		ADDRESS:				
		CITY: Grand Junction, CO				
SECTION:	JOB #:	06033	BID DATE:	9/27/2006		
Misc Specialties			Print Date:	11/8/2006 10:55 AM		
SCOPE OF WORK	SUBCONTRACTOR/SUPPLIER					
	Simplex / Grinnell	Ravens Forge	Bird Barrier	Skate Stoppers	Combo	IN EST
BASE BID						
Knox Box					\$275	\$275
Fire Extinguishers and Cabinets						
FEC-1	8 each	by Fire Protection Contractor				
FEC-2	9 each				\$1,680	\$1,680
FEC-3	5 each	by Fire Protection Contractor				
Fire Extinguishers	22 each					8 each
Skateboard Deterrents						
at Planters	167 lf 139 each	\$1,870		\$1,317	\$1,317	
Bird Control Barriers			\$1,874		\$1,874	
BC-1 at Awnings	374 lf					
BC-1	205 lf					
BC-2	45 lf					
BC-3	not shown					
TOTALS		\$0	\$1,870	\$1,874	\$1,317	\$5,146
PROJECT MANAGER REVIEW: _____ DATE: _____						

SHAW CONSTRUCTION

BID TABULATION SHEET		PROJECT: Rood Avenue Parking Structure - BP2					
		ADDRESS:					
		CITY: Grand Junction, CO					
SECTION:	JOB #:	06033		BID DATE:	9/27/2006		
Parking Control Equipment				Print Date:	11/8/2006 10:55 AM		
SCOPE OF WORK	SUBCONTRACTOR/SUPPLIER						
		American Automation	WSSC			IN EST	
BASE BID		\$135,908	\$138,648				
Parking Control Equipment							
Revenue Control System							
Multi-Space Meter	3 each	Included	Included		\$85,860	added scope	
Access Control System		Included	Included			\$34,000	
Detector Loops	4 each	Included	Included				
Automatic Gates	2 each	Included	Included				
Card Readers	2 each	Included	Included				
Intercoms	2 each	Included	Included				
Intercom Master	1 each	Included	Included				
Facility Management System							
Server/Computer	1 each	Included	Included				
Printer	1 each	Included	Included				
UPS System	1 each	Included	Included				
PARCS Stock		Included	Included				
Spare Components		Included	Included				
Manuals		Included	Included				
Record Drawings & CAD Files		Included	Included				
Training Sessions		Included	Included				
30 Day Test & Acceptance		Included	Included				
1 yr Maintenance & Warranty		Included	\$58,512				
Alternate for 5 year Maintenance Contract							
TOTALS		\$0	\$135,908	\$197,160	\$0	\$85,860	\$34,000
PROJECT MANAGER REVIEW: _____ DATE: _____							

SHAW CONSTRUCTION

BID TABULATION SHEET		PROJECT: Rood Avenue Parking Structure - BP2			
		ADDRESS:			
		CITY: Grand Junction, CO			
SECTION:	JOB #:	06033	BID DATE:	9/27/2006	
Elevators			Print Date:	11/8/2006	10:55 AM
SCOPE OF WORK	SUBCONTRACTOR/SUPPLIER				
	Otis Elev		Thyssen		IN EST
BASE BID	\$99,200		\$85,300		
Elevators					\$76,000
Stainless Steel Doors & Frames	Included		Included		
Stainless Walls at Cabs	Included		Included		
Suspended Ceiling	Included		Included		
Finish Floor	by others		by others		
Rear Door on Cab	Included		Included	\$10,000	Added Scope
12 Month Warranty	Included		Included		
12 Month Maintenance	Included		Included		
TOTALS	\$99,200		\$85,300	\$10,000	\$76,000
PROJECT MANAGER REVIEW: _____ DATE: _____					

SHAW CONSTRUCTION

BID TABULATION SHEET		PROJECT: Rood Avenue Parking Structure - BP2				
		ADDRESS:				
		CITY: Grand Junction, CO				
SECTION:	JOB #:	06033	BID DATE:	9/27/2006		
Electrical			Print Date:	11/8/2006 10:55 AM		
SCOPE OF WORK	SUBCONTRACTOR/SUPPLIER					
	Magnum Electric	B & B Electric	Canyon Electric	EC Electric	IN EST	
BASE BID	\$234,800	\$308,900	\$215,000	\$217,640	\$299,311	
Power & Conduit						
Secondary from transformer to CT and 600A MDP	Included	Included	Included	Included		
Excavation & Backfill	Included	Included	Included	Included		
Conduit to Pay on Foot Stations & 2nd Level PARCS	Included	Included	Included	Included		
Water tight conduit at expansion joints	Included	Included	Included	Included		
Conduit to future POF Stations	Included	Included	Included	Included		
Conduit to future parking equipment (Levels 3 & 4)	Included	Included	Included	Included		
Power to Irrigation Controller	Included	Included	Included	Included		
4" Conduit to Alley - extension to City Hall	\$19,750	nic	\$10,400	\$11,262		
Unistrut for lighting and conduit support at underside of decks	Included	Included	Included	Included		
Equipment Power & Connections (EF, EWH, etc.)	Included	Included	Included	Included		
Fire Alarm	Included	Included	Included	Included		
	smoke det	smoke det	smoke det	smoke det		
Temp Power for GC Trailer	Included	Included	Included	Included		
Lighting						
Specified Fixture Package	Yes	Yes	\$49,300	\$50,000		
Exterior sign connection	Included	Included	Included	Included		
Anchor bolts, brackets & mounting hardware	Included	Included	Included	Included		
Photo Cell & Clock	Included	Included	Included	Included		
Bond	3.00%			1.25%		
	\$7,637	\$0	\$4,300	\$3,486		
TOTALS	\$262,187	\$308,900	\$279,000	\$282,388	\$0 \$299,311	

SHAW CONSTRUCTION

Alternate Fixture Package	(\$42,800)	(\$50,000)	(\$50,000)	(\$50,000)
Totals with Alternate Fixtures	\$219,387	\$258,900	\$229,000	\$232,388
PROJECT MANAGER REVIEW:				
DATE:				

Attach 18

Public Hearing – Thunderbrook Estates Annexation and Zoning, Located at 3061 and 3061 ½ F ½ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Thunderbrook Estates Annexation and Zoning, located at 3061 and 3061 ½ F ½ Road					
Meeting Date	November 15, 2006					
Date Prepared	November 6, 2006			File #GPA-2006-238		
Author	Faye Hall		Associate Planner			
Presenter Name	Kathy Portner		Assistant Community Development Director			
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			Consent <input checked="" type="checkbox"/> Individual Consideration

Summary: Request to annex and zone 15.60 acres, located at 3061 and 3061 ½ F ½ Road, to RSF-4 (Residential Single Family, 4 units per acre). The Thunderbrook Estates Annexation consists of two parcels.

Budget: N/A

Action Requested/Recommendation: Adopt Resolution accepting the petition for the Thunderbrook Estates 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:		3061 and 3061 ½ F ½ Road	
Applicants:		Owners: Gary Rinderle, Darien Marx, Yvonne Herrera Representative: Rhino Engineering – Janet Carter	
Existing Land Use:		Residential and Vacant	
Proposed Land Use:		Residential	
Surrounding Land Use:	North	Public – Thunder Mountain Elementary	
	South	Residential Medium Low (2-4 units per acre)	
	East	Residential Medium Low	
	West	Residential Medium Low	
Existing Zoning:		County RSF-R (Residential Single Family Rural, 1 unit per 5 acres)	
Proposed Zoning:		City RSF-4 (Residential Single Family, 4 units per acre)	
Surrounding Zoning:	North	County RSF-R	
	South	County RSF-4 & City RSF-4	
	East	City RSF-4	
	West	County PUD	
Growth Plan Designation:		Residential Medium Low (2-4 units per acre)	
Zoning within density range?		X	Yes
			No

Staff Analysis:

ANNEXATION:

This annexation area consists of 15.60 acres of land and is comprised of two parcels. The property owners have requested annexation into the City to allow for development of the property. Under the 1998 Persigo Agreement all proposed development within the Persigo Wastewater Treatment boundary requires annexation and processing in the City.

It is staff's professional opinion, based on review of the petition and knowledge of applicable state law, including the Municipal Annexation Act Pursuant to C.R.S. 31-12-104, that the Thunderbrook Estates 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>	
October 4, 2006	Referral of Petition (30 Day Notice), Introduction Of A Proposed Ordinance, Exercising Land Use
October 24, 2006	Planning Commission considers Zone of Annexation and Growth Plan Amendment recommendation
November 1, 2006	Introduction Of A Proposed Ordinance on Zoning by City Council & decision on Growth Plan Amendment
November 15, 2006	Acceptance of Petition and Public Hearing on Annexation and Zoning by City Council
December 17, 2006	Effective date of Annexation and Zoning

THUNDERBROOK ESTATES ANNEXATION SUMMARY		
File Number:	GPA-2006-238	
Location:	3061 and 3061 ½ F ½ Road	
Tax ID Number:	2943-044-00-206 and 2943-044-00-153	
Parcels:	2	
Estimated Population:	2	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	1	
Acres land annexed:	15.60	
Developable Acres Remaining:	15.52	
Right-of-way in Annexation:	.09 ac (3899 sq ft)	
Previous County Zoning:	RSF-R	
Proposed City Zoning:	RSF-4	
Current Land Use:	Residential and Vacant	
Future Land Use:	Residential	
Values:	Assessed:	\$44,100
	Actual:	\$279,160
Address Ranges:	3061 and 3061 ½ F ½ Road	
Special Districts:	Water:	Clifton
	Sewer:	Central Grand Valley
	Fire:	Clifton Fire
	Irrigation/Drainage:	Grand Junction Drainage Grand Valley Irrigation
	School:	District 51

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

The 11.06 acre parcel located south of the Thunder Mountain Elementary School Site at 3061 ½ F ½ Road, was recently subdivided from the school property and sold to a private owner. This parcel went through a Growth Plan Amendment and the Future

Land Use Designation was changed from Public to Residential Medium Low in order to develop the property with an RSF-4 zone district.

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:

- 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 requested zone is compatible with the neighborhood, conforms to and furthers the goals and policies of the Growth Plan and the requirements of this Code in that the properties directly east and to the south are zoned RSF-4. The parcel adjacent to the west is a county PUD with lot sizes consistent with the RSF-4 zone district.

- 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.

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

Response: This area has seen a lot of growth in the past few years and is a desirable place to live. The RSF-4 zone would allow for residential development in a growing urban area.

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

- g. RSF-2

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

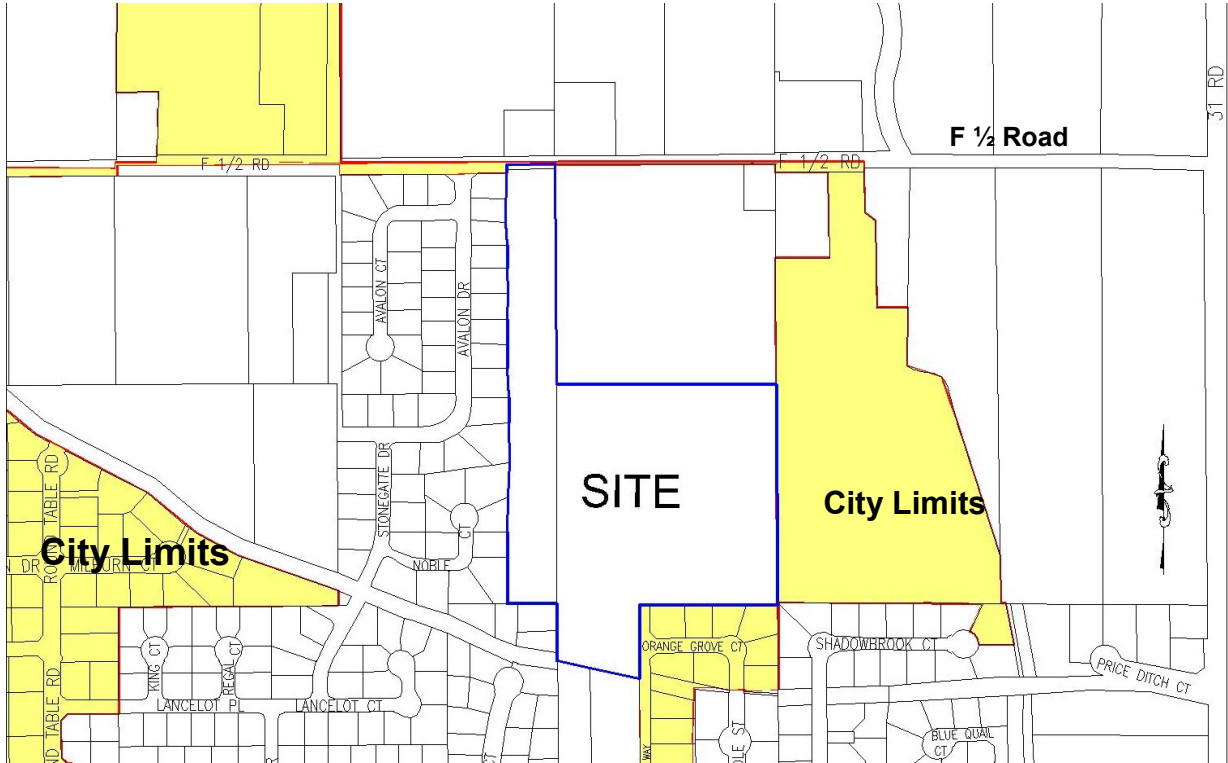
PLANNING COMMISSION RECOMMENDATION:

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.

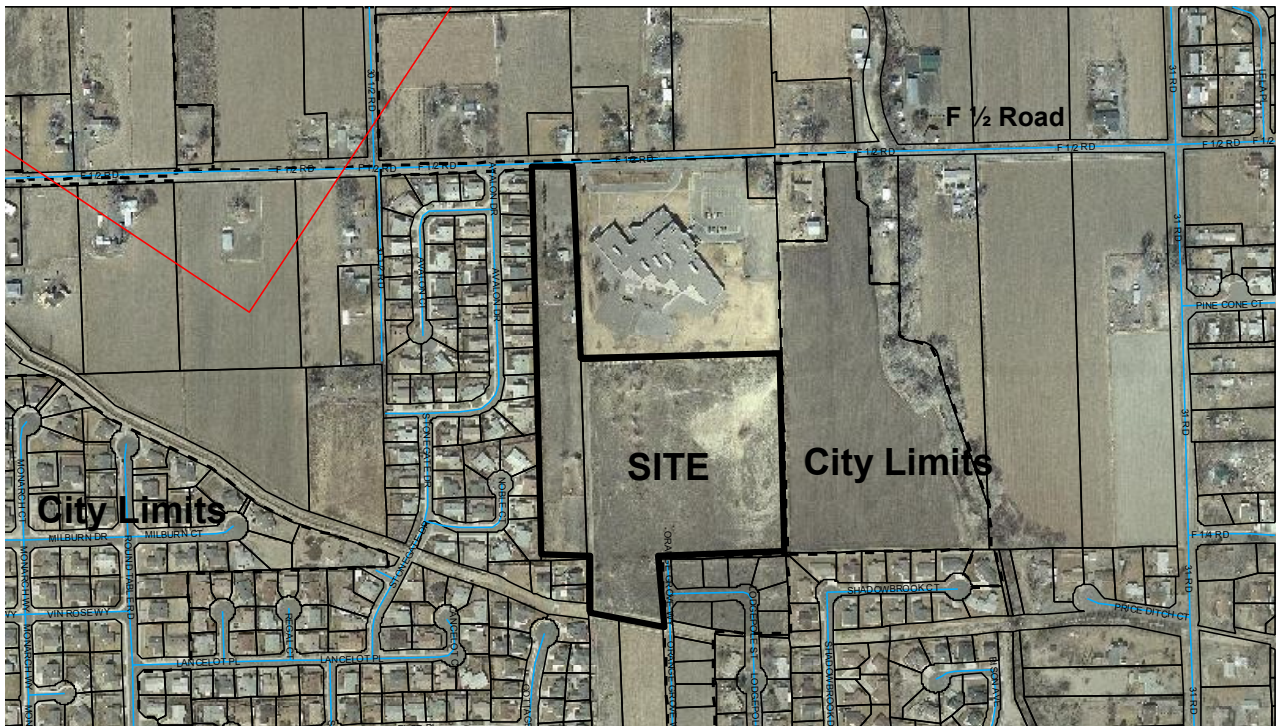
Site Location Map

Figure 1



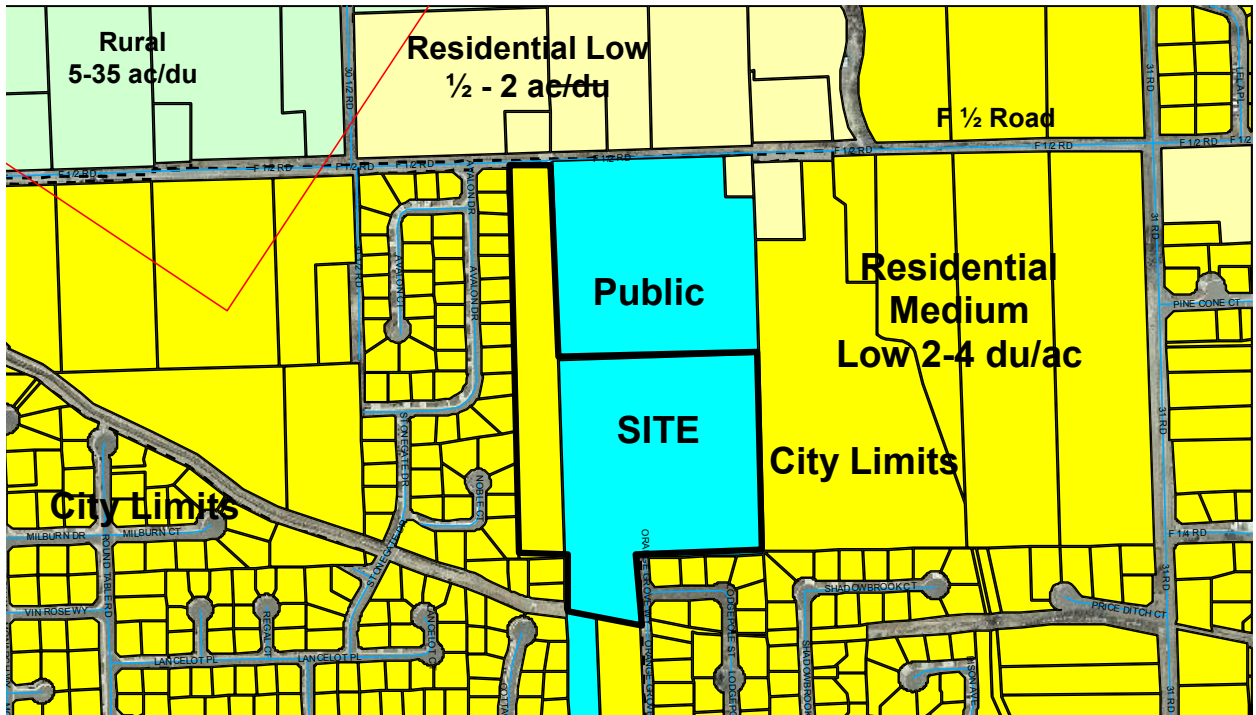
Aerial Photo Map

Figure 2



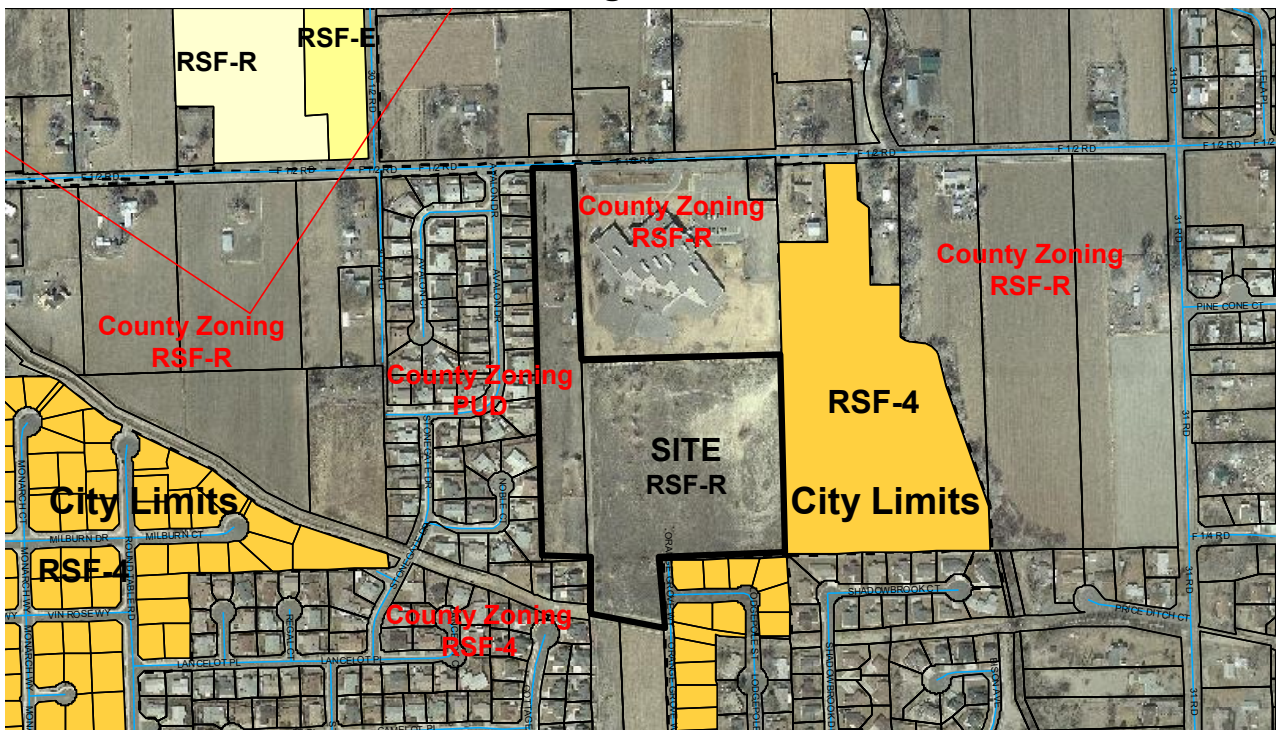
Future Land Use Map

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."

RESOLUTION NO. ____

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

THUNDERBROOK ESTATES ANNEXATION

LOCATED AT 3061 AND 3061 ½ F ½ ROAD

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 4th day of October, 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:

THUNDERBROOK ESTATES ANNEXATION

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

BEGINNING at the Southeast corner of the Northwest Quarter of the Southeast Quarter (NW1/4 SE1/4) of said Section 4 and assuming the South line of the NW1/4 SE1/4 of said Section 4 bears N89°55'11"W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N89°55'11"W along the South line of the NW1/4 SE1/4 of said Section 4 a distance of 412.85 feet to the Northwest corner of Orange Grove Subdivision, as same is recorded in Book 3757, Page 626, Public Records of Mesa County Colorado; thence S00°08'54"E along the West line of said Orange Grove Subdivision, a distance of 216.87 feet to the centerline of Price Ditch as described in Book 1959, Pages 973-979, Public Records of Mesa County Colorado; thence N77°10'53"W along said centerline, a distance of 56.75 feet; thence along said centerline, 141.11 feet along the arc of a 5729.58 foot radius curve concave South, having a central angle of 01°24'39" and a chord bearing N77°53'12"W a distance of 141.09 feet; thence N78°28'26"W along said centerline a distance of 56.37 feet to a point on the East line of Cottage Meadows Filing Two, as same is recorded in Plat Book 16, Pages 193-194, Public Records of Mesa County Colorado; thence N00°08'39"W along said East line, a distance of 163.84 feet to the Northeast corner of Lot 9 of said Cottage Meadows Filing Two; thence N89°55'11"W along the North line of said Cottage Meadows Filing Two, a distance of 150.88 feet to the Southeast corner of Lot 34 of Stonegate Subdivision Filing No. 3, as same is recorded in Book 14, Pages 122-123, Public Records of Mesa County Colorado; thence N00°09'40"W along the East line of

said Stonegate Subdivision Filing No. 3, a distance of 1312.44 feet to a point on a line being 4.00 feet South and parallel with the North line of NW 1/4 SE 1/4 of said Section 4 and also being the South line of the Thunder Hog Estates Annexation No. 2, City of Grand Junction, Ordinance No. 3909; thence N89°58'34"E along said parallel line a distance of 150.04 feet to a point on the East line of that certain parcel of land as described in Book 3825, Page 739, Public Records of Mesa County Colorado; thence S00°11'03"E along said East line, a distance of 654.39 feet to the Northwest corner of that certain parcel of land as described in Book 3987, Page 613, Public Records of Mesa County Colorado; thence S89°58'36"E along the North line of said parcel, a distance of 660.67 feet to the Northeast corner of said parcel and being a point on the East line of NW 1/4 SE 1/4 of said Section 4; thence S00°14'52"E along the East line of the NW1/4 SE1/4 of said Section 4, a distance of 658.98 feet, more or less to the POINT OF BEGINNING.

Said parcel contains 15.60 acres (679,875 square feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 15th day of November, 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**

THUNDERBROOK ESTATES ANNEXATION

APPROXIMATELY 15.60 ACRES

LOCATED AT 3061 AND 3061 ½ F ½ ROAD

WHEREAS, on the 4th day of October, 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 15th day of November, 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:

Thunerbrook Estates Annexation

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

BEGINNING at the Southeast corner of the Northwest Quarter of the Southeast Quarter (NW1/4 SE1/4) of said Section 4 and assuming the South line of the NW1/4 SE1/4 of said Section 4 bears N89°55'11"W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N89°55'11"W along the South line of the NW1/4 SE1/4 of said Section 4 a distance of 412.85 feet to the Northwest corner of Orange Grove Subdivision, as same is recorded in Book 3757, Page 626, Public

Records of Mesa County Colorado; thence S00°08'54"E along the West line of said Orange Grove Subdivision, a distance of 216.87 feet to the centerline of Price Ditch as described in Book 1959, Pages 973-979, Public Records of Mesa County Colorado; thence N77°10'53"W along said centerline, a distance of 56.75 feet; thence along said centerline, 141.11 feet along the arc of a 5729.58 foot radius curve concave South, having a central angle of 01°24'39" and a chord bearing N77°53'12"W a distance of 141.09 feet; thence N78°28'26"W along said centerline a distance of 56.37 feet to a point on the East line of Cottage Meadows Filing Two, as same is recorded in Plat Book 16, Pages 193-194, Public Records of Mesa County Colorado; thence N00°08'39"W along said East line, a distance of 163.84 feet to the Northeast corner of Lot 9 of said Cottage Meadows Filing Two; thence N89°55'11"W along the North line of said Cottage Meadows Filing Two, a distance of 150.88 feet to the Southeast corner of Lot 34 of Stonegate Subdivision Filing No. 3, as same is recorded in Book 14, Pages 122-123, Public Records of Mesa County Colorado; thence N00°09'40"W along the East line of said Stonegate Subdivision Filing No. 3, a distance of 1312.44 feet to a point on a line being 4.00 feet South and parallel with the North line of NW 1/4 SE 1/4 of said Section 4 and also being the South line of the Thunder Hog Estates Annexation No. 2, City of Grand Junction, Ordinance No. 3909; thence N89°58'34"E along said parallel line a distance of 150.04 feet to a point on the East line of that certain parcel of land as described in Book 3825, Page 739, Public Records of Mesa County Colorado; thence S00°11'03"E along said East line, a distance of 654.39 feet to the Northwest corner of that certain parcel of land as described in Book 3987, Page 613, Public Records of Mesa County Colorado; thence S89°58'36"E along the North line of said parcel, a distance of 660.67 feet to the Northeast corner of said parcel and being a point on the East line of NW 1/4 SE 1/4 of said Section 4; thence S00°14'52"E along the East line of the NW1/4 SE1/4 of said Section 4, a distance of 658.98 feet, more or less to the POINT OF BEGINNING.

Said parcel contains 15.60 acres (679,875 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 4th day of October, 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 THUNDERBROOK ESTATES ANNEXATION TO
RSF-4 (RESIDENTIAL SINGLE FAMILY, 4 UNITS PER ACRE)**

LOCATED AT 3061 AND 3061 ½ F ½ ROAD

Recitals

After public notice and public hearing as required by the Grand Junction Zoning and Development Code, the Grand Junction Planning Commission recommended approval of zoning the Thunderbrook Estates 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, (Residential Single Family, 4 units per acre)

THUNDERBROOK ESTATES ANNEXATION

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

BEGINNING at the Southeast corner of the Northwest Quarter of the Southeast Quarter (NW1/4 SE1/4) of said Section 4 and assuming the South line of the NW1/4 SE1/4 of said Section 4 bears N89°55'11"W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N89°55'11"W along the South line of the NW1/4 SE1/4 of said Section 4 a distance of 412.85 feet to the Northwest corner of Orange Grove Subdivision, as same is recorded in Book 3757, Page 626, Public Records of Mesa County Colorado; thence S00°08'54"E along the West line of said Orange Grove Subdivision, a distance of 216.87 feet to the centerline of Price Ditch as described in Book 1959, Pages 973-979, Public Records of Mesa County Colorado;

thence N77°10'53"W along said centerline, a distance of 56.75 feet; thence along said centerline, 141.11 feet along the arc of a 5729.58 foot radius curve concave South, having a central angle of 01°24'39" and a chord bearing N77°53'12"W a distance of 141.09 feet; thence N78°28'26"W along said centerline a distance of 56.37 feet to a point on the East line of Cottage Meadows Filing Two, as same is recorded in Plat Book 16, Pages 193-194, Public Records of Mesa County Colorado; thence N00°08'39"W along said East line, a distance of 163.84 feet to the Northeast corner of Lot 9 of said Cottage Meadows Filing Two; thence N89°55'11"W along the North line of said Cottage Meadows Filing Two, a distance of 150.88 feet to the Southeast corner of Lot 34 of Stonegate Subdivision Filing No. 3, as same is recorded in Book 14, Pages 122-123, Public Records of Mesa County Colorado; thence N00°09'40"W along the East line of said Stonegate Subdivision Filing No. 3, a distance of 1312.44 feet to a point on a line being 4.00 feet South and parallel with the North line of NW 1/4 SE 1/4 of said Section 4 and also being the South line of the Thunder Hog Estates Annexation No. 2, City of Grand Junction, Ordinance No. 3909; thence N89°58'34"E along said parallel line a distance of 150.04 feet to a point on the East line of that certain parcel of land as described in Book 3825, Page 739, Public Records of Mesa County Colorado; thence S00°11'03"E along said East line, a distance of 654.39 feet to the Northwest corner of that certain parcel of land as described in Book 3987, Page 613, Public Records of Mesa County Colorado; thence S89°58'36"E along the North line of said parcel, a distance of 660.67 feet to the Northeast corner of said parcel and being a point on the East line of NW 1/4 SE 1/4 of said Section 4; thence S00°14'52"E along the East line of the NW1/4 SE1/4 of said Section 4, a distance of 658.98 feet, more or less to the POINT OF BEGINNING.

Said parcel contains 15.60 acres (679,875 square feet), more or less, as described.

Introduced on first reading this 4th day of October, 2006 and ordered published.

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

ATTEST:

President of the Council

City Clerk

Attach 19

Public Hearing – Zoning the Fox Annexation, Located at 3000 F Road

CITY OF GRAND JUNCTION

<i>CITY COUNCIL AGENDA</i>								
Subject	Zoning the Fox Annexation, Located at 3000 F Road							
Meeting Date	November 15, 2006							
Date Prepared	November 3, 2006			File # GPA-2006-087				
Author	Kathy Portner		Assistant Director of Community Development					
Presenter Name	Kathy Portner		Assistant Director of Community Development					
Report results back to Council	X	No		Yes	When			
Citizen Presentation		Yes		No	Name			
	Workshop	X		Formal Agenda		Consent	x	Individual Consideration

Summary: Request to zone the Fox Annexation from County RSF-4 (Residential Single Family, 4 units per acre) to RO (Residential Office).

Budget: N/A

Action Requested/Recommendation: Hold a Public Hearing and Consider Final Passage of a Proposed Ordinance.

Background Information: See attached Staff Report/Background Information

Attachments:

1. Vicinity Map/Aerial Photo
2. Growth Plan Map/Zoning Map
3. Applicant's Project Report
4. Ordinance

AGENDA TOPIC: GPA-2006-087 Zone of Annexation—Fox Annexation

ACTION REQUESTED: Consideration of the zoning ordinance.

BACKGROUND INFORMATION			
Location:		3000 F Road	
Applicants:		Owner: Pamela Fox	
Existing Land Use:		Undeveloped	
Proposed Land Use:		Residential Medium	
Surrounding Land Use:	North	Residential Medium Low	
	South	Residential Medium Low	
	East	Residential Medium Low	
	West	Commercial and Residential Medium	
Existing Zoning:		RSF-4	
Proposed Zoning:		RO (Residential Office)	
Surrounding Zoning:	North	RSF-4	
	South	RSF-4	
	East	RSF-4	
	West	PD	
Growth Plan Designation:		Residential Medium Low	
Zoning within density range? NA		<input type="checkbox"/>	Yes
		<input type="checkbox"/>	No

PROJECT DESCRIPTION: A request to zone the Fox Annexation to RO (Residential Office)

RECOMMENDATION: Staff recommends approval.

ANALYSIS

1. Background

The subject property is located at the northeast corner of F Road and 30 Road and is currently being annexed into the City of Grand Junction. The property consists of 1.6 acres and is currently zoned RSF-4 by Mesa County. A Growth Plan Amendment was approved, changing the Future Land Use designation from Residential Medium Low (2-4 units per acre) to Residential Medium (4-8 units per acre) to allow for more flexibility in zone districts and ultimate development.

The owner is requesting RO (Residential Office) zoning for the property, which can be considered on a property with a Future Land Use Designation of Residential Medium. The stated purpose of the RO Zone District is to provide low intensity, non-retail, neighborhood service and office uses that are compatible with adjacent residential neighborhoods. Development regulations and performance standards are intended to make buildings compatible and complementary in scale and appearance to a residential environment.

2. Consistency with the Growth Plan:

The requested zone district is consistent with the Future Land Use designation of Residential Medium, as well as the following goals and policies of the Growth Plan:

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

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

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.

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

Policy 11.2: The City will limit commercial encroachment into stable residential neighborhoods. In areas designated for residential development the City may consider inclusion of small scale neighborhood commercial development that provides retail and

service opportunities in a manner compatible with surrounding neighborhoods in terms of scale and impact.

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

Zone of Annexation: The requested zone of annexation to the RO district is consistent with the Growth Plan designation of Residential Medium. 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. as follows:

- The existing zoning was in error at the time of adoption; or

The existing zoning was not in error.

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

The property has approximately 200 feet of frontage on F Road and 500 feet of frontage on 30 Road. F Road is classified as a Principal Arterial and 30 Road as a Major Collector. Additional street access will not be allowed onto F Road, and individual driveway access will not be allowed onto 30 Road. Because of the configuration of the lots already developed to the east of the property, the site could not develop out at an RSF-4 density.

- 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.

The stated purpose of the RO zone district is to provide low intensity, non-retail, neighborhood service and office uses that are compatible with adjacent residential neighborhoods. Development regulations and performance standards are intended to make buildings compatible and complementary in scale and appearance to a residential environment.

RO can be used to implement the Residential Medium Future Land Use Designation in transitional corridors between single-family residential and more intensive uses. The proposed rezone to RO is consistent with the goals and policies of the Growth Plan as listed above.

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

Adequate public facilities and services are available to serve the property.

- The supply of comparably zoned land in the surrounding area is inadequate to accommodate the community's needs; and

The RO zoning will allow for residential uses of densities up to 8 units per acre, as well as office and neighborhood services for the surrounding residential medium low density neighborhood.

- The community will benefit from the proposed zone.

The community will benefit from the development of this highly visible property, located at a very busy intersection with needed housing or neighborhood services and offices.

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

- h. RSF-4
- i. RMF-5
- j. RMF-8

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

FINDINGS OF FACT/CONCLUSIONS

After reviewing the Fox application, GPA-2006-087, for a Zone of Annexation to RO, staff makes the following findings of fact and conclusions:

1. The proposed amendment is consistent with the purpose and intent of the Plan.
2. The review criteria in Section 2.6.A of the Zoning and Development Code have all been met.

STAFF RECOMMENDATION:

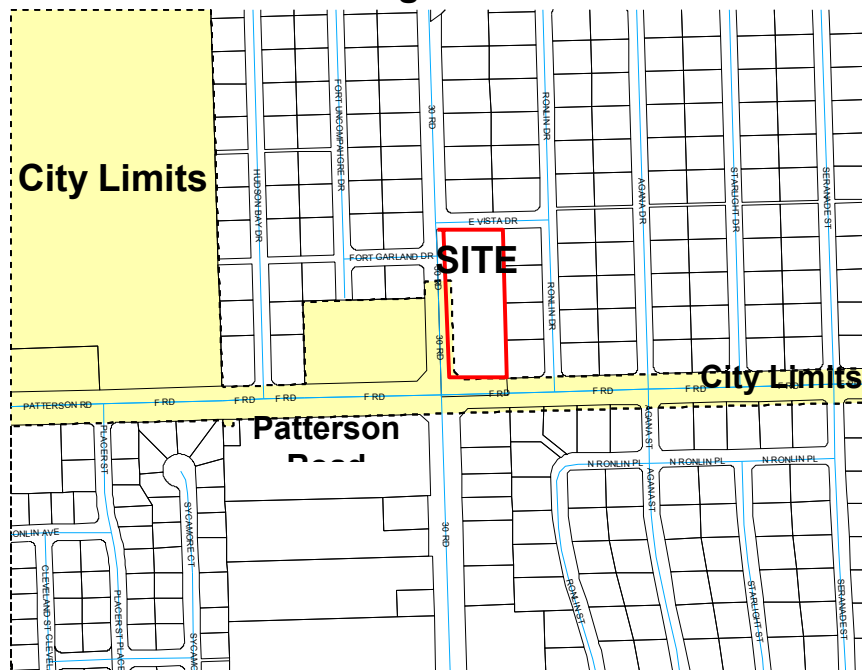
Staff recommends approval of the requested zone of annexation with the findings and conclusions listed above.

PLANNING COMMISSION:

At their October 23, 2006 hearing, the Planning Commission recommended approval of the RO zone district.

Site Location Map

Figure 1

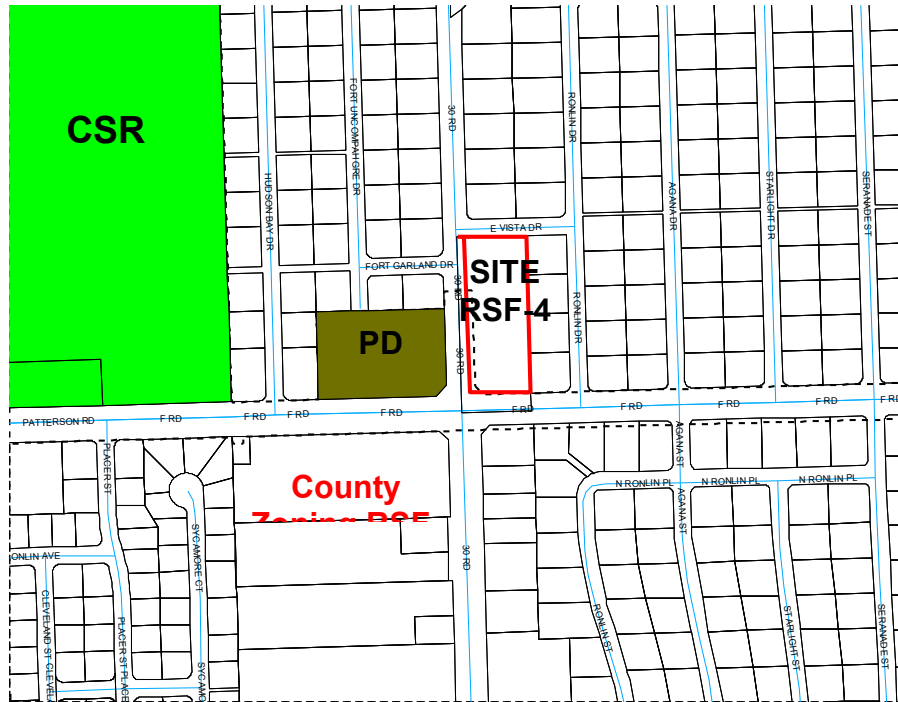


Aerial Photo Map

Figure 2

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."

REZONING APPROVAL CRITERIA FOR FOX PROPERTY
3000 F Road

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

The existing zoning was in error because the specific constraints of access and physical shape of the property were not considered. The combination of the surrounding street classification and the narrow shape of the property will not accommodate internal streets or adequate driveways to be developed at the RSF-4 density.

2. There has been a change of character in the neighborhood due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc. and such changes were not anticipated and are not consistent with the plan.

There has been tremendous change to the character of the neighborhood. Where once there were farms and orchards, there are now homes and businesses. Growth has made F Rd a major artery for traffic to and from the Clifton area. The property across 30 is commercial, with a Rite Aid. It is important that the community allow businesses into and area to support the present population with much needed services.

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

The R/O proposed zone, is a perfect fit for this property. I see this property as a buffer area between commercial and residential. The guidelines for R/O zoning are stringently regulated to fit into or close by residential areas. They take into account architectural guidelines. The businesses that are allowed are usually those that provide neighborhood services and close early evening. The proposed zoning will not have any adverse impact to the existing infrastructure.

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

We believe the change is consistent with the goal and policies of the Growth Plan. The city has approved a growth plan amendment for the property with this proposed zoning in mind and found it to be consistent with the goals and policies of the Growth Plan.

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

Public and community facilities are adequate to serve the type and scope of land use we propose. The needed infrastructure is in place to support the rezone. We feel that providing this rezone will enhance the facilities and services to the community in this area.

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

An inadequate supply of suitably designated land is available in the community, as defined by the presiding body, to accommodate the proposed land use. The requested rezoning to R/O designation will allow for greater flexibility in building and therefore, use.

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

Yes. This rezone will allow business into a community area and supply the residents with services they would otherwise have to drive much farther to obtain. In addition to this convenience to the immediate community, the larger community would benefit in many ways from the reduction in lower trips; such as traffic congestion and safety and air pollution.

CITY OF GRAND JUNCTION, COLORADO

ORDINANCE NO.

AN ORDINANCE ZONING THE FOX ANNEXATION TO RO (RESIDENTIAL OFFICE)
LOCATED AT 3000 F ROAD

Recitals:

A request for a Zone of Annexation has been submitted in accordance with the Zoning and Development Code. The applicant has requested that approximately 1.6 acres, located at 3000 F Road, be zoned from a County RSF-4 (Residential Single Family, 4 units per acre) zone district to RO (Residential Office).

The Planning Commission recommended approval of the RO zone district. In a public hearing, the City Council reviewed the request for the proposed zoning and determined that it satisfied the criteria as set forth and established in Section 2.6.A of the Zoning and Development Code and the proposed zone is consistent with the purpose and intent of the Growth Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT THE AREA DESCRIBED BELOW IS ZONED RO (RESIDENTIAL OFFICE).

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

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

East right of way of said 30 Road a distance of 275.21 feet; thence S89°50'44"W a distance of 40.00 feet, more or less to the POINT OF BEGINNING.
Excluding any Right-of-Way.

INTRODUCED on first reading on the 1st day of November, 2006 and ordered published.

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

ATTEST:

President of Council

City Clerk

Attach 20

Public Hearing – Kelley Annexation, Located at 849 21 ½ Road

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Kelley Annexation, Located at the 849 21 ½ Road					
Meeting Date	November 15, 2006					
Date Prepared	November 9, 2006				File #GPA-2006-249	
Author	Senta L. Costello		Associate Planner			
Presenter Name	Kathy Portner		Assistant Community Development Director			
Report results back to Council	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	When	
Citizen Presentation		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Name	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Consent	<input checked="" type="checkbox"/>
Workshop	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Formal Agenda	<input type="checkbox"/>
						Individual Consideration

Summary: Request to annex 14.27 acres, located at 849 21 ½ Road. The Kelley Annexation consists of 1 parcel and is a 2 part serial annexation.

Budget: N/A

Action Requested/Recommendation: Adopt Resolution accepting the petition for the Kelley 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:		849 21 ½ Road	
Applicants:		Owner/Developer: Randi L. and Coreen D. Kelley Representative: Brian Bray	
Existing Land Use:		Residential/Agricultural	
Proposed Land Use:		Commercial/Industrial	
Surrounding Land Use:	North	Residential/Agricultural	
	South	Vacant	
	East	Commercial/Industrial	
	West	Residential/Agricultural	
Existing Zoning:		County AFT	
Proposed Zoning:		City I-1 if Growth Plan Amendment is approved	
Surrounding Zoning:	North	County AFT	
	South	County PUD – Undeveloped	
	East	County PUD – Commercial/Industrial type use	
	West	County AFT	
Growth Plan Designation:		Existing: Rural 5-25 ac/du Requesting: Commercial/Industrial	
Zoning within density range?		w/ GPA	Yes
			No

Staff Analysis:

ANNEXATION:

This annexation area consists of 14.27 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 Kelley 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>	
October 4, 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
November 15, 2006	Acceptance of Petition and Public Hearing on Annexation by City Council
December 17, 2006	Effective date of Annexation

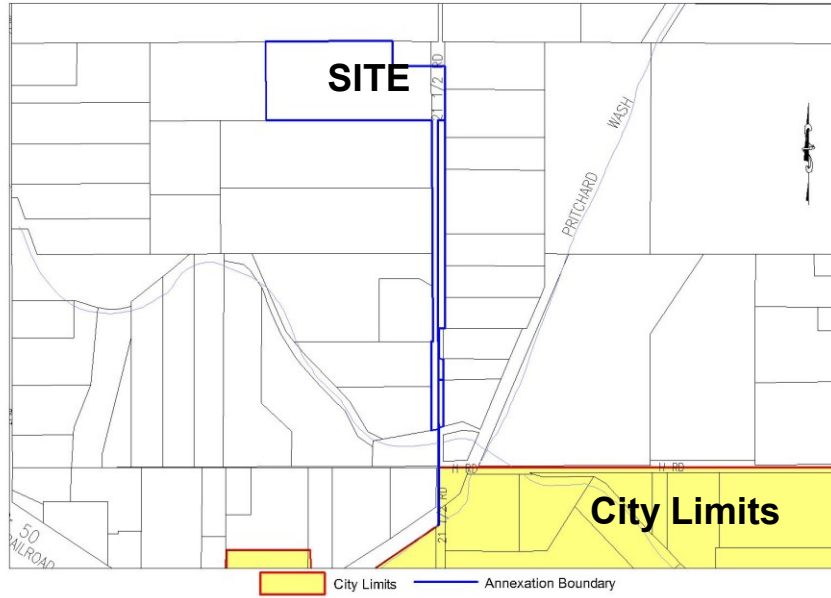
KELLEY ANNEXATION SUMMARY

File Number:	GPA-2006-249	
Location:	849 21 ½ Road	
Tax ID Number:	2697-253-00-107	
Parcels:	1	
Estimated Population:	2	
# of Parcels (owner occupied):	1	
# of Dwelling Units:	1	
Acres land annexed:	14.27 ac	
Developable Acres Remaining:	12.14 ac	
Right-of-way in Annexation:	2.13 ac of 21 ½ Road right-of-way	
Previous County Zoning:	AFT	
Proposed City Zoning:	I-1	
Current Land Use:	Residential/Agricultural	
Future Land Use:	Commercial/Industrial	
Values:	Assessed:	= \$8,660
	Actual:	= \$95,770
Address Ranges:	845-849 21 ½ Road (odd only)	
Special Districts:	Water:	Ute Water
	Sewer:	City of Grand Junction
	Fire:	Grand Jct Rural Fire District
	Irrigation/ Drainage:	Grand Junction Drainage District
	School:	Mesa Co School District #51
	Pest:	None

Site Location Map

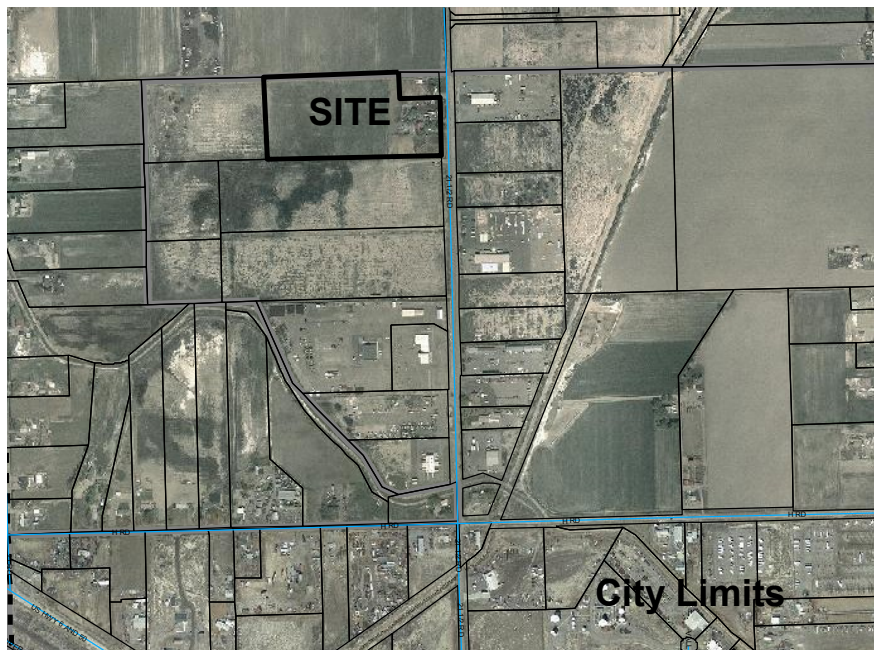
Figure 1

Kelley Annexations #1-3



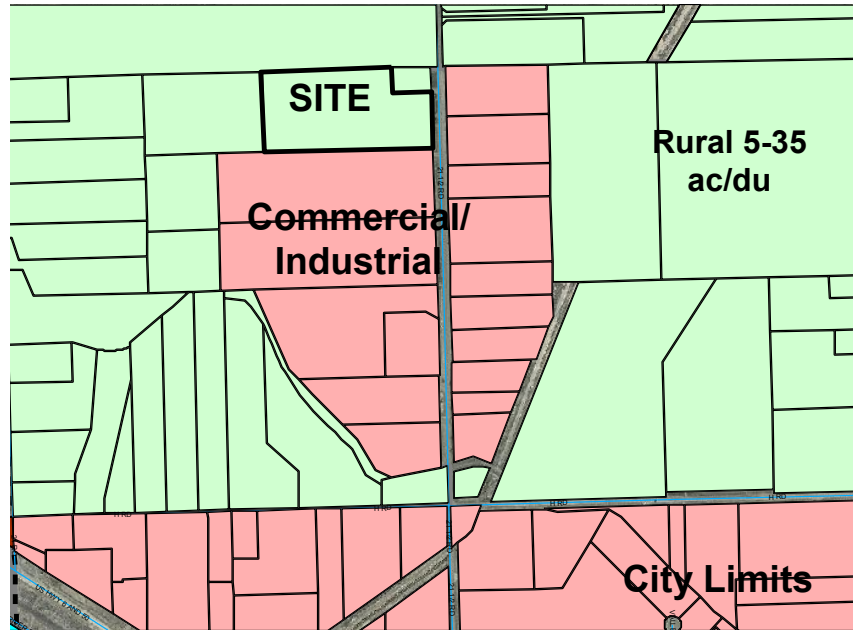
Aerial Photo Map

Figure 2



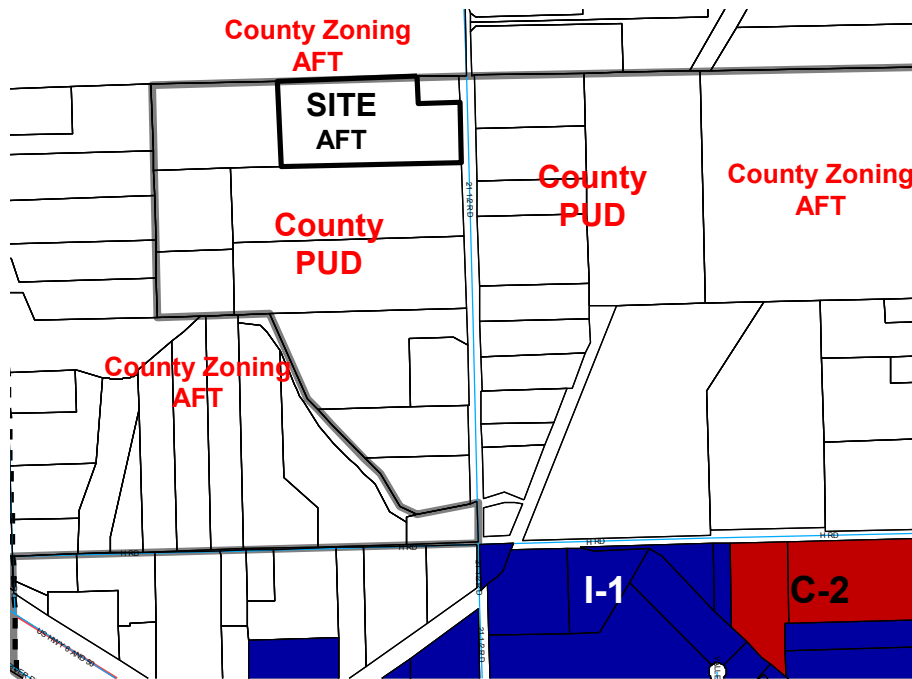
Future Land Use Map

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**

KELLEY ANNEXATION

**LOCATED AT 849 21 ½ ROAD INCLUDING A PORTION OF THE 21 ½ ROAD RIGHT-
OF-WAY**

IS ELIGIBLE FOR ANNEXATION

WHEREAS, on the 4th day of October, 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:

KELLEY ANNEXATION NO. 1

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

Beginning at the Northeast corner of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 36 and assuming the East line of the Northwest Quarter (NW 1/4) of said Section 36 to bear S00°04'11"W with all bearings contained herein relative thereto; thence S00°04'11"W along the East line of said Section 36 a distance of 342.37 feet to a point on the Persigo Annexation No. 2, City of Grand Junction Ordinance No. 2556; thence S55°36'16"W along said Persigo Annexation No. 2 a distance of 2.42 feet to a point on a line being 2.00 feet West of and parallel with the East line of the Northwest Quarter (NW 1/4) of said Section 36; thence N00°04'11"E along said parallel line a distance of 343.74 feet to a point on the South line of the Southwest Quarter of Section 25; thence N00°00'31"W along a line being 2.00 feet West of and parallel with the East line of said Southwest Quarter of Section 25, a distance of 545.12 feet; thence S89°51'47"E a distance of 32.00 feet to the Northwest Corner of Lot 2, Ferris Commercial Park, as same is recorded in Plat Book 14, Page 342, Public Records of Mesa County, Colorado; thence S00°00'31"E along the West line of said Lot 2 a distance of 293.69 feet to the Southwest Corner of said Lot 2; thence S81°59'48"W a distance of 30.30 feet to a point on the East line of said Southwest Quarter of Section 25; thence S00°00'31"E along said East line a distance of 247.14 feet, more or less, to the Point of Beginning.

Said parcel contains 0.24 acres (10,650 square feet), more or less, as described.

KELLEY ANNEXATION NO. 2

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

Commencing at the Northeast corner of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 36 and assuming the East line of the (NE 1/4 NW 1/4) of said Section 36 to bear S00°04'11"W with all bearings contained herein relative thereto; thence S00°04'11"W along the said East line a distance of 342.37 feet to a point on the Persigo Annexation No. 2, City of Grand Junction Ordinance No. 2556; thence S55°36'16"W along said Persigo Annexation No. 2 a distance of 2.42 feet to the Point of Beginning; thence continuing S55°36'16"W along said Persigo Annexation No. 2 a distance of 2.43 feet a point on a line being 4.00 feet West of and parallel with said East line of the (NE 1/4 NW 1/4) of said Section 36; thence N00°04'11"E along said parallel line a distance of 345.12 feet to a point on the South line of the Southeast Quarter of the Southwest Quarter of said Section 25; thence N00°00'31"W along a line being 4.00 feet West of and parallel with the East line of the (SE 1/4 SW 1/4) of said Section 25 a distance of 1320.84 feet to a point on the North line of the (SE 1/4 SW 1/4) of said Section 25; thence N00°00'45"E along a line being 4.00 feet West of and parallel with the East line of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of said Section 25 a distance of 831.85 feet; thence S89°52'48"E a distance of 44.00 feet to a point on the East right of way of 21-1/2 Road as shown on the plat of Riverview Commercial Subdivision, as same is recorded in Plat Book 13, Page 138, Public Records of Mesa County, Colorado; thence S00°00'45"W along said right of way a distance of 831.71 feet to a point on the North line of the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of said Section 25; thence S00°00'31"E along said right of way a distance of 465.10 feet to the Southwest corner of Lot 9 of said Riverview Commercial Subdivision; thence N89°51'45"W a distance of 40.00 feet to the East line of the (SE 1/4 SW 1/4) of said Section 25; thence S00°00'31"E along said East line a distance of 185.77 feet; thence S89°51'47"E a distance of 30.00 feet to the Northwest corner of Lot 1 of Ferris Commercial Park, as same is recorded in Book Plat 14, Page 342, Public Records of Mesa County, Colorado; thence S00°00'31"E along the West line of said Lot 1 a distance of 125.00 feet to the Southwest corner of said Lot 1; thence N89°51'47"W a distance of 32.00 feet to a point on a line being 2.00 feet West of and parallel with the East line of the (SE 1/4 SW 1/4) of said Section 25; thence S00°00'31"E along said parallel line a distance of 545.12 feet to a point on the South line of the (SE 1/4 SW 1/4) of said Section 25; thence S00°04'11"W along a line being 2.00 feet West of and parallel with said East line of the (NE 1/4 NW 1/4) of said Section 36 a distance of 343.74 feet, more or less, to the Point of Beginning.

Said parcel contains 1.46 acres (63,833 square feet), more or less, as described.

KELLEY ANNEXATION NO. 3

A certain parcel of land located in the South half of Section 25, Township 1 North, Range 2 West, of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Southeast corner of Lot 2 of E and C Subdivision, as same is recorded in Plat Book 12, Page 400, Public Records of Mesa County, Colorado, and assuming the East line of said Lot Two to bear N00°00'31"W with all bearings contained herein relative thereto; thence N00°00'31"W a distance of 542.14 feet to the Northeast corner of Lot One of said E and C Subdivision; thence S89°56'32"E a distance of 10.00 feet to the Southeast corner of Lot 2 of K N Energy Park, as same is recorded in Plat Book 15, Page 338, Public Records of Mesa County, Colorado; thence N00°00'31"W a distance of 552.50 feet to the Northeast corner of Lot 1 of said K N Energy Park; thence N00°00'45"E a distance of 831.90 feet to the Northeast corner of Parcel A of Kipp Simple Land Division, as same is recorded in Plat Book 18, Page 90, Public Records of Mesa County, Colorado; thence N89°52'48"W a distance of 1039.83 feet to the Southwest corner of that certain parcel of land as described in Book 2395, Pages 934-935, Public Records of Mesa County, Colorado; thence N00°11'26"E a distance of 488.93 feet to the Northwest corner of said parcel; thence S89°52'43"E a distance of 787.29 feet to the Northwest corner of that certain parcel of land as described in Book 2294, Pages 111-112, Public Records of Mesa County, Colorado; thence S00°00'17"E a distance of 155.00 feet to the Southwest corner of said parcel; thence S89°52'43"E a distance of 320.98 feet to a point on the West line of Lot 2 of Riverview Commercial II Subdivision as same is recorded in Plat Book 16, Page 58, Public Records of Mesa County, Colorado; thence S00°00'45"W a distance of 333.91 feet along the West line of Lot 1 of said Riverview Commercial II Subdivision; thence N89°52'48"W a distance of 44.00 feet to a point on a line being 4.00 feet West of and parallel with the East line of the NE 1/4 SW 1/4 of said Section 25; thence S00°00'45"W along said parallel line a distance of 831.85 feet to a point on the South line of said NE 1/4 SW 1/4; thence S00°00'31"E a distance of 1,085.87 feet to a point on the North line of that certain parcel of land as described in Book 1998, Page 173, Public Records of Mesa County, Colorado; thence S76°18'49"W along said North line a distance of 37.04 feet, more or less, to the Point of Beginning.

Said parcel contains 12.57 acres (547,841 square feet), more or less, as described.

WHEREAS, a hearing on the petition was duly held after proper notice on the 15th day of November, 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 the ____ 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**

KELLEY ANNEXATION #1

APPROXIMATELY 0.24 ACRES

LOCATED WITHIN THE 21 ½ ROAD RIGHT-OF-WAY

WHEREAS, on the 4th day of October, 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 15th day of November, 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:

KELLEY ANNEXATION NO. 1

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

Beginning at the Northeast corner of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 36 and assuming the East line of the Northwest Quarter (NW 1/4) of said Section 36 to bear S00°04'11"W with all bearings contained herein relative thereto; thence S00°04'11"W along the East line of said Section 36 a distance of 342.37 feet to a point on the Persigo Annexation No. 2, City of Grand Junction Ordinance No. 2556; thence S55°36'16"W along said Persigo Annexation No. 2 a distance of 2.42 feet to a point on a line being 2.00 feet West of and parallel with the East line of the Northwest Quarter (NW 1/4) of said Section 36; thence N00°04'11"E along said parallel line a distance of 343.74 feet to a point on the South line of the Southwest Quarter of Section 25; thence N00°00'31"W along a line being 2.00 feet

West of and parallel with the East line of said Southwest Quarter of Section 25, a distance of 545.12 feet; thence S89°51'47"E a distance of 32.00 feet to the Northwest Corner of Lot 2, Ferris Commercial Park, as same is recorded in Plat Book 14, Page 342, Public Records of Mesa County, Colorado; thence S00°00'31"E along the West line of said Lot 2 a distance of 293.69 feet to the Southwest Corner of said Lot 2; thence S81°59'48"W a distance of 30.30 feet to a point on the East line of said Southwest Quarter of Section 25; thence S00°00'31"E along said East line a distance of 247.14 feet, more or less, to the Point of Beginning.

Said parcel contains 0.24 acres (10,650 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 4th day of October, 2006 and ordered published.

ADOPTED on second reading the ____ 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**

KELLEY ANNEXATION #2

APPROXIMATELY 1.46 ACRES

LOCATED WITHIN THE 21 ½ ROAD RIGHT-OF-WAY

WHEREAS, on the 4th day of October, 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 15th day of November, 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:

KELLEY ANNEXATION NO. 2

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

Commencing at the Northeast corner of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 36 and assuming the East line of the (NE 1/4 NW 1/4) of said Section 36 to bear S00°04'11"W with all bearings contained herein relative thereto; thence S00°04'11"W along the said East line a distance of 342.37 feet to a point on the Persigo Annexation No. 2, City of Grand Junction Ordinance No. 2556; thence S55°36'16"W along said Persigo Annexation No. 2 a distance of 2.42 feet to the Point of Beginning; thence continuing S55°36'16"W along said Persigo Annexation No. 2 a distance of 2.43 feet a point on a line being 4.00 feet West of and parallel with said East line of the (NE 1/4 NW 1/4) of said Section 36; thence N00°04'11"E along said parallel line a distance of 345.12 feet to a point on the South line of the Southeast

Quarter of the Southwest Quarter of said Section 25; thence N00°00'31"W along a line being 4.00 feet West of and parallel with the East line of the (SE 1/4 SW 1/4) of said Section 25 a distance of 1320.84 feet to a point on the North line of the (SE1/4 SW 1/4) of said Section 25; thence N00°00'45"E along a line being 4.00 feet West of and parallel with the East line of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of said Section 25 a distance of 831.85 feet; thence S89°52'48"E a distance of 44.00 feet to a point on the East right of way of 21-1/2 Road as shown on the plat of Riverview Commercial Subdivision, as same is recorded in Plat Book 13, Page 138, Public Records of Mesa County, Colorado; thence S00°00'45"W along said right of way a distance of 831.71 feet to a point on the North line of the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of said Section 25; thence S00°00'31"E along said right of way a distance of 465.10 feet to the Southwest corner of Lot 9 of said Riverview Commercial Subdivision; thence N89°51'45"W a distance of 40.00 feet to the East line of the (SE 1/4 SW 1/4) of said Section 25; thence S00°00'31"E along said East line a distance of 185.77 feet; thence S89°51'47"E a distance of 30.00 feet to the Northwest corner of Lot 1 of Ferris Commercial Park, as same is recorded in Book Plat 14, Page 342, Public Records of Mesa County, Colorado; thence S00°00'31"E along the West line of said Lot 1 a distance of 125.00 feet to the Southwest corner of said Lot 1; thence N89°51'47"W a distance of 32.00 feet to a point on a line being 2.00 feet West of and parallel with the East line of the (SE 1/4 SW 1/4) of said Section 25; thence S00°00'31"E along said parallel line a distance of 545.12 feet to a point on the South line of the (SE 1/4 SW 1/4) of said Section 25; thence S00°04'11"W along a line being 2.00 feet West of and parallel with said East line of the (NE 1/4 NW 1/4) of said Section 36 a distance of 343.74 feet, more or less, to the Point of Beginning.

Said parcel contains 1.46 acres (63,833 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 4th day of October, 2006 and ordered published.

ADOPTED on second reading the ____ 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**

KELLEY ANNEXATION #3

APPROXIMATELY 12.57 ACRES

**LOCATED AT 849 21 ½ ROAD INCLUDING A PORTION OF THE 21 ½ ROAD RIGHT-
OF-WAY**

WHEREAS, on the 4th day of October, 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 15th day of November, 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:

KELLEY ANNEXATION NO. 3

A certain parcel of land located in the South half of Section 25, Township 1 North, Range 2 West, of the Ute Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Beginning at the Southeast corner of Lot 2 of E and C Subdivision, as same is recorded in Plat Book 12, Page 400, Public Records of Mesa County, Colorado, and assuming the East line of said Lot Two to bear N00°00'31"W with all bearings contained herein relative thereto; thence N00°00'31"W a distance of 542.14 feet to the Northeast corner of Lot One of said E and C Subdivision; thence S89°56'32"E a distance of 10.00 feet to the Southeast corner of Lot 2 of K N Energy Park, as same is recorded in Plat Book 15, Page 338, Public Records of Mesa County, Colorado; thence N00°00'31"W a distance of 552.50 feet to the Northeast corner of Lot 1 of said K N Energy Park; thence N00°00'45"E a distance of 831.90 feet to the Northeast corner of Parcel A of Kipp Simple Land Division, as same is recorded in Plat Book 18, Page 90, Public Records of

Mesa County, Colorado; thence N89°52'48"W a distance of 1039.83 feet to the Southwest corner of that certain parcel of land as described in Book 2395, Pages 934-935, Public Records of Mesa County, Colorado; thence N00°11'26"E a distance of 488.93 feet to the Northwest corner of said parcel; thence S89°52'43"E a distance of 787.29 feet to the Northwest corner of that certain parcel of land as described in Book 2294, Pages 111-112, Public Records of Mesa County, Colorado; thence S00°00'17"E a distance of 155.00 feet to the Southwest corner of said parcel; thence S89°52'43"E a distance of 320.98 feet to a point on the West line of Lot 2 of Riverview Commercial II Subdivision as same is recorded in Plat Book 16, Page 58, Public Records of Mesa County, Colorado; thence S00°00'45"W a distance of 333.91 feet along the West line of Lot 1 of said Riverview Commercial II Subdivision; thence N89°52'48"W a distance of 44.00 feet to a point on a line being 4.00 feet West of and parallel with the East line of the NE 1/4 SW 1/4 of said Section 25; thence S00°00'45"W along said parallel line a distance of 831.85 feet to a point on the South line of said NE 1/4 SW 1/4; thence S00°00'31"E a distance of 1,085.87 feet to a point on the North line of that certain parcel of land as described in Book 1998, Page 173, Public Records of Mesa County, Colorado; thence S76°18'49"W along said North line a distance of 37.04 feet, more or less, to the Point of Beginning.

Said parcel contains 12.57 acres (547,841 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 4th day of October, 2006 and ordered published.

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

Attest:

President of the Council

City Clerk

Attach 21

Infill and Redevelopment Request for Killian, Guthro and Jenson Building, 202 North Seventh Street

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Infill and Redevelopment Request for Killian, Guthro and Jenson building, 202 North Seventh Street					
Meeting Date	November 15, 2006					
Date Prepared	November 6, 2006				File #	
Author	Sheryl Trent		Interim Community Development Director			
Presenter Name	Sheryl Trent		Interim Community Development Director			
Report results back to Council	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When	
Citizen Presentation	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name	
	Workshop	<input checked="" type="checkbox"/>	Formal Agenda		<input type="checkbox"/>	Consent
					<input checked="" type="checkbox"/>	Individual Consideration

Summary: This is a revision to the original request for Infill and Redevelopment Program incentives. The request as approved by the City Council in August of 2005 allocated \$75,000 to the under grounding of power lines in the alley. The request is to reallocate that amount to one of three areas: geothermal heating system, limestone exterior, and/or cost of permits.

Budget: These monies had already been allocated during the previous City Council discussion. Therefore there is no affect on the existing budget.

Action Requested/Recommendation: That the City Council consider the proposed request for a reallocation of the approved infill and redevelopment incentives for the under grounding of Xcel power lines in the alley south of Grand and north of White. Staff, based on recent City Council direction, does not recommend the reallocation of the incentive funds.

Attachments:

Original Infill/Redevelopment Application from Killian, Guthro and Jensen.
City Council minutes of August 17, 2005
Letter dated October 12, 2006 from J. Keith Killian

Background Information: The original request for incentives included financial participation from the City in a number of areas. The City Council approved a total of \$105,000 to be spent in the following manner:

\$75,000 for under grounding of the overhead lines in the alley to the north of the site.
\$14,000 for landscaping along Rood Street to coordinate with the 7th Street landscape.
\$16,000 for landscaping along 7th Street to coordinate with that streetscape.

While a request was made for the upgrade of the façade to limestone, the City Council declined to participate financially. Please note that façade improvements are a specific possibility listed in the application form.

At this time the applicants have returned to the City Council to reallocate the \$75,000 for under grounding. The City anticipated completing the under grounding with Xcel as a part of the 7th Street project, when we would need to move the lines crossing 7th Street at this alley way. Xcel has informed us in writing that they will complete that under grounding of the alley and has been working with our staff to do so. However, the applicant clearly states in his cover letter that Xcel has indicated they are not willing to under ground only one block. Staff feels that this apparent difference is caused by the City under grounding a longer portion of the lines (alley and street) than just the applicants request for the alley.

In addition, the applicants plans have changed and they no longer plan to use the alley as a part of their site. Originally they were requesting a vacation of a portion of the alley but were unable to gain the necessary adjoining land owner support.

The applicant would like approval from the City Council to apply that \$75,000 of funding to their geothermal energy system, then to the limestone façade. Should the Council not be comfortable with the façade, the applicant has suggested using any remainder (after the geothermal system) be used for pay for permit fees or possibly landscaping.

After meeting with the applicant, reviewing the documents, and obtaining direction from the City Council at the last discussion regarding the infill and redevelopment program, staff does not recommend a reallocation of funds. The under grounding can be accomplished in the manner originally requested, and the Council has given strong direction that façade improvements and other financial participation that would not have broader public benefit should not be approved.

Killian, Guthro & Jensen, P.C.

Attorneys at Law

J. Keith Killian
James P. Guthro
Joanna C. Jensen

Amy K. Eaton-Fitzpatrick
Damon J. Davis
Barbara R. Butler

225 North Fifth Street, Tenth Floor
Post Office Box 4859
Grand Junction, Colorado 81502

Of Counsel
B. Beecher Threatt

Facsimile (970) 242-8375
Telephone (970) 241-0707

www.killianlaw.com

June 16, 2005

Director of Community Development
Bob Blanchard
250 North 5th St.
Grand Junction, CO 81501

Dear Mr. Blanchard:

Enclosed is an application for the Infill Redevelopment Program. We hope you agree that our proposed project is ideal for the Infill Program. As you know, the lot at the corner of 7th Street and Rood Avenue is one of the last vacant lots in the downtown area of Grand Junction. We believe the project we hope to develop will visually enhance the transition of the Seventh Street Historical District into the downtown area of Grand Junction. This should be especially true in light of the planned redesign of 7th St. from Grand Ave. to Pitkin Ave.

Achieving our desired aesthetic design is proving to be financially challenging. There is a dearth of comparable properties in the Grand Valley upon which sales values can be compared. Since the appraised value of our project is based on comparable existing buildings, our available financing is limiting our ability to achieve the desired objective. As such, we are facing the specter of downgrading our exterior surfaces in order to bring the cost of the project into line with the appraised values existing in the valley. Obviously, this stymies the quality of the improvement of our project, but it will also adversely affect the appearance of the 7th Street corridor. However, if we obtain the assistance of the city, we could build a beautiful edifice which would raise the values of downtown properties. This would also allow others who wish to build in the downtown area to obtain better financing and further beautify the city.

We believe our project will greatly benefit the downtown area and advance the stated goals of the current planning models. This prominent corner has been vacant for many years. What should be an integral part of historic downtown has been a blemish on the city. Our goal is to design and implement an aesthetically pleasing building which will harmonize with the former Mesa County Courthouse and the R-5 School. We plan to develop a building which will be easily integrated with the Seventh Street Redevelopment project. The structure will be set back from the sidewalk, which may require the moving of a sewer line, in order to better coordinate with the existing urban landscape.

Ultimately, the corner of 7th St. and Rood Ave. could be a showcase intersection for the City of Grand Junction. On the south west corner is the Merrill Lynch building. Two blocks to the west is the historic Mesa County Courthouse. One block to the north is the R-5 school. This project can increase the assessed valuation of all properties in the area and thereby increase the TIF bonding capacity. Finally, we believe that our project can be an outstanding precedent for the successful implementation of the Infill and Redevelopment Program.

The infill proposal will not only benefit the law firm by closing the gap in the available financing, but also enable us to develop a project worthy of historical downtown Grand Junction. This project will allow the firm to remain in the downtown area rather than move to another location, like many downtown business have done in recent decades.

We believe our proposal is consistent with the stated planning goals. Chapter 4 of the growth plan states “the focus is on redevelopment in the downtown area. The city continues to work with the Downtown Development Authority to pursue feasible alternatives to increase downtown economic growth. Area development will focus on entertainment, tourism, specialty retail, government and financial offices, with incentives provided for compatible downtown residential development. Adjacent neighborhoods are down zoned in most areas to stabilize single-family development. Heavy commercial and industrial areas are down zoned to encourage other types of uses in redevelopment that is more compatible with the “vision” for downtown.”

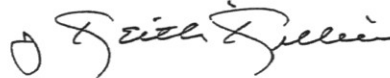
Similarly, according to the downtown development authority “the DDA’s primary purpose is to facilitate reinvestment and redevelopment in downtown Grand Junction.” Chapter 5 of the growth plan indicates “the city of Grand Junction is committed to taking an active role in the facilitation and promotion of infill and redevelopment within the urban growth area of the city.”

Likewise the objective of the downtown development authority is to “plan, promote, and develop long-term economic vitality within the Grand Junction downtown development district for the benefit of the community, by encouraging public and private investment in capital projects, infrastructure, aesthetic and cultural programs and amenities.”

Finally, under the vision 20/20 program the focus is on “local businesses and governments working together to create and sustain vital dynamic downtown business chorus.” The firm currently has twenty six employees. These employees and the daily flow of clients, who regularly visit the firm, will increase commerce in downtown restaurants, lounges, and retail stores.

We believe our project, with the assistance of the infill program will fit within the growth plans outlined above. We welcome the opportunity to be a pilot project for the infill program. Thank you for your consideration of this request.

Sincerely,
Killian, Guthro & Jensen, PC

A handwritten signature in cursive script, appearing to read "J. Keith Killian".

J. Keith Killian
James P. Guthro
Joanna C. Jensen

Infill / Redevelopment Application

Applicant Triumvirate LLC

Street Address 225 North Fifth Street, Suite 1010

City/State/Zip Grand Junction, CO 81502

Telephone 241-0707 **Fax Number** 242-8375

Email Address mike@killianlaw.com

Project Name/Description Killian, Guthro & Jensen Law Building

Site Location 202 North Seventh Street

Tax Parcel Number(s) 2945-144-49-002

Please answer the following questions
Please attach additional paper if needed.

1. Is the site within the City's geographically mapped area for: Infill

Redevelopment

2. Does the site meet the definition of Infill or Redevelopment?

3. Describe how the site is compatible with the surrounding area and meets community values including compatibility with surrounding quality of design and site planning.

The Killian, Guthro & Jensen Law Building is designed to support the transition from the 7th Street Historic District to the commercial core of Downtown Grand Junction. It is the intent of the owners to build a modern building that features articulated wall surfaces in harmony with the scale of nearby historic buildings while having the presence of buildings such as R-5 School and the Mesa County Courthouse. To further the link to the courthouse the primary exterior material will be natural Indiana limestone.

4. Describe the project's feasibility. This should include the developer's resume of experience, whether project financing is in place and, for non-residential projects, what tenant commitments are in place.

This project will be financed by a bank and principals of KGJ who are the owners and occupants. Project financing has been obtained. Only a small area is reserved for expansion and it will be leased in the short term. Leasing of the expansion area is not critical to the feasibility of the project.

5. Within a distance of 1,000 feet, list any specific infrastructure projects planned and/or funded by the City or any proposed off-site contributions anticipated by the proposed project that address existing deficiencies as defined by the City.

We understand the City and DDA have plans to rebuild Seventh Street with design starting this year creating the opportunity to collaborate and enhance both projects. Other existing infrastructure deficiencies that could be addressed with this project include replacement of the deteriorated city sewer line traversing the property, undergrounding the overhead power lines, and extension of the streetscape improvements to the east along Rood. After reviewing the preliminary 7th Street designs, it looks likely that the alley might be closed due to limited traffic movements. This will allow the building and parking to shift north creating space for a plaza at the corner of 7th and Rood. KGJ will dedicate an access easement along the east side of the property to accommodate alley traffic.

6. What is the level of sharing of City vs. private participation for specific enhancement request or code requirements?

See response to Question 12.

7. Does the proposed project include a mixture of uses? If so, describe the types and percentage.

The building will accommodate offices and possibly retail in the lease area.

8. Is the proposed project part of an economic development recruitment.

KGJ is limited from growth in their current space, however, they will eventually expand and create new jobs once the move is made.

9. Will the proposed project preserve or enhance any historic structure or site? Has the structure or site been inventoried by the City?

No

10. Does the proposed project include an affordable housing element? If so, provide details including how the project meets different HUD definitions for affordable housing.

No

11. Does the proposed project go beyond current Code requirements and provide enhanced architectural and design elements? If so, describe.

Yes, the project will go far beyond the current code requirements in both building and site design. It is the intent of the owners to build an elegant structure as defined by the following statement: "The building should use two primary materials with possibly one accent material. The windows should be a highlight of the architecture and should be used to maximize the relationship between interior and exterior spaces. The form should maximize public exposure. The interior and exterior should feel professionally formal but not residential and not corporate. Daylighting technology and ingenuity are important."

12. The following is a list of potential forms of City involvement. Please indicate (✓) the type of incentive you would like to be considered for and provide justification for your request.

	Estimated Cost	City Participation (Not to Exceed)	City Staff Approval
a. Expedited development review process.			
b. Assistance with city agency review. 1. Relax TEDS standards for separation between driveways and the alignment of driveways. The proposed distance between the Triumvirate, LLC driveway and Rio Grande Credit Union driveway is less than the TEDS minimum.	\$0	\$0	
c. Deferral of fees (examples may include permitting fees, tap fees and impact fees).			
d. Density bonuses for residential projects.			
e. Proactive city improvements, i.e., "prime the pump" by investing in various city improvements prior to any private development commitment.			
f. Financial participation - because many desired projects are not viable without city participation and/or to reduce the relative land cost for redevelopment versus vacant property. 1. Sewer replacement.	\$25,000	\$25,000	
g. Contribution to enhancements / upgrades versus typical standards (for instance upgrading a split face block building treatment to a stone building treatment.) 1. Upgrading conventional exterior material (stucco) to Indiana limestone. This is an effort to strengthen architectural ties to historic	\$190,000	\$114,000	

edifices in the downtown, such as the Courthouse, and upgrade the general level of finish and design for future downtown construction.

	North	South	East	West			
Approximate façade areas (Not including windows):	1,700 sf	1,700 sf	1,400 sf	1,400 sf			
Approx. cost for Stucco (cost/sf = \$8.00):	\$13,600	\$13,600	\$11,200	\$11,200			
Approx. cost for Limestone (cost/sf = \$32.00):	\$54,400	\$54,400	\$44,800	\$44,800			
Add for stone or precast concrete sills, lintels, cornices, etc.:	\$44,000						
h. Off-site city improvements required by Code, i.e., access, undergrounding of utilities, streetscape, etc.							
1. Underground powerlines in alley from 7 th Street to 8 th Street.					\$75,000	\$75,000	
2. Extend 7 th street "Urban" landscape on to site.					\$16,000	\$16,000	
3. Allow north landscape buffer to shift to alley (Close Alley).					\$0	\$0	
4. Replace sidewalk and provide landscaping east along Rood to driveway.					\$14,000	\$14,000	
i. City assemblage of development parcels for redevelopment bids.							

ED CHAMBERLIN & BRAD BUONS

THIS IS OUR CHOICE TO BUILD. 7-7-05

~~JK~~ JK JB



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

AUGUST 17, 2005

Infill/Redevelopment Incentive Request - 202 North 7th Street

This is a request for infill/redevelopment incentives for an office building to be built on the northeast corner of 7th Street and Rood. Incentives include relaxation of select requirements in the Transportation Engineering Design Standards (TEDS), financial assistance to move and replace the existing sewer, financial contributions for façade improvements and assistance with several off-site improvements likely to be required as part of development review.

Bob Blanchard, Community Development Director, reviewed this item. There are some potential financial impacts in this request. Mr. Blanchard reviewed the adoption of the program. Very specific boundaries for such incentives were mapped, criteria was developed, nine potential incentives were identified, and a committee was identified for review of all requests. Ten applications were received at the time of the report and since the date of the report, five more have been received. Three applications were deemed valid. The specific request is for 202 North 7th Street, a two story office building on the northeast corner of 7th Street and Rood Avenue. The property is currently fenced and there is a vacation of the alleyway and undergrounding of utility lines being requested. Mr. Blanchard then deferred to Assistant to the City Manager Sheryl Trent for more explanation. Ms. Trent reviewed some of the requirements of the program, they have had several meetings with the applicant. The process allows the applicant to ask for a wide variety of things and that is encouraged. Some of them are assistance with the review, a request for a relaxation of Transportation Engineering Design requirements (that will be handled at the staff level), financial participation including: the original application mentioned a relocation of the sewer line; a scan first showed it needed to be repaired and a new scan showed that to be an error so that is no longer necessary; assistance with the facade upgrade to limestone is the applicant's priority request, a number of off site improvements were mentioned, undergrounding is not a requirement of the applicant so if the City chooses to do it, it would cost the City about \$75,000. Since the lines continue across 7th Street, it is staff's recommendation to continue the undergrounding across 7th Street if the City chooses undergrounding. Last, the applicant is asking that the City landscaping be extended closer to the building on 7th Street and

Rood Avenue. Staff recommendation is to focus on the infrastructure and then contribute to the landscaping in the estimated amount of \$30,000. Staff recommends the funding should come from the economic development fund. Future applications should be funded through specific funds. The additional undergrounding across 7th Street is estimated at \$5,000.

Council President Pro Tem Palmer supported the landscaping and undergrounding request, but is uncomfortable with the recommendation on paying the 60% for facade upgrade.

Councilmember Spehar agrees with staff recommendation. He didn't anticipate enhancements would be a part of the infill/redevelopment, he thought it was to help properties with problems areas.

City Manager Arnold suggested that further discussion on the purpose of the infill/redevelopment policy can be done at another time.

Councilmember Thomason asked if undergrounding is usually paid by developers on a project that is not an infill/redevelopment project. Ms. Trent stated that the Zoning and Development Code requires, under certain guidelines, that if the property is required to have undergrounding, the developer would be required to pay. This property is too short, but it is not required. She also mentioned that the property owner provided documentation that showed the facade improvement will not increase the value of the building.

Councilmember Coons is glad to see that the vacant property is being developed. She supports the undergrounding, supports the landscaping, and is also troubled by the request to support the facade improvement.

Councilmember Doody said he is pleased to see this incentive is available, and he agrees with undergrounding and supports the landscaping request.

Councilmember Thomason sees this request as a trend for upcoming projects. The list of incentives is a wish list for a point to begin negotiations. He too supports undergrounding and landscaping.

Councilmember Beckstein also supports the request for undergrounding and landscaping and believes the limestone would be an enhancement, but without it, it would still be a nice building. She liked Councilmember Thomason's wish list idea.

Council President Hill asked for more clarification on the TEDs exception for the entryway into the parking lot.

Ms. Trent stated it is the entryway to the parking lot off of Rood Avenue. It deals with the sight distances and the line distances between 7th Street and the other entryways along there. It is a common request.

Council President Hill stated that there may be instances where a facade improvement could be considered, but Council must balance the benefit with the costs and weigh all the factors. He solidly supports the undergrounding and landscaping.

Councilmember Spehar moved to approve the request for infill/redevelopment incentives for the property to constructed 202 N. 7th Street specifically contributing the estimated \$75,000 cost for undergrounding power lines in the alleyway from 7th Street to 8th Street and to also extend 7th Street urban landscaping to a maximum of \$16,000 and replace sidewalk and extend landscaping east along Rood Avenue not to exceed \$14,000. Councilmember Coons seconded the motion. Motion carried by roll call vote.

Killian, Guthro & Jensen, P.C.
Attorneys at Law

J. Keith Killian
James P. Guthro
Joanna C. Jensen

Amy K. Eaton-Fitzpatrick
Damon J. Davis
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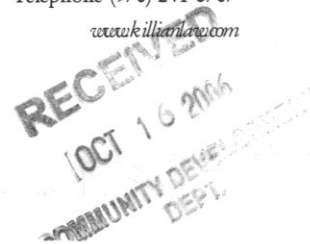
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October 12, 2006



Sheryl Trent
Community Development
250 North 5th Street
Grand Junction, CO 81501

RE: Reallocation of funds previously granted by City for undergrounding utilities

Dear Sheryl:

This letter is sent to confirm the contents of a conversation held between the shareholders of this firm and Tim Moore, Kathy Portner, and yourself on September 19, 2006. In that discussion, we spoke about the June 16, 2005, infill application filed by this firm. I have enclosed a copy of that application for your review. You requested that Killian, Guthro & Jensen, P.C. provide a proposal to be addressed during a Council workshop. It is my understanding that these workshops occur twice per month, with the next one scheduled to occur on October 16, 2006.

UNDERGROUNDING BY XCEL ENERGY

In basic terms, the city approved an award of \$75,000 to underground the power lines currently above ground in the alleyway that runs east/west along the north side of the relevant property. It is my understanding that Eric Kraai of Chamberlin Architects, advised that he spoke with a representative of Xcel Energy, who I believe was John Basford. Eric was informed that Xcel Energy was not interested in becoming engaged in a project that would only underground the power lines for one block. Joleen Ryman, from my office, spoke with John Basford of Xcel Energy on October 6, 2006, to confirm this conversation.

Mr. Basford explained to Ms. Ryman that while there is no "exact" distance required to proceed with a project to bury power cables, a minimum distance is required to ensure the feasibility of the project. Typically, 700 feet of cable would have to be buried to be a viable engineering option; however, the exact distance may, at times, be negotiable. Mr Basford stated that it would not be a viable option for Xcel Energy to bury the power cables in question unless the project were to begin in the 600 block of the alley way between Rood and White Avenues

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Page 2

and continue on under the street, run the entire length of the 700 block, under the street again, and come up in the 800 block. This would be the *absolute* minimum distance that would make this project engineeringly feasible, according to Mr. Basford. He also suggested that in his estimate, the cost to bury the power cables for that distance would approximate \$100,000.

USE OF THE ALLEY

As you may recall, initially the shareholders desired to vacate the alleyway. We attempted to obtain the cooperation of our neighbors so that the alleyway could be vacated. However, objections were obtained from both Robert Bray of Bray Realty and from Rio Grande Federal Credit Union. Apparently, for this reason and other concerns, the city has declined to vacate the alleyway and we understand that it is highly unlikely that the requested revocable use permit would be granted. Under this scenario, it no longer makes sense for us to underground the power cables. We wanted to underground the power cables, not only to beautify the property, but also make use of ten feet of the alleyway, which would allow the firm an additional eight parking spaces. This is now no longer feasible. Therefore, regardless of Xcel Energy's position, we no longer desire to use the infill funds to underground the power lines.

REALLOCATION OF \$75,000

For these reasons, the shareholders request that the \$75,000 allocated to the undergrounding of the power cables be reallocated to help enhance the appearance of the building and offset the permit fees and the cost of the geothermal system.

As a result of delays in construction as well as some alterations in the original plan, the construction project is now going to cost approximately \$3,650,000, which is an increase from our original estimate of \$2,450,414. This estimate does not include a recent dilemma that has arisen with regard to the geothermal energy system.

GEOHERMAL ISSUES

The geothermal energy system will be cooling dominant because of Grand Junction's climate. I understand twenty four holes will be drilled to a 300 foot depth and each hole will contain a circular pipe. Fluid will be circulated through these pipes and come into the building at the ground temperature. To operate efficiently, the ground temperatures need to be the expected 51° – 52°. Clint Ralston of Ralston Mechanical performed testing on the ground temperatures at our location and found that they were 61° – 62°. The geothermal system is designed to transfer energy (coolness in the summer) from the ground to maintain the desired temperature in the building. However, due to the higher temperatures, the building will require more cooling than the system, as planned, can provide. This is due to the fact that the ground temperature is 10° warmer than the minimal temperature requirements for the system to run efficiently.

A further problem is also created by the warmer ground temperatures. As heat from the building is transferred into the water pipes and then is conducted into the ground, it causes a gradual increase in the surrounding ground temperature until the system is no longer functional for cooling. Even though one might expect the winter months to draw this acquired heat from the ground, the ground at a depth of 300 feet, once heated, will not cool a perceptible amount. Mr. Ralston estimated that the geo-thermal system, as currently designed, would rapidly warm the underground, and therefore, would not be functional after two to three years of use.

Several options were provided to negate this problem. The most viable option is to add an air cooled fluid cooler system to the roof of the building, which would essentially act as a radiator and cool the fluid in the geothermal pipes. Because the fluid, after being heated in office space, would first be cooled before returning to the ground, the ground warming effect would be negated. In addition to the cooling system, it may be prudent to bore deeper and to drill more holes. However, I understand due to the unexpected warmth underground, the system will still eventually become dysfunctional unless the roof mounted cooler system is in place. The additional cost to retain the geothermal system as the energy source for the building is expected to range from \$18,400 to \$34,000. This includes the cost of the fluid cooler and one or more of the below listed supplemental measures:

\$ 13,000.00	Estimated cost of roof mounted air cooled fluid cooler
5,400.00	Estimated cost to use higher quality, heat deflecting windows
8,400.00	Estimated cost to drill each hole an additional 50 foot deeper
6,800.00	Estimated cost to add additional holes (\$3,400 per hole)

Reallocating funds previously allocated by the city for undergrounding the power cables to help Killian, Guthro & Jensen, P.C. offset the additional costs of the geothermal energy system would seem to fit within the parameters of the City's infill development project. Section 12(e) of the City's infill application provides for proactive city improvements. We believe that geothermal energy is a proactive improvement and is the type of environmentally friendly utility arrangement that the City would want to encourage. Likewise section 12(g) of the application allows for contributions for enhancements and/or upgrades versus typical standards. An innovative energy system, such as geothermal, is definitely an upgrade over a typical HVAC system.

BUDGET AND FINANCIAL

The additional costs mentioned above and the fact that we are well over our original budget for this building has obviously created an obstacle for the shareholders in their desire to have the exterior of the building be limestone material as well as retain the geothermal energy system. Already the shareholders have deleted the decorative GFRC, which was built into the design in order to accent the exterior and distinguish the building. Losing the limestone would greatly marginalize the appearance of the exterior.

Sheryl Trent
October 12, 2006
Page 4

The estimated cost of the limestone on the west, south and east side of the building, the areas that are visible from 7th Street and Rood Avenue, is now \$204,600. Already the shareholders have deleted the limestone on the north side of the building that is primarily visible from the parking lot. This saved the shareholders \$107,500. Of course, replacement stucco costs will reduce the savings. Financing is based on ninety percent of the appraised value of the building or the actual costs, whichever is lower. The appraisal is currently below the suggested cost to build the building. Because of this factor, the shareholders face the prospect of having to pay any amount, which exceeds ninety percent of the appraisal. As a result, we will have to pay not only our required ten percent down payment, but also one hundred percent of all costs that exceed the appraised value. Obviously, we have been faced with difficult decisions.

LIMESTONE EXTERIOR

We definitely would like to retain the limestone exterior on the building. We chose this exterior, in large part, because of the prominence of the location of the building and the desire to tie into the limestone exteriors of both the Federal Courthouse and the former Mesa County District Courthouse, which are also located on Rood Avenue. If one were to drive from 1st Street to 8th Street on Rood Avenue, they would see three limestone buildings, which would appear, in our view, magnificent.

It is our reading of the infill re-development program that such exterior design features, such as an upgrade to stone, are within the parameters of the infill program. Specifically, upgrading a conventional exterior material from stucco to limestone, in order to strengthen architectural ties to historical edifices in the downtown area, such as the Courthouse, and to upgrade the general level of finish and design for future downtown construction should be considered by the City Council. This is consistent with section 12(g) of the Infill Application which provides: "Contribution to enhancements/upgrades versus typical standards (for instance upgrading a split face block building treatment to a stone building treatment.)"

REQUESTED REALLOCATION

Because of the reasons enumerated above, we respectfully request that the City permit the \$75,000 previously awarded for burying the power lines to be reallocated towards the added costs of the geothermal system and the remainder be applied toward the exterior limestone material.

In the event, the city is reluctant to permit a portion of the \$75,000 previously awarded to be used for limestone, we request that it be used to offset the various permits that the builders are required to obtain and the additional costs of retaining the geothermal energy system for which we had planned. When adding up the amounts for fees and permits, we arrive at a figure of \$23,957.47. The unexpected additional costs for the geothermal system could be \$18,400 to \$34,000. The remainder of the money could be used to pay for additional landscaping. As you know, the infill program also awarded the firm \$30,000 for landscaping. If a portion of the cost

Sheryl Trent
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Page 5

of limestone will not be offset, the firm could use the remainder of the funds to embellish the landscaping around the building. However, a much preferred alternative would be to use the approximate \$24,000 to offset the cost of the permits, \$18,500 to \$34,000 to offset the additional costs of the energy system, and apply the remaining \$17,000 to \$32,500 to the limestone exterior, arriving at a total of \$75,000.

We would greatly appreciate assistance from the city to help us retain our plan for an Indiana Limestone exterior and a geothermal energy system. Please review the contents of this correspondence with the Community Development Council at the next workshop scheduled for October 16, 2006. If you need additional information, please contact me.

Sincerely,

KILLIAN, GUTHRO & JENSEN, P.C.



J. Keith Killian, Esq.
James P. Guthro, Esq.
Joanna C. Jensen, Esq.

Enclosure: Infill Application dated June 16, 2005

cc: Tim Moore
Kathy Portner
Ed Chamberlin
Jon Dyer and Jason Parsons

Attach 22

Public Hearing – Adoption of the Master Plan 2005 for St. Mary’s Hospital

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Adoption of Master Plan 2005 for St. Mary’s Hospital and Re-Establishing Standards for the PD, Planned Development Zone District, located at 2635 North 7 th Street					
Meeting Date	November 15, 2006					
Date Prepared	November 6, 2006				File # ICM-2006-005	
Author	Scott D. Peterson		Senior Planner			
Presenter Name	Scott D. Peterson		Senior Planner			
Report results back to Council	X	No		Yes	When	
Citizen Presentation	X	Yes		No	Name	Robert D. Jenkins, St. Mary’s Project Representative
	Workshop	X		Formal Agenda		Consent X Individual Consideration

Summary: Request to adopt Master Plan 2005 for St. Mary’s Hospital and Re-Establish Standards for the PD, Planned Development Zone District for property owned by St. Mary’s Hospital.

Budget: N/A.

Action Requested/Recommendation: Hold a public hearing and consider final passage of the Ordinance to adopt Master Plan 2005 for St. Mary’s Hospital and re-establish standards for the PD, Planned Development Zone District for property owned by St. Mary’s Hospital.

Attachments:

Master Plan 2005 document
Ordinance

Background Information:

In an effort to avoid approving expansions in a piecemeal fashion, and at the direction of the Grand Junction Planning Commission, St. Mary's Hospital prepared a Master Plan in 1995. The purpose of the Plan was to set forth the plans for upgrades, improvements and expansions to St. Mary's facilities and campus area over a 5-year period and to allow the Planning Commission an opportunity to consider the proposed improvements in a comprehensive manner.

The initial Master Plan was adopted by the Planning Commission with the stipulation that the Plan be re-adopted, or updated, in five years. Since the adoption of the 2000 Master Plan, the Zoning and Development Code has been revised to include a process for Institutional and Civic Master Plans (Section 2.20), which gives final approval authority to the City Council, therefore, all new Master Plans for St. Mary's are required to be approved by City Council.

In accordance with the approved process of the initial Master Plan in 1995, St. Mary's Hospital submitted an updated Master Plan which was approved in December, 2000 and constitutes the current Master Plan for St. Mary's Hospital. Additional amendments to the 2000 Plan were recently approved by the Planning Commission in February, 2006 and City Council in April, 2006 (FPA-2005-288) in preparation for the beginning stages of the Century Project and Master Plan 2005. These amendments to the 2000 Master Plan included;

- * Construction of a utility tunnel between the Central Plant and the new hospital addition.
- * Construction of temporary helicopter landing pad and associated facilities on the east campus.
- * Construction of new underground storm water detention facilities in St. Mary's Park in preparation for the park to serve as construction staging area.
- * Construction of temporary parking lot for construction personnel on the east campus and also utilization of the property owned by St. Mary's at the corner of 11th Street and Wellington Avenue as construction staging area.
- * Construction and demolition of areas at the main hospital building.

Now, the proposed Master Plan 2005 for St. Mary's Hospital consists of the following construction projects:

- * A 12 story, 440,000 sq. ft. building addition located between the current hospital building and the parking structure.
- * Remodel of the existing hospital building of nearly 120,000 sq. ft. (See Pages 3 & 4 in Master Plan 2005 Report for specific improvements).
- * New parking spaces located near the new lobby; emergency entrance; corner of Bookcliff and Little Bookcliff and a single level, covered parking structure adjacent to the main entrance.
- * Upgraded central utility plant with new boilers and chillers and emergency generators.
- * New entrances to the hospital, emergency department and ambulances.
- * Exterior patio spaces adjacent to the new cafeteria and new conference center.
- * New public shelters in St. Mary's Park and in Holy Family Park.

The construction of the new 12-story tower, will increase the total number of patient beds at the hospital from the current 247 (183 private rooms & 64 semi-private) to 335 beds (all private rooms).

Master Plan 2005 for St. Mary's Hospital, if approved, would be valid for a period of five (5) years, until the year 2011.

The applicant is also requesting that individual elements of the Master Plan be submitted and reviewed by the Planning Commission as part of a Preliminary Plan, and that Final Plans of those individual elements be administratively reviewed and approved by Community Development Department staff. City staff finds this request appropriate since this proposal would be in keeping with Section 2.12 C. & D., of the Zoning and Development Code, Preliminary and Final Development Plans.

1. Section 2.20 C. of the Zoning & Development Code:

In reviewing a Master Plan, the decision-making body shall consider the following criteria:

- a. Conformance with the Growth Plan and other area, corridor or neighborhood plans;

The proposed Master Plan 2005 for St. Mary's Hospital complies with the goals and policies of the Growth Plan, Grand Valley Circulation Plan, the Zoning and Development Code and the TEDS Manual.

- b. Conformance with the Grand Valley Circulation Plan and general transportation planning requirements;

The proposed Master Plan 2005 for St. Mary's Hospital complies with the Grand Valley Circulation Plan and Transportation Engineering Design Standards (TEDS) manual.

- c. Compatibility with the surrounding neighborhood in terms of capacity of safety of the street network, site access, adequate parking, adequate storm water and drainage improvements, minimization of water, air or noise pollution, limited nighttime lighting and adequate screening and buffering potential;

The proposed Master Plan 2005 for St. Mary's Hospital has been reviewed and found to be either compliant or to have the ability to be fully compliant upon final engineering and design with all required provisions of this criteria. Three (3) deviations from the current bulk standards of the B-1 zoning district are being proposed in the PD Ordinance. The first deviation would be that the maximum height would exceed the B-1 requirement of 40' in height. Proposed maximum height of the 12-story tower would be 241' (existing hospital building is 128' in height). The other deviations are that a Conditional Use Permit will not be required for a "hospital" or buildings exceeding 30,000 sq. ft. Instead, the applicant will be required to submit a Preliminary Plan of all phases of the Master Plan for City staff and Planning Commission review and approval. City staff finds these deviations from the default zoning district of B-1 to be acceptable since the Hospital is presently zoned PD, Planned Development and the current hospital building already exceeds the maximum height of 40'.

- d. Adequacy of public facilities and services; and

Adequate public facilities or services have been provided to the site or are being upgraded to accommodate the needs of the hospital and site development.

- e. Community benefits from the proposal.

The proposed Master Plan 2005 for St. Mary's Hospital will provide numerous community benefits in the advancement of health care for the entire area as the Hospital prepares for the Century Project, a 12-story 440,000 sq. ft. building addition.

2. Section 2.12 B. of the Zoning & Development Code:

In conjunction with the Master Plan, a new PD Zoning Ordinance is being proposed. The proposed PD Ordinance establishes B-1 as the default zone and identifies specific deviations and adopts the Master Plan as part of the Ordinance. For purposes of the Ordinance, the Master Plan will also be considered the same as an Outline Development Plan. The following review criteria must be considered:

- a. The Growth Plan, Grand Valley Circulation Plan and other adopted plans and polices;

The proposed Master Plan 2005 for St. Mary's Hospital complies with the goals and policies of the Growth Plan, Grand Valley Circulation Plan, the Zoning and Development Code and the TEDS Manual.

- b. The rezoning criteria provided in Section 2.6;

N/A. The properties are not being rezoned. Present zoning for the St. Mary's Hospital complex is PD, Planned Development. The proposed PD Ordinance re-establishes B-1 as the default zone and identifies specific deviations and adopts the Master Plan as part of the Ordinance.

- c. The planned development requirements of Chapter Five;

All building setbacks, parking and landscaping requirements, etc., are met with the proposed Master Plan 2005. The only deviations that the applicant is requesting are the maximum height would exceed the B-1 requirement of 40' in height. Proposed maximum height of the 12-story tower would be 241' (existing hospital building is 128' in height). The other deviations are that a Conditional Use Permit will not be required for a "hospital" or buildings exceeding 30,000 sq. ft. Instead, the applicant will be required to submit a Preliminary Plan of all phases of the Master Plan for City staff and Planning Commission review and approval. City staff finds these deviations from the default zoning district of B-1 to be acceptable since the Hospital is presently zoned PD, Planned Development and the current hospital building already exceeds the maximum height of 40'. The community will benefit from the proposed deviations as the proposed Century Project will advance the health care needs for the entire area.

- d. The applicable corridor guidelines and other overlay districts in Chapter Seven;

The proposed Master Plan 2005 and PD Ordinance are in conformance with all applicable corridor guidelines and overlay districts.

- e. Adequate public services and facilities shall be provided concurrent with the projected impacts of development;

Adequate public facilities or services have been provided to the site or are being upgraded to accommodate the needs of the hospital and site development.

- f. Adequate circulation and access shall be provided to serve all development pods/areas to be developed;

The proposed Master Plan 2005 for St. Mary's Hospital complies with the Grand Valley Circulation Plan and Transportation Engineering Design Standards (TEDS) manual.

- g. Appropriate screening and buffering of adjacent property and uses

shall be provided;

Appropriate screening and buffering of adjacent properties will be provided.

- h. An appropriate range of density for the entire property or for each development pod/area to be developed;

The proposed Master Plan 2005 incorporates an appropriate range of building density for the St. Mary's Hospital campus. All parking and landscaping requirements can be met.

- i. An appropriate set of "default" or minimum standards for the entire property or for each development pod/area to be developed;

See item C.

- j. An appropriate phasing or development schedule for the entire property or for each development pod/area to be developed; and

The applicant is proposing an appropriate phasing schedule between the years 2007 and 2009 with final completion and remodeling of all projects associated with the Century Project by 2011.

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

St. Mary's Hospital presently owns 53.2 acres of land that makes up their entire campus facilities. The existing property where the hospital building is located consists of 21.2 acres in size.

FINDINGS OF FACT/CONCLUSIONS

After reviewing Master Plan 2005 for St. Mary's Hospital, ICM-2006-005, the Planning Commission made the following findings of fact and conclusions:

3. The proposed Master Plan 2005 for St. Mary's Hospital is consistent with the goals and policies of the Growth Plan and Future Land Use Map.
4. The review criteria in Section 2.20 C. of the Zoning and Development Code have all been met.
3. The proposed PD Ordinance is consistent with the goals and policies of the Growth Plan and Zoning and Development Code.

RECOMMENDED PLANNING COMMISSION MOTION:

The Planning Commission recommends to the City Council approval of Master Plan 2005 for St. Mary's Hospital and Re-Establishing Standards for the PD, Planned Development Zone District for property owned by St. Mary's Hospital be approved with the findings and conclusions as outlined in the staff report.

Attachments:

Master Plan 2005 document
Ordinance

Executive Summary

In 2006, St. Mary's celebrated 110 years of serving the health and medical needs of area residents and visitors. From its origins as a two-story, 10-bed hospital in 1896, St. Mary's has become the premier regional medical center for more than 500,000 people living in western Colorado and southeastern Utah.

Located just minutes off Interstate 70, St. Mary's extended campus consists of 53 acres, most of which is located east and west of the intersection formed by two major arterials—7th Street and Patterson Road. St. Mary's has been located at this site since 1949; the original 1949 building remains in operation today along with numerous additions and changes that began in 1959 and have continued to the present.

To continue our rich heritage and to advance our mission of improving the health of those we serve, St. Mary's has long been engaged in preparing thoughtful plans that encompass new services and programs as well as new facilities and an improved campus. These plans, which are submitted to and approved by the hospital's Board of Directors as well as by the Sisters of Charity of Leavenworth's Board of Directors, are also submitted to the City of Grand Junction when they involve new construction or changes to the campus.

St. Mary's first five-year plan—Master Plan 1995—was approved by the City of Grand Junction and resulted in:

- Integrating the hospital's properties at 12th and Patterson Road into the hospital's (extended) campus.
- Constructing the Grand Valley Surgical Center and remodeling several areas within the hospital.
- Increasing parking and improving campus safety and appearance.
- Adding storm water detention capacity.

Master Plan 2000, which was also approved by the City of Grand Junction, focused on decompressing the hospital's west campus by:

- Relocating high-traffic outpatient services to the new Advanced Medicine Pavilion on the east campus.
- Constructing a 424-space parking structure on the west campus and adding surface parking on both the east and west campuses.
- Enhancing site access and navigation by eliminating curb cuts, developing an internal west campus “ring road,” and reorienting the main vehicular entrances to the east and west campuses.

Now, in Master Plan 2005, St. Mary’s is proposing to continue the planning that began more than ten years ago and that is the hallmark of our ability to anticipate and meet healthcare needs. In Master Plan 2000, we anticipated that the next phase of planning would focus on replacing and adding patient care beds on the west campus and that, indeed, is the heart of Master Plan 2005.

As planning accelerated in the fall of 2004, St. Mary’s forecasted the programs, services, and amenities that the community will need over the next ten years and then compared the results to current capacity. The result was a substantial shortfall of existing space, far greater than what was described in Master Plan 2000.

Once the shortfall was identified, 24 internal planning teams were formed to provide input to the overall plan that came to be known as the Century Project and which represents the primary focus of Master Plan 2005. As the internal planning teams moved from concept to programming and then to schematic design, 11 architectural goals were identified as critical to a successful project.

1. Flexible spaces, easily convertible to other uses.
2. Flexible design that accommodates future expansion.
3. Standardized patient rooms and nursing unit configurations.
4. Private patient rooms with handicap-accessible toilet and shower rooms.



5. Patient rooms, ~~toilets and showers~~ capable of accommodating lift systems.
6. Procedure rooms large enough for staff and equipment.
7. Related services collocated.
8. Respite areas for staff and physicians.
9. “Wired” and “wireless” spaces for families and visitors, in-room and out.
10. Non-public transportation corridors separate from public transportation corridors.
11. “Smart” classrooms and conference rooms.

Incorporating these goals into schematic design brought the Century Project into sharper focus and resulted in a proposed 12-story, **440,000** ~~376,000~~ SF, addition to St. Mary’s that will be located between the hospital and the parking structure. Supplementing the new construction is substantial remodeling within the existing hospital of nearly **120,000** ~~158,000~~ SF. Construction costs are estimated at **\$180** ~~\$148~~ million, with total project costs of **\$261** ~~\$226~~ million. All 12 floors of the tower will be constructed in a single phase, although **three** ~~two~~ patient care floors will not be finished initially.

The Century Project will bring a state-of-the-art, contemporary hospital to Grand Junction that features the following:

- ❑ **96 patient rooms will be finished with construction of the tower and 96 will be shelled for future use** ~~212 new private patient rooms in critical care, telemetry, medical acute care, surgical acute care, orthopedics, and neonatal trauma.~~
- ❑ **46** ~~72~~ new private patient rooms in obstetrics, gynecology, antepartum, and labor and delivery
- ❑ **26** neonatal intensive care **stations**.



- ❑ 33 new private patient rooms in the emergency department, including three equipped for trauma.
- ❑ 12 new operating rooms with up-to-date preoperative and recovery rooms.
- ❑ 30 new rehabilitation beds in remodeled space, most in private rooms (future).
- ❑ 14 new pediatric beds in remodeled space, most in private rooms (future).

(Note that the counts shown above represent a combination of replacement and new rooms or beds.)

- ❑ 1 new rooftop helicopter landing pad and new rooftop hangar, with dedicated elevator service to the emergency department and to surgery.
- ❑ New kitchen and cafeteria; lobby with gift shop, library, and lounge; and chapel.
- ❑ New conference and education center.
- ❑ Remodeled heart center of excellence, bringing together in one location all of the invasive and non-invasive heart services.
- ❑ Remodeled and expanded imaging (x-ray) department.
- ❑ Remodeled and expanded loading docks and materials management department.
- ❑ Remodeled central sterile department.
- ❑ New clinical learning lab in remodeled space. (future)



In addition to the new construction and remodeling described above, several site and other changes are proposed under Master Plan 2005, including:

- New parking spaces located:
 - ✓ Near the new lobby
 - ✓ Near the emergency entrance
 - ~~✓ South of the parking structure~~
 - ✓ At the corner of Bookcliff and Little Bookcliff
 - ✓ In a single level, covered parking structure adjacent to the main entrance
- Upgraded central utility plant with new boilers and chillers and emergency generators.
- New entrances:
 - ✓ To the hospital, near the intersection of 7th and Wellington
 - ✓ To the emergency department
 - ✓ For ambulances
- Exterior patio spaces adjacent to the new cafeteria and new conference center.
- New public shelters in St. Mary's Park and in Holy Family Park at the conclusion of the project.

Because this project is substantial and will take place over several years, much thought has been given to staging the construction materials in three locations owned by St. Mary's:

- St. Mary's Park (southwest corner of the west campus).
- Southeast corner of the hospital site, just north and west of the 7th and Wellington intersection.
- Vacant lot at 11th and Wellington.

The planning that has preceded the submission of Master Plan 2005 exemplifies the demonstrated commitment that St. Mary's has made to plan proactively for Grand Junction and for the entire service area. Master Plan 2005 is a continuation of the two previous five-year plans that were a collaborative process between the City and St. Mary's. St. Mary's acknowledges the community's generous support as well as the helpful input from the City's planning staff in developing this plan, and respectfully seeks approval to implement the Century Project.

Introduction

In 2006, St. Mary's Hospital celebrated 110 years of meeting the health and medical needs of area residents and visitors. When two brave Sisters of Charity, Balbina Farrell and Louisa Madden, ventured to the fledgling town of Grand Junction in the 1890s, they chose a downtown location for the original 10-bed, two-story hospital. Quickly outgrowing that location, the Sisters moved the hospital to another downtown location where they remained until the late 1940s. Then, following World War II, St. Mary's built a new hospital on the outskirts of town, at the southwest corner of Patterson Road and North 7th Street. The new hospital opened in 1949.

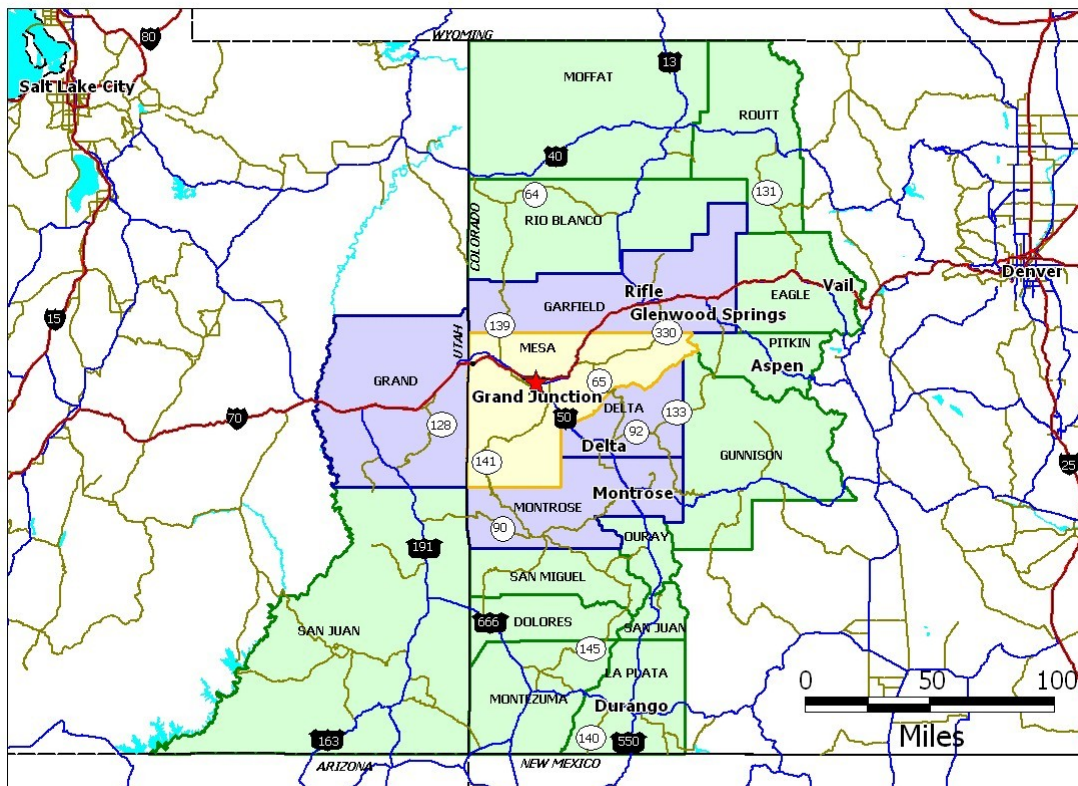
Over time, St. Mary's continued to expand to meet the demands of a growing population and to minimize the number of people who had to travel to Denver or Salt Lake City for sophisticated medical tests and procedures. St. Mary's quest to be Western Colorado's regional medical center is one that never ends. As medical technology grows increasingly complex, as consumers assume greater responsibility for their own healthcare, and as the demand intensifies for highly skilled physicians and other caregivers, St. Mary's must be mindful of its role to provide facilities and services that support its mission and vision.

Our Mission

We will, in the spirit of the Sisters of Charity, reveal God's healing love by improving the health of the individuals and communities we serve, especially those who are poor or vulnerable.

Our Vision

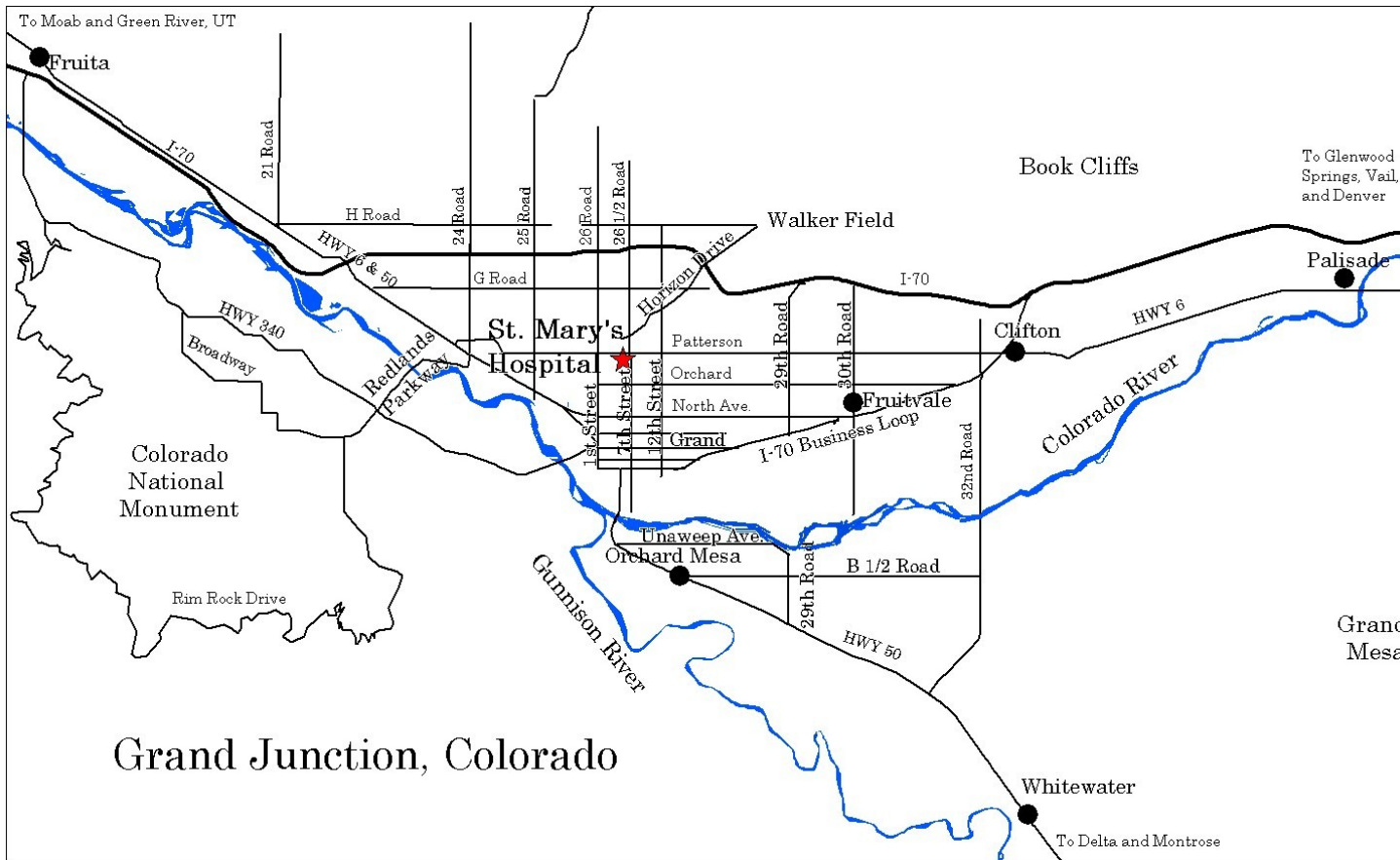
We will serve as the premier regional medical center recognized for our compassion, integrity, and collaborative approach to meeting the unique needs of our patients.



St. Mary's Hospital serves a broad geographic area that includes all of Western Colorado and portions of Southeastern Utah. Located on I-70, nearly equidistant from Denver and Salt Lake City, St. Mary's is a major employer (with **2,040** employees) and an active participant in efforts to strengthen the area's economy.

St. Mary's trauma service is recognized by Colorado and neighboring states for excellent care, and has received national attention as a result of the many celebrities and other national figures who have been transported to the hospital for care.

The trauma program is augmented by a helicopter based at St. Mary's and by a fixed wing aircraft stationed at Walker



Ideally located just minutes off I-70, St. Mary's is located at the intersection of two busy arterials—7th Street and Patterson Road. The campus is divided by 7th Street, with most outpatient activity and staff parking occurring on the newer east campus. Master Plan 2000 focused on developing the east campus although there were improvements on the west campus as well. The focus on the west campus in Master Plan 2000 was on parking and site improvement as evidenced by the 424-space parking garage, the new signaled entrance at 7th and Wellington, the

History of Master Planning

Eleven years ago, St. Mary's received approval from the City of Grand Junction for Master Plan 1995—the hospital's first five-year master plan—that accomplished the following:

- ❑ Integrated the newly purchased and remodeled Life Center and Family Practice Center at 12th and Patterson into St. Mary's extended campus.
- ❑ Expanded and remodeled select hospital services.
- ❑ Constructed the Grand Valley Surgical Center.
- ❑ Consolidated employee parking east of 7th Street.
- ❑ Enhanced campus safety by fencing sections of 7th Street to prevent pedestrians from crossing in the middle of the block.
- ❑ Modified the crosswalk marking and signal timing at 7th and Patterson in cooperation with the City's Transportation Engineering Section.
- ❑ Improved the landscaping along Patterson Road near the employee parking lots.
- ❑ Added storm water detention capabilities and landscaping along Wellington Avenue, east of 7th Street.
- ❑ Increased the number of surface parking spaces west of 7th Street.

Five years later, St. Mary's gained approval for Master Plan 2000, covering the period between 2001 and 2005, which focused on decompressing the hospital campus west of 7th Street by:

- ❑ Relocating high-traffic outpatient services to the new Advanced Medicine Pavilion east of 7th Street. Included among these services were a broad range of imaging (x-ray) services, cancer treatment programs (chemotherapy and radiation therapy), and laboratory services (including St. Mary's regional blood bank). Medical office space, for use by

physicians in private practice, was also included in the Advanced Medicine Pavilion.

- ❑ Reorienting the main vehicular entrance to both the east and west campuses to the corner of 7th and Wellington.
- ❑ Constructing a 424-space parking garage on the west campus. The multi-level parking garage was part of an overall campus plan to increase the number of parking spaces directly adjacent to the hospital to meet urgent, current demand as well as future needs.
- ❑ Adding parking spaces—for employees and outpatients—on the east campus to help reduce congestion on the west campus
- ❑ Completing a “ring road” on the west campus that would allow traffic to access the entire west campus without exiting onto either Patterson Road or 7th Street.
- ❑ Demolishing the former Department of Health building. Located on Patterson Road, west of 7th Street, the Department of Health building had long outlived its usefulness, and plans were being made to relocate its functions to North Avenue and 29½ Road. Its purchase by St. Mary’s, and subsequent demolition would allow St. Mary’s to complete the west campus ring road described above.

The first amendment to Master Plan 2000 sought approval for the following. Approval was granted on June 24, 2003.

- ❑ Adding surface parking north and east of the original Holy Family School Buildings. This amendment added 203 parking spaces, 167 of which were gated and are used by St. Mary’s employees and 36 of which were not gated and are used by visitors to existing facilities on that site.
- ❑ Adding surface parking on the site to be vacated by Mesa County Health Department. Following the relocation of the Health Department, St. Mary’s elected to raze the two-story building and put in its place a new parking lot with 93 spaces. The lot is used by patients and staff associated with St. Mary’s medical office building (425 Patterson Road). In addition, some of the land was used to continue the ring road on the west side of the campus as proposed in Master Plan 2000.

- Relocating and reconfiguring the proposed parking garage southeast of the hospital building. As St. Mary's began to assess its future needs on the east campus, it became clear that the hospital expansion described in Master Plan 2000 would not meet future needs; it was simply too small. As planning progressed, the hospital found that the building addition (the primary focus of Master Plan 2005) should be located south—not west—of the existing hospital. This amendment allowed St. Mary's to build a 424-space parking garage following the removal of the information services building and the Saccomanno Education Center. This new plan allowed the helicopter hangar and landing pad to remain in its existing location.
- Constructing a new medical education center northwest of the hospital and northeast of the hospital's boiler plant. This amendment allowed St. Mary's to build a new medical education center on a site that had been occupied by four small buildings. The new center was constructed to serve the education needs of physicians and hospital staff. Public education programs were relocated to other education facilities in the Life Center and in the Madden Building Friendship Room, where adequate parking is available.

The second amendment to Master Plan 2000 sought review of the following single item, and was approved on November 9, 2004.

- Provide a new vehicular entrance on Patterson Road, 387 feet east of the Mira Vista subdivision. The entrance would function as a full movement intersection and would be constructed in place of the former entrance shown in Master Plan 2000, directly adjacent to Mira Vista.

The site plan on the following page illustrates the changes brought about by Master Plan 2000 as of December 2005.

New north entrance to Patterson constructed on site formerly occupied by Mesa County Health Department.

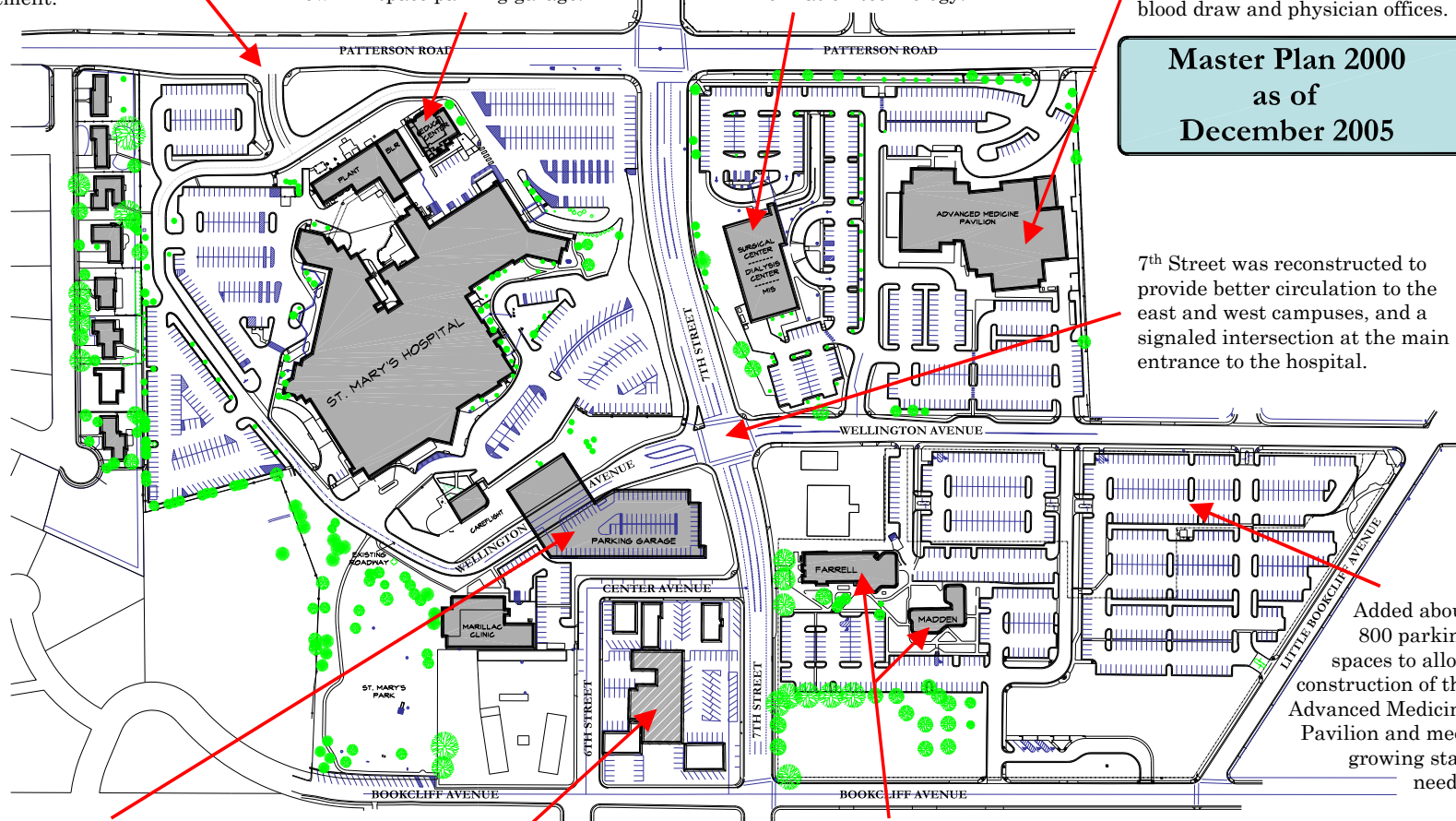
The new Saccomanno Education Annex replaced the previous center that was demolished to allow the construction of a new 424-space parking garage.

The Grand Valley Surgical Center's lower floor was remodeled to accommodate outpatient dialysis and information technology.

The Advanced Medicine Pavilion accommodates the regional cancer center, Pavilion imaging, St. Mary's blood bank and outpatient blood draw and physician offices.

**Master Plan 2000
as of
December 2005**

7th Street was reconstructed to provide better circulation to the east and west campuses, and a signaled intersection at the main entrance to the hospital.



Added about 800 parking spaces to allow construction of the Advanced Medicine Pavilion and meet growing staff needs.

The new parking garage opened on April 29, 2005, on the site formerly occupied by the Saccomanno Education Center.

Building leased by St. Mary's for the hospital's business office functions.

East campus redeveloped for human resources and financial services in the Madden Building and public relations, planning, education and EMS in the Farrell Building.



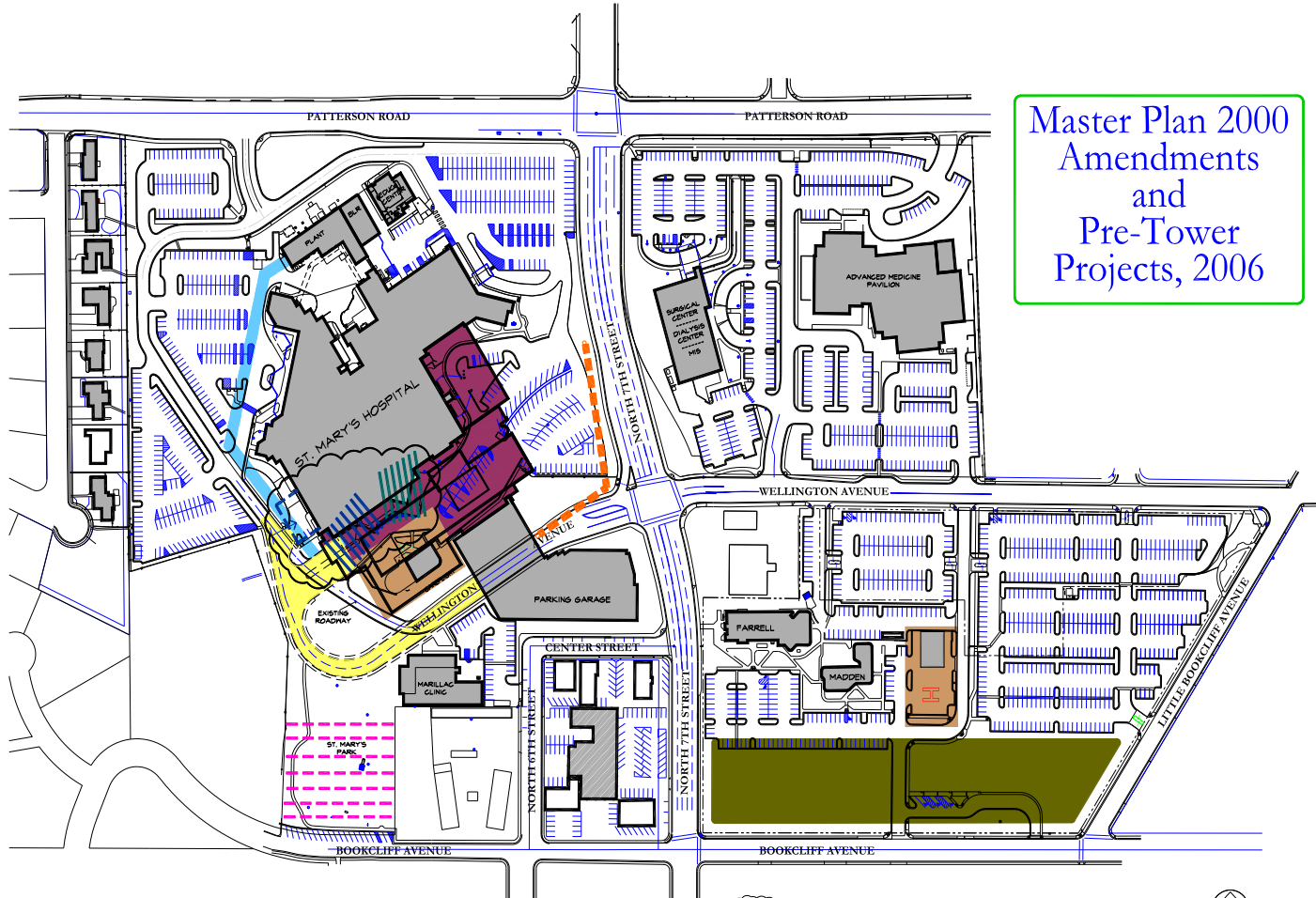


The third amendment to Master Plan 2000 was submitted in December 2005 and seeks approval of projects that St. Mary's must undertake to prepare for the major hospital addition and remodels that constitute the Century Project and that are the substance of Master Plan 2005. Collectively, these projects are referred to as the "Pre-Tower Projects" and are depicted on page 16.

- ❑ Constructing a utility tunnel between the central plant and the new hospital addition.
- ❑ Relocating the west campus site irrigation pump house and installing a new underground helicopter fuel tank.
- ❑ Revising and extending the new Grand Valley Irrigation Company 36" irrigation main pipeline and making final connections.
- ❑ Revising the ring road at the north end of St. Mary's Park, southwest of the hospital.
- ❑ Constructing a temporary helicopter landing pad, storage facility, and crew quarters (mobile RV) on the east campus, directly east of the Madden Building. Removing the existing underground fuel tank. Demolishing the existing landing pad and hangar.
- ❑ Constructing a new, permanent ambulance entrance and canopy on the west side of the hospital. Demolishing the existing ambulance entrance canopy and closing the existing ambulance entrance.
- ❑ Constructing new underground storm water detention facilities in St. Mary's Park and preparing the park to serve as a construction staging area for the duration of the construction project. This project will provide for permanent underground detention and dual use of the park area during construction. Following construction, the park will be restored and improved.
- ~~❑ Constructing the foundation and shell (vertical structure, floors, and roof) for the food services (kitchen and cafeteria) and conference center addition.~~
- ❑ Demolishing the existing outpatient and ambulatory emergency entrance (Entrance #2)

- Constructing temporary parking for construction personnel on the east campus. This parking will occupy both the Holy Family park at 7th and Bookcliff and Little Bookcliff formerly occupied by Holy Family School. Upon completion of construction, Holy Family park will be restored and improved, and the east half of “temporary parking” will be maintained as permanent staff parking.

- Excavate and shore for the hospital addition (patient tower) construction.



Master Plan 2000
Amendments
and
Pre-Tower
Projects, 2006

- UTILITY TUNNEL
- UNDERGROUND STORMWATER DETENTION
- TEMPORARY CONTRACTOR PARKING
- RELOCATE HELICOPTER, DEMOLISH EXISTING HANGAR & PAD
- IRRIGATION LINE GVIC
- RELOCATE AMBULANCE ENTRANCE
- DEMOLISH AMBULATORY ENTRANCE
- EXCAVATION AND SHORING FOR BUILDING ADDITION
- WEST RING ROAD, PUMP HOUSE, UTILITIES





Now, St. Mary's is seeking approval of Master Plan 2005 **Updated in October 2006** which covers 2006 through 2010, is consistent with the City's growth plan, conforms with the City's Major Street Plan, and has been reviewed with hospital neighborhood residents to assure continued compatibility with the surrounding neighborhood. To assure that area residents understood the plan, St. Mary's held a series of meetings between early May and late October 2005 to describe plans as they unfolded and to answer questions posed by interested neighbors. Meetings were held as indicated below.

- May 7, 2005 Formal meeting held on a Saturday morning to which hundreds of area residents were invited, and many chose to attend. St. Mary's learned following the meeting that the boundaries used to develop its invitation list did not conform to City boundary requirements. More than 75 neighbors attended the meeting.

- August 20, 2005 Second formal meeting held on a Saturday morning. The invitation list, with more than 650 names, exceeded the City's boundary requirements. This meeting was attended by 45 neighbors.

Following the August 20, 2005, meeting, St. Mary's notified the same 650 residents of four additional informal meetings that would be held to provide updates during the schematic design process. Those meetings occurred on the following dates.

- September 14, 2005
- September 28, 2005
- October 16, 2005
- October 26, 2005

Then, as we modified the December 2005 plan, we met with our neighbors again on August 16, 2006.

At each meeting, St. Mary's presented its most current plan and answered forthrightly all of the questions posed. We are unaware of any unresolved or contentious issues. The issues that generated the most interest and discussion included:

- Helicopter traffic. Because helicopters will land atop the new patient tower and not at ground level, the noise and propeller wash will decrease substantially. This was welcome news to the neighbors.
- Encroachment into residential areas. St. Mary's reiterated its promise not to develop in the following locations:
 - south of Bookcliff Avenue
 - west, into the Mira Vista subdivision
 - north of Patterson between 7th and "9th" Streets
 - north of Patterson and west of 7th Street, with the exception of St. Mary's hospitality house (Rose Hill) and the former Mottram property



In addition to the formal and informal neighborhood meetings, St. Mary's sponsored focus groups in the summer of 2004 to learn more about what's important—amenities and services—to hospital patients and visitors. Former patients were invited to participate as was the community at large. Additional focus groups are scheduled for February 2006 to give St. Mary's constituents yet another opportunity to provide feedback to the hospital about what's important to them when they are either hospitalized or visiting a loved one at St. Mary's. The hospital is committed to involving the community in planning the new hospital addition.

The drawing on the next page shows the east and west campuses as they are envisioned on completion of Master Plan 2005. Later in this plan, beginning on page 57, are the Century Project concept plans.



Master Plan
Update
2005
Revised 10/06



-  HOSPITAL CAMPUS BOUNDARIES
-  EXISTING HOSPITAL BUILDINGS
-  PROPOSED HOSPITAL ADDITION
-  RING ROAD

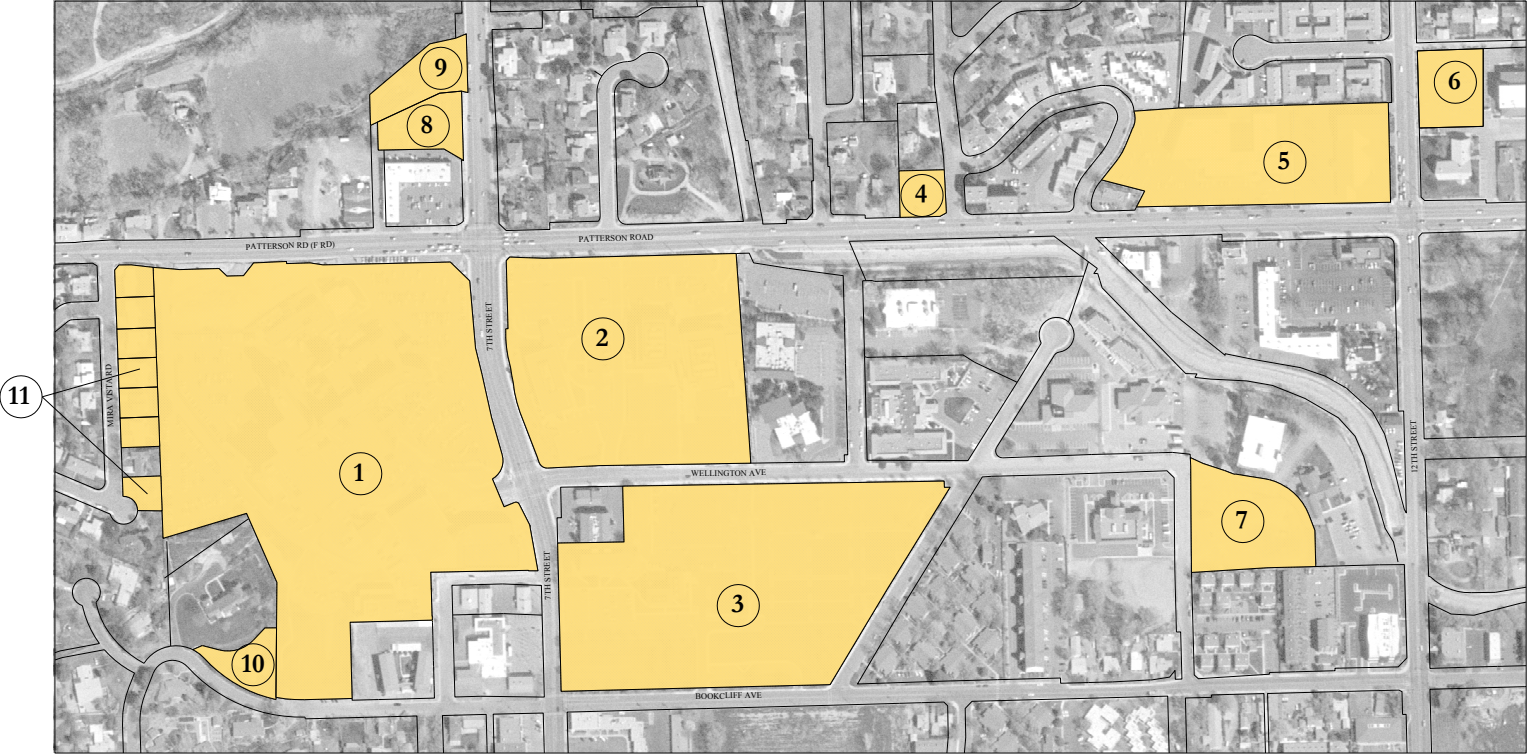
Master Plan 2005

The Current Situation and Inventory of Sites

St. Mary's 53-acre campus is located on both sides of the intersection formed by two major arterials—7th Street and Patterson Road. Access to the site east of 7th Street occurs primarily at the traffic signal at 7th and Wellington and secondarily on Patterson Road about one block east of 7th Street. Access to the west side of the campus is similar, occurring at 7th and Wellington as well as off Patterson Road about one block west of 7th Street. While vehicular traffic is significant on both 7th Street and on Patterson Road, the reduction of five curb cuts that St. Mary's initiated over the last several years has enhanced both pedestrian and vehicular safety.

Land use in the surrounding area continues to be varied, including single- and multiple-family residences, medical and commercial offices, and retail businesses. The site is in an urban setting and is well served by all major utilities, including sanitary sewer, storm sewer, water, natural gas, power, telephone, and cable TV. The hospital is a major user of all of these utilities and the Century Project addition will represent a significant impact on all of them. Steps have been taken over the past ten years on St. Mary's campuses for the proposed increases in utility use. These steps are most recognizable in the upgrading and underground placement of utilities in both 7th Street and in Patterson Road.

The following map depicts the eleven parcels or groups of parcels that comprise St. Mary's extended campus. Descriptions of each parcel may be found on page 22.



Parcels 1, 2, and 3 constitute the immediate campus; the primary sites addressed in this site master plan are Parcels 1 and 3.

Parcel #	Address	Description	# of Acres
1	2635 N. 7 th Street	The west hospital campus, southwest corner of the intersection formed by 7 th Street and Patterson Road. This "parcel" actually includes nine sub-parcels and constitutes St. Mary's west campus.	21.252
2	700 and 750 Wellington Avenue	The east hospital campus, southeast corner of the 7 th Street and Patterson Road intersection, houses the Grand Valley Surgical Center and the Advanced Medicine Pavilion	9.165
3	7 th Street between Wellington and Bookcliff Avenues	Former Immaculate Heart of Mary church property. Farrell and Madden Buildings now house hospital support functions (e.g., accounting, public relations). Site also used for employee parking.	11.681
4	Patterson and 26 ³ / ₄ Roads	Employee parking lot	.398
5	1100/1160 Patterson	St. Mary's Life Center and St. Mary's Family Practice and Family Medicine Residency Program	4.235
6	East of North 12 th off Patterson	Parking lot owned by Bookcliff Baptist Church and leased by St. Mary's for weekday parking	1.000
7	11 th and Wellington	Vacant lot southeast of the intersection	1.795
8	605 26 ¹ / ₂ Road	Rose Hill Hospitality House (St. Mary's guest house for patient families)	.719
9	609 26 ¹ / ₂ Road	Former Mottram property	.948
10	536 Bookcliff Drive	Former Schmidt property	.537
11	2624, 2604, 2562, 2552, 2542, 2532, & 2512 Mira Vista Road	Residences owned by St. Mary's and permanently occupied by Sisters or temporarily occupied by new employees or contract professionals associated with the hospital	1.530

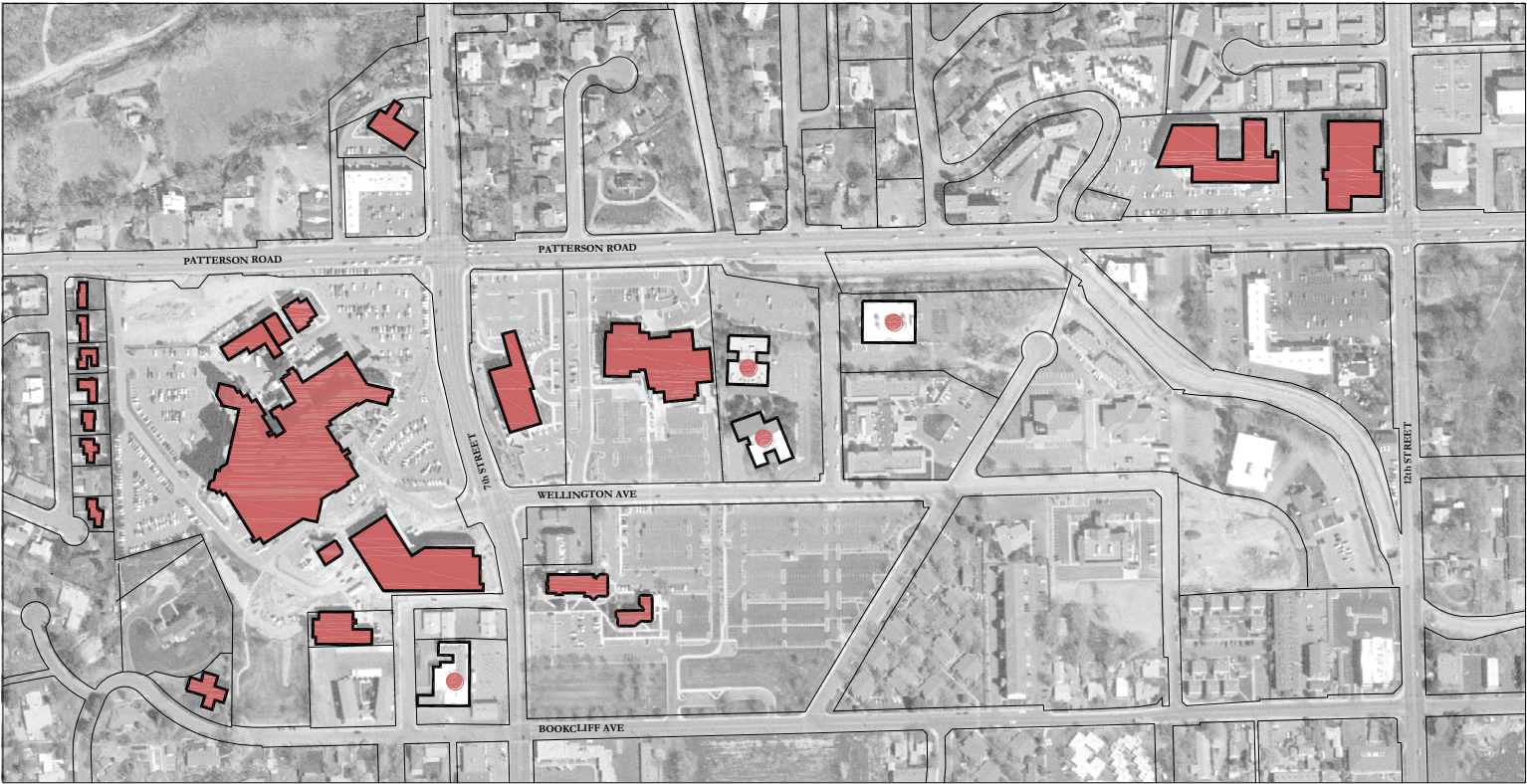
Note that the only change in **site coverage** for St. Mary's campuses during Master Plan 2005 is on Parcel 1. There is no building construction proposed for any of the other parcels.



Parcel Number	Site Area Acres	Site Area SF	Existing Site Coverage	Proposed Site Coverage	% of Existing Site Coverage	% of Proposed Site Coverage
1	21.252	925,737.12	201,945.80	306,032.40	22%	33%
2	9.165	399,227.40	56,765.90	59,765.90	15%	15%
3	11.681	508,824.36	14,122.50	14,122.50	3%	3%
4	.398	17,336.88	120.00	120.00	1%	1%
5	4.235	184,476.60	62,947.80	62,947.80	34%	34%
6	1.000	43,560.00	41,074.90	41,074.90	94%	94%
7	1.795	78,190.20	88,874.40	88,874.40	114%	114%
8	.719	31,319.64	6,672.20	6,672.20	21%	21%
9	.948	41,294.88	1,476.80	1,476.80	4%	4%
10	.537	23,391.72	5,670.80	5,670.80	24%	24%
11	1.530	66,646.80	14,213.70	14,213.70	21%	21%
Total	53.260	2,320,005.60	496,884.80	600,971.40	21%	26%

The **Floor Area Ratio (FAR)**, which is used to illustrate density, is the ratio between building area and site area. Note that a change in density is proposed only for Parcel 1, with the addition to the hospital building. The Floor Area Ratio, and therefore the density of buildings on all other parcels, remains the same during Master Plan 2005.

Parcel Number	Site Area Acres	Site Area SF	Existing Bldg Fix Area SF	Proposed Bldg Fix Area SF	Existing FAR (%)	Proposed FAR (%)
1	21.252	925,737.12	746,433.20	1,019,253.80	81%	110%
2	9.165	399,227.40	140,000.00	140,000.00	35%	35%
3	11.681	508,824.36	16,776.65	16,776.65	3%	3%
4	.398	17,336.88	108.00	108.00	1%	1%
5	4.235	184,476.60	87,730.90	87,730.90	48%	48%
6	1.000	43,560.00	0	0	0%	0%
7	1.795	78,190.20	0	0	0%	0%
8	.719	31,319.64	6,672.20	6,672.20	21%	21%
9	.948	41,294.88	3,091.60	3,091.60	7%	7%
10	.537	23,391.72	5,670.80	5,670.80	24%	24%
11	1.530	66,646.80	19,899.18	19,899.18	30%	30%
Total	53.260	2,320,005.60	1,026,382.53	1,299,203.13	44%	56%

Existing campus buildings owned by St. Mary's are illustrated on the following map. Also shown are nearby, off-campus-based offices and office condominiums partially owned by St. Mary's.

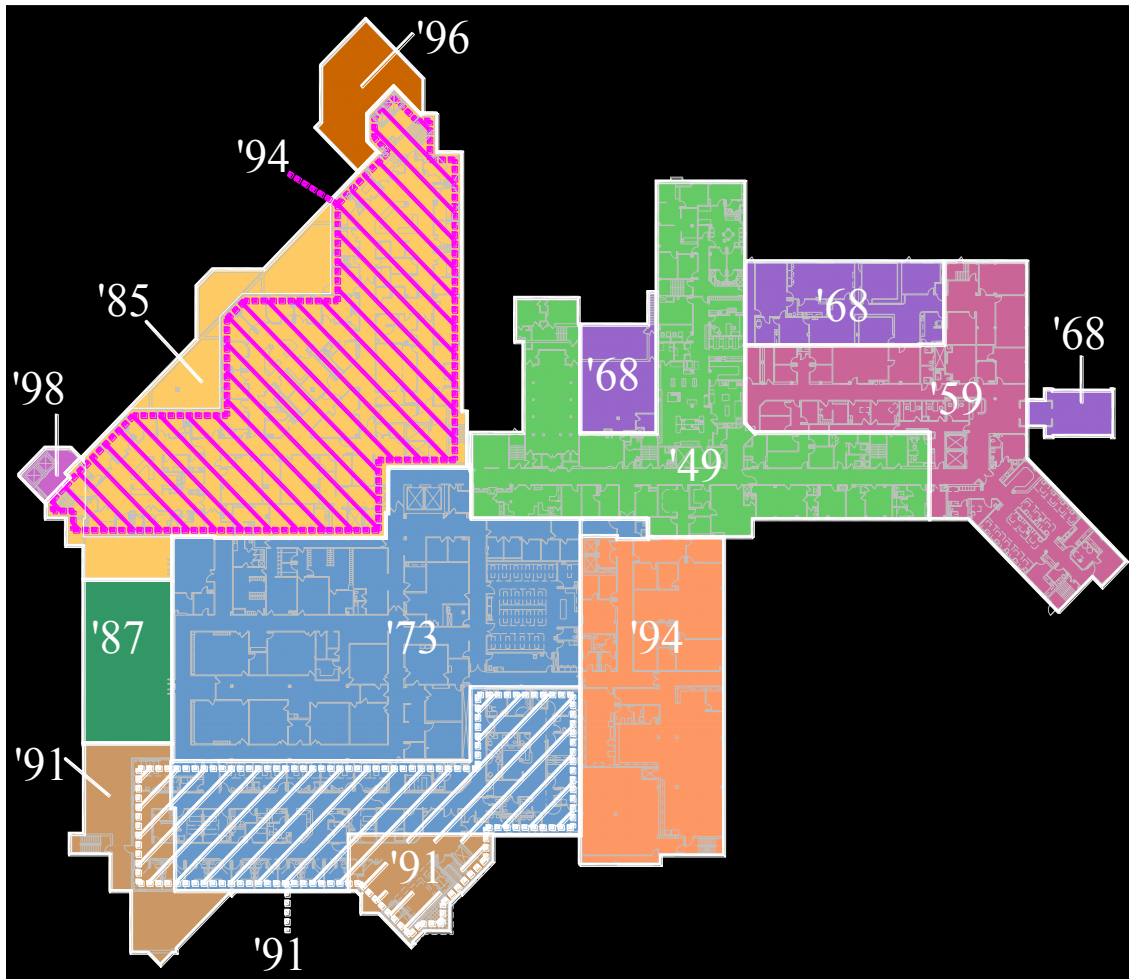


- EXISTING CAMPUS BUILDINGS
-  ST. MARY'S OWNED
 -  ST. MARY'S LEASED OR OCCUPIED

Expansion History

Following the hospital's relocation to its current site in 1948, a number of additions have occurred on the west side of the campus. Most were additions to the main hospital.

- 1949** Original hospital, including laundry and power plant.
- 1959** Four-story bed tower; area now used for facilities management and biomedical shops (ground floor); administration, employee health, and inpatient dialysis (main floor); patient care (2nd and 3rd floors); information technology offices (4th floor).
- 1968** First-floor addition; now occupied by hospital administration; medical library addition.
- 1973** Addition to accommodate emergency department, imaging, laboratory, admissions, surgery.
- 1985** Five-story, triangular addition housing outpatient imaging, preadmission testing, critical care, obstetrical services, and telemetry; boiler plant addition.
 Saccomanno Education Center.
- 1987** Expanded surgical suites and recovery room.
 Helicopter storage facility and landing pad.
 Linear accelerator addition.
 MRI addition.
- 1991** Expanded surgery and emergency departments.
- 1994** Six-story bed tower and vertical expansion of 1985 addition to accommodate three new floors for medical offices.
- 1996** City Market Pharmacy addition.
- 1998** Elevator tower addition to 1985/1994 buildings.
- 2005** Saccomanno Education Annex.
 424-space parking garage constructed.



Like most hospitals built more than 50 years ago, St. Mary's has experienced many additions as demand grew and needs changed.

The oldest portion of the building (1949), along with the 1959 addition to the east, houses 87 inpatient beds in several nursing units: orthopedics, pediatrics, and rehabilitation.

The 1973 addition, built more than three decades ago, houses the surgical suite. Because it is landlocked, expansion is impossible.

The rectangular addition in 1994 houses nearly all of the hospital's medical-surgical beds on three floors. Built when funds were limited, this addition is significantly undersized at 350 SF per bed when current standards call for 650 SF per bed. And, because the elevators in this building are too small to accommodate gurneys, staff must spend excessive time transporting patients.

On the east campus, a freestanding surgical center was constructed in 2000, followed by the Advanced Medicine Pavilion in 2003. Former Holy Family Church buildings on the east campus were remodeled in 2003 to provide offices for Human Resources and Financial Services (Madden Building) and Public Relations, Planning, Education, and Emergency Medical Services (Farrell Building).

Hospital Services

Just as the hospital and the 7th and Patterson campuses have expanded over the past 56 years, so have the services that St. Mary's provides. The following is a brief review of the major services offered at St. Mary's.

General and specialty surgery, including heart surgery, neurosurgery, joint replacements

Emergency services, including round-the-clock trauma care and air transport via fixed wing and helicopter

Full range of rehabilitation therapies (physical, occupational, speech, cardiac) and inpatient rehabilitation

General and specialty inpatient care (medical-surgical, pediatrics, telemetry, intensive care)

General and specialty x-ray (CT, MRI, nuclear medicine, ultrasound, PET/CT, mammography)

Affiliations with Mesa State College and others to train tomorrow's healthcare providers

Specialized heart services (cardiac catheterization, electrophysiology)

Full range of laboratory services, including a regional blood bank

Broad range of patient education programs and screening services

Comprehensive cancer care (chemotherapy, radiation therapy)

Full range of obstetrical and newborn care, including neonatal intensive care

Highly respected training program for physicians specializing in family practice

Medical and dental services for those with limited or no resources

Growth Projections

Growth has been significant throughout the Grand Valley and is expected to continue into the future. The population growth has brought significant increases in patient activity at St. Mary's as demonstrated by the numbers shown below.

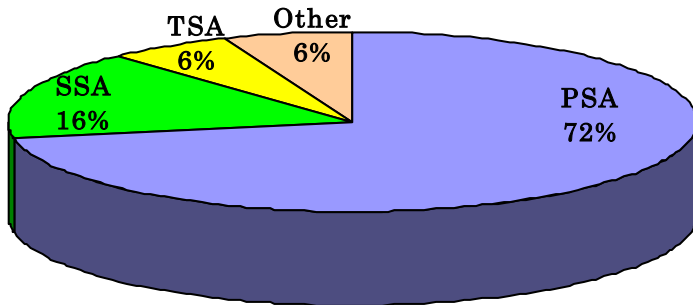
Activity	FY 2001 Actual	FY 2005 Actual	% Change: FY 2001 - 2005	FY 2015 Forecast
Patient Days	46,641	53,302	14.3%	65,042
Admissions	12,163	12,562	3.3%	15,536
Deliveries	1,829	2,000	9.3%	2,281
ED Visits	36,619	36,649	Neg.	42,387
Inpatient Surgical Cases	4,896	5,265	7.5%	6,283
Heart Procedures		1,536		2,450

Patient days and admissions are for acute care patients only.

ED = Emergency Department

Heart procedures are those performed in the cardiac catheterization, electrophysiology, and vascular labs

Although St. Mary's serves patients from all over the United States, most are residents of Western Colorado and Southeastern Utah as shown in the following chart. Although the majority live in Mesa County, St. Mary's must take into account residents of these other areas as it plans for the future.



PSA = Primary Service Area (Mesa County)
 SSA = Secondary Service Area (Delta, Montrose, Garfield, and Grand (UT) Counties)
 TSA = Tertiary Service Area (Dolores, Eagle, Gunnison, La Plata, Moffat, Montezuma, Ouray, Pitkin, Rio Blanco, South Park, and Teller)

St. Mary's patient distribution pattern is unique, demonstrating that the hospital indeed serves as the regional referral center—the only tertiary care hospital between Denver and Salt Lake City.

Growth among the various population segments St. Mary's used to forecast hospital growth is shown below. The numbers represent the total service area unless otherwise indicated. Growth is most significant among the baby boomers, although growth is expected to occur in every segment.

Population Segment	2000 Census	2005 Estimate	% Change	2015 Forecast
0-14	89,421	96,246	7.6%	124,183
15-44	195,395	205,620	5.2%	250,258
45-64	106,013	128,010	20.7%	157,633
65+	49,430	52,865	6.9%	73,260
Total	440,259	482,741	9.6%	605,334
Colorado	4,296,063	4,647,323	8.2%	5,576,394
Utah	2,233,169	2,464,633	10.4%	3,126,736

Source: Colorado State Demographer, November 2003

Preparing to Meet the Challenges of the Next Five Years



As Master Plan 2000 was being implemented, St. Mary's began to experience frequent bed shortages throughout the hospital. In response, planning began for the next phase of activity identified in Master Plan 2000—adding and replacing inpatient beds. In the fall of 2004, the hospital assembled 24 planning teams to provide input to the forecast assumptions, prepare space programs, and identify the compelling reasons that more space was needed. Parallel to that effort was the continued transformation of several services into centers of excellence, focused efforts on physician recruitment, and the development of collaborative relationships with physicians and other area providers.

The culmination of this work is the Century Project—a major addition to St. Mary's that allows the hospital to be replaced on site in a thoughtful way. It is a project that builds on the significant capital investment that St. Mary's has made on the east and west campuses and that medical staff members have made near the campuses.

The key assumptions that were used to forecast future inpatient and outpatient hospital volumes are summarized below. Those volumes, in turn, were used to forecast the size of the Century Project as well as its components. For example, the number of patients and the length of time they stay in the hospital are the key factors in determining the number of beds that are needed now and in the future. The number of forecasted surgical procedures determines how many operating rooms are needed. The number of visits to the emergency department determines how many rooms are needed to care for those patients, and so on.

Factor	Key Assumptions
Population demographics	The service area historically has enjoyed a steadily growing population. Between 1990 and 2005, the overall service area (Colorado's Western Slope plus eastern and southeastern Utah) grew an average of 3.5% annually. Through 2016 ⁵ , the population is expected to increase by 3.1% 2.8% per year. The forecasts for each service line are based on the appropriate population segment; for example, in obstetrics, females of childbearing age is the demographic cohort used. Population growth is the most significant factor that contributes to volume increases.
Market share	Market share was forecasted individually for each service within each of St. Mary's key service areas.
Use rate	This statistic refers to the number of hospital discharges per 1000 population. The

Factor	Key Assumptions
	forecasted use rates were developed for each individual service line.
Length of stay	The number of days that patients remain in the hospital is a key factor in determining the number of beds needed. In turn, the number of beds is key to the size of the hospital. Although sicker patients experience longer stays and require more beds, the shift of many procedures from inpatient to outpatient settings reduces the number of beds needed. Length of stay was forecasted for each individual service; overall, length of stay is expected to remain relatively constant.
Out-migration	Out-migration refers to the number of patients who travel outside of the service area for health care. Changes in those numbers were forecasted for each service in each service area. Overall, the percent of patients traveling to Denver and Salt Lake City is expected to decrease.
Case mix index	Case mix index measures the severity of patient illness. The index is higher in those hospitals that care for sicker patients. This measure, which was forecasted for each individual service, is expected to increase.
Medical staff changes	To meet demand generated by a growing population and by increasingly sophisticated hospital services, the right number of physicians and specialty mix is critical to St. Mary's ability to maintain its role as the premier regional medical center. A physician development plan was developed in conjunction with the hospital's business plan for the Century Project to assure that the right number of physicians are recruited at the right time.

Once all of the data were analyzed and the volume and space forecasts completed, St. Mary's articulated the following seven goals for the Century Project.

1. Assure a safe, healing environment for patients. First and foremost, St. Mary's is committed to patient safety. Numerous studies have shown that facility design can impact safety as well as speed healing. For example, studies have demonstrated that patients in private rooms have fewer infections and falls, faster recoveries, fewer medication errors, less stress, greater satisfaction with their stay, and better communication with their caregivers. Not only do the patients benefit from private rooms, but staff do as well. Both turnover and stress are lower for staff members who care for patients in private rooms.
2. Provide an adequate number—and the right type—of patient beds. Healthcare changes continually, and it is incumbent on St. Mary's to accommodate those changes. For example, in recent years many services—especially surgical—have shifted from an inpatient to an outpatient setting. That phenomenon reduced the need for general medical-surgical patient beds. At the same time, hospitalized patients were sicker, requiring more critical care and telemetry-monitored beds. Because remodeling the facility to accommodate this one change is time-consuming and costly, it mandates thoughtful consideration as to the number and types of beds needed to serve today's as well as tomorrow's patients. And, this decision impacts others. For example, critical care beds need to be proximate to surgery to assure patients are transported safely and quickly when seconds count. A new patient tower allows St. Mary's to plan the right number and type of beds as well as important service adjacencies.
3. Strengthen the market position. St. Mary's has long been a market leader on the Western Slope. To maintain that position—one that benefits area residents and visitors—the hospital must offer increasingly sophisticated services. Adequate space and infrastructure are needed to support the advanced technology for which St. Mary's is known. Planning for future, unknown needs requires looking ahead to the next expansion of such space-intensive services as surgery, emergency department, imaging, patient beds, and so forth. The Century Project takes such a forward look.
4. Advance the development of centers of excellence. As the region's premier medical center, St. Mary's has focused on developing centers of excellence in a number of clinical areas (e.g., heart, cancer, orthopedics). In addition to making sure that staff members have the skills needed to provide the very best care, St. Mary's knows that its facilities must

support the centers as well. For example, collocating all of the services that heart patients need promotes staff efficiency, enhances the patient's experience, and promotes the interaction among caregivers that improves overall quality of care.


5. Strengthen physician and provider relationships. St. Mary's strength as a premier medical center depends substantially on having strong medical and clinical staff. Being able to recruit—and retain—the best physicians, nurses, therapists, technologists, and technicians is a complex task, but having facilities that rival those in other parts of the state and country gives St. Mary's an additional edge. As mentioned earlier, studies have demonstrated that facility design can reduce caregiver turnover and stress as well as improve communications.
6. Increase operating efficiencies. Industry studies have shown that efficient, thoughtful facility design can increase staff productivity as well as expand the amount of time that nurses and other care providers spend with patients. For example, efficient design can reduce the amount of time that nurses spend hunting for and gathering supplies by placing those items in several locations instead of one central location. Thus, nurses have more time to spend with patients.

Part and parcel of these general goals are the specific facility goals that St. Mary's articulated as planning began for the new patient tower. Those goals include:

- | | |
|--|--|
| 1. Accommodate future technology. | 5. Improve efficiency and productivity. |
| 2. Eliminate patient diverts. | 6. Optimize privacy for patients, staff, and physicians. |
| 3. Speed the healing process. | 7. Improve safety for patients, staff, and physicians. |
| 4. Bring education to patients, staff, and physicians. | 8. Improve family and visitor experiences. |



Translating the goals into architecture was the challenge St. Mary's faced during the planning, programming, and schematic design phases of the Century Project. Meeting the challenge resulted in the following:

1. Flexible spaces, easily convertible to other uses. Minimizing the number of single-purpose spaces maximizes future flexibility. As healthcare delivery models and technology change, St. Mary's must adapt the facility to accommodate new ways of doing things. Throughout the planning process, attention was paid to this aspect of design. For example, the medical-surgical units are being designed so that conversion to critical care or telemetry units can occur quickly and at minimal cost. This is not true in the existing space where medical-surgical units must be "gutted" prior to being converted to critical care.
2. Flexible design that accommodates future expansion. Frequently, hospitals are built to meet demand for a short time into the future. St. Mary's, however, spent time thinking about the more distant future and the unknown demands that would have to be accommodated. Large, space-intensive departments (e.g., surgery, emergency, critical care) have been placed to allow for expansion *in place* when the need arises. Should more patient beds or medical office space be needed, the Century Project's design allows for construction in the area now occupied by the oldest portions of the building (1959 and 1968). Services vital to patient support (e.g., nutrition services, materials distribution) have been placed to serve the 12-story addition south of the existing hospital as well as a second addition that may be needed in the future.
3. Standard patient rooms and nursing unit configurations. Building standard patient rooms allows ultimate flexibility as needs change. For example, converting a surgical patient room to an orthopedic patient room will be as simple as changing the name of the nursing unit in the new facility. Standardization facilitates staff members' ability to find supplies and to work with equal efficiency on any floor.
4. Private patient rooms with handicap-accessible toilet and shower rooms. Most of the medical and surgical nursing units at St. Mary's accommodate 33 to 35 beds (mostly in semi-private rooms) and are sized at about 12,000 square feet. The new medical and surgical nursing units will have **32 36** beds (all in private rooms) in about **26,500 24,000** SF. Although code requires that only a small percentage (10%) of patient toilet and shower rooms accommodate handicapped patients, St. Mary's is outfitting all of the rooms with this capability. Most patient transfers—and all of the attendant problems—are unnecessary when every room offers the same amenities. 
5. Patient rooms with lift systems. Every patient room and toilet and shower room in the new patient tower will include infrastructure for a patient lift system, although not all rooms will be equipped with lift systems at the outset. As the average age of nurses increases each year, and as hospitals struggle to accommodate an alarming number of

morbidly obese patients, lift systems have become increasingly important in terms of patient and caregiver safety.

6. Procedure rooms large enough for staff and equipment. Colorado's minimum space requirement for operating rooms is—and has been for more than 30 years—400 square feet. About one-half of St. Mary's operating rooms are at this size and can no longer be used for "large" cases that require multiple personnel and multiple pieces of equipment. Because these "large" cases—cardiac, neuro, orthopedic—constitute the majority of activity in the surgical suite, it is essential that new operating rooms accommodate the people and the equipment comfortably. The operating rooms in the new patient tower will average ~~700~~ 650 square feet, with ~~eight~~ many of the rooms exceeding 750 square feet.
7. Related services collocated. As demand for new services has grown, related services have been scattered throughout the hospital. For example, patients scheduled for a cardiac catheterization are prepared for the procedure and later recovered distant from the cardiac cath labs. Patients are transported through public corridors; the nurses who care for those patients push them on gurneys, traveling two to three miles each day. In the space designated for heart services in the Century Project, the prep and recovery area will be adjacent to the cath labs, reducing wear and tear on the staff and enhancing the patients' experience.
8. Respite areas for staff and physicians. Caring for patients can be stressful. Physicians and staff members need quiet places away from patients and families where they can take much-needed breaks. These "off-stage" areas are planned throughout the new patient tower and in the remodeled areas to assure caregivers that St. Mary's cares for their well being.
9. "Wired" and "wireless" spaces for families and visitors, in-room and out. Life continues for those who visit St. Mary's to support family members and loved ones. Access to the internet and email may result in being able to spend more time with patients who need support during their hospitalization. With easy computer access, family members and friends can receive frequent and timely updates as well. Each patient room will be outfitted with a "patient portal" that will bring educational and on-line opportunities as well as entertainment for both patients and visitors.
10. Non-public transportation corridors. Contemporary hospital design calls for separating public from non-public transportation corridors. The latter are used to keep patients and staff out of the spotlight when they are not feeling well or when transport time is of the essence. Non-public corridors and elevators will be used for transporting food, supplies, and equipment as well as those patients who will be transported between units and from the helicopter-

landing pad to the emergency department.

11. “Smart” classrooms and conference rooms. Because it is increasingly difficult for staff to get away from the hospital for much-needed educational programs, more and more classes and seminars are being brought to the hospital by a number of electronic means. And, taking it a step further, in-department conference rooms will be used by staff to access learning opportunities on demand—when it’s convenient for them and in time periods that work with their schedules.



Master Plan 2005 has multiple components, the most prominent of which is a new 12-story building to be constructed between the existing hospital and the parking garage and the remodeling of a substantial portion of the existing hospital. The Century Project will bring a state-of-the-art, contemporary hospital to Grand Junction. Major Century Project components that will be located in new space are:

Nursing units	<ul style="list-style-type: none">✓ 32 critical care beds✗ 36 telemetry (monitored) beds✓ A women's center with:<ul style="list-style-type: none">• 32 36 obstetric and gynecology beds• 12 antepartum and labor and delivery beds and 2 rooming in-out beds• 26 24 neonatal intensive care beds• 2 C-section rooms✓ 160 144 inpatient beds in five four individual, 3236-bed units (general medical and surgical, orthopedics, and neuro trauma)
Emergency department	<ul style="list-style-type: none">✓ 33 rooms, including 3 equipped for trauma✓ Separate areas for trauma, acute care, and minor acute care✓ Adjacent to radiology; one floor below surgery
Surgical suite	<ul style="list-style-type: none">✓ Preadmission testing✓ 12 operating rooms, with capability to expand to 16✓ Preoperative and recovery rooms
Conference center	<ul style="list-style-type: none">✓ Replaces the Saccomanno Education Center that was razed to accommodate the new parking garage✓ Dividable meeting room will accommodate the entire medical staff when opened up as one room✓ Will be a fifth floor addition to the existing center patient tower
Nutrition services	<ul style="list-style-type: none">✓ Cafeteria with adjacent outdoor dining; kitchen✗ Adjacent meeting rooms for physicians and staff
Chapel	<ul style="list-style-type: none">✓ New chapel near the main entrance will serve people of all faiths, providing a quiet



	space for meditation and reflection
Lobby	<ul style="list-style-type: none"> ✓ New main entrance and lobby will pull together the new patient tower and the existing hospital, providing a warm and inviting entry way, a private and personal discharge area, new gift shop, patient and visitor library and lounge and retail “news stand”
Heliport	<ul style="list-style-type: none"> ✓ 1 2 helicopter rooftop landing pads ✓ Rooftop hangar ✓ Dedicated elevator to emergency department and surgery

Major project components slated to be located in remodeled space within the existing hospital include:

Nursing units (future)	<ul style="list-style-type: none"> ✓ 30 rehabilitation beds ✓ 14 pediatric beds
Heart center of excellence	<ul style="list-style-type: none"> ✓ Will bring together in one location all of the hospital’s invasive and noninvasive heart services (e.g., cardiac cath, electrophysiology, and vascular labs; EKG; echocardiography)
Imaging (x-ray)	<ul style="list-style-type: none"> ✓ Collocated with the emergency department (ED) which generates a large percentage of the outpatient volume on the west campus (e.g., more than 50% of patients who need CT scans originate in the ED) ✓ Capacity to expand if demand warrants
Materials management and loading dock	<ul style="list-style-type: none"> ✓ Five new loading docks, sized to accommodate small and large delivery vehicles ✓ Materials management will be relocated to be adjacent to the loading docks ✓ The loading dock will be expanded in place and reconfigured to allow easy access by large trucks
Central sterile	<ul style="list-style-type: none"> ✓ Supports the surgery department ✓ New space is substantially bigger and configuration is more efficient
Clinical learning lab (future)	<ul style="list-style-type: none"> ✓ Allows St. Mary’s to teach and assess more clinical skills than is currently the case

An important facet of Master Plan 2000 were the projects designed to improve **site access, traffic flow, and pedestrian circulation and safety**. Those projects have been completed and are summarized below.

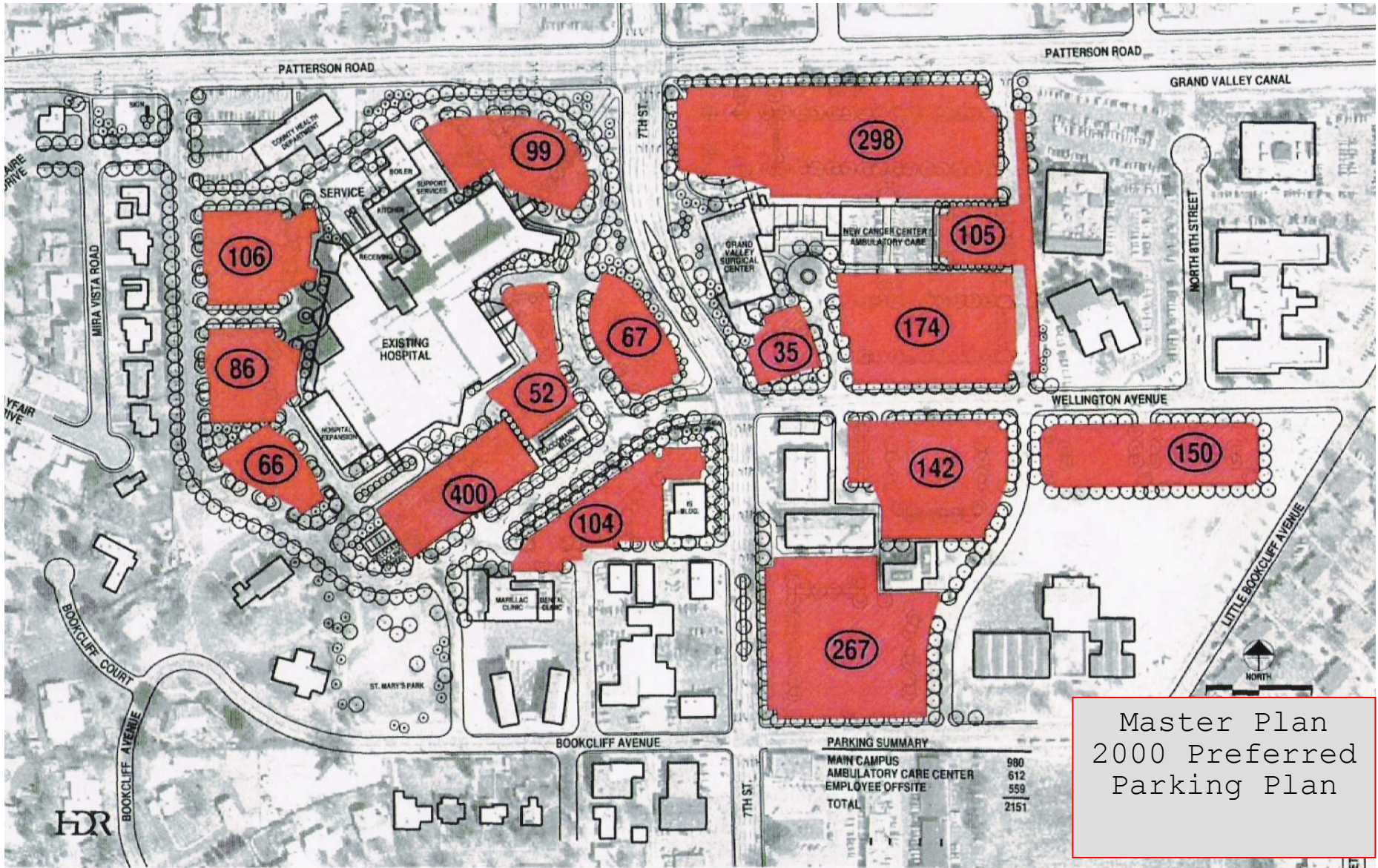
- Development of a ring road on the west campus that allows traffic to access the entire west campus without exiting onto either Patterson Road or 7th Street.
- Designation of a new right-turn lane from eastbound Patterson Road to southbound 7th Street; a new right-turn lane for eastbound Patterson Road traffic into St. Mary's Patterson Road entrance; and a new right-turn lane for southbound 7th Street traffic into the 7th and Wellington entrance.
- Development of two entrance/exits to and from the west campus, and elimination of five curb cuts on Patterson Road and on 7th Street reduced lane friction on both busy streets.
- Redesign and construction of 7th Street between Patterson Road and Center Avenue including a signaled intersection at 7th and Wellington Avenue.
- Addition of perimeter landscaping and consistent site signage improved the campus appearance and made clear the location of safe pedestrian walkways and campus destinations.

Although these projects have been completed, St. Mary's remains committed to maintaining and improving the internal ring road to assure that the fire department has necessary access, that pedestrians and vehicular traffic can navigate the campus safely, and that site circulation is easy and clear—unhampered by confusing and unnecessary barriers. In addition, access has continued to improve as a result of St. Mary's substantial commitment to simplify **way finding** on both campuses, inside and outside of the various buildings. Monument signs direct vehicular traffic to the appropriate parking lot and building, numbered entrances simplify locating the correct one, and zones with familiar pictures and names simplify finding departments within the buildings.

There is no city right-of-way work associated with Master Plan 2005; all work will be confined within the boundaries of the east and west campuses, with changes to buildings, parking, and circulation. Providing adequate **parking** was one of the major goals of Master Plan 2000. That plan identified an immediate shortage of 300 parking spaces that would only worsen as the hospital served and employed more people. The proposed solution was multi-faceted and involved adding surface parking on

the east campus and a 424-space parking garage on the west campus. Because the surface parking was designated primarily for employees, the hospital sought—and received—a variance to the City’s requirement that employee parking spaces be within 1,000 feet from the entrance to the hospital. In total, St. Mary’s added nearly 900 parking spaces to accommodate employees, physicians, patients, visitors, vendors, and volunteers.

The map on the following page shows St. Mary’s preferred parking plan as conceived and presented in Master Plan 2000.



PARKING SUMMARY	
MAIN CAMPUS	980
AMBULATORY CARE CENTER	612
EMPLOYEE OFFSITE	559
TOTAL	2151

Master Plan
2000 Preferred
Parking Plan

As Master Plan 2005 was being developed, St. Mary's elected to revisit parking demand to make sure that the 900 new spaces was, indeed, adequate to meet future demand.

St Mary's analyzes its parking requirements and forecasts its parking needs based upon a detailed demand study, as shown in the parking demand matrix (page 45). This approach is taken rather than using approximate square footage ratios or patient bed-to-parking space ratios, which we have found do not reflect the widely varying needs of the many services offered campus-wide. The demand study begins by listing every campus service and the expected volumes of employees, volunteers, patients, and visitors (of all types) for each service. Together with an assumed peak parking demand factor (which indicates how much of the average daily volume requires parking during the day-shift peak period), we then project a peak parking demand for each service, and generate a total peak parking demand for the campus. We add a standard 8% vacancy factor to that demand subtotal, further increasing the number of spaces to achieve a total parking demand.

We have been projecting parking needs in this manner since 1999, and have confirmed our peak period parking demand factors for those services which have been consistent from demand study to demand study.

Our parking projections also incorporate numbers of actual employees, not simply FTEs. This assumption affects the demand study by requiring more parking spaces than would be needed if job-sharing employees were to be counted as a single FTE, and therefore, as a single parking space.

The study also accounts for the many vendors who visit the campuses each day and require both short- and long-term parking, as well as the EMS, Police, Sheriff, Fire, and State Patrol vehicles that require parking in the vicinity of the emergency and ambulance entrances.

Master Plan 2005 and Century Project parking changes:

- Parking at the main entrance will be diminished, but covered parking will be added at the Lobby Level and surface parking will be added at the Emergency Entrance.
- St Mary's has leased and occupied the former Docs On Call Building, south of the parking garage, taking advantage of the 65 parking spaces available at that facility.

- One hundred and fifty new staff parking spaces will be added at the corner of Bookcliff and Little Bookcliff Avenues. This parking lot will be used temporarily for contractor parking, but will remain at the completion of construction, and will be reserved for St. Mary's staff.

In summary, our demand study indicates an excess of 113 parking spaces beginning in 2006, with current available parking on site (Parking Plan December 2005, page 48). In 2010, we show an excess of 40 spaces, assuming the parking changes to be made during the Century Project (Master Plan 2005 with Parking, page 49). In the year 2015, our demand study shows a deficit of 168 spaces.

Our 2015 parking forecast is only a projection at this time, and will be refined as part of our Master Plan 2010. However, it is indicative of a need to begin planning now for probable parking needs in the future.

Parking Demand Matrix	2006			2010			2015		
	Average Daily Volume	Peak Parking Demand Factor	Daily Peak Parking Demand	Average Daily Volume	Peak Parking Demand Factor	Daily Peak Parking Demand	Average Daily Volume	Peak Parking Demand Factor	Daily Peak Parking Demand
Hospital Employees¹	1,283	95%	1,218	1,388	95%	1,319	1,533	95%	1,456
Hospital Inpatients									
Admissions	31	50%	15	31	50%	16	35	50%	18
Discharges	57	50%	29	58	50%	29	65	50%	32
Visitors	158	50%	79	163	50%	81	183	50%	92
<i>Per Day Per Pt</i>	.75			.75			.75		
<i>Patient Days²</i>	63,061			65,057			73,355		
Hospital Outpatients									
ED Visits, Admits	18	30%	5	19	30%	6	20	30%	6
ED Visits, Non-Admits	79	30%	24	96	30%	26	96	30%	29
Outpatient, Surgery	9	60%	5	10	60%	6	11	60%	7
Endoscopy, Bronchoscopy ³	8	35%	3	7	35%	2	8	35%	3
Cath, EP, Vascular Labs	2	100%	2	3	100%	3	3	100%	3
Laboratory	7	25%	2	8	25%	2	8	25%	2
Ultrasound ³	7	15%	1	8	15%	1	9	15%	1
MRI ³	3	15%	1	5	15%	1	8	15%	1
CT ³	11	15%	2	17	15%	3	25	15%	4
Diagnostic ³	63	15%	9	63	15%	9	63	15%	9
Coumadin Clinic Visits	48	25%	12	52	25%	13	55	25%	14
All Other Outpatient Visits	53	25%	13	57	25%	14	63	25%	16
Outpatient Visitors	35	10%	4	38	10%	4	42	10%	4
<i>Visitors Per OP Visit</i>	.10			.10					
Medical Offices (Hospital)									
Patients	259	25%	65	259	25%	65	259	25%	65
Staff	126	100%	126	126	100%	126	126	100%	126
Physicians	36	75%	27	36	75%	27	36	75%	27
<i>Visits per Physician</i>	1,800			1,800			1,800		
<i>Staff per Physician</i>	3.50			3.50			3.50		

Parking Demand Matrix	2006			2010			2015		
	Average Daily Volume	Peak Parking Demand Factor	Daily Peak Parking Demand	Average Daily Volume	Peak Parking Demand Factor	Daily Peak Parking Demand	Average Daily Volume	Peak Parking Demand Factor	Daily Peak Parking Demand
Advanced Medicine Pavilion									
St. Mary's Employees ⁴	--	--	--	--	--	--	--	--	--
Patients	323	17%	55	374	17%	64	437	17%	74
Physicians' Employees	20	100%	20	22	100%	22	25	100%	25
Farrell and Madden Bldgs									
St. Mary's Employees ⁴	--	--	--	--	--	--	--	--	--
Visitors	10	100%	10	11	100%	11	13	100%	13
Grand Valley Surgical Center									
Employees ⁵	19	100%	19	22	100%	22	25	100%	25
Patients ⁶	57	33%	19	62	33%	20	68	33%	23
Physicians									
Hospital-Based	21	90%	19	21	90%	19	21	90%	19
Rounders ⁷	210	30%	63	217	30%	65	245	30%	73
<i>Per Patient Day</i>	<i>1.00</i>			<i>1.00</i>			<i>1.00</i>		
<i>Patient Days</i>	<i>63,061</i>			<i>65,057</i>			<i>73,355</i>		
Others									
Campus Vehicles									
Lab Courier	3	100%	3	3	100%	3	3	100%	3
Food Service	3	100%	3	3	100%	3	3	100%	3
Security	3	100%	3	3	100%	3	3	100%	3
Others	14	100%	14	6	100%	6	14	100%	14
Care Flight Personnel	6	67%	4	6	67%	4	6	67%	4
Vendors									
Flower Delivery	4	50%	2	4	50%	2	4	50%	2
UPS, FedEx	2	50%	1	14	50%	7	2	50%	1
Others	14	35%	5	14	35%	5	14	35%	5
Clergy	4	100%	4	6	100%	6	4	100%	4
Emergency Vehicles	6	100%	6	6	100%	6	6	100%	6
Volunteers	25	50%	13	25	50%	13	25	50%	13
Subtotal Demand			1,904			2,033			2,223
Vacancy Factor (8%)			165			216			194



Parking Demand Matrix	2006			2010			2015		
	Average Daily Volume	Peak Parking Demand Factor	Daily Peak Parking Demand	Average Daily Volume	Peak Parking Demand Factor	Daily Peak Parking Demand	Average Daily Volume	Peak Parking Demand Factor	Daily Peak Parking Demand
Total Demand			2,069			2,209			2,417
Spaces Available			2,290			2,290			2,290
Variance			221			81			(127)

Notes:

- ¹ Represents day-shift employees only; others have no impact on peak demand
- ² Excludes normal newborns and admissions that originate in the emergency department
- ³ Excludes patients who originate in the emergency department and use this service
- ⁴ Included in count of hospital employees
- ⁵ Includes only employees of Grand Valley Surgical Center; dialysis center and IT employees are included in the count of hospital employees
- ⁶ Includes surgical center and dialysis patients
- ⁷ Includes physicians whose offices are off campus but who visit the campus to make patient rounds each day; 30% of physicians are assumed to park on the campus

The map on the following page shows the number and location of parking spaces as of December 2005. Following that map is another that shows parking lots and spaces as envisioned on completion of Master Plan 2005.

Parking Plan December 2005





Master Plan
Update
2005
Revised 10/06
with Parking



B. WEST CAMPUS	948 SPACES
EAST CAMPUS	1,342 SPACES
TOTAL	2,290 SPACES



- HOSPITAL CAMPUS BOUNDARIES
- EXISTING HOSPITAL BUILDINGS
- PROPOSED HOSPITAL ADDITION
- RING ROAD
- PARKING

Open space and urban trails. St. Mary's has long supported the city's urban trails program. Master Plan 2000 accomplished a number of projects that improved safety for bike riders and for pedestrians in and around the hospital's campus. See previous list of specific projects. In addition, St. Mary's has continued to maintain St. Mary's Park at the southwest corner of the campus for the enjoyment of area residents and employees. Although it will be used for staging throughout construction, it will be restored at the conclusion of the project and a public shelter will be added.

Pedestrian circulation will be routed around the hospital on the east side of the west campus. There will be an accessible sidewalk, along the east ring road, from Patterson Road to Wellington Avenue, separate from 7th Street. Traffic is often very congested at the ambulance entrance on the west side of the campus, and it is desirable to direct pedestrians walking through the campus along the east side, away from the ambulance and emergency entrances.

Drainage and storm water management. The increase in the amount of developed hard surface acreage on the east and west campuses that occurred as part of Master Plan 2000 required a substantial increase in storm water management capabilities. Those needs were met by a combination of an upgrade to the surface detention basin in St. Mary's Park and construction of two underground detention systems on the east campus. The most recent amendment to Master Plan 2000 calls for constructing new underground storm water detention facilities in St. Mary's Park, a project to be completed by December 2006.

It has been determined that the existing surface detention basin located in St. Mary's Park is, in fact, inadequate to accommodate the needs of the west campus on completion of the Century Project. However, underground detention will satisfy the requirements for detention, and at the same time, provide dual use of the site—initially, for contractor staging during construction as well as storm water detention, and finally, for an improved park surface for recreation in addition to underground detention. The preliminary engineering studies for the underground detention have been completed and indicate that underground detention is both feasible and the preferred solution. A final drainage study will be submitted with the site plan review documents for the underground detention project.

Over the course of the next five years—the period covered by Master Plan 2005—St. Mary's will significantly upgrade its central utility plant with new boilers and chillers and new emergency generators. In the case of each of these major mechanical and electrical services, St. Mary's will increase its capacities as well as provide for necessary redundancy for critical hospital equipment. This upgrade will also allow for future expansion of the hospital's physical plant on the existing site.

St. Mary's currently has adequate domestic water (both City and Ute), fire protection water (City), and power service to its site for use by the existing hospital and by the proposed addition. With the Century Project, however, St. Mary's will redistribute all of those services from new distribution hubs in both the upgraded central plant and in the existing hospital and new addition. We will loop the site with both domestic water piping and fire protection water piping and will provide new fire hydrants as prescribed by the Grand Junction Fire Department. We will install a new underground storm water detention system beneath the surface of St. Mary's Park, providing for both increased storm water capacity and for a reconstructed, more people-friendly park.

As part of the Century Project, St. Mary's will construct a new utility tunnel on site, allowing underground transport for major utilities (steam, chilled water, normal and emergency power, and medical gases) from the central utility plant to the new addition.

In all cases, utility infrastructure will be designed and constructed to achieve the greatest possible energy efficiencies.

Traffic Analysis. We are required, as part of our Master Plan 2005, to provide a traffic impact study to evaluate effects of the new hospital addition on vehicular traffic surrounding the campus. At our General Meeting with Community Development staff on June 6, 2005, it was agreed that our new traffic study should not proceed until the Patterson Road Right Turn Lane project is complete. At that time, the schedule for construction of the new right-turn lane called for completion no later than October 2005. We then scheduled our traffic study for the months of October, November, and December 2005, and for our Traffic



Impact Study Report to be submitted as part of our Master Plan. The right-turn lane was only opened to traffic, however, on Wednesday, December 21, 2005, a full two and one-half months later than expected by both the City and St. Mary's. Given those delays, which were beyond our control, we **have now completed and submitted** ~~will now complete~~ the required traffic analysis, with both new Patterson Road right-turn lanes in place—the right-turn lane to St. Mary's Patterson Road entrance, and the Patterson Road right-turn lane for Patterson eastbound to southbound 7th Street.

As part of Master Plan 2000, St. Mary's provided two detailed traffic analyses: the first for the design and reconstruction of 7th Street between Patterson Road and Center Avenue (April 2001) and the second for the new entrance on Patterson Road (October 2003). We have reproduced both reports and include them as a point of reference and starting point for our new traffic impact study that will commence on January 2, 2006.

General building location and size. The Century Project, which includes adding a new patient tower to the existing hospital as well as reconfiguring and remodeling existing hospital space, is the primary focus of St. Mary's Master Plan 2005.

All of the proposed demolition, construction, and remodeling will occur while St. Mary's occupies existing space and continues to provide unabated and continuous hospital operations. The new patient tower will be 12 stories in height with an area of approximately **440,000** ~~375,913~~ SF; remodeling within the existing hospital will include approximately **120,000** ~~157,725~~ SF. Associated site work will include:

- New underground storm water detention at St. Mary's Park, and restoration and improvement of the park following hospital construction.
- Temporary contractor parking at Holy Family Park at 7th and Bookcliff, and restoration and improvement of the park following hospital construction. Contractor parking at Bookcliff and Little Bookcliff Avenues, to remain as staff parking following hospital construction.
- Use of the vacant lot at 11th and Wellington for temporary contractor staging of construction materials.
- A new main entrance in the vicinity of 7th and Wellington.



- Exterior patio spaces at the new cafeteria ~~and conference center~~ levels.
- A new single-level, covered parking garage adjacent to the **emergency main** entrance intended for use by patients **walking into the emergency department.** ~~being admitted or discharged as well as by vendors (e.g., florists) who require short-term parking.~~
- A new emergency entrance for ambulatory patients and a new ambulance entrance.
- A new loading and receiving dock.
- Revisions to the ring road that surrounds the hospital buildings.

The approved budget for the project includes a total project cost of **\$261** ~~\$226~~ million, including total construction costs of **\$180** ~~\$148~~ million.

Services to be included in, and on top of, the new patient tower include:

- ~~□ Materials management and receiving~~
- Nutrition services
- Emergency department
- Lobby, admissions, gift shop
- Chapel
- ~~□ Education and conference center~~
- Surgery
- Critical care
- Neuro trauma acute care
- Medical acute care (**shelled**)
- Surgical acute care (**shelled**)
- Orthopedics
- Women's and infant's services (labor and delivery, antepartum, postpartum, neonatal intensive care, and gynecology)

All of the patient accommodations on the new nursing units will be in private rooms.

St. Mary's plans to shell all floors of the tower in a single phase, and completely finish all floors except ~~three two~~ designated for patient care. The rooftop heliport will include ~~one two~~ landing pads, a new helicopter storage facility, and rooftop fueling. The new heliport, including the landing pads and the storage facility, will occupy the entire roof of the new tower. There will be



no mechanical equipment on **the roof of the patient tower. any of the building addition roofs. However, there will be screened mechanical equipment on the roof of the kitchen addition.** All of the mechanical equipment (air handlers and cooling towers) usually found on building roofs will occupy space at the **fifth fourth** level of the new tower, and will be internal to the building. ~~Consequently, no mechanical screening for unsightly rooftop equipment will be necessary.~~

A new education center will be constructed as a fifth floor addition to the existing four-story patient tower.

Remodeling the existing hospital, which will be accomplished in phased construction projects, is slated to accommodate:

- Pediatrics **(future)**
- Rehabilitation services **(future)**
- Perioperative services
- Central sterile
- Endoscopy
- Heart Services (noninvasive testing, Cath/EP labs, nuclear medicine and future CT/MRI)
- Laboratory services
- Emergency department
- Health records
- Physicians services
- ~~Education and staff learning lab~~
- Environmental and linen services
- Imaging (diagnostic radiology, ultrasound, special procedures, CT, MRI, and patient prep and holding)

Remodeling projects will vary in complexity from the refinishing of existing rooms and spaces, to heavy reconstruction of entire departments.

With a construction project of this magnitude, St. Mary's is committed to thoughtful **staging of construction** and related **screening and buffering** requirements. Staging of construction materials will occur primarily in three locations owned by St. Mary's Hospital:

- St. Mary's Park (southwest corner of the west campus)
- The southeast corner of the site just north and west of the intersection of 7th and Wellington
- The property owned by St. Mary's at 11th and Wellington



At the conclusion of construction, St. Mary's will return the parks to green space and will enhance them by adding shelters.

St. Mary's intends to adhere to **LEED (Leadership in Energy and Environmental Design) standards** and will determine at a later date whether to apply for LEED certification.

Schedule and Phasing

As indicated in the overall project schedule on page 56, our major phases of planning, design, and construction include the following:

1. Planning and design for the project during calendar years 2005, 2006, **and 2007**.
2. Pre-tower construction projects (small projects which must be accomplished prior to commencement of construction of the building addition) during 2006 **and 2007**.
3. Construction of the patient tower between **June January** 2007 and December **2009 2008**.
4. Remodeling during 2009, 2010 **and 2011**.



Schedule

Activity	2005	2006	2007	2008	2009	2010	2011
Owner's Representative Engaged	1/1 - 2/4						
Program Manager Selected	2/11 - 3/31						
Independent Review Conducted	3/1 - 4/11						
Design Team Selected	4/15 - 6/24						
Project Approved by SCLHS Board	7/8						
Pre-Design, Schematic Design & Site Plan 2010 for Pre-Tower, Tower, Remodeled Space, & Site	7/9 ----- 9/19						
General Contractor Selected	8/15 - 11/9						
Pre-Tower, CUP Design & Construction Docs	7/9 ----- 3/1						
Design Development through Construction Documents for Patient Tower & Site		4/1 ----- 4/15					
Pre-Tower, CUP Construction		2/1 ----- 6/1					
Subcontract Bids Contract Negotiations for Patient Tower & Site			4/1 - 6/1				
Construction, Patient Tower			6/1 ----- 9/15				
Design Development through Construction Documents for Remodeled Space				9/1 ----- 4/30			
Subcontract Bids Contract Negotiations for Remodeled Space					5/1 - 6/30		
Patient Tower Commissioning & Occupancy					9/15 - 12/15		
Hospital Remodel, including Commissioning & Occupancy of Remodel Phases					7/1 ----- 6/30		

Shaded areas represent completed activities



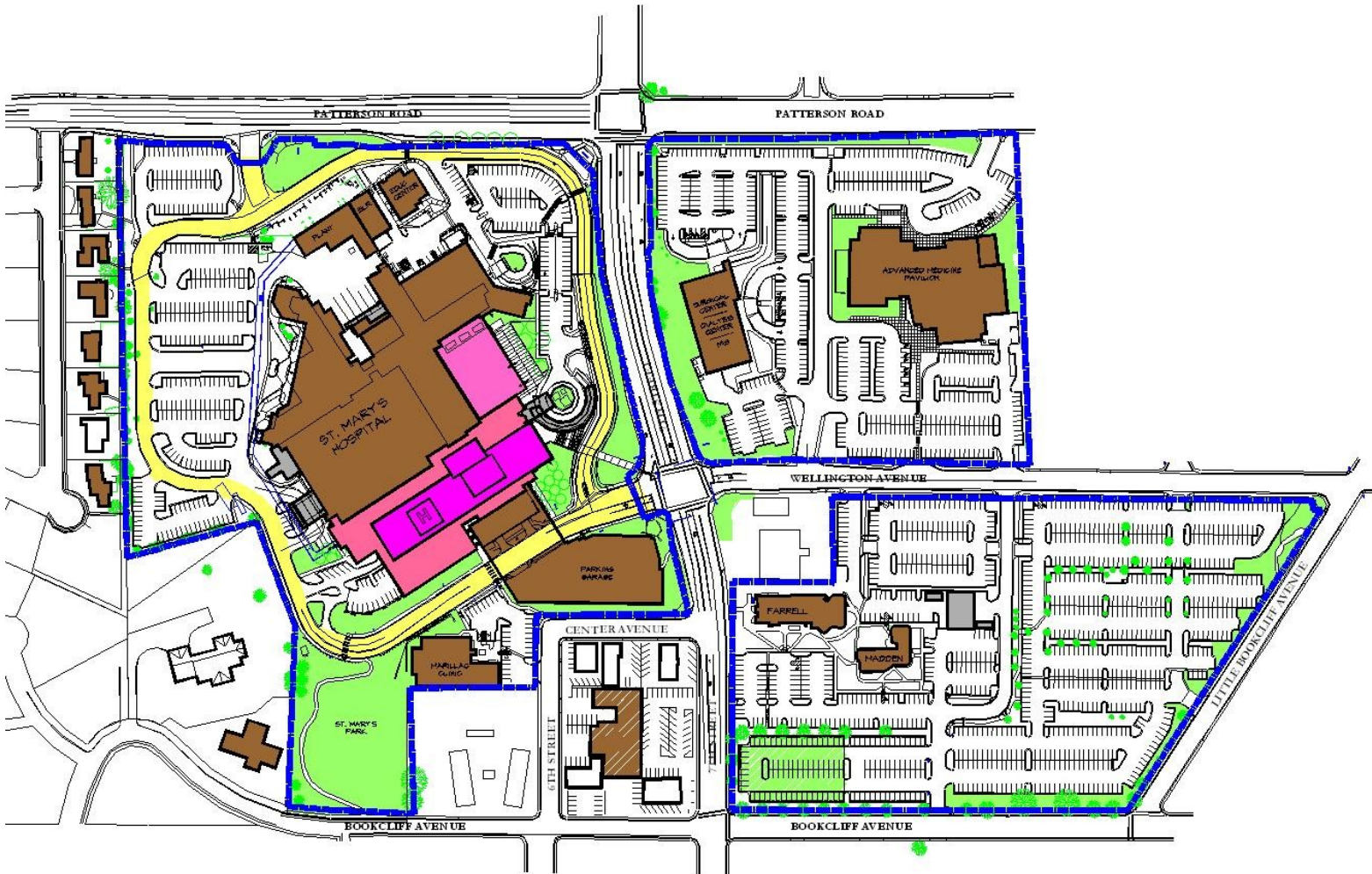
As noted in our description of pre-tower projects, we will require temporary use of parts of our campus for specific functions, while permanent homes for those functions are being constructed. We've mentioned the use of St. Mary's Park for contractor staging during construction, and subsequent reconstruction and improvement. Likewise, Holy Family Park will be used during the construction process for contractor parking, and will then be restored and improved following completion of construction. While the new patient tower is being constructed, the helicopter landing pad and hangar will be relocated to the east campus, in underused public parking areas immediately east of the Madden Building. Following completion of construction, the helicopter will then move to the permanent home on the roof of the new tower.

Planning Approvals

Throughout Master Plan 2000, St. Mary's requested approval for each work element from the Planning Commission as a final plan. As a result, over the course of the past five years, we submitted over ten Final Plans for review by the Planning Commission. For Master Plan 2005, however, we request that individual elements of the Plan be submitted and reviewed by the Planning Commission as part of a Preliminary Plan, and that the Final Plan(s) for those individual work elements be administratively reviewed and approved by the Community Development Staff. This will enable St. Mary's to accomplish detailed planning for certain elements (for example, remodel design and construction) at the appropriate time, rather than all at once, at the outset of the project. Detailed design and production of construction documents for the remodel phases won't properly occur until 2008, just prior to remodel construction. Yet preliminary planning for these phases is nearly complete.

Concept Plan Drawings

Concept plan drawings are presented on the pages that follow, beginning with **a site plan and building floor plans followed by a north/south building section facing west. East, west, north, and south elevations are shown next, concluding with views of the patient tower from several perspectives.** ~~—a preliminary building model that looks at the west campus from the northwest. An east/west building section, looking north, follows the model. Then, concept plans, from the perspective of the intersection at 7th and Wellington, are shown for each floor, from the lobby through the fourth floors. Concluding the drawings is a single drawing depicting floors five through ten.~~

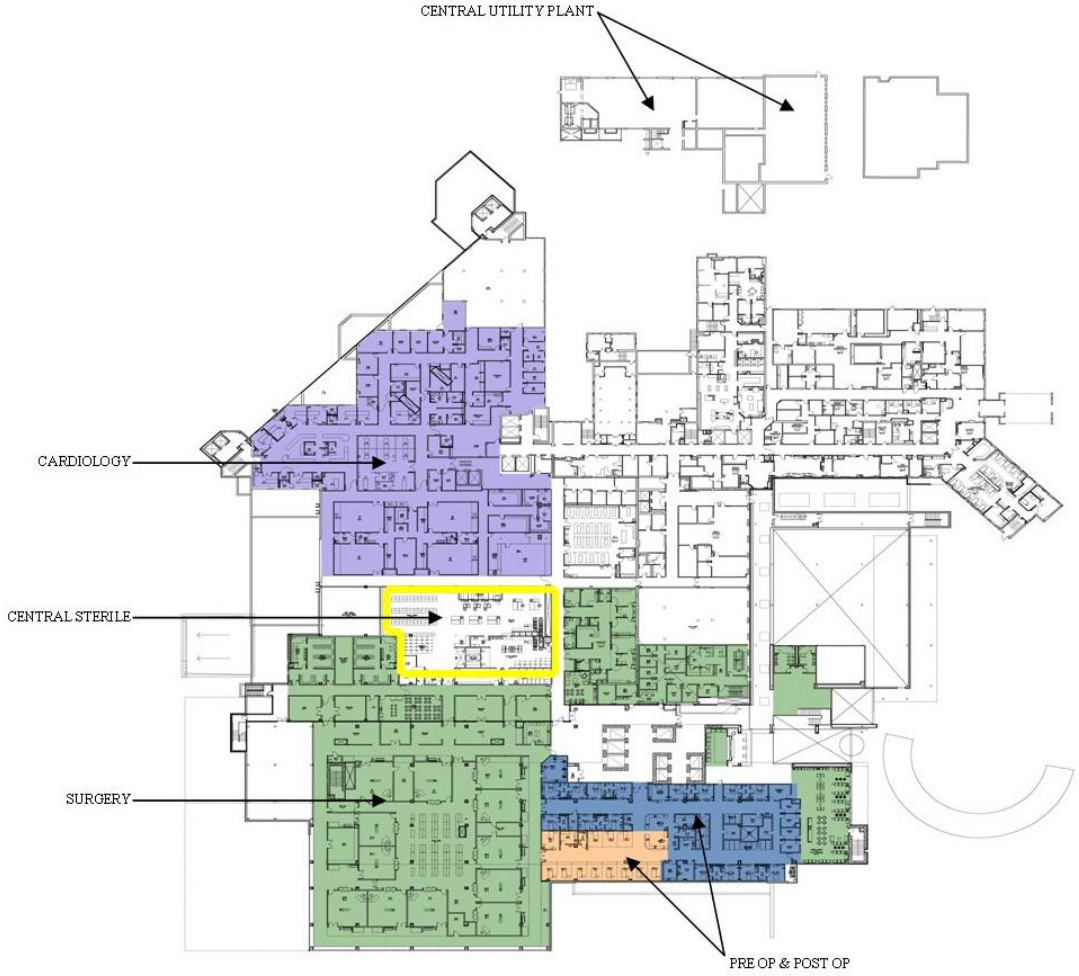


SITE PLAN





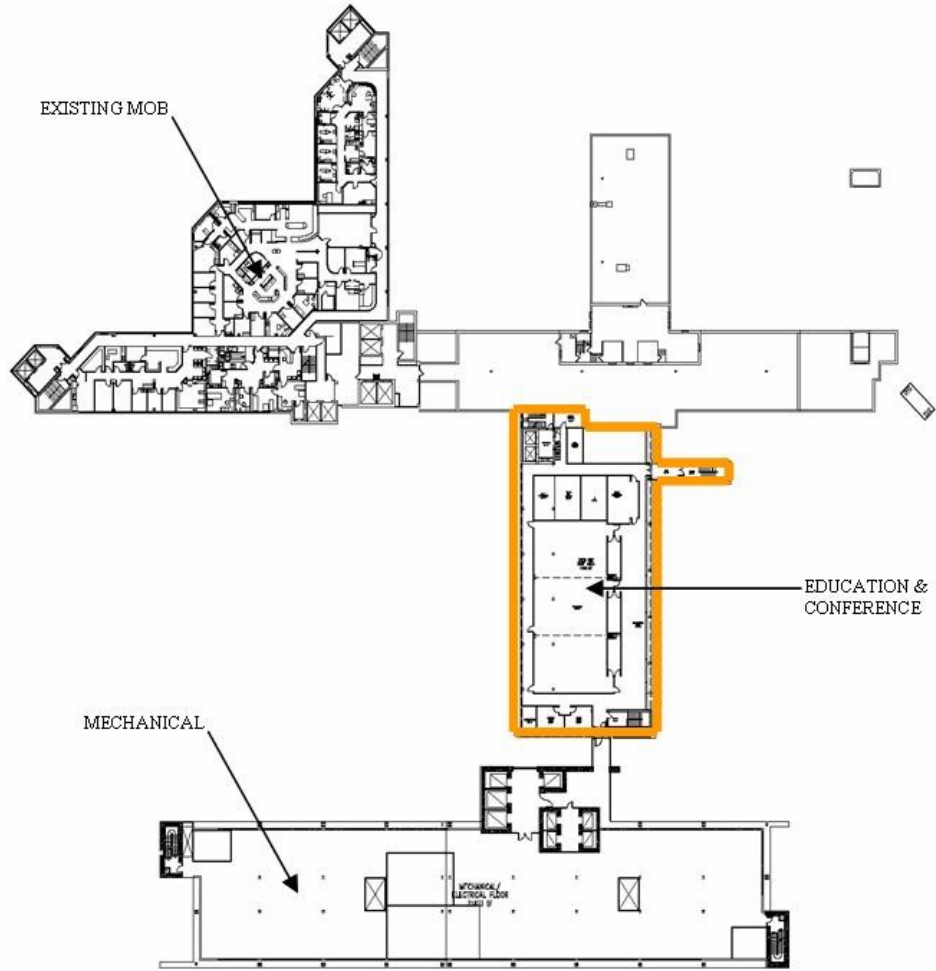
MAIN LEVEL



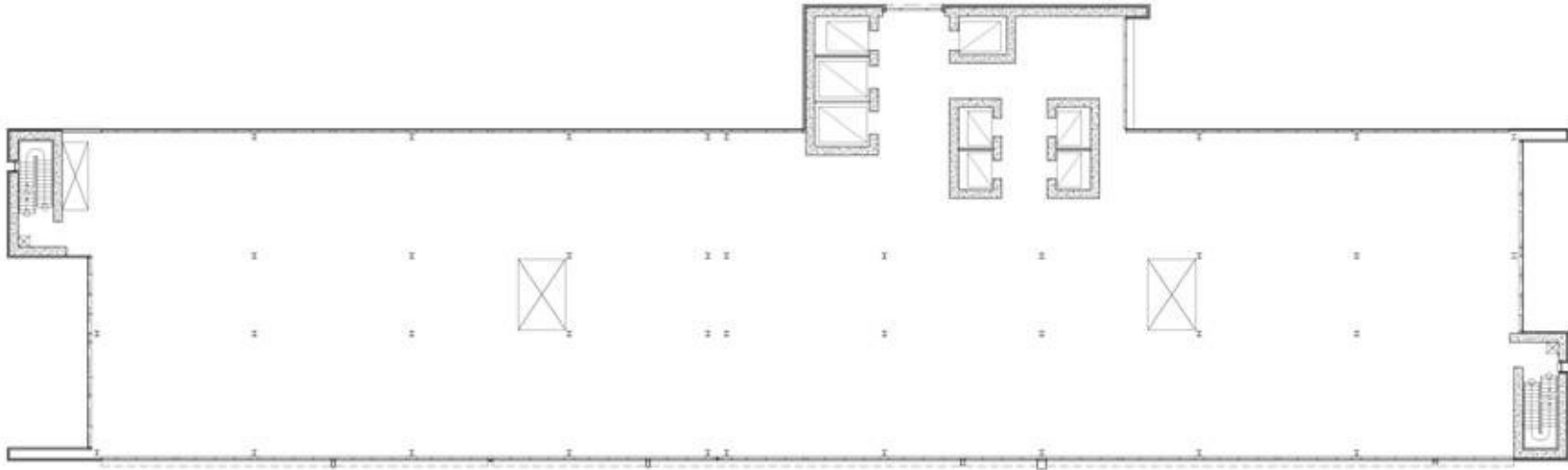
1st FLOOR



3RD FLOOR



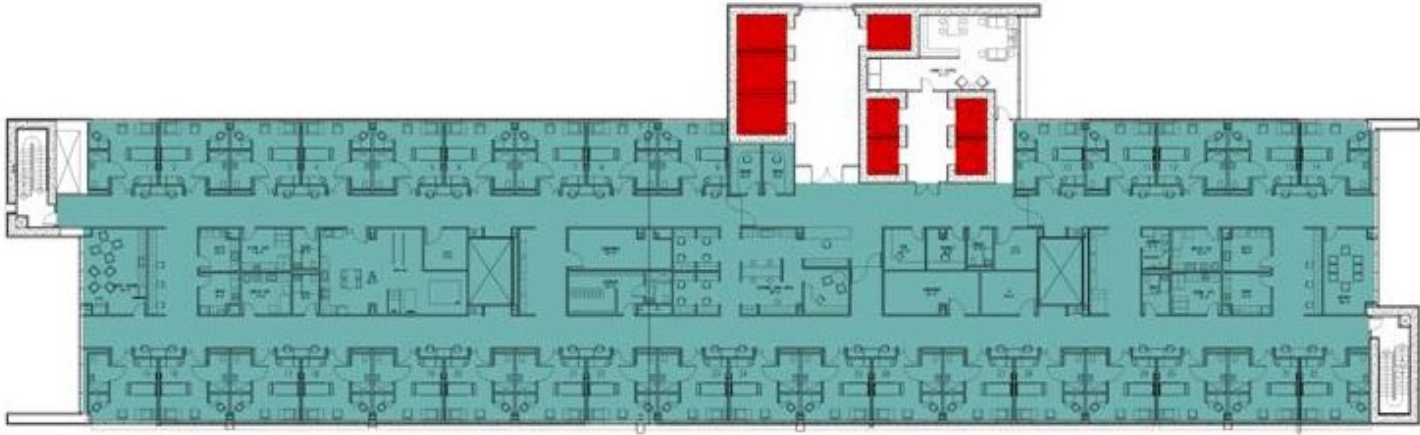
**5th FLOOR
EDUCATION &
MECHANICAL**



6TH, 7TH, & 8TH FLOORS
SHELLED SPACE



9TH FLOOR
ORTHOPEDICS



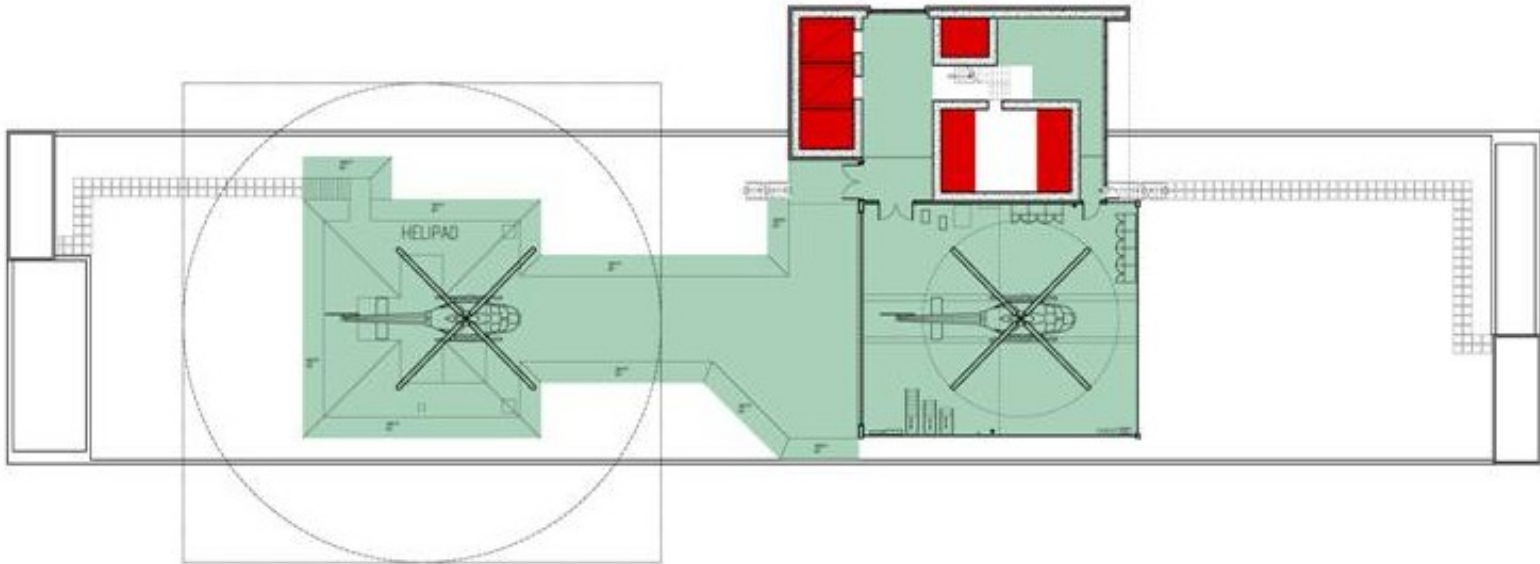
10TH FLOOR
NEUROTRAUMA



11TH FLOOR
LABOR & DELIVERY
AND NICU



12TH FLOOR
POST PARTUM



HELIPAD
ROOF LEVEL



**BUILDING
SECTION –
NORTH/SOUTH**



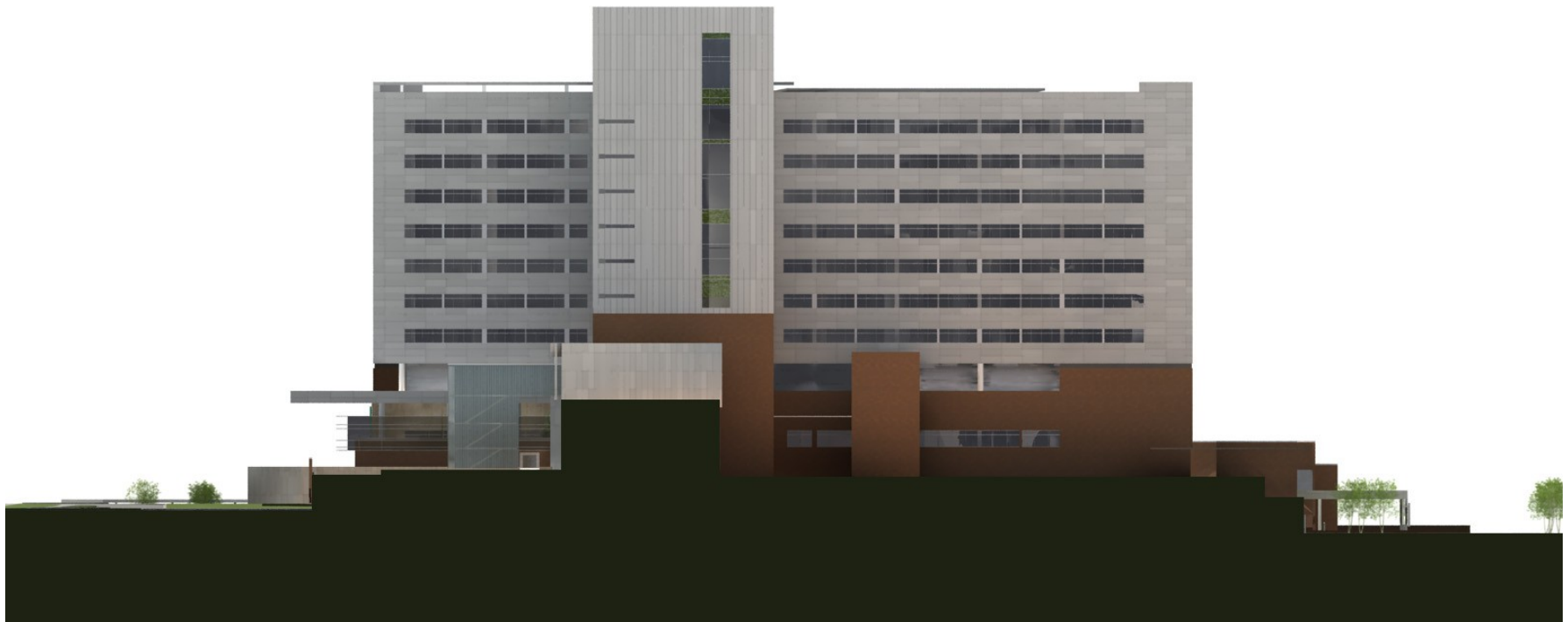
**EAST
ELEVATION**



**SOUTH
ELEVATION**



WEST
ELEVATION



NORTH
ELEVATION













Summary

St. Mary's is at an exciting time in its long and rich history in Grand Junction! Much of the hospital's success is due to a long-term commitment to plan proactively for the local community as well as for the entire service area. As hospitals in outlying areas add programs to serve their growing communities, St. Mary's has maintained its role as the area's premier regional medical center by adding the next higher level of service. The result is a diminishing number of service area residents who must travel great distances for health care. The expansion that St. Mary's began ten years ago has laid the groundwork for the important components of Master Plan 2005.

The concept plan was approved in July 2005 by the St. Mary's Board of Directors as well as by the Board of Directors of the Sisters of Charity of Leavenworth Health System in Lenexa, Kansas. Now that the projects that were approved as part of Master Plan 2000 and its subsequent amendments have been completed or will soon be underway, and now that schematic design for the new patient tower is complete, St. Mary's is seeking approval from the City of Grand Junction to continue to advance healthcare in the community through the implementation of Master Plan 2005.

Master Plan 2005 is a continuation of the two previous five-year plans that were a collaborative process between the City and the hospital. In developing the plan, St. Mary's acknowledges the generous support of the community as well as the helpful input from the City's planning staff, and respectfully seeks approval to implement the project which will carry us into our second century of caring.

ORDINANCE NO. _____

**AN ORDINANCE APPROVING MASTER PLAN 2005 FOR ST. MARY'S HOSPITAL
AND ENVIRONS LOCATED AT 2635 NORTH 7th STREET
AND RE-ESTABLISHING STANDARDS FOR THE PLANNED DEVELOPMENT (PD)
ZONE DISTRICT FOR PROPERTY OWNED BY
ST. MARY'S HOSPITAL**

RECITALS.

St. Mary's Hospital has submitted to the City, Master Plan 2005 for the development of the hospital and the lands near to it that are dedicated to the provision of patient services.

Master Plan 2005 details the construction of the Century Project, a 12-story 440,000 sq. ft. hospital building addition and associated remodeling and ancillary development that are tied to the Century Project for the betterment of the hospital and community.

The Institutional and Civic Facility Master Plan process as defined in Section 2.20 of the Zoning and Development Code provides an opportunity for the early review of major institutional and civic facilities that provide a needed service to the community. In accordance with this section of the Code, Master Plans such as that advanced by St. Mary's are now specifically encouraged and recognized as important planning tools. In this case the adopted plan as it is amended over time will be a guiding document on which both the community and the hospital can rely for many years to come.

In 2006, St. Mary's Hospital is celebrating 110 years of serving the health and medical needs of area residents and visitors. St. Mary's Hospital currently owns and consists of numerous properties that make up a total 53 acres. Not all properties that St. Mary's owns are currently zoned PD, Planned Development. This PD Ordinance is only in effect for properties owned by St. Mary's Hospital that are currently zoned PD, Planned Development.

This PD Ordinance will re-establish the default zoning district, B-1, Neighborhood Business, including uses and deviations from the bulk standards.

Adoption of this Ordinance will supersede Ordinance No. 3888.

On the 24th day of October, 2006, the Grand Junction Planning Commission reviewed the planning staff's recommendation and determined that Master Plan 2005 for St. Mary's Hospital and its environs complies with the provisions of the Growth Plan, Section 2.20 of the Zoning and Development Code, and other applicable legal requirements. After due consideration, the Planning Commission forwarded a

recommendation to City Council to adopt Master Plan 2005 and PD Ordinance. The City Council finds that the request meets the goals and policies set forth in the Growth Plan and the requirements of the Zoning and Development Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION THAT: Master Plan 2005 for St. Mary's Hospital is approved and more particularly described in Community Development Department file ICM-2006-005. That the properties owned by St. Mary's Hospital that are currently zoned PD, Planned Development shall be consistent with the adopted Master Plan 2005 for St. Mary's Hospital and shall be subject to the following:

Allowed Uses:

Restricted to the uses allowed in the B-1 zone district with the following modification:

Hospital would be an Allowed use and not subject to a Conditional Use Permit.

Deviations from Bulk Standards:

Shall meet the bulk standards of the B-1 zone district with the following modifications:

1. Maximum Height shall not exceed 245'.
2. A Conditional Use Permit will not be required for buildings that exceed 30,000 sq. ft.

The underlying default zone shall be Neighborhood Business (B-1) with modifications to be approved with Preliminary Plans. Preliminary and Final Plans will be approved in accordance with Master Plan 2005 for St. Mary's Hospital.

Master Plan 2005 for St. Mary's Hospital shall be and remain valid to and through the year 2011.

All phases of the project shall be in conformance with the approved Master Plan 2005.

INTRODUCED on first reading on the 1st day of November, 2006 and ordered published.

ADOPTED on second reading this _____ day of _____, 2006

ATTEST:

President of Council

City Clerk

Attach 23

Conduct a Hearing on an Appeal of a Planning Commission Decision to Deny the Pinnacle Ridge Preliminary Plan, Located Northeast of Monument Road and Mariposa Drive

CITY OF GRAND JUNCTION

<i>CITY COUNCIL AGENDA</i>								
Subject	Appeal of the Planning Commission Denial of the Pinnacle Ridge Preliminary Plan, Located Northeast of Monument Road and Mariposa Drive							
Meeting Date	November 15, 2006							
Date Prepared	October 23, 2006			File # PP-2005-226				
Author	Kathy Portner		Assistant Director of Community Development					
Presenter Name	Kathy Portner		Assistant Director of Community Development					
Report results back to Council	X	No		Yes	When			
Citizen Presentation		Yes		No	Name			
	Workshop	X	Formal Agenda			Consent	X	Individual Consideration

Summary: Appeal of the Planning Commission denial of the Pinnacle Ridge Preliminary Plan, consisting of 72 single family lots on 45.33 acres in a RSF-2 (Residential Single Family, 2 du/ac) zone district.

Budget: N/A

Action Requested/Recommendation: Staff is requesting that City Council continue this item until December 6, 2006.

Background Information:

To be provided next Council meeting.

Attach 24

Recreation Center Feasibility Study

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA							
Subject	Recreation Center Feasibility Study						
Meeting Date	November 15, 2006						
Date Prepared	November 14, 2006						
Author	Ron Lappi		Administrative Services Director				
Presenter Name	Dave Varley		Interim City Manager				
Report results back to Council		No	X	Yes	When	Spring of 2007	
Citizen Presentation		Yes	X	No	Name		
	Workshop	X	Formal Agenda		X	Consent	Individual Consideration

Summary: A request from the citizens volunteer committee headed by Sally Schaefer, for \$20,000 from the City to help fund the citizens survey and focus group polling to help determine the sentiment of the community, and gauge support for recreation centers in our community.

Budget: No money is budgeted for this project, but the General Fund Contingency for 2006 has \$286,557 still available.

Action Requested/Recommendation: Approve a transfer of \$20,000 from General Fund Contingency to the City Council Contributions account and approve payment to Hilltop Community Resources to help fund this work; which has already begun.

Attachments: None, City Council has the written report from Monday, November 13, 2006.

Background Information: The volunteer group coordinating the citizens survey and polling has asked that the City participate in this important work, by assisting with the polling of groups and individuals and questions to be asked, as well as contributing this \$20,000. Mesa County has also approved \$20,000 to assist with this project. The polling should be complete and the City Council should receive a report back by March

of 2007. The coalition of community activists includes Sally Schaefer from Hilltop, Kim Miller, and Loren Annino. It is believed that between the broad coalition of interested community people, the health club interests, the written newspaper survey, and the final polling that a go no go recommendation will be appropriate. Also the location, operation, funding resources and operating resource questions will be answered by this group in their final report and recommendations to all the stake holders in this project.

Attach 25

Grand Valley Housing Partnership's Request to Use the City's Affordable Housing Initiative Funds

CITY OF GRAND JUNCTION

CITY COUNCIL AGENDA						
Subject	Formal approval of the Grand Valley Housing Partnership's request to use the City's Affordable Housing Initiative funds.					
Meeting Date	November 15, 2006					
Date Prepared	November 14, 2006				File #	
Author	David Thornton		Principal Planner			
Presenter Name	David Varley		Interim City Manager			
Report results back to Council	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Yes	When	
Citizen Presentation	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No	Name	
Workshop	<input checked="" type="checkbox"/>	Formal Agenda			Consent	<input checked="" type="checkbox"/> Individual Consideration

Summary: The Grand Valley Housing Partnership met on October 16th and came up with a proposal prioritizing local affordable housing projects. The Partnership is now asking for City Council to help fund this proposal with the City's affordable housing funds currently earmarked for affordable housing activities.

Budget:

City's 2005 Affordable Housing Initiative \$ 482,077

Action Requested/Recommendation: Motion to designate the following funds from the City's Affordable Housing Initiative in the City's General Fund to be allocated to the following four projects:

Ultronics (GJHA)	\$181,370
Elm Properties (GJHA)	\$119,707
Crawford Commons (HRWC)	\$ 81,000
Revolving Loan Fund	<u>\$100,000</u>
TOTAL	\$482,077

Background Information: At the City Council Workshop on November 13, 2006, representatives from the Grand Valley Housing Partnership presented a request to City

Council asking for City Affordable Housing funds to help fund five projects the Partnership recommended from a list of local affordable housing projects. These projects were presented to and prioritized by the Partnership. City funding being requested for these projects includes \$482,077 from the City's Affordable Housing Initiative that was designated in the City's General Fund in 2005 and \$278,630 from the City's 2006 CDBG funds. The CDBG funding will help fund two of the five projects. The two projects require action by the City Council through sub-recipient contracts. One of these sub-recipient contracts is on tonight's Council agenda. The four projects to receive funding from the City's Affordable Housing Initiative fund (General Fund dollars) are now being considered formally by City Council.